

Wetlands Bureau Decision Report

Decisions Taken
06/13/2011 to 06/19/2011

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

**2007-01949 BEDFORD, TOWN OF
BEDFORD Unnamed Wetland**

Requested Action:

Proposal to amended permit to revise one trail culvert crossing and location of one walkway to the proposed pond.

Conservation Commission/Staff Comments:

1. The Bedford Conservation Commission provided a letter to DES in support of approval of the pending application.

APPROVE AMENDMENT:

Dredge 28,224 sq. ft. and fill 5,876 sq. ft. of palustrine forested, scrub shrub, and emergent wetlands for construction of a public recreational pond, fire suppression dry hydrant, pond level control structure and pathways. Compensatory mitigation includes plantings to add a vegetated border around the pond to provide an enhanced area for wildlife and execute a conservation easement on the property to the Bedford Land Trust.

With Conditions:

1. All work shall be in accordance with plans and narratives by TFMoran Inc., plans revision dated November 9, 2006, as received by DES on August 13, 2007 and narratives dated March 6, 2008, as received by DES on March 7, 2008 and revised plan sheet 4 of 14 revision date of June 2, 2011, as received by DES on June 3, 2011.
2. This permit is contingent on the applicant coordinating with and receiving approval by the DES Waste Management Division for the proposed work. If approval is required it shall be obtained and submitted to the Wetlands Bureau before the start of construction.
3. Work shall be done during low flow.
4. At least 72 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Program staff at the project site or at the DES Office in Concord, NH. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. 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.
6. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion, pond dewatering and erosion control plans. Those plans shall detail the timing and method of stream flow diversion and pond dewatering during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
7. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. 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. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

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

16. Only native plant species shall be used within the wetland and wildlife enhancement areas.

17. Wetland plantings shall have at least 75% successful establishment after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

18. A post-construction report documenting the status of the wetlands impact areas and wetlands enhancement/planting areas shall be prepared by a Certified Wetland Scientist (CWS) and submitted to the DES Wetlands Bureau within 60 days of the completion of the project.

19. The CWS shall submit monitoring reports to the DES Wetlands Bureau at the end of each growing season for two years following the completion of the project.

20. This permit is contingent upon the execution of a conservation easement on 6.2 acres of land to the Bedford Land Trust as depicted on plans received.

21. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

22. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

23. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.

24. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

25. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.

26. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

27. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

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

29. 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.

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

With Findings:

DES reaffirms findings 1 through 24

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.

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

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

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

5. The proposal for a public pond is located within a man-made area that functions as stormwater detention area.

6. The proposed impacts will not result in a loss of the detention functions provided at this site.

7. The addition of a vegetated buffer provides enhancement of wetland functions and meets the rule Env-Wt 803.06(b).

8. The permanent protection of this Town owned property will provide the necessary stewardship of the resources and functions they provide.

9. DES has received comments from one resident of Bedford that is in opposition to the proposed project. The resident is an abutter to a town parcel that borders the proposed project.

10. The resident's objects are outlined in comment letters dated August 22, 2007, as received by DES on August 23, 2007 and

October 23, 2007, as received by DES on October 25, 2007. In summary the letters discuss the following items: (1) concerns that an abutter to the project had not been notified; (2) a letter received states the project would require filling and does not say dredging and the application to the state includes dredging and neglects to fill in the cubic yards of material to be removed; (3) comments regarding an engineer's letter discussing the excavation of 2 to 8 feet of material from the existing forested wetlands and underlying soil to make the pond and the amount of material to be removed and disposed of and how the design does not minimize impacts to wetlands as required but permanently destroys wetlands and Bedford has other skating facilities; (4) the application states there are no adverse impact of abutting landowners, stating "This is either "obfuscation or deliberate misleading. "Visually, they plan to destroy natural area of so that Bedford can have a "mini Rockefeller Center" *. But more importantly, the volume of dredging proposed will disturb land which is already contaminated and possibly release pockets of contaminants that will further damage the aquifer. My water supply comes from a well as does the water for others on the same aquifer."; (5) photographs with the application show natural habitat which has not been investigated for wildlife and neglects wildlife that frequent land in Bedford Center. The resident also requested that the applicant start the application over and comply with the noticing requirements and further provide the DES and the abutters with accurate information regarding their intent. The second letter received by DES on October 25, 2007 is a cover letter to an attached letter that was sent to the NH DES Hazardous Waste Division. In the cover letter the resident requests to know if the application has been corrected and completed and requests that an updated site assessment and an environmental impact study be conducted before considering the application.

11. On August 16, 2007, DES received a copy of the certified mail receipts documenting that the abutter in question had been notified of the submitted application.
12. The sample abutter notification letter sent with the application appears to be a general form letter used by the applicant's agent. The letter does clearly state that the plans show the proposed project and wetlands impacts and that the plans are available for viewing at the Town and the DES Wetlands Bureau. The application information and plans clearly depict each type of activity in wetlands and wetlands impact areas. The cubic yard information is only required for work in public waters.
13. The current wetland and pond will be expanded to create an area large enough for a public skating pond in the winter months. The wetland fill/loss will be from the creation of the access trails. The new pond boundaries will be planted/enhanced with wetland plant species. The existing wetlands appear to be wetlands that have been historically impacted and provide stormwater function.
14. The DES Wetlands Bureau has not received any information documenting that the proposed pond site is contaminated with hazardous materials.
15. The contamination concerns are due to a remediation project on an adjacent property.
16. The applicant's agent has been in contact with the NH DES Waste Management Division and has agreed to have soil within the proposed dredge area tested prior to the start of construction and will notify them of the results. The applicant's agent has also informed the DES Wetlands Bureau that the DES Waste Management Division did not think there would be an issue at the pond site.
17. This approval is contingent on coordination with and approval of the project by NH DES Waste Management Division.
18. The applicant did investigate the functions and values of the wetlands to be impacted and did find that wildlife habitat is one of the function and values of the site. The increased pond area will still provide wildlife habitat and the pond boundaries will be planted to enhance buffers and provide additional wildlife habitat.
19. On January 11, 2008, DES requested more information on the pending application. On March 7, 2008, DES received a response to the requested information.
20. The site is surrounded by residential and commercial buildings, town roads and Route 101.
21. The proposed project is to provide public skating pond and access to Town property.
22. The property will be protected by a conservation easement.
23. DES has not received any other objections to the proposed project.
24. 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 resources identified under RSA 482-A:1.

**2011-00480 NH DEPT OF TRANSPORTATION
NEW CASTLE Piscataqua River**

Requested Action:

Repair existing rip rap slopes along 1,300 linear feet of roadway, replace 2,600 linear feet of guardrail, formalize the typical road section to be 11 ft. travel lanes and 2 ft. shoulders (paved) impacting 22,027 sq. ft. of tidal wetland and buffer zone (10,560 sq. ft. temporary).

Conservation Commission/Staff Comments:
Cons. Comm. - no comment

Inspection Date: 04/24/2008 by Gino E Infascelli

APPROVE PERMIT:

Repair existing rip rap slopes along 1,300 linear feet of roadway, replace 2,600 linear feet of guardrail, formalize the typical road section to be 11 ft. travel lanes and 2 ft. shoulders (paved) impacting 22,027 sq. ft. of tidal wetland and buffer zone (10,560 sq. ft. temporary). NHDOT project #15895.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 11-18-10, as received by the Department on March 9, 2011.
2. 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.
3. Extreme precautions to be taken within the tidal buffer zone and riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated as quickly as possible.
4. There shall be no further alteration to jurisdictional areas, wetlands or surface waters without amendment of this permit.
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. 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.
7. The impacts associated with the temporary work shall be restored immediately following construction.
8. The project shall be coordinated with the New Hampshire Natural Heritage Bureau as requested and in order to protect the threatened species which may be within the project area.
9. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for repair of docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was discussed at the monthly Natural Resource Agency meetings held at the NH Dept. of Transportation on July 27, 2010 and October 27, 2010 to coordinate the project.
6. DES Staff conducted a field inspection of the proposed project on April 24, 2008. Field inspection determined the existing embankment was eroding and the guardrail, along with the supporting material, is damaged from plow trucks and is in need of replacement and or repair.
7. The approval includes a condition that the project is coordinated with the New Hampshire Natural Heritage Bureau as requested and in order to protect the threatened species which may be within the project area.
8. All of the work area shown on the plans is in jurisdiction as it is within 100 ft. of the highest observable tide line and all of the work below the highest observable tide line is temporary.
9. A NHDES Shoreland Protection permit is not required as all of the proposed work shown is in the jurisdiction of the DES Wetlands Bureau under RSA 483-A.
10. 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 estuarine resource, as

identified under RSA 482-A:1.

-Send to Governor and Executive Council-

**2011-00663 NH DEPT OF TRANSPORTATION
PINKHAMS GRANT Peabody River**

Requested Action:

Remove a 16.8 ft. span wooden decked bridge and replace it just upstream with a concrete arch bridge (7.5 ft. x 20 ft.) impacting 1,744 sq. ft. (1,107 sq. ft. temporary) of riverine wetlands.

APPROVE PERMIT:

Remove a 16.8 ft. span wooden decked bridge and replace it just upstream with a concrete arch bridge (7.5 ft. x 20 ft.) impacting 1,744 sq. ft. (1,107 sq. ft. temporary) of riverine wetlands. NHDOT project #16022.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 3/2011, as received by the Department on March 31, 2011.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the stream, 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.
16. The impacts associated with the temporary work shall be restored immediately following construction.
17. A start of construction notification shall be provided to the appropriate personnel in the NH Fish and Game Dept.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 903.01(g) as it meets the criteria listed in Rule Env-Wt 303.02(a),

projects impacting more than 200 linear feet of stream channel and its banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was discussed on February 16, 2011 at the monthly Natural Resource Agency Meeting held at the NH Dept. of Transportation (DOT). There were no concerns expressed although the request was made to notify NH Fish and Game Dept. of the anticipated construction date.
6. DES Staff finds that this project will not have a significant impact on these riverine resources and are not at areas of substantial public interest where issues have been raised pursuant to RSA 482-A:1. Therefore, a public hearing is not required.

2011-00963
SALEM

TOWN OF SALEM

Requested Action:

Dredge and fill a total of 3,810 sq. ft. (3,070 sq. ft. temporary & 740 sq. ft. permanent impacts) within wetlands jurisdiction, including designated prime wetlands, to replace two (2) deteriorated 36 inch CMP culverts with two (2) 36 inch HDPE culverts in the same location and construct inlet & outlet scour protection aprons.

Conservation Commission/Staff Comments:

The Salem Conservation Commission "... has voted to recommend approval of the application and plans as submitted."

APPROVE PERMIT:

Dredge and fill a total of 3,810 sq. ft. (3,070 sq. ft. temporary & 740 sq. ft. permanent impacts) within wetlands jurisdiction, including designated prime wetlands, to replace two (2) deteriorated 36 inch CMP culverts with two (2) 36 inch HDPE culverts in the same location and construct inlet & outlet scour protection aprons.

With Conditions:

1. All work shall be in accordance with plans by Town of Salem, James A. Danis, P.E. dated 4/19/2011 as received by the NH Department of Environmental Services (DES) on May 05,2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
4. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
5. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Work shall be done during low flow.

With Findings:

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

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with RSA 482-A:15,IV(b), DES finds that the requirements for a prime wetlands 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 wetlands resource, as identified under RSA 482-A:1.

2011-01149 PIERMONT, TOWN OF
PIERMONT Tributary To Connecticut River

Requested Action:

Dredge and fill 2,480 square feet of the bed and banks of Eastman Brook to replace Barton Road Bridge with a 28 foot span bridge. Work in jurisdiction includes 1,650 square feet of the temporary impacts that will be restored.

APPROVE PERMIT:

Dredge and fill 2,480 square feet of the bed and banks of Eastman Brook to replace Barton Road Bridge with a 28 foot span bridge. Work in jurisdiction includes 1,650 square feet of the temporary impacts that will be restored.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers, Inc., entitled Barton Road Bridge #092/103 over Eastman Brook (Sheets 2, 5-7, 11 and 12 of 16) dated 2011 as received by the Department on May 23, 2011.
2. Area of temporary impact shall be restored to original conditions following the completion of work.
3. Work shall be done during low flow.
4. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Prior to commencing work within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
13. 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.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

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

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

20. 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.

21. 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.

22. 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 major project per Administrative Rule Env-Wt 303.02 (p) Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The NHDOT Bridge Inspection report resulted in a Critical Deficiency Status for the bridge.
6. The bridge was closed in July 2010.
7. The applicant requested an expedited review on April 26, 2011 to allow the road to be opened as soon as possible for emergency access.
8. The application was received on May 23, 2011.
9. The department granted an expedited review on May 26, 2011 in accordance with Department of Environmental Services Standard Operating Procedure, No. 201-Processing of Permit Applications.
10. A licensed professional engineer indicated that the new structure will freely pass the 100-year storm event, will increase the hydraulic opening, will not be a barrier to sediment transport, and will result in a decrease in the velocity of the stream at the crossing.
11. The alternative design meets the criteria of Env-Wt 904.09(c).
12. The conservation commission reviewed and found the application acceptable.
13. No comments were submitted from the NH Natural Heritage Bureau.
14. 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.

MINOR IMPACT PROJECT

2008-02648 FRANKLIN, CITY OF
FRANKLIN Webster Lake & Chance Pond Brook

Requested Action:

Amend permit to show changes to meet NH Fish and Game ramp design.

Conservation Commission/Staff Comments:

Con Com submitted a letter with 2 concerns for the proposed project.

APPROVE AMENDMENT:

Upgrade and replace an existing 294 sq ft 12 ft x 24.5 ft concrete boat ramp by constructing a 336 sq ft 12 ft x 30 ft boat ramp, regrading the existing access way and bank, removing existing concrete blocks from the channel, constructing and planting a berm, and replacing the existing 5 ft x 18 ft footbridge with a 7 ft 6 in x 18 ft footbridge on 115 ft of frontage on Webster Lake, in Franklin.

With Conditions:

1. All work shall be in accordance with plans by Provan and Lorber amended plans revision dated March 01, 2011, as received by DES on April 18, 2011.
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 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. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work shall be done during drawdown.
6. Work shall be done during low flow.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. All dredged or excavated material and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Upland and bank areas landward of the boat ramp shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into Webster Lake.
12. There shall be no cutting of trees or removal of any stumps from the bank except for the area within which construction of the ramp will take place.
13. The ramp approach shall be crowned so that drainage is directed away from the slope of the ramp.
14. The boat ramp shall be utilized indefinitely as a public access to Webster Lake and shall not change in use.
15. 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.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of rock, gravel, sand, mud, or other materials from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed realignment of the boat ramp will provide for a safer launching and recovery of boats away from the currents associated with Chance Pond Brook.
6. The expanded foot bridge will allow handicap access to the public beach and boat ramp from the handicap parking area.
7. The applicant submitted plans which address all of the local Conservation Commission concerns with the original proposal.

Requested Action:

Repair a 4 ft. x4 ft. x30 ft. box culvert and a 10' extension to the inlet and outlet impacting 512 sq. ft. (352 sq. ft. temporary) of riverine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Repair a 4 ft. x4 ft. x30 ft. box culvert and a 10' extension to the inlet and outlet impacting 512 sq. ft. (352 sq. ft. temporary) of riverine wetlands. NHDOT project #2010M301-9.

With Conditions:

1. All work shall be in accordance with plans by Matt Urban dated 2-14-11, as received by the Department on March 10, 2011.
2. The impacts associated with the temporary work shall be restored immediately following construction.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. 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.
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. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; 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.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. 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.
12. 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.
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. 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.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. 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 Env-Wt 303.03(1), alteration of less than 200 linear feet of impacts to a channel and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project and has addressed the requirements Env-Wt 903.01(c).

5. The Natural Heritage Bureau response indicates they do not expect any impacts to the recorded species.

MINIMUM IMPACT PROJECT

2004-01650 FERWERDA, MARTIN
GREENLAND Salt Marsh

Requested Action:

Request waiver of Rule Env-Wt 502.01 (Duration of Permit) to grant a time extension on permit which has not been implemented due to circumstances beyond the control of the permittee.

Inspection Date: 05/17/2011 by Frank D Richardson

APPROVE TIME EXTENSION:

Approve waiver of Rule Env-Wt 502.01 (Duration of Permit) and grant a time extension to October 17, 2012 on permit to: Excavate, regrade or otherwise alter terrain within 5,930 sq. ft. of previously impacted upland tidal buffer zone to demolish an existing cottage and construct a year-round single family residence and install an aerobic pre-treated septic system, which has not been implemented due to circumstances beyond the control of the permittee.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated 8-16-04 (revised), as received by the Department on August 19, 2004.
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, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
4. There shall be no further alteration of areas in NH DES Wetlands Bureau jurisdiction for lot development, driveways, culverts, septic setback or 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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), Projects in previously developed upland areas within 100 feet of the highest observable tide line.
 - 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 October 17, 2012.
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.

2009-00234 163 SPUR ROAD LLC
DOVER Bellamy River

Requested Action:

Approve name change to 163 Spur Road, LLC, PO Box 1163, Rochester, NH 03866 per request received 3/24/11. Previous owner: Gregg Porciello.

APPROVE NAME CHANGE:

Reconstruct in-kind existing non-conforming grandfathered tidal dock structure, including including 4'6" width of deck and attached 10'10" wide x 24'7" long shed section for first 24' of dock length; and 8' wide deck for remaining 18' of dock length; overall dock length 42', providing one slip on 123 ft. of frontage.

With Conditions:

1. All work shall be in accordance with plans by NHSC Inc. dated 3/6/2009, as received by DES on 5/15/2009.
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. Work shall be done during low tide.
4. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
5. Faulty equipment shall be repaired prior to entering jurisdictional areas.
6. 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.
7. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

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

2011-00905 LEBEL, FRANCES/IRENEE
OSSIPEE Ossipee Lake

Requested Action:

Permanently remove an existing 390 sq ft boat ramp, construct 10 linear feet of retaining wall in the impacted area, on Ossipee Lake, Ossipee.

Conservation Commission/Staff Comments:

Con Com requests 40 day hold, no comments by 06/13/2011

APPROVE PERMIT:

Permanently remove an existing 390 sq ft boat ramp, construct 10 linear feet of retaining wall in the impacted area, on Ossipee Lake, Ossipee.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey revision dated June 14, 2011, as received by the NH Department of Environmental Services (DES) on June 14, 2011.
2. This permit does not allow dredging for any purpose.
3. 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.
4. The area shall be regraded to match the existing adjacent topography. Any fill needed to regrade the area shall be similar to the adjacent material.
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 is a minimum impact project per Administrative Rule Env-Wt 303.04(m), projects that disturb less than 50 linear feet along the shoreline of a lake.

2011-01025 LISA BEAUDOIN REVOC TRUST
DOVER Piscataqua River

Requested Action:

Install two additional pilings to stabilize float section of existing, grand-fathered tidal dock previously permitted for in-kind repair under permit 2011-400.

APPROVE PERMIT:

Install two additional pilings to stabilize float section of existing, grand-fathered tidal dock previously permitted for in-kind repair under permit 2011-400.

With Conditions:

1. All work shall be in accordance with plans by MJS Engineering dated 2/1/2011, revision date of 5/4/2011, as received by the NH Department of Environmental Services (DES) on 5/12/2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit 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.
4. The repairs shall maintain the size, location and configuration of the pre-existing structures.
5. 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.
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. 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.
9. Work shall be done during low tide.
10. 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.
11. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
13. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This 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. The location of the dock is subject to severe ice action and wind fetch, and the floating portion of the dock needs greater stabilization than the grand-fathered design provided.
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 addition of two stabilizing pilings at the float represents minimal intrusion into the tidal resource for a structural design element that is now industry-standard for tidal docks.
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 by the NH Natural Heritage Bureau as occurring in the project vicinity.
5. The Dover Conservation Commission did not report on this application, but signed the applicant's minimum expedited application, later approved as permit 2011-400, for the repair of the same structure, less than 6 months ago.

2011-01146 JACOBS, THALE
PIERMONT Eastman Brook

Requested Action:

Maintenance dredge approximately 2,400 square feet of Eastman Brook/pond at the dam to ensure proper operation of an existing hydroelectric facility.

APPROVE PERMIT:

Maintenance dredge approximately 2,400 square feet of Eastman Brook/pond at the dam to ensure proper operation of an existing hydroelectric facility.

With Conditions:

1. All work shall be in accordance with plans by Osgood Drafting & Design dated October 17, 2003 received by the Department on May 23, 2011.
2. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
3. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. No equipment shall enter the water.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
7. This permit shall be used only once and does not allow for annual maintenance dredging.
8. Dredged material shall be placed out of DES Wetlands Bureau jurisdiction.
9. Dewatering of dredge spoils shall be contained in an area that is: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. Any further alteration of wetlands on this property will require a new application and further permitting by the DES Wetlands Bureau.

With Findings:

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

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. Project is necessary to ensure safe and efficient operation of the existing hydroelectric facility.
4. Accumulated sand and gravel has obstructed the flow to the power generation turbine.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
7. No comments were submitted by the NH Fish and Game Department or the Natural Heritage Bureau.

2011-01178 L LAKEHOUSE LLC
MEREDITH Unnamed Wetland

Requested Action:

Proposal to dredge and fill approximately 440 sq. ft. man-made emergent wetlands for re-development of an existing residential property.

Conservation Commission/Staff Comments:

1. The Conservation Commission commented that they have no objection to the application.

APPROVE PERMIT:

Dredge and fill approximately 440 sq. ft. man-made emergent wetlands for re-development of an existing residential property.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan Associates, P.C., sheet S1 dated May 10, 2011, sheet S2 dated May 18, 2011 and plan by Rokeh Consulting, LLC, sheet no. 1 of 9 revision date of May 2, 2011, as received by the NH Department of Environmental Services (DES) on May 24, 2011.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
4. 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. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. 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.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. 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. 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.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The impacted wetland consists of a depression created for a house foundation which was never constructed.

FORESTRY NOTIFICATION

**2011-01135 BALLA, RALPH
ACWORTH Unnamed Stream**

COMPLETE NOTIFICATION:
Acworth Tax Map 253, Lot# 6

**2011-01234 NASH, RICHARD/SHARON
EFFINGHAM Unnamed Stream**

COMPLETE NOTIFICATION:
Effingham Tax Map 413, Lot# 5

**2011-01302 LANDRY, JOSEPH & GAYLE
SALISBURY Unnamed Stream**

COMPLETE NOTIFICATION:
Salisbury Tax Map 247, Lot# 18

**2011-01310 SULLIVAN COUNTY FARM
UNITY Unnamed Stream**

COMPLETE NOTIFICATION:
Unity Tax Map 6, Lot# 617

**2011-01311 MACDONALD, BETSY
ALEXANDRIA Unnamed Stream**

COMPLETE NOTIFICATION:
Alexandria Tax Map 411, Lot# 186

2011-01312 **SICILIANO, ARTHUR/YVONNE**
WEARE Unnamed Stream

COMPLETE NOTIFICATION:
Weare Tax Map 202, Lot# 10.9

2011-01314 **CONNECTICUT LAKES REALTY TRUST**
PITTSBURG Unnamed Stream

COMPLETE NOTIFICATION:
Pittsburg Tax Map 1, Lot# 26

2011-01315 **CONNECTICUT LAKES REALTY TRUST**
CLARKSVILLE Unnamed Stream

Conservation Commission/Staff Comments:
Check #256 from file 11-1314

COMPLETE NOTIFICATION:
Clarksville Tax Map R6, Lot# 02

2011-01333 **PENACOOK/BOSCAWEN WATER PREC.**
WEBSTER Unnamed Stream

COMPLETE NOTIFICATION:
Webster Tax Map 6, Lot# 6

2011-01342 **BUCKLEY, TODD**
WINCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Winchester Tax Map 7, Lot# 28

2011-01352 **MCCLUSKEY, RICHARD & WENDY**
BOW Unnamed Stream

COMPLETE NOTIFICATION:
Bow Tax Map 3, Lot# 1

2011-01359 **DONAHUE TRUST, LILLIAN**
WAKEFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Wakefield Tax Map 173, Lot# 4

2011-01369 **BODWELL, PRISCILLA**
SANBORNTON Unnamed Stream

COMPLETE NOTIFICATION:
Sanbornton Tax Map 15, Lot# 95

2011-01379 **CAMPBELL, JANICE**
DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Deerfield Tax Map 414, Lot# 104-01 & 105

2011-01383 **BAYROOT LLC - MOXIE TREE FARM, C/O WAGNER FOREST M**
MILLSFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Millsfield Tax Map 1623, Lot# 14, 28

2011-01395 **VAZIFDAR, JS**
MEREDITH Unnamed Stream

COMPLETE NOTIFICATION:
Meredith Tax Map S14, Lot# 12, 13, 14, 14A

2011-01396 **ARNOLD, MATT**
AMHERST Unnamed Stream

COMPLETE NOTIFICATION:
Amherst Tax Map 8, Lot# 5

2011-01398 **ARNOLD, MATT**
AMHERST Unnamed Stream

COMPLETE NOTIFICATION:
Amherst Tax Map 8, Lot# 6

2011-01399 **OSBORNE, RICHARD**
SUNAPEE Unnamed Stream

COMPLETE NOTIFICATION:
Sunapee Tax Map 226, Lot# 30

EXPEDITED MINIMUM

2011-00353 MILLER, GAIL
LEMPSTER Unnamed Wetland

Requested Action:

Dredge and fill ± 1,530 square feet of intermittent stream to install a 30-inch x 30-foot culvert and a 24-inch x 30-foot culvert, each providing separate driveway access to two (2) lots within a proposed 3-lot subdivision.

APPROVE PERMIT:

Dredge and fill ± 1,530 square feet of intermittent stream to install a 30-inch x 30-foot culvert and a 24-inch x 30-foot culvert, each providing separate driveway access to two (2) lots within a proposed 3-lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC dated June 10, 2011, as received by the Department on June 13, 2011, and Subdivision Plans by Thomas D. Dombroski dated October 21, 2010, as received by the Department on February 14, 2011.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 2 of this approval.
4. Work shall be done during low flow conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. 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.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid at original grade.
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ah), any projects that includes a new stream crossing which qualifies as minimum impact under Env-Wt 903.01(e).
2. Abutter concerns were submitted in email correspondence received March 14, 2011, and include: 1) the potential for the project to increase flooding at Lovejoy Road; and 2) the application is not the result of a hardship, but is a result of past subdivision of the parent parcel without a conceptual plan to avoid wetland impacts.
3. A drainage analysis prepared by a Professional Engineer was submitted and confirms that the approved culverts are sized to accommodate the greater of the 50-year frequency flood.
4. This permit is conditioned that there shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
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.

2011-01072 TRANSCANADA HYDRO NE
WEST LEBANON Connecticut River

Requested Action:

Maintenance dredge 5,886 square feet of the Connecticut River at Wilder Dam.

APPROVE PERMIT:

Maintenance dredge 5,886 square feet of the Connecticut River at Wilder Dam.

With Conditions:

1. All work shall be done in accordance with plans and narrative as received by DES on May 16, 2011.
2. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.
3. The Permittee shall monitor the weather and not commence work within flowing water when rain is in the forecast.
4. Appropriate turbidity controls shall be installed prior to construction and shall be maintained during construction.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
6. 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.
7. 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.
8. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
9. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit is contingent upon the following conditions based on review and coordination with the DES Watershed Management Bureau's Water Quality Planning Section:
 - a. This approval is for maintenance work on the two stanchion bays closest to the NH shoreline as described in a letter dated 4/25/11 from Stantec Consulting Services Inc. to the NH Department of Environmental Services (DES).
 - b. This approval is for maintenance work on Bays 3 and 4, which according to Stantec Consulting Services will be completed in the summer of 2011; and maintenance work on Bays 1 and 2, which according to Stantec Consulting Services will be completed in the summer of 2012.
 - c. Unless otherwise authorized by DES, the Applicant shall:
 1. install straw hay bales, silt curtain or other DES approved erosion control measures on the downslope side of the area receiving dredge spoils to prevent any erosion or transport of dredge spoils to any surface water.
 2. install turbidity curtains around the work area during the dredging operation
 3. not dewater, install coffer dams or alter water levels in the Connecticut River for this maintenance repair,
 4. only remove enough material to install the temporary bulkhead as opposed to dredging the area to the original river bottom

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The intent of this maintenance dredging project is to remove only enough material to install the temporary bulkhead, not to dredge the area to the original river bottom.
4. The applicant has coordinated with the DES Watershed Management Bureau's Water Quality Planning Section. Conditions to address the Watershed Management Bureau's Water Quality Planning Section have been included in this permit approval.
5. The Lebanon Conservation Commission recommended approval of the application.
6. The NH Natural Heritage Bureau stated that based on the information provided (site plans, site photos and project narrative), along with unsuccessful searches for these species in previous years, it is unlikely that any of these plants would occur within the footprint of the project impacts.

**2011-01111 BURNELL, DOUGLAS
CONWAY Weeks Brook**

Requested Action:

Restore aquatic habitat for native brook trout along 1,000 linear feet of Weeks Brook by cutting trees/wood into the brook.

APPROVE PERMIT:

Restore aquatic habitat for native brook trout along 1,000 linear feet of Weeks Brook by cutting trees/wood into the brook.

With Conditions:

1. All work shall be in accordance with the approved plans, as received by DES on May 19, 2011.
2. There shall be no work in areas under the jurisdiction of the DES Wetlands Bureau that is within 20 feet of an abutting property line unless the applicant receives written agreement from the affected abutter.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work shall be done during low flow conditions.
5. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
6. Trees that are stabilizing slopes and banks shall be left intact.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposed to restore degraded aquatic resources that benefit native brook trout.
2. This restoration project is supported by the NH Fish & Game Dept. and the US Forest Service by serving on the Advisory Board for this trout habitat improvement project.
3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
7. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**2011-01142 PURITY SPRING RESORT INC
FREEDOM Shawtown Brook**

Requested Action:

Restore aquatic habitat for native brook trout along 1,000 linear feet of Shawtown Brook by cutting trees/wood into the brook.

APPROVE PERMIT:

Restore aquatic habitat for native brook trout along 1,000 linear feet of Shawtown Brook by cutting trees/wood into the brook.

With Conditions:

1. All work shall be in accordance with the approved plans, as received by DES on May 20, 2011.
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. Work shall be done during low flow conditions.
4. No trees shall that are stabilizing banks or slopes shall be cut.
5. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands

Bureau within 60 days of the completion of construction.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposed to restore degraded aquatic resources that benefit native brook trout.
2. This restoration project is supported by the NH Fish & Game Dept. and the US Forest Service by serving on the Advisory Board for this trout habitat improvement project.
3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
7. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

GOLD DREDGE

2011-01384 EVANOSKI, PETER
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2011-01385 BOUCHER, ALBERT
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath ConCom

2011-01386 BOUCHER, REGINA
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
See file 11-1385 for fee

2011-01387 CARLE, CHARLES
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath ConCom

TRAILS NOTIFICATION

**2011-01313 CANDIA CONSERVATION COMMISSION, TOWN OF
CANDIA Unnamed Stream Unnamed Wetlands**

COMPLETE NOTIFICATION:
Candia Tax Map 401, Lot# 1-1

LAKES-SEASONAL DOCK NOTIF

**2011-01237 MYERS, PAUL
LEE Wheelwright Pond**

COMPLETE NOTIFICATION:
Lee Tax Map 11, Lot# 1 Wheelwright Pond

**2011-01370 GUNDERSEN, CARL
CONWAY Peguawket Pond**

COMPLETE NOTIFICATION:
Conway Tax Map 277, Lot# 91 Peguawket Pond

**2011-01397 PALUMBO, JOHN/LINDA
WAKEFIELD Pine River Pond**

COMPLETE NOTIFICATION:
Wakefield Tax Map 82, Lot# 26 Pine River Pond

ROADWAY MAINTENANCE NOTIF

**2011-01389 NH DEPT OF TRANSPORTATION
EASTON**

COMPLETE NOTIFICATION:
Culvert replacement

**2011-01405 SANDOWN HIGHWAY DEPT, TOWN OF
SANDOWN Unnamed Stream**

COMPLETE NOTIFICATION:

Extensions to existing culverts and inlet & outlet headwalls

**2011-01406 NH DEPT OF TRANSPORTATION
ELLSWORTH Unnamed Stream**

COMPLETE NOTIFICATION:
Replace an existing 15"x 40' CMP in kind

**2011-01418 NH DEPT OF TRANSPORTATION
BENNINGTON Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:
installation of a 24"x 50'CMP with 5 foot extension on inlet & outlet with stone aprons

**2011-01419 NH DEPT OF TRANSPORTATION
KEENE Unnamed Wetland**

COMPLETE NOTIFICATION:
Remove existing CMP and replace with a 24"x 45' HDPE, remove old catch basin and replace a 4foot catch basin and stone apron at the outlet

PERMIT BY NOTIFICATION

**2011-01221 EMERY, CHRISTINE/VELMA
SALISBURY Unnamed Stream**

Requested Action:
Disqualify Permit by Notification to dredge and fill 50 square feet of wetlands to install an 18-inch CMP for access to a single family residential lot.

PBN DISQUALIFIED:
Disqualify Permit by Notification to dredge and fill 50 square feet of wetlands to install an 18-inch CMP for access to a single family residential lot.

With Findings:
1. Administrative Rules for PBNs changed in May of 2010 and they no longer cover new culvert crossings.

**2011-01380 SARLES, MARILYN
TUFTONBORO Lake Winnepesaukee**

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

Conservation Commission/Staff Comments:
Con Com signed PBN form

PBN IS COMPLETE:
Repair of existing docking structures with no change in size, location or configuration.

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

**2011-01382 SPINNAKER SHORES CONDO. ASSOC., MARK RINES
GILFORD Lake Winnepesaukee**

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

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

PBN IS COMPLETE:
Repair of existing docking structures with no change in size, location or configuration.

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

**2011-01404 ROY, EDWARD/MARY
ALTON Lake Winnepesaukee**

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

Conservation Commission/Staff Comments:
Con Com signed PBN form

PBN IS COMPLETE:
Repair of existing docking structures with no change in size, location or configuration.

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

CSPA PERMIT

2011-00753 BOUDREAU, BRIAN
PITTSBURG Back Lake

Requested Action:

Impact 270 sq ft in order to add an addition to the landward side of structure and incorporate a stormwater management plan.

APPROVE PERMIT:

Impact 270 sq ft in order to add an addition to the landward side of structure and incorporate a stormwater management plan.

With Conditions:

1. All work shall be in accordance with plans by Brian Boudreau dated April 1, 2011 and received by the NH Department of Environmental Services (DES) on April 13, 2011.
2. No more than 19% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. 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.

2011-00841 WELLS, RICHARD
SPOFFORD Spofford Lake

Requested Action:

Impact 319 sq ft in order to replace exterior stairway.

APPROVE PERMIT:

Impact 319 sq ft in order to replace exterior stairway.

With Conditions:

1. All work shall be in accordance with plans by James M. Larkin dated April 1, 2011 and received by the NH Department of Environmental Services (DES) on April 22.
2. No more than 42% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 1,733 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
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.

2011-01023 THOMPSON, DAVID
HARRISVILLE Russell Reservoir

Requested Action:

Impact 169 sq ft for the purpose of constructing a new deck.

APPROVE PERMIT:

Impact 169 sq ft for the purpose of constructing a new deck.

With Conditions:

1. All work shall be in accordance with plans and materials submitted by Liberty Landscape and Construction, LLC and received by the Department of Environmental Services ("DES") on May 12, 2011 and June 14, 2011.
2. No more than 32.91% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. No impacts shall occur to natural ground covers within the waterfront buffer.
4. 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.
5. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 240 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES must remain in an unaltered state.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.
14. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01063 ROBERGE, NORMAND
WEST MILAN Upper Ammonoosuc River

Requested Action:

Impact 492 sq ft in order to construct a path to the reference line and replace a seasonal ladder.

APPROVE PERMIT:

Impact 492 sq ft in order to construct a path to the reference line and replace a seasonal ladder.

With Conditions:

1. All work shall be in accordance with plans by Northern Forest Canoe Trail dated May 1, 2011 and received by the NH Department of Environmental Services (DES) on May 16, 2011.
2. For work other than the replacement of the seasonal ladder within the wetland jurisdiction, a Wetland Permit RSA 482-A will be required.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 12,258 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
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.

2011-01188 RILEY, MARK
MILTON Townhouse Pond

Requested Action:

Impact 475 sq ft in order to construct an L-shape deck with steps.

APPROVE PERMIT:

Impact 475 sq ft in order to construct an L-shape deck with steps.

With Conditions:

1. All work shall be in accordance with plans by Mark Riley dated May 1, 2011 and received by the NH Department of Environmental Services (DES) on May 25, 2011.
2. No more than 24% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 894 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
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.

2011-01216 REMILLARD, FRANCIS
MEREDITH Waukewan Lake

Requested Action:

Impact 392 sq ft in order to replace deck within the same location and a reduction in size.

APPROVE PERMIT:

Impact 392 sq ft in order to replace deck within the same location and a reduction in size.

With Conditions:

1. All work shall be in accordance with plans by Francis Remillard dated May 1, 2011 and received by the NH Department of Environmental Services (DES) on May 27, 2011.
2. No more than 5.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. 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.

2011-01219 LAWRENCE, PAUL
HANOVER Connecticut River

Requested Action:

Impact 1,997 sq ft in order to construct an addition, new parking area, retaining wall and temporary construction access area.

APPROVE PERMIT:

Impact 1,997 sq ft in order to construct an addition, new parking area, retaining wall and temporary construction access area.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting, LLC dated May 17, 2011 and received by the NH Department of Environmental Services (DES) on May 27, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 1.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 51,000 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Temporary access path within the 50 ft waterfront buffer shall be completely restored and replanted with native vegetation upon completion of construction.
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. 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.

2011-01227 LARSON, NORMAN
MOULTONBOROUGH Kanasatka Lake

Requested Action:

Impact 3,798 sq ft for the purpose of constructing a new foundation, new deck and new 3 season porch.

APPROVE PERMIT:

Impact 3,798 sq ft for the purpose of constructing a new foundation, new deck and new 3 season porch.

With Conditions:

1. All work shall be in accordance with plans by Norman E. Larson, dated May, 2011 and received by the Department of Environmental Services ("DES") on May 31, 2011.
3. No more than 12.5% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. No impacts shall occur to natural ground covers within the waterfront buffer.
5. 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.
6. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 14,561 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans titled, "Post-Construction Site Plan" and received by DES must remain in an unaltered state.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

2011-01230 SCANLON, JEANNE
STODDARD Highland Lake

Requested Action:

Impact 188 sq ft in order to construct a deck.

APPROVE PERMIT:

Impact 188 sq ft in order to construct a deck.

With Conditions:

1. All work shall be in accordance with plans by Monadnock Septic Design LLC dated February 2, 2011 and received by the NH Department of Environmental Services (DES) on May 31, 2011.
2. No more than 36% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 924 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
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.

2011-01232 CITY OF ROCHESTER
ROCHESTER Cocheco River

Requested Action:

Impact 9,730 sq ft in order to replace and upgrade existing sewer main, water main and drainage facilities. Replace existing sidewalks & roadway pavement along Pine Street between North Main Street & Waldron Avenue.

APPROVE PERMIT:

Impact 9,730 sq ft in order to replace and upgrade existing sewer main, water main and drainage facilities. Replace existing sidewalks & roadway pavement along Pine Street between North Main Street & Waldron Avenue.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated May 1, 2011 and received by the NH Department of Environmental Services (DES) on May 31, 2011.
2. 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.
3. 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.
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.

2011-01257 LEARY, ANTHONY
MADISON Middle Pea Porridge Pond

Requested Action:

Impact 5,846 sq ft in order to construct shed and ramp, upgrade septic system, expand deck and modify driveway.

APPROVE PERMIT:

Impact 5,846 sq ft in order to construct shed and ramp, upgrade septic system, expand deck and modify driveway.

With Conditions:

1. All work shall be in accordance with plans by Briggs Land Surveying dated May 18, 2011 and received by the NH Department of Environmental Services (DES) on June 1, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 28.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. 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.

2011-01260 ZOLLA, BARBARA/HENRY
OSSIPEE Ossipee Lake

Requested Action:

Impact 8,663 sq ft in order to remove a carport, patio and driveway, construct a single family home, driveway and sewage disposal system.

APPROVE PERMIT:

Impact 8,663 sq ft in order to remove a carport, patio and driveway, construct a single family home, driveway and sewage disposal system.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co., Inc. dated May 31, 2011 and received by the NH Department of Environmental Services (DES) on June 1, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 14.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 117 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the

structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01268 LAKE SHORE BARRINGTON LLC
BARRINGTON Swains Lake

Requested Action:

Impact 15,670 sq ft in order to construct a residential structure, driveway and septic system.

APPROVE PERMIT:

Impact 15,670 sq ft in order to construct a residential structure, driveway and septic system.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated May 31, 2011. and received by the NH Department of Environmental Services (DES) on June 2, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 22.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 2,378 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01270 BOWMAN, GEORGE/PATRICK
WOLFEBORO Rust Pond

Requested Action:

Impact 2,300 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing stormwater management techniques and a new septic system.

APPROVE PERMIT:

Impact 2,300 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing stormwater management techniques and a new septic system.

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

With Conditions:

1. All work shall be in accordance with plans by Ames Associates, dated May 2, 2011 and received by the Department of Environmental Services ("DES") on June 2, 2011.
2. This approval includes a waiver of RSA 483-B:9, II (b) and RSA 483-B:9, V(g)(1), and therefore, shall not be effective until it

- has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 40.1% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
 4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
 5. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
 6. No impacts shall occur to natural ground covers within the waterfront buffer.
 7. The vegetation proposed to be planted within the waterfront buffer shall be monitored, and if necessary, replaced, to ensure 100% survival rate for a period two years following construction.
 8. 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.
 9. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 300 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans titled, "Proposed Conditions" and received by DES must remain in an unaltered state.
 10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
 11. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
 12. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
 13. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
 14. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
 15. Any fill used shall be clean sand, gravel, rock, or other suitable material.
 16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
 17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
 18. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Rust Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to Rust Pond and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), of the CSPA.
3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
4. The applicant has proposed to decrease the impervious area within the protected shoreland by 30 sq ft.
4. The applicant has proposed to install stormwater controls consisting of infiltration trenches below the drip line of the existing and proposed residence expansion
5. The applicant has proposed an additional infiltration trench that will be capable of intercepting and infiltrating stormwater from the existing driveway.
6. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.

- 7. The applicant has proposed to enhance the waterfront buffer by planting additional, native vegetation.
- 8. The applicant has proposed to install sound stormwater controls, install a new septic system, reduce impervious area and enhance the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2011-01413 THE JRC FAMILY TRUST
ALTON Half Moon Lake

Requested Action:

Impact 200 sq ft in order to raze an existing house 2 feet to pour a 4 foot concrete foundation.

APPROVE PERMIT:

Impact 200 sq ft in order to raze an existing house 2 feet to pour a 4 foot concrete foundation.

With Conditions:

- 1. All work shall be in accordance with plans by Frank Lundy dated June 1, 2011 and received by the NH Department of Environmental Services (DES) on June 16, 2011.
- 2. 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.
- 3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
- 4. 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.
- 5. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 6. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/VARIANCE

2011-01173 HOLMES, KATHLEEN/LAWRENCE
SILVER LAKE Silver Lake

Requested Action:

Impact 1,711 sq ft for the purpose of installing a new septic system.

APPROVE PERMIT:

Impact 1,711 sq ft for the purpose of installing a new septic system.

VARIANCE APPROVED: RSA 483-B:9, V(b)(2)(A)(i) is varied to impact an unaltered area of the natural woodland beyond that permissible under the minimum standards.

With Conditions:

- 1. All work shall be in accordance with plans by White Mountain Survey and Engineering, LLC, dated March 22, 2011 and received by the Department of Environmental Services ("DES") on May 24, 2011.
- 2. This approval includes a variance of RSA 483-B:9, (b)(2)(A)(i) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt

requested.

3. No more than 23.4% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. 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.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), the remaining 1,376 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES, must remain in an unaltered state.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.
17. Upon completion of the proposed project, the exiting septic system shall pose no threat to adjacent surface waters.

With Findings:

1. The applicant or their designated agent hereby request a variance of RSA 483-B:9 V(b)(2)(A)(i) for the purpose of installing a new septic system that will impact an area of the natural woodland greater than that permissible under the minimum standards.
2. The literal enforcement of the standard would result in an unnecessary hardship as this would prevent the property owner from upgrading and installing a new septic system
3. Granting the variance will not result in the diminution in the value of the surrounding properties as upon completion of the proposed project the new septic system will provide greater protection of adjacent resources.
4. Granting the variance will not be contrary to the spirit to RSA 483-B as the installation of the new septic system will provide a greater level of resource protection.
5. Granting the variance will do substantial justice as the project will provide at least the same or greater degree of protection than those that currently exist.

CSPA PERMIT W/WAIVER

2009-00007 HARRINGTON, MICHAEL
MILAN Cedar Pond

Requested Action:

Approve name change to: Michael Harrington, 103 Lamplighter Park, No. Conway, NH 03588 per request received 6/14/11.
Previous owner: Donald King.

APPROVE NAME CHANGE:

Impact 2,260 sq ft for the purpose of demolishing an existing nonconforming primary structure and reconstructing a more nearly conforming primary structure.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans created by Donald King, dated December 24, 2008 and received by the Department of Environmental Services ("DES") on January 5, 2009.
2. This approval includes a waiver of RSA 483-B:9, II (b) and RSA 483-B:9 V(g) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 31.06% 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 3,575 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,575 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. 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).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wq 1406.18.

UTILITY NOTIFICATION

2011-01388 PSNH
JEFFERSON Unnamed Wetland

COMPLETE NOTIFICATION:

Pole treatment with pesticide control in wetlands

