

# Wetlands Bureau Decision Report

Decisions Taken  
12/20/2010 to 12/26/2010

## **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**

\*\*\*\*\*

**2006-03186                      BRISTOL, TOWN OF  
BRISTOL    Newfound Lake**

Requested Action:

Amend permit to relocate the approved docking structure on the frontage.

\*\*\*\*\*

Inspection Date: 05/25/2007 by Chris T Brison

APPROVE AMENDMENT:

Amend permit to read: Construct a 4 ft x 65 ft seasonal dock with two 3 ft x 20 ft seasonal finger docks in an "F" shaped configuration on Newfound Lake, in Bristol.

With Conditions:

1. All work shall be in accordance with plans as received by DES on January 11, 2008 and dock location plans by Sharon Lorah dated July 21, 2010, as received by the Department on October 28, 2010.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. 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.
4. 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.
5. Seasonal piers shall be removed from the lake for the non-boating season.
6. No portion of the docking facility shall extend more than 65 feet from the shoreline at full lake elevation.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d), construction or modification of a docking system which provides 5 or more slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 25, 2007. Field inspection determined the proposed docking structure would not impact navigation.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of Newfound Lake.
7. The Town of Bristol has agreed to the location of the proposed dock on town property.
8. The applicant has an average of 1700 feet of shoreline frontage along Newfound Lake.
9. A maximum of 23 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
10. The proposed docking facility will provide a total of 10 slips as defined per RSA 482-A:2, when combined with other docking facilities on the frontage, and therefore meets Rule Env-Wt 402.12.

-Send to Governor and Executive Council-

**2009-02780                      DUNBAR TRUST, BONNIE  
ALTON    Lake Winnepesaukee**

Requested Action:

Appellant requests reconsideration of the Department's September 10, 2010 decision to approve a single slip wharf on the grounds that it will be a hazard to navigation.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

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

Inspection Date: 07/16/2010 by Darlene Forst

DENY RECONSIDERATION:

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

With Conditions:

1. All work shall be in accordance with plans by Steven J Smith & Associates, Inc. dated August 10, 2010, as received by the NH Department of Environmental Services (DES) on August 19, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 16 feet from the shoreline at full lake elevation.
6. No watercraft shall be secured to the pier in a manner that creates an unreasonable navigational hazard to other watercraft in the cove.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

Grounds for Reconsideration

1. The Appellant maintains that while the water depths shown on the approved plan may be accurate at normal high water, the lake is often maintained at a lower level causing the proposed dock to have a greater than stated impact on navigation.
2. The Appellant maintains that the January 29, 2010 correspondence from the Applicant overstates the distance of the proposed dock from the Appellant's existing dock and the "island" owned by the Appellant.
3. The Appellant maintains that navigational channel to the west of the existing "island" mentioned in the Applicant's January 29, 2010 correspondence does not exist.

Standards for Approval

1. Pursuant to RSA 482-A:10, Appeals, III, the Department shall receive and consider any new and additional evidence presented, and shall make findings of fact and rulings of law in support of its decision after reconsideration.
2. Pursuant to RSA 482-A:10, Appeals, I, Any person aggrieved by a decision made by the Department under RSA 482-A:3 may apply for reconsideration by the department, and then may appeal to the wetlands council and to the supreme court as provided in this section. A person aggrieved under this section shall mean the applicant and any person required to be noticed by mail in accordance with RSA 482-A:8 and RSA 482-A:9.
3. In accordance with RSA 482-A:11, II, "No permit to dredge or fill shall be granted if it shall infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners."

Findings of Fact

1. On November 24, 2009, the Wetlands Bureau received an application for surface water impacts on the lot identified as Alton tax map 21, lot 12-1 (the Property), to install a seasonal "L" shaped dock on Lake Winnepesaukee.
2. This is a major impact project per Administrative Rule Env-Wt 303.02(1), projects which, when taken in the aggregate with previous work on the property within the last 5 years, would be considered major.
3. On September 10, 2010, the Department approved the Applicant's request for an "L" shaped dock on the Property.
4. The Department failed to provide notice of its decision to approve this major project to the Appellant at the time of the decision.
5. Notice of the Department's decision to approve this major project was provided to the Appellant on October 19, 2010.
6. Site inspections by DES staff on June 2, 2010 and July 16, 2010 determined that placement of a dock within this channel would have an impact on navigation in the channel.
7. The site inspections and review of prior DES files found that there is no navigable channel on the west side of the "island".
8. The site inspections also found that there was no place on the Applicant's frontage where a dock that would have any less impact on navigation could be installed.
9. Review of the materials submitted to the file finds that no portion of the proposed "L" shaped dock will be located with 20 ft of the island or the edge of the emergent wetland vegetation on the side of Beaver Brook opposite the proposed dock.

Rulings in Support of the Decision

1. RSA 482-A:11, II, states that no project may be permitted if it would "unreasonably affect the value or enjoyment of property of abutting owners". The proposed pier will impact navigation in the channel through which the Appellant gains access to Lake Winnepesaukee. However, given that the entire frontage of the property in question is located along the channel and there is no other dock currently existing on the frontage, the Applicant has shown that the location and configuration of the proposed pier will have the least possible impact on navigation. The proposed dock is therefore is the most reasonable alternative method of providing a boat slip on the subject property.
2. RSA 482-A and the Administrative Rule Chapters Env-Wt 100 - 900 establish property line setbacks of 20 ft for docking structures and other wetlands impacts. The Department finds that while representations of distances to structures and land areas made in the Applicant's January 29, 2010 correspondence may not have been accurate there is conclusive evidence in the file that the minimum required 20 ft setbacks will be met. The project was approved on the grounds that the minimum setbacks were met, not on the distances stated in the Applicant's January 29, 2010 correspondence, therefore, the decision to approve the project is reaffirmed.

-Send to Governor and Executive Council-

**2010-03089                      BATES, DONALD**  
**ALTON    Lake Winnepesaukee**

Requested Action:

Remove 8 cubic yards from 70 sq ft of existing breakwater to create a 10 foot gap at the shore on a docking system consisting of a 50 ft long L-shaped breakwater with two 10 ft x 30 ft piers connected by 6 ft 2 in X 49 ft 5 in cantilevered walkway along the breakwater and a 4 ft x 30 ft finger pier in a "W-shaped" configuration, on 394 ft of shoreline frontage on Lake Winnepesaukee, in Alton.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com recommends dredging also

APPROVE PERMIT:

Remove 8 cubic yards from 70 sq ft of existing breakwater to create a 10 foot gap at the shore on a docking system consisting of a 50 ft long L-shaped breakwater with two 10 ft x 30 ft piers connected by 6 ft 2 in X 49 ft 5 in cantilevered walkway along the breakwater and a 4 ft x 30 ft finger pier in a "W-shaped" configuration, on 394 ft of shoreline frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated November 3, 2010, as received by the NH Department of Environmental Services (DES) on November 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. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. Dredged material from the breakwater shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. This permit does not allow for the dredge of sand from the boat slips.
9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a major docking facility.
2. The applicant has an average of 394 feet of frontage along Lake Winnepesaukee.
3. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. The local Conservation Commission submitted comments suggesting dredge of the boat slip. DES file 2008-1303 was recently approved to dredge 22 cubic yards from this same area and DES file 1999-1115 was approved to dredge 80 cubic yards from the same area. The proposed modification of the breakwater is to restore natural lakeshore currents and reduce the sediment being deposited in this location.

-Send to Governor and Executive Council-

**2010-03180                      SMITH III, WENDELL**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Install a 4 ft x 6 ft concrete pad to anchor a 6 ft x 40 ft seasonal dock to be connected to an existing 6 ft x 40 ft seasonal dock by a 6 ft x 12 ft walkway, on an average of 302 ft of frontage on Little Bear Island, Lake Winnepesaukee, in Tuftonboro.

\*\*\*\*\*

Conservation Commission/Staff Comments:

no con com comments by Dec 20, 2010

APPROVE PERMIT:

Install a 4 ft x 6 ft concrete pad to anchor a 6 ft x 40 ft seasonal dock to be connected to an existing 6 ft x 40 ft seasonal dock by a 6 ft x 12 ft walkway, on an average of 302 ft of frontage on Little Bear Island, Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated November 5, 2010, as received by the NH Department of Environmental Services (DES) on November 22, 2010.
2. No modifications are authorized to the 6 ft x 40 ft seasonal pier located 24 ft east of the west property line.
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 recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
4. The three 6 ft x 40 ft seasonal piers, two seasonal boatlifts and two seasonal personal watercraft lifts shall be the only docking structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. All seasonal docking structures shall be removed from the lake for the non-boating season.
6. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.

- 7. Excavated material from the concrete pad installation shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 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 docking facility providing 5 or more boat slips.
- 2. The applicant has an average of 302 feet of frontage along Lake Winnepesaukee.
- 3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
- 4. The proposed docking facility will provide 5 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 Lake Winnepesaukee.

-Send to Governor and Executive Council-

**MINOR IMPACT PROJECT**

\*\*\*\*\*

**2005-00997 BELIVEAU, GEORGE**  
**RYE Tidal Buffer Zone**

Requested Action:

Approve waiver request of Rule Env-Wt 502.01 (Duration of Permit) and grant Time Extension to December 02, 2014 on permit to: Excavate, regrade and otherwise alter terrain within 14,000 sq. ft. of previously impacted upland tidal buffer zone to remove existing dwelling and outbuildings and construct a new dwelling and install a new subsurface septic system.

\*\*\*\*\*

Conservation Commission/Staff Comments:

On 06/03/2005 a report dated May 30, 2004 from the Rye Conservation Commission was received stating "The Commission requests that the current plan be denied." Field inspection w/ Rye Cons Comm, the applicant, consultant and DES staff took place July 25, 2005. Revised plans, based on information exchanged at the field inspection, were submitted to Rye Cons Comm for review. Follow-up inquiries to the Rye Cons Comm requesting comments on the revised plans were not responded to by the Commission.

Inspection Date: 07/25/2005 by Frank D Richardson

**APPROVE TIME EXTENSION:**

Approve waiver request of Rule Env-Wt 502.01 (Duration of Permit) and grant Time Extension to December 02, 2014 on permit to: Excavate, regrade and otherwise alter terrain within 14,000 sq. ft. of previously impacted upland tidal buffer zone to remove existing dwelling and outbuildings and construct a new dwelling and install a new subsurface septic system.

With Conditions:

- 1. All work shall be in accordance with plans by Stockton Services dated May 3, 2005 [revised Aug 8, 2005], as received by the Department on August 16, 2005.
  - 1a. Time extension of permit granted via waiver of Administrative Rule Env-Wt 502.01 - this permit is in force until December 02, 2014.
- 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 (CSPA), 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.

3a. Note: All work proposed is within 100 feet of the highest observable tide line; therefore a permit under the CSPA is not required for this project provided all work is in compliance with the requirements set forth under RSA 483-B.

4. There shall be no further alteration of areas within NH DES Wetlands jurisdiction for lot development, driveways, for septic setback or any other construction activities.

5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

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

7. DES Wetland Bureau Southeast Region staff and the Rye Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a), Projects within 100 feet of the highest observable tide line that do not meet the criteria of Wt303.02, Wt303.04 or Wt303.05.

1a. Time extension of permit is granted via waiver of Administrative Rule Env-Wt 502.01 (Duration of Permit) due to extenuating circumstances resulting in unavoidable delays in implementing the permit. This permit is now in force until December 02, 2014.

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

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

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

5. DES Staff conducted a field inspection of the proposed project on July 25, 2005. Field inspection determined the project proposal based on a revised layout of the new dwelling, with the driveway entrance off Appledore Ave. rather than Wallis Road, as originally proposed, is reasonable and significantly reduces the impact in the upland tidal buffer zone adjacent to salt marsh.

6. All new construction will occur a minimum of 50 feet landward of the highest observable tide line.

7. On 06/03/2005 a report dated May 30, 2004 from the Rye Conservation Commission was received stating "The Commission requests that the current plan be denied." Field inspection w/ Rye Conservation Commission, the applicant, consultant and DES staff took place July 25, 2005. Revised plans, based on information exchanged at the field inspection, were submitted to Rye Conservation Commission for review. Follow-up inquiries to the Rye Conservation Commission requesting comments on the revised plans were not responded to by the Commission.

**2005-01015 CZUBARUK, KATHLEEN  
GILFORD Lake Winnepesaukee**

Requested Action:

Amend permit to locate the beach and dock in different locations on the frontage and increase the steps from the beach from 4 ft wide to 6 feet wide.

\*\*\*\*\*

APPROVE AMENDMENT:

Amend permit to read: Construct a "U-shaped" docking facility consisting of two 6 ft x 30 ft crib supported piers connected by a 12 ft walkway, construct a 18 ft x 32 ft perched beach with 6 ft wide lake access steps on 214 ft of frontage on Mark Island, Gilford on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Diversified Marine Construction as received May 16, 2005, tree plot plan as received December 28, 2005 and cross section as received by the Department on February 28, 2006 and amendment request by SEC as received by the Department September 29, 2010 and October 05, 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 registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. Appropriate siltation/erosion/turbidity 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. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.

5. 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.
6. The steps installed for access to the water shall be located completely landward of the normal high water line.
7. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. 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.
11. The maximum size of cribs shall not exceed 6 feet long by 6 feet wide and of such height as necessary to support the docking structure above the water level. Variance to this condition may be sought if water depth is greater than 6 feet.
12. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
13. Permanent piers shall not extend more than 30 ft from the reference line elevation 504.32
14. The minimum clear spacing between cribs shall be 12 feet.
15. 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.
16. No stumps shall be removed within 50 feet of the reference line per RSA 483-B.
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d)(3), construction of a docking system exceeding the design and construction criteria discussed at Wt 402.01 for minimum impact docks classified under Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant completed the submitted the outstanding items originally requested on August 1, 2005, on February 28, 2006.
6. The applicant has 214 feet of frontage along Lake Winnepesaukee.
7. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
8. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Wt 402.12.

**2009-02510                      CAMPBELL, WAYNE & BRENDA**  
**LEE   Unnamed Stream**

Requested Action:

Amend original permit to dredge and fill a total of 7,101 sq. ft. of wetlands over 3 locations for access, grading, and parking for commercial site development, which also includes a NHDOT Park & Ride, and impact 2,072 sq. ft. (878 sq. ft. of permanent and 1,194 sq. ft. of temporary) of wetland to re-establish approximately 160 linear ft. of natural stream channel previously diverted in association with Route 4 road improvements.

\*\*\*\*\*

APPROVE AMENDMENT:

Dredge and fill a total of 7,101 sq. ft. of wetlands over 3 locations for access, grading, and parking for commercial site development, which also includes a NHDOT Park & Ride, and impact 2,072 sq. ft. (878 sq. ft. of permanent and 1,194 sq. ft. of temporary) of wetland to re-establish approximately 160 linear ft. of natural stream channel previously diverted in association with Route 4 road improvements.

With Conditions:

1. AMENDED: All work shall be in accordance with plans by Berry Survey and Engineering dated 3/18/2010, as received by DES on 4/9/2010 and plans by Berry Survey and Engineering titled Wetlands Restoration Swale dated 11/21/2010, as received by DES on 12/01/2010.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Area shall be regraded to original contours following completion of work.
7. The stream channel restoration component of the project shall be constructed, and shall be initially stabilized, as described in conditions 10, 11, and 12 below, prior to other site work taking place on the property. Tree and shrub plantings as described in the plans shall be installed concurrent with site development activities and protected from construction activities. The progress of the stream restoration shall be monitored by written monthly reporting to DES until DES inspection determines to the agency's satisfaction that the restoration is stable and complete.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
10. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or matting 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. Silt fencing must be removed once the area is stabilized.
14. Work shall be done during low flow.

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; or per Env-Wt 303.03 (l), projects that impact less than 200 linear feet of intermittent streams that exceed minimum impact criteria per Env-Wt 303.04 (n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary to provide access and parking around the periphery of an existing commercial lot.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has confined the impacts to the edges of the development, and will restore a diverted stream to its original path.
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. Impacts are not expected to the wildlife species of concern reported by the NH Natural Heritage Bureau for the project vicinity, pursuant to correspondence from NH Fish & Game Department dated 8/31/2009, indicating that the species would not be located on this site.
5. The Lee Conservation Commission reported concerns regarding the timing of stabilization of the new stream channel, which has been addressed in permit conditions.

**2010-00103                      KOZIOL TRUST, TRUDI**  
**WOLFEBORO Lake Winnepesaukee**

Requested Action:

Amend permit to include beach replenishment and replace piles supporting docking structure.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com has no concerns with proposed project

**APPROVE AMENDMENT:**

Amend permit to read: Completely remove an un-permitted 4 ft x 12 ft permanent wharf and all supports, temporarily impact 32 sq ft of lakebed to install jack points to repair an existing 34 ft 5 in x 50 ft 5 in boathouse in kind with a 6 ft x 68 ft 2 in dock, and replenish an existing beach with less than 10 cubic yards of sand, on Lake Winnepesaukee, Wolfeboro.

**With Conditions:**

1. All work shall be in accordance with plans by Beckwith Builders revision dated April 23, 2010, as received by DES on April 26, 2010, and email by Alan Folsom dated May 26, 2010 and amendment plans by Beckwith Builders revision dated October 20, 2010, as received by DES on October 25, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. The un-permitted 4 ft x 12 ft permanent wharf shall be completely removed prior to any repairs to the boat house.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. All temporary impacts shall be completely removed from the lakebed within 30 days of completion of all lifting activities.
11. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
12. This permit shall be used only once, and does not allow for annual beach replenishment.
13. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a), projects that do not meet any criteria of Env-Wt 303.02, Env-Wt 303.04 or Env-Wt 303.05.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-02404 LYME, BOARD OF SELECTMEN  
LYME Trout Brook**

**Requested Action:**

Confirm Emergency Authorization to stabilize approximately 920 square feet (115 linear feet) of the stream bank of Trout Brook, a perennial stream.

\*\*\*\*\*

**CONFIRM EMERGENCY AUTHORIZATION:**

Confirm Emergency Authorization to stabilize approximately 920 square feet (115 linear feet) of the stream bank of Trout Brook, a perennial stream.

**With Conditions:**

1. No further wetland impacts will occur during the stabilization of the site.

2. The area between the rip-rap and Route 10 shall be planted.
3. 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.
4. 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.
5. 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.
6. 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.
7. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03(1) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
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. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on September 10, 2010.
6. The project was necessary to repair flood damage, prevent future damage to the road.
7. It was not possible to cut the slope back due to the close proximity of Route 10.
8. The applicant has requested a waiver per Env-Wt 204.03, to the requirement for plans stamped by a Professional Engineer as required by Env-Wt 404.04 (e).
9. 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.
10. The Lyme Conservation Commission was involved in the design and installation of the project; the Conservation Commission will be installing more live stakes on both sides of the brook to establish vegetation as quickly as possible in the spring.
11. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the NH Natural Heritage Bureau or the Bath Conservation Commission.
12. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2010-02459                      GREENVILLE, TOWN OF**  
**GREENVILLE Tributary To Souhegan River**

Requested Action:

Dredge and fill ± 640 sq. ft. of perennial stream to replace deteriorating twin 5-ft. x 20-ft. twin culverts with a 10-ft. x 6-ft. x 30-ft. concrete box culvert.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill ± 640 sq. ft. of perennial stream to replace deteriorating twin 5-ft. x 20-ft. twin culverts with a 10-ft. x 6-ft. x 30-ft. concrete box culvert.

With Conditions:

1. All work shall be in accordance with plans by Fieldstone Land Consultants dated August 23, 2010 and revised through December

19, 2010, as received by the Department on December 20, 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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. There shall be no excavation or operation of construction equipment in flowing water.
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 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.
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. Culverts shall be laid at original grade.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. 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.
20. 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.
2. The project design was completed and monies for this project were appropriated before adoption of the DES stream rules.
3. The original single 5-ft. culvert (length estimated to be between 20 and 30 ft.) failed during the 2006 spring floods. The existing twin 5-ft. x 20-ft. twin culverts were installed at that time to restore traffic to the road.
4. Correspondence received September 28, 2010, from the sole abutter to the project outlined concerns regarding the project. Concerns questioned the need, additional cost, environmental impact and hydraulic pressure of the proposed 30 ft. culvert length.
5. In the submittal received December 09, 2010, the agent for the project explained that the proposed 30 ft. culvert length will allow for adequate sideslopes, guardrail installation and a 20 ft. travel width, which is recommended by NHDOT and the National Fire Protection Association.
6. The submitted Stormwater Management Report confirms that the proposed box culvert will pass the 50-year storm without overtopping the road.
7. The limited road coverage at the culvert limits the height of the culvert and in order for the culvert to pass the 50-year storm without overtopping the road, the culvert construction was revised to set the culvert at grade.
8. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
9. 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.
10. 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.

**2010-02767 NH DEPT OF TRANSPORTATION  
EXETER Exeter River**

Requested Action:

Repair bridge footing to eliminate scour using poured concrete and remove one rock impacting 1,106 sq. ft. (960 sq. ft. temporary) of riverine wetlands.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

River Comm. - no comment

APPROVE PERMIT:

Repair bridge footing to eliminate scour using poured concrete and remove one rock impacting 1,106 sq. ft. (960 sq. ft. temporary) of riverine wetlands. NHDOT project #99045Z.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 8/2010, as received by the Department on Oct. 5, 2010 and as conditioned below.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. 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.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within 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; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
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. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
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 or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
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. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of banks or stream

channel.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Natural Heritage Bureau found a record in the area but do not expect any impacts.

**2010-02786 NH DEPT OF TRANSPORTATION  
TAMWORTH Bearcamp River**

Requested Action:

Reface two bridge piers and construct staging impacting 1,245 sq. ft. (1,221 sq. ft. temporary) of riverine wetlands.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE PERMIT:

Reface two bridge piers and construct staging impacting 1,245 sq. ft. (1,221 sq. ft. temporary) of riverine wetlands. NHDOT project #99403Z.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 09/2010, as received by the Department on Oct. 5, 2010 and as conditioned below.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. 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.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within 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; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
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. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
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 or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
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. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as

purple loosestrife or Phragmites.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of banks or stream channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-03255                      WENNRICH, TIM**  
**BETHLEHEM Baker Brook**

Requested Action:

Dredge and fill 420 square feet (45 linear feet) of Baker Brook, a perennial stream, to remove 6 existing culverts and restore the stream. A bridge will be installed landward of the top of bank to landward of the top of bank.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 420 square feet (45 linear feet) of Baker Brook, a perennial stream, to remove 6 existing culverts and restore the stream. A bridge will be installed landward of the top of bank to landward of the top of bank.

With Conditions:

1. All work shall be in accordance with plans by Watershed to Wildlife, INC entitled Tim Wennrich Streambed Restoration and New Crossing; Tim Wennrich Streambed Restoration Existing Crossing to be Restored Proposed Bridge Plan View; Tim Wennrich Driveway Crossing Improvement and Wetland Restoration; dated November 2010 as received by DES on December 02, 2010.
2. Following completion of work the areas of temporary impact shall be restored.
3. Materials used to emulate a natural channel bottom shall be rounded and smooth stones similar to the natural stream substrate,
4. The recreated stream channel bed must maintain the natural and a consistent streambed elevation and not impede stream flow.
5. Work shall be done during low flow.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. 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.
8. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
9. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
10. All equipment shall work from adjacent banks or uplands and shall not enter flowing water.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. 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.
17. 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.

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

With Findings:

1. This is a Minor Project per 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 demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
4. The agent stated that the existing culverts cause high energy scouring flow during storm events. Removal of the culverts will decrease the energy by providing a wider channel with capacity for high water events with less erosion. Downstream areas will receive a flow of dispersed energy, less scouring and therefore less sediment loads.
5. A new bridge will be built in accordance with Env-Wt 303.05 (r): any stream crossing built landward of the top of one bank to landward of the top of the opposite bank so as not to impact jurisdictional areas.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.

**MINIMUM IMPACT PROJECT**

\*\*\*\*\*

**2010-01581                      BLANCHFLOWER LUMBER COMPANY**  
**ALSTEAD   Unnamed Stream**

Requested Action:

Dredge and fill ± 255 sq. ft. of intermittent stream at Colony Mine Rd. to replace an 18-in. x 21-ft. CPP with a 24-in. x 20.5-ft. concrete culvert and replace a 60-in. culvert in-kind for access to a proposed telecommunications tower.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill ± 255 sq. ft. of intermittent stream at Colony Mine Rd. to replace an 18-in. x 21-ft. CPP with a 24-in. x 20.5-ft. concrete culvert and replace a 60-in. culvert in-kind for access to a proposed telecommunications tower.

With Conditions:

1. All work shall be in accordance with plans by Dewberry-Goodkind, Inc. revised through November 03, 2010, as received by the Department on December 08, 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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. There shall be no excavation or operation of construction equipment in flowing water.
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 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.
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. Culverts shall be laid at original grade.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), alteration of less than 50 linear feet of intermittent stream.
2. NH Fish and Game Department, Fisheries Division comments regarding incorporating a grade control structure at the 60-in culvert replacement were incorporated into the design.
3. A letter of permission dated October 04, 2010, from the Town for the proposed work was received December 05, 2010.
4. Drainage calculations were provided that confirm the proposed culverts will freely pass the 50-year storm.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-01816                      BRYANT BROOK FALLS REALITY TRUST**  
**CANTERBURY   Unnamed Wetland**

Requested Action:

Dredge and fill 1800 sq. ft. of wetlands for construction of a driveway access to a proposed single family home.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 1800 sq. ft. of wetlands for construction of a driveway access to a proposed single family home.

With Conditions:

1. All work shall be in accordance with plans by Leroy A. Glines dated October 15, 2010, as received by the NH Department of Environmental Services (DES) on November 1, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. 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.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. 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. 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) 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.

**2010-01916 LOOMIS, LAURIE  
SOMERSWORTH Unnamed Wetland**

Requested Action:

Dredge and fill 2,122 square feet of wetlands to install an 18" x 28' culvert for construction of a driveway crossing to a single family house lot. Impact approximately 40 square feet to repair a deteriorated headwall of an existing culvert associated with the applicant's property on Indigo Hill Road.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 2,122 square feet of wetlands to install an 18" x 28' culvert for construction of a driveway crossing to a single family house lot. Impact approximately 40 square feet to repair a deteriorated headwall of an existing culvert associated with the applicant's property on Indigo Hill Road.

With Conditions:

1. All work shall be in accordance with plans by Tritech Engineering dated 11/5/2010, as received by the NH Department of Environmental Services (DES) on 12/14/2010.
2. The repair of the Indigo Hill Road culvert headwall and the removal of any vegetative blockage from this culvert associated with the permittee's property shall be accomplished prior to the construction of the driveway crossing.
3. There shall be no flooding effects to surrounding properties as a result of this project or else the permittee shall be responsible for identifying and remediating the cause.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. 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.
6. 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(z), installation of a culvert and associated fill for a driveway crossing for a single family lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Access to the buildable area of the lot requires a wetlands crossing at some point on the frontage.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

and environments under the department's jurisdiction per Env-Wt 302.03. The crossing is located where a crossing was previously permitted, in the location of permitted sewer line disturbance. The culvert will provide equalization and overflow relief during high flow conditions.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project vicinity by the NH Natural Heritage Bureau.
5. In response to flooding concerns raised by a neighbor, the applicant has demonstrated through drainage calculations and project design, that, with the Indigo Hill Road culvert maintained and functioning properly, the peak flood elevation at the road will actually be slightly lower following construction of the driveway, than under existing conditions with the Indigo Hill Road culvert blocked, and that the neighbor's property should not be affected at the 50 year storm event.
6. The permit is further conditioned to require the permittee to remediate flooding impacts that arise should the design by Tritech fail.
7. No report was received from the Somersworth Conservation Commission.

**2010-02145                      LECLAIR, ARTHUR**  
**FARMINGTON    Unnamed Wetland**

Requested Action:

Dredge 16,290 sq. ft. of wetland to construct a pond. Temporarily impact 3,300 sq. ft. of wetland for the temporary placement of a topsoil stockpile. Total wetland impacts is 19,590 sq. ft.

\*\*\*\*\*

APPROVE PERMIT:

Dredge 16,290 sq. ft. of wetland to construct a pond. Temporarily impact 3,300 sq. ft. of wetland for the temporary placement of a topsoil stockpile. Total wetland impacts is 19,590 sq. ft.

With Conditions:

1. All work shall be in accordance with revised plans by Dubois & King, Inc. dated December 2010, as received by the NH Department of Environmental Services (DES) on December 16, 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. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. 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.
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. The temporary topsoil stockpile shall be removed outside of DES jurisdiction prior to completion of the project.
9. The temporary wetland area shall be regraded to original contours following completion of work and seeded with appropriate wetland seed.
10. The temporary wetland area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p), construction of a pond with less than 20,000 sq. ft. of wetland impact.
2. 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 applicant has consulted with the Natural Resource Conservation Service and the Strafford County Conservation District in the design of the pond.

3. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. Natural Heritage Bureau has no record of sensitive species within the vicinity of this project.

**2010-02770                      PRICKETT, WILLIAM**  
**LYME Granite Brook**

Requested Action:

Temporarily impact approximately 100 square feet of the banks of Grant Brook, a perennial stream, for the in-kind replacement of the culvert headwalls.

\*\*\*\*\*

APPROVE PERMIT:

Temporarily impact approximately 100 square feet of the banks of Grant Brook, a perennial stream, for the in-kind replacement of the culvert headwalls.

With Conditions:

1. All work shall be in accordance with the plans by Ferriot & Associates as received by DES October 12, 2010.
2. Work shall be done during low flow.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. 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).
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. 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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
11. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a 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. This project is a replacement in kind with no change in location, configuration, construction type or dimension.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. DES received comments from the downstream abutter expressing concerns with the crossing.
5. The agent stated that last spring ice jams resulted in water flowing over the levee and onto the drive and road.
6. Replacing the culverts is beyond the scope of this maintenance project.
7. The NH Natural Heritage Bureau (NHB) commented that although there was a NHB record present in the vicinity, we do not expect that it will be impacted by the proposed project.

**2010-02982**                      **GOULD, ANNE**  
**BARRINGTON Unnamed Wetland**

Requested Action:

Dredge a total of 19,600 sq. ft. of wetland to enlarge and maintenance dredge an existing man-made pond.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. does not object to approval.

APPROVE PERMIT:

Dredge a total of 19,600 sq. ft. of wetland to enlarge and maintenance dredge an existing man-made pond.

With Conditions:

1. All work shall be in accordance with plans by Anne Gould, as received by the NH Department of Environmental Services (DES) on October 29, 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. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. 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.
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. 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. Work shall be done during low flow.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.  
Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k), maintenance dredge of an existing manmade pond to restore it to its originally permitted conditions and functions and per Env-Wt 303.04(p), construction of a pond with less than 20,000 sq. ft. of wetland impact.
2. In 1992, the applicant received a permit from the Wetlands Board (Permit No. 92-0389) to construct the pond.
3. In 2003, the applicant received a permit from the Wetland Bureau (Permit No. 03-1087) to maintenance dredge approximately 8,000 sq. ft. of the existing man-made pond to remove accumulated debris, sediment and aquatic weeds.
4. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. Natural Heritage Bureau has no record of sensitive species within the vicinity of this project.

**2010-03012 CURVEY, JEFFREY  
RYE**

Requested Action:

Impact 8 square feet within the previously-disturbed 100-foot tidal buffer zone for the installation of an emergency power generator for a single-family residential dwelling.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Rye Conservation Commission did not comment on the application.

APPROVE PERMIT:

Impact 8 square feet within the previously-disturbed 100-foot tidal buffer zone for the installation of an emergency power generator for a single-family residential dwelling.

With Conditions:

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

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A Shoreland permit is not required for this particular project pursuant to Env-Wq 1406.04(d)(9).
6. On December 20, 2010, DES personnel inspected the property. An inspection had been conducted at the above-referenced location to confirm the location of the proposed impacts. Inspection found that the area where the impacts are proposed will not pose any adverse affect to the nearby saltmarsh.

**2010-03038 NH DEPT OF TRANSPORTATION  
MANCHESTER Unnamed Wetland**

Requested Action:

Replace three 24 in. culverts in-kind temporarily impacting 1,160 sq. ft. of palustrine wetlands.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Comm. - no comment

**APPROVE PERMIT:**

Replace three 24 in. culverts in-kind temporarily impacting 1,160 sq. ft. of palustrine wetlands. NHDOT project #14605.

**With Conditions:**

1. All work shall be in accordance with plans by NHDOT Bureau of Environment dated 10/27/10 as received by the Department on Nov. 8, 2010.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
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. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Work shall be done during low flow.

**FORESTRY NOTIFICATION**

\*\*\*\*\*

**2010-02590                      GARDNER, WILLIAM  
HENNIKER   Unnamed Stream**

**Requested Action:**

Denied for admin insufficient & untimely response

\*\*\*\*\*

**DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:**

Henniker Tax Map ?, lot# 53

**With Findings:**

1. A request for additional information dated 10/01/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2010-03197                      GRACE, LARRY  
TAMWORTH   Unnamed Stream**

Requested Action:

Denied for activity within the 100' prime wetland

\*\*\*\*\*

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTION:

Tamworth Tax Map 209, Lot# 13

**2010-03344                      POWELL, KATHY**  
**SANBORNTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Sanbornton Tax Map 15, Lot# 2

**2010-03359                      SCHWARTZ, JONATHAN**  
**RAYMOND   Unnamed Stream**

COMPLETE NOTIFICATION:

Raymond Tax Map 46, Lot# 1, 2, 3, 4, 5

**2010-03361                      SCHWARTZ, JONATHAN**  
**NOTTINGHAM   Unnamed Stream**

COMPLETE NOTIFICATION:

Nottingham Tax Map 73, Lot# 1-1 & 1-2

**2010-03362                      FRYE, DAVID**  
**WILTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Wilton Tax Map E, Lot# 33

**2010-03370                      EHLER, CURT**  
**ALTON   Unnamed Stream**

Conservation Commission/Staff Comments:

12/20/10 - Per phone call with J Mattarozzo Jr., lot 35-1 is to access C. Ehler property lot 27-1. Cutting will be done on lot 35-1 -there are no crossings.

COMPLETE NOTIFICATION:

Alton Tax Map 5, Lot# 27-1

**2010-03372                      SORAK, DAVID**  
**DEERFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:

Deerfield Tax Map 415, Lot# 16

**2010-03373**                    **NYCEK, PATRICIA**  
**CHESTERFIELD** Unnamed Stream

COMPLETE NOTIFICATION:  
Chesterfield Tax Map 3B, Lot# 18

**2010-03374**                    **NH DRED**  
**HOPKINTON** Unnamed Stream

COMPLETE NOTIFICATION:  
Hopkinton Tax Map 231, Lot# 2

**2010-03380**                    **GILES, GERALD**  
**NORTHWOOD** Unnamed Stream

COMPLETE NOTIFICATION:  
Northwood Tax Map 216, Lot# 75 & 77

**2010-03382**                    **HAMPSTEAD, TOWN OF**  
**HAMPSTEAD** Unnamed Stream

COMPLETE NOTIFICATION:  
Hampstead Tax Map 7, Lot# 79, 93, 99, 121, 136

**2010-03392**                    **TWITCHELL HEIRS, C/O TOM CARNEY**  
**MILAN** Unnamed Stream

COMPLETE NOTIFICATION:  
Milan Tax Map 53, Lot# 1-1

**2010-03395**                    **DRIER, LESLIE**  
**BETHLEHEM** Unnamed Stream

COMPLETE NOTIFICATION:  
Bethlehem Tax Map 207, Lot# 6

**2010-03401**                    **FAGERBERG FAMILY, CARIN MEERDINK**  
**LONDONDERRY** Unnamed Stream

COMPLETE NOTIFICATION:  
Londonderry Tax Map 4, Lot# 67 & 68

**2010-03402**                    **FAGERBERG FAMILY, CARIN MEERDINK**  
**DERRY** Unnamed Stream

COMPLETE NOTIFICATION:

Derry Tax Map 1, Lot# 6

**2010-03405                      ROBINSON, KATHERINE**  
**LYME   Unnamed Stream**

COMPLETE NOTIFICATION:

Lyme Tax Map 416, Lot# 24

**EXPEDITED MINIMUM**

\*\*\*\*\*

**2010-02015                      NATIONAL GYPSUM COMPANY**  
**PORTSMOUTH   Piscataqua River**

Requested Action:

Amend permit to include repair of an additional 60 square feet of eroded upland tidal buffer zone area identified once repair project activities had commenced.

\*\*\*\*\*

APPROVE AMENDMENT:

Impact 2,642 square feet of developed upland tidal buffer zone to install rip rap in three locations, and to install protective pipeguards for mooring chains. Temporarily impact 8,131 square feet of developed upland tidal buffer zone to reinforce existing marine terminal bulkhead by installing a buried concrete load-relief platform tied into the structure of the existing bulkhead.

With Conditions:

1. All work shall be in accordance with plans by Waterfront Engineers LLC dated 7/8/2010, as received by the NH Department of Environmental Services (DES) on 8/2/2010, and per revised plans by Waterfront Engineers LLC dated 10/14/2010 as received by DES on 12/10/2010.
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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. 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.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
7. Faulty equipment shall be repaired prior to entering jurisdictional areas.
8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
9. All refueling of equipment shall occur outside of surface waters or wetlands.

□

With Findings:

1. The amendment represents minimal change to the previously permitted approval for necessary repair.

**2010-02395                      NEWTON, TOWN OF**  
**NEWTON   Country Pond**

Requested Action:

Denied for admin insufficient & untimely response

\*\*\*\*\*

With Findings:

1. A request for additional information dated 09/17/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2010-03199                      NASSOR JR, CHRISTINE/GEORGE**  
**MEREDITH   Unnamed Wetland**

Requested Action:

Dredge and fill 532 square feet of wetlands to install a 18" x 20' culvert for construction of a single family driveway crossing.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 532 square feet of wetlands to install a 18" x 20' culvert for construction of a single family driveway crossing.

With Conditions:

1. All work shall be in accordance with plans by Advanced Land and Surveying Consultants dated June 2010, as received by the NH Department of Environmental Services (DES) on 11/24/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. 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(z), installation of a culvert and associated fill for a driveway crossing for a single family lot.
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. Although there were species of concern reported for the project vicinity the NH Natural Heritage Bureau does not expect the species to be impacted by the project.
5. The Meredith Conservation Commission signed the expedited application.

**2010-03223                      HERTEL SR, VAN**  
**SANDWICH   Unnamed Stream**

Requested Action:

Retain 1,395 square feet of dredge and fill of a perennial stream for access; work in jurisdiction included the installation of two 24" culverts. No further wetland impacts will occur during the stabilization of the site.

\*\*\*\*\*

APPROVE PERMIT:

Retain 1,395 square feet of dredge and fill of a perennial stream for access; work in jurisdiction included the installation of two 24" culverts. No further wetland impacts will occur during the stabilization of the site.

With Conditions:

1. All work shall be in accordance with plans by Garland Lumber as received by DES on November 29, 2010.
2. No further wetland impacts will occur during the stabilization of the site.
3. Proper headwalls shall be constructed.
4. Erosion controls shall be installed and maintained until the area is stabilized. Appropriate stabilization measures to be implemented may include but are not limited the use of silt fence, compost socks, stump grinding berms, erosion control matting, straw wattles and/or planting to prevent future erosion or further sedimentation of wetland areas.
5. A follow-up report documenting the stabilization of the site shall be submitted to DES by June 30, 2011.
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. 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. 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.
10. 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.
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 in accordance with Env-Wt 303.04(z) Installation of a stream crossing and associated fill to permit vehicular access to a piece of property for a single family building lot, for noncommercial recreational uses including conservation projects, or for normal agricultural operations.
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 Requirements for Application Evaluation, has been considered in the design of the project.
5. The crossing was installed for forestry and will be retained for residential access.
6. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
7. The Conservation Commission stated that they are concerned with the road material washing into the wetlands. A condition of this permit is to stabilize the site thereby addressing this concern.
8. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

Requested Action:

Repair in-kind an existing nonconforming 8 ft x 62 ft 6 in permanent pier supported by (2) 8 ft x 8 ft cribs on an average of 310 ft of frontage on Lake Winnepesaukee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair in-kind an existing nonconforming 8 ft x 62 ft 6 in permanent pier supported by (2) 8 ft x 8 ft cribs on an average of 310 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated November 16, 2010, as received by the Department on December 02, 2010.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. 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.
5. Repair shall maintain existing size, location and configuration.
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. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. Removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

**2010-03262                      WOODHAVEN TRUST, TIMOTHY SULLIVAN TTEE**  
**ALTON BAY   Lake Winnepesaukee**

Requested Action:

Install 4 "I" beams under an existing cottage overhanging the public waters to improve its structural integrity, replace all existing structural supports, and repair/replace the attached existing deck.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

**APPROVE PERMIT:**

Install 4 "I" beams under an existing cottage overhanging the public waters to improve its structural integrity, replace all existing structural supports, and repair/replace the attached existing deck.

**With Conditions:**

1. All work on this property having 641 ft of frontage on Lake Winnepesaukee shall be in accordance with plans by White Mountain Survey dated April 28, 2008, as received by the NH Department of Environmental Services (DES) on December 2, 2010 and construction notes as received December 2, 2010.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit 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.
4. Repairs shall maintain the size, location, configuration, and the functionally equivalent use of the pre-existing structure.
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. 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(x), repair of existing non-docking structures with no change in size, location or configuration.

**2010-03297                      GOLINI, EDNA/RONALD**  
**SALEM    Arlington Pond**

**Requested Action:**

Repair "in kind" 69 linear feet of retaining wall with no change in configuration, height or location on Arlington Lake, Salem.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com signed Exp Application

**APPROVE PERMIT:**

Repair "in kind" 69 linear feet of retaining wall with no change in configuration, height or location on Arlington Lake, Salem.

**With Conditions:**

1. All work shall be in accordance with plans dated January 10, 2010, as received by the NH Department of Environmental Services (DES) on October 12, 2010.
2. This permit does not allow for any equipment to operate on the lakebed, all equipment shall remain landward of full lake elevation.
3. This permit does not allow for any work on property of the abutters.
4. This permit does not allow dredging for any purpose.
5. Repair shall maintain existing size, location, height, and configuration.
6. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
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. 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.

**2010-03325 RUBINO, KELLY/LOUIS  
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Permanently remove an existing seasonal dock, permanently remove an 8 ft x 8 ft section of deck, install a 6 ft x 40 ft seasonal dock connected to a 6 ft x 4 ft concrete anchor pad, install a seasonal boatlift in the western slip, install two seasonal PWC lifts along the shoreline, on an average of 117 ft of frontage, Lake Winnepesaukee, Moultonborough.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Permanently remove an existing seasonal dock, permanently remove an 8 ft x 8 ft section of deck, install a 6 ft x 40 ft seasonal dock connected to a 6 ft x 4 ft concrete anchor pad, install a seasonal boatlift in the western slip, install two seasonal PWC lifts along the shoreline, on an average of 117 ft of frontage, Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated November 08, 2010, as received by the NH Department of Environmental Services (DES) on December 09, 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 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.
4. The deck shall be removed prior to the installation of the permitted structures.
5. 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.
6. Seasonal pier shall be removed from the lake for the non-boating season.
7. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
8. Seasonal PWC lifts shall be removed for the non-boating season.
9. Seasonal boat lift shall be removed for the non-boating season.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

**TRAILS NOTIFICATION**

\*\*\*\*\*

**2010-01404 ANDROSCOGGION VALLEY ATV CLUB, DAVID OSGOOD  
SUCCESS Unnamed Stream**

Requested Action:

Denied for admin insufficient & untimely response

\*\*\*\*\*

COMPLETE NOTIFICATION:

Success Tax Map/Lot# 202/18, 19 & 1613/10

With Findings:

1. 1. A request for additional information dated 06/14/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2010-02095                      CONCORD, CITY OF**  
**CONCORD   Unnamed Stream**

Requested Action:

Denied for admin insufficient & untimely response

\*\*\*\*\*

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Concord Tax Map 99, Lot# 2-79

With Findings:

1. 1. A request for additional information dated 08/19/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2010-02581                      NH DRED, BUREAU OF TRAILS**  
**STEWARTSTOWN   Unnamed Stream**

Requested Action:

Denied for admin insufficient & untimely response

\*\*\*\*\*

COMPLETE NOTIFICATION:

Stewartstown Tax Map A1, Lot# 2

With Findings:

1. 1. A request for additional information dated 10/06/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**LAKES-SEASONAL DOCK NOTIF**

\*\*\*\*\*

**2010-01841                    TRABKA, JOSEPH**  
**UNITY   Crescent Lake**

Requested Action:

Denied for admin insufficient & untimely response

\*\*\*\*\*

With Findings:

1. A request for additional information dated 07/22/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2010-03394                    KLINE-SCHODER, BARBARA**  
**ENFIELD   Mascoma Lake**

COMPLETE NOTIFICATION:

Enfield Tax Map 22, Lot# 23 Mascoma Lake

**PERMIT BY NOTIFICATION**

\*\*\*\*\*

**2010-03371                    COOKS HILL TRUST, BRADLEY/ELLEN HAYES**  
**WAKEFIELD   Unnamed Wetland**

Requested Action:

Dredge and fill 2,950 square feet of wetlands to install a 15" x 40' culvert for driveway access to a single family building lot.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Wakefield Conservation Commission signed PBN.

PBN IS COMPLETE:

Dredge and fill 2,950 square feet of wetlands to install a 15" x 40' culvert for driveway access to a single family building lot.

**CSPA PERMIT**

\*\*\*\*\*

**2010-02855                    COOLEY, KEN**  
**PELHAM   Little Island Pond**

Requested Action:

Impact 3,937 sq ft in order to convert existing seasonal dwelling to year round use with impervious yard improvements.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 3,937 sq ft in order to convert existing seasonal dwelling to year round use with impervious yard improvements.

**With Conditions:**

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated August 25, 2010 and received by the NH Department of Environmental Services (DES) on October 15, 2010.
2. No more than 29.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 231 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 80 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.

**2010-03131                      HORTIE, MARC  
STODDARD Highland Lake**

**Requested Action:**

Impact 4,969 sq ft in order to construct a house, shed, and pathway to lake.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 4,969 sq ft in order to construct a house, shed, and pathway to lake.

**With Conditions:**

1. All work shall be in accordance with plans by Forest Designs dated December 22, 2010 and received by the NH Department of Environmental Services (DES) on December 23, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of protected shorelands on this property for the purposes of installing an approved effluent disposal system shall require a new application and further permitting by the Shoreland Program.
4. 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.
5. The project as proposed will leave approximately 11,442 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,568 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude 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.

**2010-03226                      MOUSSEAU, OLIVER**  
**PITTSBURG   Connecticut River**

Requested Action:

Impact 4,736 sq ft in or to demolish existing cottage and construct a new two bedroom cabin, driveway, stormwater management plan and septic system.

\*\*\*\*\*

APPROVE PERMIT:

Impact 4,736 sq ft in or to demolish existing cottage and construct a new two bedroom cabin, driveway, stormwater management plan and septic system.

With Conditions:

1. All work shall be in accordance with plans by North Country Septic Design dated November 22, 2010 and received by the NH Department of Environmental Services (DES) on November 30, 2010.
2. This permit is 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. The project as proposed will leave approximately 154 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 945 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude 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.

**2010-03249                      CONWAY VILLAGE FIRE DISTRICT**  
**CONWAY   Pequawket Pond**

Requested Action:

Impact 7,200 sq ft for the purpose of maintaining existing public benefit infrastructure (PBI).

\*\*\*\*\*

APPROVE PERMIT:

Impact 7,200 sq ft for the purpose of maintaining existing public benefit infrastructure (PBI).

With Conditions:

1. All work shall be in accordance with plans by John R. Bush of Underwood Engineers dated July 2, 2010 and received by the Department of Environmental Services ("DES") on November 10, 2010.
2. There shall be no increase in impervious area associated with this project 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 or natural ground cover between 50 ft and 150 ft of the reference line associated with this project.

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
14. 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.

**2010-03252                      BERGERON, JOIL**  
**GOFFSTOWN   Piscataquog River**

Requested Action:  
Impact 160 sq ft in order to construct a deck on existing home.

\*\*\*\*\*

APPROVE PERMIT:  
Impact 160 sq ft in order to construct a deck on existing home.

With Conditions:

1. All work shall be in accordance with plans by Joil Bergeron dated December 1, 2010 and received by the NH Department of Environmental Services (DES) on December 2, 2010.
2. No more than 18.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,037 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,517 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.
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.

**2010-03259                      MCDONALD, DANIEL/NATALIE**  
**STODDARD   Highland Lake**

Requested Action:  
 Impact 3,230 sq ft in order replace existing house in-kind and add a deck.

\*\*\*\*\*

APPROVE PERMIT:  
 Impact 3,230 sq ft in order replace existing house in-kind and add a deck.

- With Conditions:
- 1. All work shall be in accordance with plans by Monadnock Septic Design LLC dated November 16, 2010 and received by the NH Department of Environmental Services (DES) on December 2, 2010.
  - 2. No more than 13.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
  - 3. The project as proposed will leave approximately 13,348 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 9,602 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.

**2010-03261                      LONGVIEW TRUST**  
**ALTON   Lake Winnepesaukee**

Requested Action:  
 Impact 90 sq ft in order to construct a 30 ft x 8 ft second story deck over existing slate patio on the north side of an attached garage.

\*\*\*\*\*

APPROVE PERMIT:  
 Impact 90 sq ft in order to construct a 30 ft x 8 ft second story deck over existing slate patio on the north side of an attached garage.

- With Conditions:
- 1. All work shall be in accordance with plans by White Mountain Survey Co., Inc. dated November 22, 2010 and received by the NH Department of Environmental Services (DES) on December 2, 2010.
  - 2. No more than 16.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
  - 3. The project as proposed will leave approximately 19,529 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 17,590 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.

**2010-03269                      DROWN SR, RONALD**  
**WOODSVILLE   Ammonoosuc River**

Requested Action:  
Impact 547 sq ft in order to replace a septic system.  
\*\*\*\*\*

APPROVE PERMIT:  
Impact 547 sq ft in order to replace a septic system.

- With Conditions:
1. All work shall be in accordance with plans by Harry Burgess dated November 1, 2010 and received by the NH Department of Environmental Services (DES) on December 3, 2010.
  2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
  3. No more than 32% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
  4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
  5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
  6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
  7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
  8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-03282                      NH DEPT OF TRANSPORTATION**  
**WENTWORTH   Baker River**

Requested Action:  
Impact 20,066 sq ft in order repair bridge and drainage.  
\*\*\*\*\*

APPROVE PERMIT:  
Impact 20,066 sq ft in order repair bridge and drainage.

- With Conditions:
1. All work shall be in accordance with plans by Fay, Spofford & Thorndike dated November 18, 2010 and received by the NH Department of Environmental Services (DES) on December 6, 2010.
  2. 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 30.9% 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 4,420 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.

**2010-03294                      DAVIDSON, BRIAN & CHERYL**  
**WAKEFIELD   Pine River Pond**

Requested Action:

Impact 3,665 sq ft in order to construct a detached garage.

\*\*\*\*\*

APPROVE PERMIT:

Impact 3,665 sq ft in order to construct a detached garage.

With Conditions:

1. All work shall be in accordance with plans by Land Tech dated October 1, 2010 and received by the NH Department of Environmental Services (DES) on December 7, 2010.
2. No more than 28.6% 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 1,095 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.

**2010-03296                      RETTER, ALAN/KRISTEN**  
**NEWBURY   Gillingham Pond**

Requested Action:

Impact 22,270 sq ft in order to construct a new residence with septic system and extend existing waterline and driveway.

\*\*\*\*\*

APPROVE PERMIT:

Impact 22,270 sq ft in order to construct a new residence with septic system and extend existing waterline and driveway.

With Conditions:

1. All work shall be in accordance with plans by Lake Sunapee Survey dated October 25, 2010 and received by the NH Department of Environmental Services (DES) on December 7, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 7.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional

approval is obtained from DES.

4. At least 12,920 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.

**2010-03298                      MCNAMARA, RICHARD**  
**HILLSBOROUGH   Loon Pond**

Requested Action:

Impact 2,500 sq ft in order to construct a garage with an attachment.

\*\*\*\*\*

APPROVE PERMIT:

Impact 2,500 sq ft in order to construct a garage with an attachment.

With Conditions:

1. All work shall be in accordance with plans by Smooth Sailing Surveys dated January 12, 2006 and received by the NH Department of Environmental Services (DES) on December 7, 2010.
2. No more than 5.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 67,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 33,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-03299                      HETNAR, RAYMOND/SANDRA**  
**NEW DURHAM   Merrymeeting Lake**

Requested Action:

Impact 6,600 sq ft in order to demo existing camp and construct a year round house with septic system.

\*\*\*\*\*

APPROVE PERMIT:

Impact 6,600 sq ft in order to demo existing camp and construct a year round house with septic system.

With Conditions:

1. All work shall be in accordance with plans by Matthew Moore Civil Engineering, PLLC dated November 29, 2010 and received by the NH Department of Environmental Services (DES) on December 7, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 18.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 9,522 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,091 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.

**2010-03334                      SAMPSON, ELIZABETH/STEPHEN**  
**GILMANTON Shellcamp Pond**

Requested Action:  
 Impact 955 sq ft in order to construct a deck and a shed.

\*\*\*\*\*

APPROVE PERMIT:  
 Impact 955 sq ft in order to construct a deck and a shed.

- With Conditions:
1. All work shall be in accordance with plans by Ames Associates dated December 8, 2010 and received by the NH Department of Environmental Services (DES) on December 10, 2010.
  2. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
  3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
  4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
  5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
  6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
  7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**UTILITY NOTIFICATION**

\*\*\*\*\*

**2010-03397                      PSNH**  
**JAFFREY Unnamed Stream Unnamed Wetland**

**2010-03398 PSNH  
FITZWILLIAM Unnamed Stream Unnamed Wetland**

**FORESTRY W/PRIME WETLAND**

\*\*\*\*\*

**2010-03051 AUSTIN, PAMELA  
BROOKLINE Tributary To Prime Wetland**

Requested Action:

Install one pole ford stream crossing and two wetland corduroy crossings to harvest forested wetland and its buffer; (.4 acres of impact for designated prime wetland # 20 and remaining harvest is 50 % basal area in one hundred foot buffer).

\*\*\*\*\*

APPROVE PERMIT:

Install one pole ford stream crossing and two wetland corduroy crossings to harvest forested wetland and its buffer; (.4 acres of impact for designated prime wetland # 20 and remaining harvest is 50 % basal area in one hundred foot buffer).

With Conditions:

1. All work shall be done in accordance with plans by Gary Gouldrup, Consulting Forester dated October 28, 2010, as received by the NH Department of Environmental Services (DES) on November 8, 2010.
2. Proposed harvest area shall be flagged prior to cutting and will be done to use the lowest possible diameter to reduce aesthetic impacts.
3. The boundary of the designated prime wetlands shall be flagged.
4. Work shall be done in accordance with the Best Management Practices for Timber Harvesting Operations in NH.
5. Harvesting operation within the .4 acre of prime wetland shall be a select harvest where approximately 50 % basal area will be removed and where ground conditions will be dry, frozen, or suitably stable for crossing.
6. A buffer and filter strip shall be observed where 50% of basal area will be retained along the Nissitissit River and prime wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to harvest, 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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
9. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The logger shall have appropriate oil spill kits on site and readily accessible at all times.
11. All refueling of equipment shall occur outside of surface waters or wetlands.
12. A licensed forester shall be retained to ensure that the waiver conditions are met.

With Findings:

1. All work shall be done using Best Management Practices, under dry, frozen or stable conditions.
2. A fifty percent basal area shall be retained to ensure that there is a remaining buffer stand after timber harvest.
3. A water quality filter strip shall be maintained to ensure there is not water quality degradation to the adjacent prime wetlands.
4. Only .4 acres of forested wetland harvesting will occur. No cutting or machinery operation will take place in the open wetlands that are designated Prime Wetlands.
5. A very small portion of the harvest area falls within 100 feet of the Nissitissit River. A buffer and filter strip of 100 feet will be

observed where approximately 50 % of the basal area will be retained along the river and associated prime wetlands.

6. Harvest is being done to remove lowest possible diameter timber, and implementation of conditions to ensure protection of aesthetics.