

# Wetlands Bureau Decision Report

Decisions Taken  
08/01/2011 to 08/07/2011

## **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**

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**2010-00197                      CIRCLE DRIVE ASSOCIATES LLC  
BEDFORD   Unnamed Wetland Unnamed Stream**

Requested Action:

Applicant requests changes to permit conditions and a waiver to Rule Env-Wt 806.05.

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Inspection Date: 10/09/2009 by William A Thomas, Cws

APPROVE AMENDMENT:

Amend permit to reflect changes to conditions and approve waiver request to dredge and fill 13,004 sq. ft. of forested wetlands and perennial stream for access and utilities for a future commercial development. Compensatory mitigation includes a one-time payment into the Aquatic Resource Mitigation (ARM) Fund.

With Conditions:

With amended conditions:

1. All work shall be in accordance with plans by Bedford Design Consultants Inc., plan sheets 1, 3, 4, 5, and 6 of 6 revision date of September 24, 2010 and sheet 3 of 6 dated January 20, 2010, as received by the NH Department of Environmental Services (DES) on September 16, 2010 and narratives received by DES on September 23, 2010.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, depict all temporary impacts and show temporary siltation/erosion/turbidity control measures to be implemented.
3. Work shall be done during 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. Temporary cofferdams shall be entirely removed immediately following construction.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. The final surface of the stream channel bed shall be restored at natural grade using natural round stone or existing (or similar) streambed materials and shall not include angular rip-rap.
9. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading, 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. 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 immediately.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each

operator shall be trained in its use.

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

19. 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.

Compensatory Mitigation:

20. This approval is contingent on receipt by DES of a one time payment of \$6,031.74 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.

21. This approval is contingent on receipt by DES of a one time payment of \$120,634.77 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES prior to construction and before August 5, 2012 or the application will be denied.

22. The riparian buffer restrictions shall be written to run with the land, and both existing and future property owners shall be subject to the restrictions.

23. The plan noting the riparian buffer restrictions with a copy of the final 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.

24. The riparian buffer area shall be marked by monuments [stakes] prior to construction.

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

26. Unless approved under the permit issued by the Department, the recorded easement, its amendment or a subsequent permit approval by NHDES, there shall be no removal of the existing vegetative undergrowth within the riparian buffer area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

27. In the event a conflict arises between the language of this permit, the recorded easement language and the easement plan to which it refers shall control.

28. Activities in contravention of the conservation restrictions shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of DES (including remediation and fines).

With Findings:

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

2. The department received comments from the United States Environmental Protection Agency ("EPA") indicating the project is eligible for the New Hampshire State Programmatic General Permit ("SPGP").

3. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.

4. The waiver of Rule Env-Wt 806.05 is granted. The ARM fund administrative fee shall be submitted within 120 days of notice and the remainder shall be submitted prior to construction and before August 5, 2012.

5. The payment calculated for the administrative fee for the wetland loss equals \$6,031.74.

6. The payment calculated for the proposed wetland loss (subtracting the administrative fee) equals \$120,634.77.

7. The Department decision is issued in letter form and upon receipt of the total ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).

8. The payment into the ARM fund shall be deposited in the DES fund for the Merrimack River watershed per RSA 482-A:29.

9. This approval is conditioned that 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.

**MINOR IMPACT PROJECT**

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**2006-00848 MCLAIN, ALAN & PAULA  
WENTWORTHS LOCA Magalloway River**

Requested Action:

Amend permit to include an additional 30 ft of retaining wall which extended onto abutters property.

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APPROVE AMENDMENT:

Repair/Replace 82 linear ft of retaining wall with sheet piling on two frontages on the Magalloway River in Wentworth Location.

With Conditions:

1. All work shall be in accordance with plans by Lobdell Associates Inc. dated as received by the Department on April 14, 2006 and amendment request as received on June 21, 2011.
2. Repair shall maintain existing size, location and configuration.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
9. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
10. Shall replacement wall fail within a 6 year period from date of completion, the landowner shall file a new application for retaining wall replacement with stamped plans prepared by a certified professional in erosion and sediment control and site may be subject to further stormwater evaluation and control.
11. The new replacement wall shall be maintained such that the structure shall conform to reasonable safety standards. Failure to maintain a structure in a safe condition shall be considered a violation as per Administrative Rule Env-Wt 402.10.
12. Wall shall not reflect or re-direct currents towards adjacent wetlands or structures, or otherwise contribute to erosion. 13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

**2008-01246 NH DEPT OF TRANSPORTATION  
SUNAPEE Unnamed Stream**

Requested Action:

Request to amend the permit to construct an access road having temporary impacts in wetlands not previously delineated along with adding cutoff walls and headwalls.

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Conservation Commission/Staff Comments:

Cons. Comm. - no comment

Inspection Date: 11/07/2003 by Gino E Infascelli

Inspection Date: 05/08/2011 by Gino E Infascelli

**APPROVE AMENDMENT:**

Line the floor of an existing 8 ft. diameter metal culvert with concrete and place a stone apron in the stream at the inlet and in Lake Sunapee at the outlet to prevent scour; add cutoff walls and headwalls impacting 3,874 sq. ft. (2,541 sq. ft. temporary) of riverine and lacustrine wetlands. NHDOT project #M213-4.

**With Conditions:**

1. All work shall be in accordance with:
  - a. Plans by NHDOT Bureau of Highway Design 6/1/11, as received by the Department on June 10, 2011 and
  - b. Construction sequencing/ erosion control plans 1 and 2 of 2 by NHDOT Maintenance District 2 dated 8-7-03, as received by the Department on July 3, 2008.
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. Construction equipment shall not be located within surface waters.
4. 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.
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. 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.
7. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
8. Work shall be done during low flow and drawdown.
9. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
10. DES Wetlands Bureau to be notified at the start of construction.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of stream and banks.
2. DES Staff conducted a field inspection of the permitted project to see if the project was complete as the permit required notification at the start of construction. Field inspection on May 8, 2011 determined that no work had started, the culvert was continuing to deteriorate and at the inlet there were areas of jurisdiction not shown on the original plans where temporary access was probable during construction.
3. DES notified the applicant of the inspection and the need to amend the file if the project was still to be constructed.
4. The amendment request addresses the delineation and temporary access.

**2010-03172  
CANDIA**

**CHIVERS, BOYD**

**Requested Action:**

Dredge and fill 3,110 sq. ft. within the flow channel and embankments of a seasonal stream to construct a 4 foot high dam, designed with fish & wildlife passage, to create a 19,500 sq. ft impoundment for wildlife and warm water fish habitat. In addition, a total of 16,980 sq. ft. of land surrounding the impoundment, previously impacted by logging & land clearing activities, will be restored and

enhanced by planting species attractive to wildlife.

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Conservation Commission/Staff Comments:

"The [Candia Conservation] Commission supports Mr. Chivers in his effort to do this project."

Inspection Date: 04/21/2011 by Frank D Richardson

Inspection Date: 05/06/2011 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill 3,110 sq. ft. within the flow channel and embankments of a seasonal stream to construct a 4 foot high dam, designed with fish & wildlife passage, to create a 19,500 sq. ft impoundment for wildlife and warm water fish habitat. In addition, a total of 16,980 sq. ft. of land surrounding the impoundment, previously impacted by logging & land clearing activities, will be restored and enhanced by planting species attractive to wildlife.

With Conditions:

1. All work shall be in accordance with plans by Fraggie Rock Environmental Services dated 6/2011, as received by the NH Department of Environmental Services (DES) on June 07, 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. NH DES Wetlands Bureau Southeast Region staff, the NH Fish & Game Department, Fish Habitat Biologist and the Candia Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. A report containing photos from at least six(6) established photo stations and documenting the construction of the dam, the impoundment and surrounding wildlife habitat enhancement areas shall be submitted to the DES Wetlands Bureau by December 1st of each year from the start of construction in 2011 through the five-year duration of the permit ending in 2016.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau except for materials used for habitat enhancement.
7. Work shall be done during low flow.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
9. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c), projects that involve dredge, fill or construction of a permanent structure in a stream or marsh; (e) construction of a pond with less than 20,000 square feet of impact in a wetland or surface waters; and (l) projects that alter the course of or disturb less than 200 lineal feet of an intermittent or perennial stream or river channel or 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. DES Wetlands Bureau Southeast Region Staff conducted a field inspection with the NH Fish & Game Department Fish Habitat Biologist of the proposed project on May 06, 2011. Field inspection determined that the project is reasonable, will not adversely affect downstream riparian habitat and will enhance wetland, wildlife and warm water fish habitat in and around the proposed impoundment.
6. The New Hampshire Fish & Game Department Fish Habitat Biologist had considerable input on the design of the dam structure, the impoundment and the surrounding habitat enhancement areas and supports this project.
7. The NH DES Dam Bureau reports that since the dam will have a height of less than 6 feet "... no formal permitting is required

from DES's Dam Bureau for the construction of the dam structure."

8. A full Stream Assessment of Ward Brook was performed by Fraggie Rock Environmental Services on May 13, 2011. A Stream Assessment Report dated June 2, 2011 was received by the DES Wetlands Bureau on June 07, 2011.

**2011-01467                      KNIGHT, CATHERINE**  
**MEREDITH Lake Winnepesaukee**

Requested Action:

Repair 53 linear ft segment an a 47 linear ft segment of retaining wall in-kind, construct a 180 sq ft perched beach with 4 ft wide access stairs to the lake, and re-locate 9 sq ft of rocks on the lakebed to provide access to the water on an average of 186 ft of frontage on Lake Winnepesaukee, in Meredith.

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Conservation Commission/Staff Comments:

Con Com submitted comments stating they didn't see the proposed perched beach as the best option for the stabile existing slope

APPROVE PERMIT:

Repair 53 linear ft segment an a 47 linear ft segment of retaining wall in-kind, construct a 180 sq ft perched beach with 4 ft wide access stairs to the lake, and re-locate 9 sq ft of rocks on the lakebed to provide access to the water on an average of 186 ft of frontage on Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated May 31, 2011, as received by the NH Department of Environmental Services (DES) on June 21, 2011.
2. The repairs shall maintain the pre-existing size, location and configuration of structures.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. The steps installed for access to the water shall be located completely landward of the normal high water line.
7. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of material from the lakebed.
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 proposed perched beach meets the criteria of Env-Wt 303.08 and Env-Wq 1405.05, therefore addressing the concerns of the local Conservation Commission.

**2011-01597                      VOLUME INC**  
**MANCHESTER Unnamed Wetland**

Requested Action:

Proposal to dredge and fill 3060 sq. ft. of emergent and swamp wetlands for access and site grading for the development of a proposed commercial lot for a convenience store and gas station with a drive-thru donut shop.

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APPROVE PERMIT:

Dredge and fill 3060 sq. ft. of emergent and swamp wetlands for access and site grading for the development of a proposed commercial lot for a convenience store and gas station with a drive-thru donut shop.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc., dated June 6, 2011, as received by the NH Department of Environmental Services (DES) on July 5, 2011.
2. The applicant and/or agent shall coordinate with the New Hampshire Fish and Game Department, Nongame and Endangered Species Program for review of the site by a Wildlife Biologist before the start of any site development/preparation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. 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.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f);
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The New Hampshire Fish and Game Department, Nongame and Endangered Species Program ("NHFGD") requested that a wildlife biologist review the site for eastern hognose snake and northern black racer before construction occurs.
6. The permit is condition on coordination with NHFGD.

**MINIMUM IMPACT PROJECT**

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**2011-01673**                      **NASHUA, CITY OF**  
**NASHUA**   **Nashua River/mine Falls Park Pond**

Requested Action:

Mechanically harvest approximately 36 acres of invasive and nuisance aquatic plant species including: water chestnut, variable milfoil, fanwort, curly-leaf pond weed, Eurasian milfoil, coontail, bladderwort, duckweed and thin-leaf pondweed within the Nashua River and Mine Falls Park Pond to maintain the biodiversity of native aquatic vegetation and wetland/wildlife habitat.

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Conservation Commission/Staff Comments:

See findings.

APPROVE PERMIT:

Mechanically harvest approximately 36 acres of invasive and nuisance aquatic plant species including: water chestnut, variable milfoil, fanwort, curly-leaf pond weed, Eurasian milfoil, coontail, bladderwort, duckweed and thin-leaf pondweed within the Nashua River and Mine Falls Park Pond to maintain the biodiversity of native aquatic vegetation and wetland/wildlife habitat.

With Conditions:

1. All work shall be in accordance with plans by Aquatic Control Technology, Inc. dated 7/5/11, as received by the NH Department of Environmental Services (DES) on July 14, 2011.
2. Harvesting shall be coordinated with NH Fish and Game.
3. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
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.
8. Invasive plant removal shall be mechanically harvested only. **NO HERBICIDES SHALL BE USED** within DES Wetlands Bureau jurisdiction.
9. Any additional human activities within the 100-foot Prime Wetland Buffer without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by DES, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.
10. All invasive vegetation removed from the Nashua River and Mine Falls Pond shall be dewatered at least 20-feet away from any surface water and/or wetland.
11. All harvested invasive vegetation shall be properly disposed of outside of DES Wetlands Bureau jurisdiction.
12. A post-work report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of the project.

With Findings:

1. The Nashua River and Mine Falls Park Pond have been infested with invasive water chestnut (*Trapa natans*), variable milfoil (*Myriophyllum heterophyllum*), fanwort (*Cabomba caroliniana*), curly-leaf pondweed (*Potamogeton crispus*) and Eurasian milfoil (*Myriophyllum spicatum*).
2. These invasive species impair the functions and values of the resource areas and may exacerbate eutrophication.
3. The areas where the work will occur are within designated prime wetlands of the City of Nashua and were designated in accordance with RSA 482-A:15.
4. The removal of the invasive species will enhance the value of such areas as sources of nutrients for finfish, crustacea, shellfish and wildlife of significant value, will restore habitats and reproduction areas for plants, fish and wildlife of importance, will improve the commerce, recreation and aesthetic enjoyment of the public, will positively affect stream channels and their ability to handle the runoff of waters, will increase the natural ability of wetlands to absorb flood waters and silt, thus increasing general flood damage and the silting of open water channels, and will ultimately positively affect the interests of the general public.
5. 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.

6. The dense growth of the invasive plants are out competing and displacing native plant species; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. Paddle-wheel driven mechanical harvesters will be utilized to remove the invasive plants from designated areas of the Nashua River. Sediment disturbance will be minimal, localized and of short duration; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. 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.
9. The Nashua Conservation Commission signed the Minimum Impact Expedited Application.
10. DES did not receive any comments from abutters speaking for or against the project.
11. A memo from the NH Natural Heritage Bureau dated 6/22/11 (the "Memo") identified the following species in the vicinity of the proposed project: one (1) rare invertebrate species: Cobweb Skipper (*Hesperia metea*) and four (4) vertebrate species: Bald Eagle (*Haliaeetus leucocephalus*) State threatened, Blanding's Turtle (*Emydoidea blandingii*) State endangered, Osprey (*Pandion haliaetus*) species of concern and Wood Turtle (*Glyptemys insculpta*) species of concern.
12. In response to the Memo, NH Fish and Game states, "we do not expect impacts to bald eagle and osprey, the remnant population of the state endangered Blanding's turtle thought to still occur in the Nashua River may be impacted."
13. The detailed plans accurately locate the boundary of the wetlands.
14. DES determined that the proposed improvements will not have a significant impact on the functions and values of the prime wetland resources so no mitigation is required.
15. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 301.01.
16. Public hearing is not required with the finding that the project will not adversely impact wetland areas that are considered to be of special value from a local, regional, or state perspective pursuant to Env-Wt 101.90.
17. Based on the findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.
19. The City of Nashua waived their ability to intervene pursuant to Env-Wt 704.01.

**FORESTRY NOTIFICATION**

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**2011-01771 MORROW FAMILY TRUST**  
**FREEDOM Unnamed Stream**

COMPLETE NOTIFICATION:  
Freedom Tax Map 8, Lot# 19

**2011-01772 CAMPBELL, DAWN**  
**BROOKFIELD Unnamed Stream**

COMPLETE NOTIFICATION:  
Brookfield Tax Map 8, Lot# 5

**2011-01773 KOPACZ, MITCHEL**  
**EFFINGHAM Unnamed Stream**

COMPLETE NOTIFICATION:  
Effingham Tax Map 418, Lot# 9

**2011-01774 WEBSTER LAND CORP.  
CAMPTON Unnamed Stream**

COMPLETE NOTIFICATION:  
Campton Tax Map/Lot# 17/7-6 & 22/1-6

**2011-01775 FARM TRUST  
TAMWORTH Unnamed Stream**

COMPLETE NOTIFICATION:  
Tamworth Tax Map 424, Lot# 2

**2011-01776 INDIAN POND LIMITED LIABILITY CORP  
ORFORD Unnamed Stream**

COMPLETE NOTIFICATION:  
Orford Tax Map 8-29, Lot# 63

**2011-01792 MADDEN, DANIEL  
KEENE Unnamed Stream**

COMPLETE NOTIFICATION:  
Keene Tax Map 904, Lot# 13

**2011-01793 DILLON INVESTMENTS, LLC  
MILAN Unnamed Stream**

COMPLETE NOTIFICATION:  
Milan Tax Map 195, Lot# 64

**2011-01807 NEW ENGLAND FORESTRY FOUNDATION  
GREENFIELD Unnamed Stream**

COMPLETE NOTIFICATION:  
Greenfield Tax Map R9, Lot# 4

**2011-01808 TIN MOUNTAIN CONSERVATION CENTER  
CONWAY Unnamed Stream**

COMPLETE NOTIFICATION:  
East Conway Tax Map 223, Lot# 15

**2011-01827 TOKHOS TRUST  
EPSOM Unnamed Stream**

COMPLETE NOTIFICATION:  
Epsom Tax Map R01, Lot# 29

**EXPEDITED MINIMUM**

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**2007-02951                      BRADLEY PARKER REV TRUST**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Approve name change to: Bradley Parker Revocable Trust, 44 Water St., Boscawen NH 03303

Previous owners: Ann & Jean McCoubrey.

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**APPROVE NAME CHANGE:**

Install a 6 in wide bulkhead continuing from the most southerly abutting property line and ending at the 8 ft 2 in x 25 ft 6 in crib supported docking structure on 95 ft of frontage in Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction as received by the Department on December 19, 2007.
2. All work shall be conducted completely in the dry, during draw down of waters. At no time shall work be conducted in the water pursuant to Rule Env-Wt 303.04.
3. Bulkhead stabilization project shall not protrude lakeward more than 6 inches from the existing normal high water mark elevation.
4. Bulkhead shall not exceed existing retaining wall height or length.
5. No more than 1 cubic yard of material shall be used to complete the entire project permitted under File #2007-2951 and 2007-2952.
6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
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. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
11. Shall bulkhead fail within a 6 year period from date of completion, the landowner shall file a new application for retaining wall replacement with stamped plans prepared by a certified professional in erosion and sediment control and site may be subject to further NHDES evaluation and requests.
12. Reface shall not reflect or re-direct currents towards adjacent wetlands or structures, or otherwise contribute to erosion.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

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

**2011-00859                      BURBANK, CLAUDETTE/RICHARD**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Impact 240 sq ft of bank along 20 linear ft of shoreline to construct a 12 ft x 20 ft perched beach on 100 ft of frontage on Lake Winnepesaukee, in Moultonborough.

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Conservation Commission/Staff Comments:

Con Com submitted comments stating it appears work has already been started, Con Com did not sign Exp Application

APPROVE PERMIT:

Impact 240 sq ft of bank along 20 linear ft of shoreline to construct a 12 ft x 20 ft perched beach on 100 ft of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Pollock Land Planning LLC dated March 23, 2011, as received by the NH Department of Environmental Services (DES) on April 25, 2011.
2. The seasonal dock shall not exceed the following: a 4 ft x 30 ft wharf extending from a 4 ft x 8 ft walkway.
3. All material excavated from the bank shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. Stone or timber placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
5. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
9. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), alteration of less than 50 linear ft of shoreline along a lake or pond.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-01591 FITE, FRANKLIN/SHARON  
GILFORD Lake Winnepesaukee**

Requested Action:

Repair an existing docking system consisting of a three, 3 piling ice clusters in front of an existing "U" shaped docking facility consisting of two 6 ft by 25 ft piling piers connected by a 24 ft by 24 ft piling supported walkway accessed by a 12 ft by 22 ft walkway, with 2 tie off piles in the southerly slip, with two seasonal boat lifts located adjacent to the docking structure and 2 seasonal PWC lifts along the shoreline, in Lake Winnepesaukee, Gilford.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

**APPROVE PERMIT:**

Repair an existing docking system consisting of a three, 3 piling ice clusters in front of an existing "U" shaped docking facility consisting of two 6 ft by 25 ft piling piers connected by a 24 ft by 24 ft piling supported walkway accessed by a 12 ft by 22 ft walkway, with 2 tie off piles in the southerly slip, with two seasonal boat lifts located adjacent to the docking structure and 2 seasonal PWC lifts along the shoreline, in Lake Winnepesaukee, Gilford.

**With Conditions:**

1. All work shall be in accordance with plans by Folsom Design and Construction Management revision dated July 14, 2011, as received by the NH Department of Environmental Services (DES) on July 15, 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. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

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

**2011-01612                      GARDNER COVE CORPORATION  
GILMANTON    Loon Pond**

**Requested Action:**

Replenish 900 sq ft beach area with less than 10 cubic yards of sand above full lake elevation on Loon Pond, Gilmanton.

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**Conservation Commission/Staff Comments:**

Con Com signed Exp Application

**APPROVE PERMIT:**

Replenish 900 sq ft beach area with less than 10 cubic yards of sand above full lake elevation on Loon Pond, Gilmanton.

**With Conditions:**

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on July 07, 2011.
2. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

6. All activities shall be in accordance with the Shoreland Water Quality 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(aa), replenishment of a beach with less than 10 cubic yards of sand.

**GOLD DREDGE**

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**2011-01851                    WALKER, CHESTER**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2011-01867                    BROWN II, LENWOOD**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2011-01868                    TASSINARI, ALEXANDER**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**TRAILS NOTIFICATION**

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**2011-01794                    CORYELL, NEWTON**  
**MERRIMACK Unnamed Stream**

COMPLETE NOTIFICATION:  
Merrimack Tax Map 3B, Lot# 164

**LAKES-SEASONAL DOCK NOTIF**

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**2011-01849 HAAS, LAVERNE  
NEW IPSWICH Waterloom Pond**

COMPLETE NOTIFICATION:  
New Ipswich Tax Map 12, Lot# 101-B Waterloom Pond

**ROADWAY MAINTENANCE NOTIF**

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**2011-01830 NH DEPT OF TRANSPORTATION  
CANDIA Unnamed Wetland**

COMPLETE NOTIFICATION:  
Replace a failing 15"x 40' CMP with a 15"x 40' RCP and a second failed 12"x 36'RCP with a 15"x 40'RCP

**2011-01831 NH DEPT OF TRANSPORTATION  
NELSON Unnamed Stream Unammed Wetland**

COMPLETE NOTIFICATION:  
Replace an existing 15"x 40' CMP and one 15"x 32' RCP with new 15" HDPE culverts and construct stone aprons

**2011-01832 NH DEPT OF TRANSPORTATION  
NELSON Unnamed Stream Unnamed Wetlands**

COMPLETE NOTIFICATION:  
Replace an existinf 15"x 40' CMP and one 12"x 80' CMP with new 15" HDPE culvert and construct stone aprons

**2011-01833 NH DEPT OF TRANSPORTATION  
NELSON Unnamed Wetland**

COMPLETE NOTIFICATION:  
Replace 3 existing 15"x 40' CMP with 15"x 40" HDPE and construct stone aprons

**2011-01834 NH DEPT OF TRANSPORTATION  
PITTSFIELD Unnamed Wetland**

COMPLETE NOTIFICATION:  
Replacement of an existing 24" culvert with headwalls

**2011-01835 AMHERST DPW, TOWN OF  
AMHERST Unnamed Wetland**

COMPLETE NOTIFICATION:  
Replacement of 13 culverts on Lyndeborough Road

**2011-01866                    DUBLIN, TOWN OF  
DUBLIN   Unnamed Stream**

**COMPLETE NOTIFICATION:**

Repair headwalls of an existing 36" culvert and replace an existing 15" culvert

**PERMIT BY NOTIFICATION**

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**2011-01139                    MELANSON, KENNETH  
MOULTONBOROUGH   Lake Winnepesaukee**

**Requested Action:**

Install a 6 ft x 40 ft seasonal dock connected to a 6 ft x 3 ft concrete anchor pad, two seasonal boatlifts and two seasonal PWC lifts on Lake Winnepesaukee, Moultonborough.

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**Conservation Commission/Staff Comments:**

Con Com signed PBN form

**PBN IS COMPLETE:**

Install a 6 ft x 40 ft seasonal dock connected to a 6 ft x 3 ft concrete anchor pad, two seasonal boatlifts and two seasonal PWC lifts on Lake Winnepesaukee, Moultonborough.

**With Findings:**

Install a 6 ft x 40 ft seasonal dock connected to a 6 ft x 3 ft concrete anchor pad, two seasonal boatlifts and two seasonal PWC lifts on Lake Winnepesaukee.

**2011-01809                    CLARK, MICHAEL  
PORTSMOUTH   Little Harbor**

**Requested Action:**

Replace in-kind an existing 24'x 30' timber wharf and 30 lineal feet of damaged seawall.

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**Conservation Commission/Staff Comments:**

Portsmouth Conservation Commission signed the PBN form.

**PBN IS COMPLETE:**

Replace in-kind an existing 24'x 30' timber wharf and 30 lineal feet of damaged seawall.

**CSPA PERMIT**

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**2010-00808 GROUSE POINT CLUB  
MEREDITH Lake Winnepesaukee**

Requested Action:

Impact 5,075 sq ft for the purpose of constructing a new walkway and associated accessory structure.

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APPROVE PERMIT:

Impact 5,075 sq ft for the purpose of constructing a new walkway and associated accessory structure.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated March 26, 2010 and titled, "Proposed Project" and "Proposed Project Overview" and received by the Department of Environmental Services ("DES") on April 8, 2010.
2. No more than 24.5% 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 beyond that necessary for constructing the walkway and accessory structure.
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), there shall be no impact to vegetation existing in an unaltered state between 50 feet and 150 feet from the reference line.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

**2010-02838 GRAFFUM, ROBERT/VICKI  
ALTON Sunset Lake**

Requested Action:

AMENDMENT DESCRIPTION: Revised plans sent July 25, 2011 to increase the structure and temporary impacts by 653 sq ft.

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

\*\*\*\*\*

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Revised plans sent July 25, 2011 to increase the structure and temporary impacts by 653 sq ft.

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

With Conditions:

1. All work shall be in accordance with revised plans by Hinds Septic Design Services dated July 21, 2011 and received by the NH

Department of Environmental Services (DES) on July 25, 2011

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

**2011-00517                      WAGNER, LILLIAN**  
**CLAREMONT   Sugar River**

Requested Action:

Impact 53,177 sq ft for the purpose of new commercial development.

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APPROVE PERMIT:

Impact 53,177 sq ft for the purpose of new commercial development.

With Conditions:

1. All work shall be in accordance with revised plans by Horizons Engineering, Inc., dated August 5, 2011 and received by the Department of Environmental Services ("DES") on August 5, 2011.
2. No more than 35.6% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. Sufficient stormwater controls will be implemented to ensure the proposed project does not concentrate stormwater or contribute to erosion.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Alteration of Terrain Bureau.
5. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
6. This permit is contingent upon receiving all necessary approvals from the NH DES Wetlands Bureau for all proposed impacts jurisdictional under RSA 482-A.
7. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
8. No impacts shall occur to natural ground covers within the waterfront buffer.
9. Upon completion of the proposed project, the submitted planting plan and restoration plan shall be implemented to ensure that each previously existing deficient grid segment will have at least the minimum score as defined within RSA 483-B:9, V(a)(2)(D) and required by RSA 483-B:9, V, (g), (3).
10. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 3,385 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES on August 5, 2011, must remain in an unaltered state.
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
12. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
13. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
14. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

- 15. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 16. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 19. Silt fencing must be removed once the area is stabilized.

**2011-00899                      EMERSON, SARAH**  
**MADISON   Silver Lake**

Requested Action:

AMENDMENT DESCRIPTION: Revised plans submitted July 25, 2011 to request an additional 763 sq ft of temporary disturbance within the waterfront buffer for the relocation of the path to the reference line.

Impact 1,025 sq ft in order to construct a deck and reduce impervious driveway.

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APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Revised plans submitted July 25, 2011 to request an additional 763 sq ft of temporary disturbance within the waterfront buffer for the relocation of the path to the reference line.

Impact 1,025 sq ft in order to construct a deck and reduce impervious driveway.

With Conditions:

- 1. All work shall be in accordance with plans by Thaddeus Thorne Surveys Inc. dated April 26, 2011 and received by the NH Department of Environmental Services (DES) on April 29, 2011.
- 2. No more than 18.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- 3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 1,823 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 control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
- 6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
- 7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 9. This permit 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.

**2011-01112                      EHFAR LLC**  
**ASHLAND   Squam River**

Requested Action:

Impact 27,500 sq ft for the construction of a roadway.

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**APPROVE PERMIT:**

Impact 27,500 sq ft for the construction of a roadway.

**With Conditions:**

1. All work shall be in accordance with plans by RFS Engineering dated April 21, 2011 and received by the NH Department of Environmental Services (DES) on May 19, 2011.
2. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
3. No more than 10.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Within the natural woodland buffer of a given lot the vegetation, except lawn, within at least 25 percent of the area outside the waterfront buffer shall be maintained unaltered or improved with additional vegetation.
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. 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. 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. 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.

**2011-01375                      SAGHIR, JASON/HEIDI  
NEWBURY Sunapee Lake**

**Requested Action:**

Impact 15,315 sq ft for the purpose of constructing a new, conforming residential dwelling, associated accessory structures and installing a new septic system.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 15,315 sq ft for the purpose of constructing a new, conforming residential dwelling, associated accessory structures and installing a new septic system.

**With Conditions:**

1. All work shall be in accordance with plans by CLD Consulting Engineers dated June, 2011 and received by the Department of Environmental Services ("DES") on June 13, 2011 and revised plans submitted by Erin Nielsen of CLD Consulting Engineers and received by DES on July 28, 2011.
2. No more than 18.5% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. No impacts shall occur to natural ground covers within the waterfront buffer.
7. The vegetation planted within both the bio-retention areas 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), as least 2,814 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.
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.

**2011-01633                      SWEITZER, CRAIG**  
**NEWBURY   Lake Sunapee**

Requested Action:

Impact 3,400 sq ft for the purpose of constructing/relocating 2040 sq ft of driveway and associated stormwater management controls (infiltration trenches), revegetating 1120 sq ft of existing driveway, demolishing two housing structures, and re-vegetating the former house locations.

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APPROVE PERMIT:

Impact 3,400 sq ft for the purpose of constructing/relocating 2040 sq ft of driveway and associated stormwater management controls (infiltration trenches), revegetating 1120 sq ft of existing driveway, demolishing two housing structures, and re-vegetating the former house locations.

With Conditions:

1. All work shall be in accordance with plans by Craig Sweitzer dated July 6, 2011 and July 28, 2011 and received by the NH Department of Environmental Services (DES) on July 11, 2011 and July 28, 2011.
2. No more than 26.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 1500 sq ft of the Natural Woodland Buffer beyond the primary building setback shall remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit 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.

**2011-01643                      ATWOOD, JOHN/KATHLEEN**  
**CROYDON   Rockbound Pond**

Requested Action:

Impact 5,518 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures and installing a new septic system and stormwater controls.

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APPROVE PERMIT:

Impact 5,518 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures and installing a new septic system and stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Moser Engineering dated March, 2011 and received by the Department of Environmental Services ("DES") on July 12, 2011 and revised plans submitted by John Atwood and received by DES on August 2, 2011.
2. No more than 29.95% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. The proposed stormwater treatment measures consisting of a driveway infiltration trench and drip line infiltration trenches shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. No impacts shall occur to natural ground covers within the waterfront buffer beyond that necessary for installation of the new foundation.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to the native vegetation or natural ground cover between 50 feet and 150 feet from the reference line as delineated on plans received by DES.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. 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.
12. 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.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Silt fencing must be removed once the area is stabilized.
18. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
19. Upon completion of the proposed project, the exiting septic system shall pose no threat to adjacent surface waters.

**2011-01698                      CHABOTT, THOMAS/NANCY**  
**HARRISVILLE   Silver Lake**

Requested Action:

Impact 4,361 sq ft in order to remove an existing camp and shed and construct an addition to an existing house.

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APPROVE PERMIT:

Impact 4,361 sq ft in order to remove an existing camp and shed and construct an addition to an existing house.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated July 5, 2011 and received by the NH Department of Environmental Services (DES) on July 18, 2011.
2. No more than 27% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 1,310 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01710                      CARPENTER, ALYSON/CHRISTOPHER**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

AMENDMENT DESCRIPTION: A request sent July 20, 2011 to include the name of the co-applicants "Christopher and Alyson Carpenter" on the Shoreland permit Application form.

Impact 13,025 sq ft for the purpose of constructing a new, conforming, residential dwelling, constructing new accessory structures and installing a new septic system.

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APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: A request sent July 20, 2011 to include the name of the co-applicants "Christopher and Alyson Carpenter" on the Shoreland permit Application form.

Impact 13,025 sq ft for the purpose of constructing a new, conforming, residential dwelling, constructing new accessory structures and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated July 18, 2011 and received by the Department of Environmental Services ("DES") on July 19, 2011.
2. No more than 19.2% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. No impacts shall occur to the 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 9,190 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.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
  8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
  9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
  10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
  11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
  12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
  13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
  14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
  15. Silt fencing must be removed once the area is stabilized.
  16. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
  17. Upon completion of the proposed project, the exiting septic system shall pose no threat to adjacent surface waters.

**2011-01727                      THORNTON, SHANE**  
**NEW DURHAM   Shaw's Pond**

Requested Action:

Impact 1,200 sq ft in order to replace in kind 3 timber walls and steps that have deteriorated.

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APPROVE PERMIT:

Impact 1,200 sq ft in order to replace in kind 3 timber walls and steps that have deteriorated.

With Conditions:

1. All work shall be in accordance with plans by Keith Dube dated July 1, 2011 and received by the NH Department of Environmental Services (DES) on July 20, 2011.
2. No more than 10.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. 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.

**2011-01731                      MCNAIR, JOANNE**

**RYE Tidal Marsh**

Requested Action:

Impact 12,188 sq ft in order to construct additions to house, add new septic system and driveway.

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APPROVE PERMIT:

Impact 12,188 sq ft in order to construct additions to house, add new septic system and driveway.

With Conditions:

1. All work shall be in accordance with plans by Landry Surveying, LLC dated July 1, 2011 and received by the NH Department of Environmental Services (DES) on July 21, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 6.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 37,318 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01736                      TYO JR, ERNEST & LINDA**

**MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Impact 15,500 sq ft in order to construct a new residence, septic system, driveway, walkway and patios.

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APPROVE PERMIT:

Impact 15,500 sq ft in order to construct a new residence, septic system, driveway, walkway and patios.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated July 19, 2011 and received by the NH Department of Environmental Services (DES) on July 21, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 17.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 4,587 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

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

**CSPA PERMIT W/WAIVER**

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**2011-01374                      DANE, LUCILLE**  
**SUNAPEE   Sunapee Lake**

Requested Action:

Impact 3,626 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing stormwater controls.

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APPROVE PERMIT:

Impact 3,626 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing stormwater controls.

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

With Conditions:

1. All work shall be in accordance with revised plans by CLD Consulting Engineers dated June 2011 and received by the Department of Environmental Services ("DES") on August 2, 2011.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 26.5% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. The vegetation planted within both the bio-retention areas and the waterfront buffer shall be monitored, and if necessary, replaced, to ensure 100% survival rate for a period two years following construction.
7. The vegetation planted within the bio-retention areas shall not be removed without the written approval of DES.
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. Upon completion of the proposed project, the submitted planting plan shall be implemented to ensure that each previously existing deficient grid segment will have at least the minimum score as defined within RSA 483-B:9, V(a)(2)(D) and required by RSA 483-B:9, V, (g), (3).
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. 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.
12. 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.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

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

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Sunapee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to increase the setback of the primary structure from the reference line by 5 feet.
4. The applicant has proposed to install stormwater controls consisting of a 42 sq ft rain garden that will treat roof stormwater.
5. The applicant has proposed to install stormwater controls consisting stone infiltration trenches below the drip line of the proposed home and garage.
6. The applicant has proposed to install sound stormwater controls, achieve a greater setback and enhance the waterfront buffer with additional vegetation, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**UTILITY NOTIFICATION**

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**2011-01876                      PSNH**  
**EPSOM   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 11/15 for fee amount

**COMPLETE NOTIFICATION:**  
Equipment repair and maintenance on replacing a utility pole