

# Wetlands Bureau Decision Report

Decisions Taken  
10/17/2011 to 10/23/2011

## **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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**2006-00142                      ANDROSCOGGIN VALLEY REGIONAL REFUSE DISPOSAL DIST  
SUCCESS   Unnamed Wetland**

Requested Action:

Request permit time extension.

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Inspection Date: 10/05/2005 by Craig D Rennie

**APPROVE TIME EXTENSION:**

Dredge and fill 557,568 square feet (12.8 acres) of palustrine forested/scrub shrub wetlands, including 3 vernal pools and 1,000 linear feet of intermittent stream to expand the Mount Carberry Secure Landfill (Phase III). Mitigate impacts by creating 4.0 acres of palustrine forested/scrub shrub wetlands, by creating 3 vernal pools, by enhancing 0.7 acres of sparsely vegetated wetlands that are developing within an existing excavation site known as Bean Brook Pit, and by restoring 11.8 acres of upland buffer around the creation/enhancement areas. Additional mitigation includes the preservation of 657 acres of undeveloped land (68.2 acres of wetland, 588.8 acres of upland) through the execution of a conservation easement.

**With Conditions:**

1. All work shall be in accordance with plans by Woodlot Alternatives dated January 2006, as received by the Department on January 23, 2006.
2. This permit is contingent on approval by the DES Waste Management Division.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be done during low flow.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
11. 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.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. 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.
14. 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).
15. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

16. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

#### MITIGATION CONDITIONS

##### Wetland construction:

17. This permit is contingent upon the creation of 4.0 acres of wetlands, the creation of 3 vernal pools, the enhancement of 0.7 acres of existing wetlands, and the restoration of 11.8 acres of upland buffer, all in accordance with plans received January 23, 2006.

18. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.

19. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.

20. Wetland creation/enhancement areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.

21. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.

22. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.

23. Wetland creation/enhancement areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

24. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.

25. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.

26. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

##### Wetland preservation:

27. This permit is contingent upon the execution of a conservation easement on 657 acres of undeveloped land as depicted on plans received January 23, 2006.

28. This permit is contingent upon completing the "Implementation Agreement For Conservation Easement Deed" between the Androscoggin Valley Regional Refuse Disposal District and the County of Coos as received by DES on October 17, 2006. This includes providing to DES the annual reports that are prepared by the monitoring consultant.

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

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

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

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

33. The Wetlands Bureau shall be notified of the placement of the easement monuments prior to construction.

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

35. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities

shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

**2006-01738                      DDR SEABROOK LLC**  
**SEABROOK   Unnamed Wetland**

Requested Action:

Request permit time extension.

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Conservation Commission/Staff Comments:

The Seabrook Conservation Commission has been proactively involved through all phases of the review of this project and does not object to the Cains Brook salt marsh restoration/ Phragmites eradication project to provide compensatory mitigation for the proposed wetlands impacts. The salt marsh restoration/ mitigation plan is a component of the larger scope Cains Brook Watershed Management Plan being undertaken by the Town of Seabrook.

- Inspection Date: 09/24/2007 by Frank D Richardson
- Inspection Date: 12/14/2006 by Frank D Richardson
- Inspection Date: 02/08/2007 by Frank D Richardson
- Inspection Date: 03/28/2007 by Frank D Richardson
- Inspection Date: 11/18/2005 by Frank D Richardson
- Inspection Date: 12/28/2006 by Frank D Richardson

APPROVE TIME EXTENSION:

Dredge and fill a total of 41,168 sq. ft. of previously disturbed palustrine forested/ scrub-shrub/ emergent wetlands for work associated with the redevelopment of a former industrial site to accommodate a retail complex with appurtenant parking and drainage/storm water management structures on a 50.9 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Vanasse Hangen Brustlin, Inc. dated June 22, 2006, as received by DES on July 10, 2006 and the Cains Brook Salt Marsh Restoration plan dated April 11, 2007 as received by DES on April 24, 2007 together with narratives dated March 8, 2007 and April 23, 2007(revised) as received by DES on March 12, 2007 and April 24, 2007 respectively.
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. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Pease Field Office in Portsmouth, N.H. to review the conditions of this Wetlands Permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, the professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the site work and the salt marsh restoration compensatory mitigation project.
5. NH DES Wetlands Bureau Southeast Region staff and the Seabrook Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

9. 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.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

#### COMPENSATORY WETLAND MITIGATION:

##### Cains Brook Salt Marsh Restoration/ Phragmites Eradication Project

1. This permit is contingent upon the restoration and enhancement of approximately 35 acres of tidal wetlands by the removal and eradication of several stands of the invasive plant *Phragmites australis* (Tall Reed) in accordance with plans and narrative received by DES April 24, 2007.
2. This permit shall not be effective until it has been recorded with the Rockingham county Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. The schedule for implementation of the mitigation project shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
4. The mitigation areas shall be properly implemented, monitored, and managed in accordance with approved final mitigation plans, all phases of which shall be coordinated with the Wetlands Bureau Southeast Region staff.
5. Salt marsh restoration/ Phragmites eradication areas shall be properly implemented, stabilized, monitored and remedial actions taken that may be necessary to create functioning tidal wetland areas similar to those in the environs of Cains Brook and Mill Creek in Seabrook.
6. Remedial measures may include continued removal of invasive species, grading to obtain marsh elevations that will support and maintain the growth of indigenous salt marsh plants, enhancing the hydrologic regime or other methodologies designed to assure the long term success of this salt marsh restoration project.
7. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are implemented in accordance with the mitigation plan.
8. Monitoring shall be in accordance with the Gulf of Maine Salt Marsh Monitoring Protocol as promulgated by the Gulf of Maine Council on the Marine Environment Habitat Monitoring and Restoration Subcommittees.
9. Annual reports documenting the salt marsh restoration/ Phragmites eradication project, including all data collected via the above mentioned restoration monitoring protocol, shall be submitted to the DES Wetlands Bureau and the Seabrook Conservation Commission on or before November 30 of each year following the start of work for a period of five (5) years.
10. The Wetlands Bureau and the Seabrook Conservation Commission shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
11. The permittee shall notify DES and the Seabrook Conservation Commission in writing of their intention to commence the salt marsh restoration/ Phragmites eradication work no less than 5 business days prior to the start of work.
12. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be included in the annual report submitted each year for a period of five (5) years.
13. A post-construction report documenting the status of the completed five-year project with photographs and all monitoring data summarized shall be submitted to the Wetlands Bureau and the Seabrook Conservation Commission within 90 days of the completion of the project.
14. In addition to the salt marsh restoration/ Phragmites eradication component of this compensatory mitigation, the permittee will:
  - 14a. Perform a preliminary cultural resources assessment to determine the archeological and historic significance of the Mill Creek tidal dam landing. And:
  - 14b. Initiate a study to investigate the effect of dam removal (partial or whole) on the tidal flow dynamics and resultant likely effects on marsh ecology and habitat of the Cains Brook/ Mill Creek estuary. And:
  - 14c. Submit a detailed report of these investigations to the Wetlands Bureau and the Seabrook Conservation Commission on or before the expiration date of this permit.
15. Work on the salt marsh shall occur during the months of August through the following April. No work on the marsh shall occur

after April 30 unless a waiver of this condition is issued from the DES Wetlands Bureau.

16. Construction equipment shall have specialized low ground pressure tracks, which impact less than four (4) pounds per square inch when loaded, or the permittee shall utilize timber or plywood mats beneath machines when driving over wetland areas.

17. Timber or plywood mats shall be utilized in all areas of the marsh where construction equipment is required to travel or turn multiple times over the same area.

18. All weight distribution mats shall be removed from the marsh within a minimum practicable time period.

19. Pre- and post-restoration monitoring shall be completed through the protocols set forth by the "Global Program of Action Coalition for the Gulf of Maine" (GPAC) and the "Monitoring Requirements for Salt Marsh Restoration Projects," NH Coastal Program, September 1998.

20. The permittee shall submit annual monitoring reports to the DES Wetlands Bureau and the Seabrook Conservation Commission according to the specifications stated in these protocols and as set forth in condition #s 8 & 9 above.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.

2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

**2011-00456                      NEWMARKET MILLS LLC**  
**NEWMARKET    Lamprey River**

Requested Action:

Construct a tidal docking structure consisting of a 6' x 20' permanent pier connecting to a 4' x 30' ramp to an 10' x 8' landing float, connecting to an 8' x 60' float with three 4' x 20' finger piers in an E configuration, providing 6 slips on 514 feet of frontage on the Lamprey River.

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Inspection Date: 04/18/2011 by Dori A Wiggin

APPROVE PERMIT:

Construct a tidal docking structure consisting of a 6' x 20' permanent pier connecting to a 4' x 30' ramp to an 10' x 8' landing float, connecting to an 8' x 60' float with three 4' x 20' finger piers in an E configuration, providing 6 slips on 514 feet of frontage on the Lamprey River.

With Conditions:

1. All work shall be in accordance with revised plans by Riverside and Pickering Marine dated 8/18/2011, as received by the Department of Environmental Services on 8/18/2011.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. This permit shall not be effective until recorded at the Rockingham County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. No portion of the floating dock structure shall be installed before May 15 each year due to fisheries concerns.
5. There shall be no encroachment into the navigation turning basin by any vessel tied to this structure.
6. No vessel shall be tied to the structure that results in exceeding the outboard footprint of the structure, either by nature of vessel size, or means tie-up to the structure.
7. Failure to comply with conditions 5 and 6 above shall result in permit revocation.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Construction of this tidal docking structure consisting of a 6' x 20' permanent pier connecting to a 4' x 30' ramp to an 10' x 8' landing float, connecting to an 8' x 60' float with three 4' x 20' finger piers in an E configuration, providing 6 slips on 514 feet of

frontage on the Lamprey River, shall be the only dock structure on this water frontage.

- 10. Work shall be done during low tide.
- 11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
- 12. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

- 1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. There is currently no docking structure on the property to provide access to the water.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The applicant has reduced the proposed dock design by eliminating the northerly slip section, thereby reducing concerns of NH Fish and Game Department ("NHFG") regarding fisheries resources and DPH relative to navigation issues. Conditions requested by NHFG relative to floating dock installation timing have been incorporated into the permit.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. NHFG reports that impacts to Blandings turtles are not expected as a result of the project; further fisheries concerns expressed by NHFG Marine Division have been addressed by elimination of a portion of the proposed structure, and by permit condition controlling the timing of float installation to protect spawning periods within the river.
- 5. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors, which determined that, although the project comes to the edge of the turning basin, it will not encroach upon it if no vessels are tied to it beyond the structure's footprint, per letter dated 9/2/2011. The permit has been conditioned accordingly.
- 5. This dock is consistent with other tidal dock approvals in the seacoast.
- 6. DES staff field inspection on 4/18/2011 and found that the site is accurately represented in the application.

-Send to Governor and Executive Council-

**2011-02540                      ALTON, TOWN OF**  
**ALTON    West Alton Brook**

Requested Action:

Replace existing twin 70" x 93" culverts with an 18' span pre-cast rigid frame with open stream bottom, impacting approximately 1,800 square feet of stream temporary impact for stream diversion, and impact to remove old culverts, repair a scour hole, and restore 56 linear feet of stream channel.

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APPROVE PERMIT:

Replace existing twin 70" x 93" culverts with an 18' span pre-cast rigid frame with open stream bottom, impacting approximately 1,800 square feet of stream temporary impact for stream diversion, and impact to remove old culverts, repair a scour hole, and restore 56 linear feet of stream channel.

With Conditions:

- 1. All work shall be in accordance with plans by CLD Consulting Engineers Inc. dated September 2011, as received by the NH Department of Environmental Services (DES) on October 6, 2011.
- 2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
- 3. 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.

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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. 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 major impact project per Administrative Rule Env-Wt 903.01(g), replacement of a tier 3 stream crossing.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing crossing is failing could result in road collapse. NHDOT has rated the structure as a "critical emergency" .
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The project meets the design criteria of a tier 3 replacement stream crossing pursuant to Chapter Env-Wt 900.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) [and (c) for tidal projects], (EDIT as needed), Requirements for Application Evaluation, has been considered in the design of the project. No species of concern were reported as occurring in the project area by the NH Natural Heritage Bureau.
5. The Alton Conservation Commission did not report.
6. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**MINOR IMPACT PROJECT**

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**2006-02685                      TEDESCHI FOOD SHOPS INC**  
**MERRIMACK   Unnamed Wetland**

Requested Action:

Request permit time extension.

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Inspection Date: 01/03/2007 by William A Thomas, Cws

APPROVE TIME EXTENSION:

Dredge and fill 9,850 sq. ft. of palustrine emergent and scrub-shrub wetlands for two access/exit roads, stormwater management area and associated landscaping for construction of commercial building containing a convenience store, coffee shop and gas station.

With Conditions:

1. All work shall be in accordance with plans by TFMoran Inc., dated September 29, 2006, as received by the Department on October 12, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the DES Waste Management, Underground Storage Tank Program.
4. This permit is contingent on approval by the New Hampshire Department of Transportation.
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. The proposed stormwater management area shall be replanted with native wetland plant species as proposed in narratives prepared by TFMoran Inc., dated October 5, 2006, as received by the Department on October 12, 2006.
7. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. 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.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. 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.
14. 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).

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

**2008-00618                      EMPIRE HOMES INC**  
**HUDSON   Second Brook**

Requested Action:

Dredge and Fill a total of 8,333 sq. ft. of palustrine forested/ scrub-shrub wetlands (7,910-sf permanent & 423-sf temporary impacts) to construct a roadway with three (3) culvert crossings to access a 31-unit manufactured home park, including the installation of underground utilities, on a 39 acre parcel of land.

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Conservation Commission/Staff Comments:

No report or comments received from the Hudson Conservation Commission.

APPROVE AMENDMENT:

Dredge and Fill a total of 8,333 sq. ft. of palustrine forested/ scrub-shrub wetlands (7,910-sf permanent & 423-sf temporary impacts) to construct a roadway with three (3) culvert crossings to access a 31-unit manufactured home park, including the installation of underground utilities, on a 39 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated August 8, 2007 (last revised 06/16/11), as received by DES on July 11, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau may require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
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. Applicant provided vernal pool survey and stream passage review in response to request for more information from NH DES and US EPA.

**2011-01587                      NH DEPT OF TRANSPORTATION**  
**BROOKFIELD   Pike Brook**

Requested Action:

Install a concrete invert in a 20 ft. x 66 ft. long arch pipe, install cutoff walls and repoint stone wing walls impacting 2,233 sq. ft. (2,173 sq. ft. temporary) of riverine wetlands.

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Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Install a concrete invert in a 20 ft. x 66 ft. long arch pipe, install cutoff walls and repoint stone wing walls impacting 2,233 sq. ft. (2,173 sq. ft. temporary) of riverine wetlands. NHDOT project #99406Z.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance signed 6/22/11, as received by the Department on July 5, 2011.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the

substructure work area from the surface waters.

6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
16. Any work outside of the Right of Way shall be coordinated with the landowner prior to construction in those areas.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of banks of a stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has submitted information showing the project meets the purpose of the stream rules Env-Wt 901, the general design criteria Env-Wt 904.01 and information to consider the project as an alternative design under Rule Env-Wt 904.09.

**2011-02102                      TOWN OF DERRY PUBLIC WORKS**  
**DERRY    Beaver Lake**

Requested Action:

Impact a total of 818 sq. ft. within wetlands jurisdiction for work associated with the removal of the Beaver Lake Dam and an associated overflow culvert located along the Pond Road causeway and to perform minor modifications to the downstream Beaver Meadow Dam.

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Conservation Commission/Staff Comments:

The Derry Conservation Commission is not opposed to this project.

Inspection Date: 08/30/2011 by Frank D Richardson

APPROVE PERMIT:

Impact a total of 818 sq. ft. within wetlands jurisdiction for work associated with the removal of the Beaver Lake Dam and an associated overflow culvert located along the Pond Road causeway and to perform minor modifications to the downstream Beaver Meadow Dam.

With Conditions:

1. All work shall be in accordance with plans by Lang Engineering, Gerald J. Lang, PE dated June 2011, as received by the NH Department of Environmental Services (DES) on August 29, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau may require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff, the NH DES Dam Bureau and the Derry Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Dam Safety Program.
5. The Town of Derry shall submit a Dam Reconstruction application to the NH DES Dam Bureau for review and approval prior to any work being initiated on the Beaver Meadow Dam.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Work shall be done during drawdown.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 30, 2011. Field inspection determined the project should be implemented as designed and proposed.

**2011-02225                      DAVID BISSONNETTE REVOC TRUST**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Impact 425 sq ft of bank to replace 84 linear ft of stone and mortar retaining wall on 150 ft of frontage on Governor's Island, Lake Winnepesaukee, in Gilford.

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APPROVE PERMIT:

Impact 425 sq ft of bank to replace 84 linear ft of stone and mortar retaining wall on 150 ft of frontage on Governor's Island, Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans and cross sections by Watermark Marine Construction dated August 12, 2011, as received by the NH Department of Environmental Services (DES) on September 7, 2011.
2. The repairs shall maintain the size, location and configuration of the pre-existing structures.
3. 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.
4. All excavated material and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. The reconstructed retaining wall shall be located landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.

- 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. 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. 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(j), repair of a retaining wall that will involve work in the water.
- 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.

**2011-02359                      ROBERT H CARLETON REVOCABLE TRUST**  
**ALTON   Unnamed Wetland**

Requested Action:

Dredge and fill 5,500 square feet of freshwater wetlands to construct a 20' gravel RV park roadway, including installation of a 57" x 38" x 50' long squash culvert .

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APPROVE PERMIT:

Dredge and fill 5,500 square feet of freshwater wetlands to construct a 20' gravel RV park roadway, including installation of a 57" x 38" x 50' long squash culvert .

With Conditions:

- 1. All work shall be in accordance with plans by Horizons Engineering Inc. dated 9/9/2011 as received by the NH Department of Environmental Services (DES) on 9/16/2011.
- 2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
- 3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 4. This permit is contingent on revision to plan sheet 4 of 11, entitled "Setbacks and Buffers", and subsequent submission of the revised plan to DES, depicting a walkway area to reach the shoreline, as requested by the Alton Conservation Commission.
- 5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
- 6. Proper headwalls shall be constructed within seven days of culvert installation.
- 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. 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.
- 4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

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 in the aggregate of non-tidal wetlands, that 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. It is not possible to access the developable upland peninsula to construct the project without crossing wetlands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has proposed to cross the wetland at the narrowest location; has eliminated a boat access portion of the proposal, and has included 75' protective buffer to avoid impacts to turtle and eagle habitat.
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. The NH Natural Heritage reports the occurrence of bald eagles in the project vicinity; the applicant has included changes to the proposal recommended by NH Fish and Game Department to protect eagle habitat.
5. A plan revision requested by the Alton Conservation Commission has been included in the permit conditions; per letter dated 9/28/2011, received by DES on 10/3/2011, the Alton Conservation Commission does not object to the application.

**2011-02379                      PINKARD, ROBERT**  
**CENTER HARBOR   Squam Lake**

Requested Action:

Remove an existing 20 ft 2 in x 8 ft 3 in dry storage boathouse, construct a 19 ft 2 in x 9 ft 6 in dry storage boathouse with an 7 ft 5 in x 6 ft "L", and repair an existing 12 ft x 5 ft deck over the bank and water "in kind" on frontage with an existing 4 ft 9 in x 40 ft seasonal dock on an average of 208 feet of frontage on Squam Lake, in Center Harbor.

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Conservation Commission/Staff Comments:

No comments from Con Com by Oct 19, 2011

DHR requests a New Hampshire Individual Inventroy Form be completed and accepted prior to start of work

APPROVE PERMIT:

Remove an existing 20 ft 2 in x 8 ft 3 in dry storage boathouse, construct a 19 ft 2 in x 9 ft 6 in dry storage boathouse with an 7 ft 5 in x 6 ft "L", and repair an existing 12 ft x 5 ft deck over the bank and water "in kind" on frontage with an existing 4 ft 9 in x 40 ft seasonal dock on an average of 208 feet of frontage on Squam Lake, in Center Harbor.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated October 19, 2011, as received by the NH Department of Environmental Services (DES) on October 19, 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 prior to construction.
3. This permit shall not be valid until a New Hampshire Individual Inventory Form is reviewed and accepted as complete by the New Hampshire Division of Historical Resources. A copy of the acceptance letter shall be submitted to the file prior to the onset of work under this permit.
4. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. The boathouse shall be a single-story structure; ridgeline not to exceed 14 ft 2 inches in height (Elev. 577.2) above normal high water (Elev. 563).
7. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
8. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.

9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
11. Repair of the lakeward deck shall maintain existing size, location and configuration.
12. 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(a), projects that do not meet the criteria of Env-Wt 303.02, Env-Wt 303.04 and Env-Wt 303.05.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed boathouse is a dry storage boathouse located above full lake elevation.
6. The applicant has an average of 208 feet of shoreline frontage along Squam Lake.
7. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
8. The existing docking facility provides 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13. The proposed dry storage boathouse does not provide slips on this frontage.
9. The expansion of a dry storage boathouse with no permanent impacts to the waterbody or bank is less impacting than construction of a dug-in boathouse.

**2011-02396                      LOFGREN, MARK**  
**BROOKFIELD   Kingswood Lake**

Requested Action:

Permanently remove an existing 6 ft x 34 ft permanent dock, install a 6 ft x 34 ft seasonal dock connected to the existing concrete pad in the same location, on an average of 227 ft of shoreline frontage on Kingswood Lake, in Brookfield.

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Conservation Commission/Staff Comments:

No comments from Con Com by Oct 19, 2011

APPROVE PERMIT:

Permanently remove an existing 6 ft x 34 ft permanent dock, install a 6 ft x 34 ft seasonal dock connected to the existing concrete pad in the same location, on an average of 227 ft of shoreline frontage on Kingswood Lake, in Brookfield.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated September 5, 2011, as received by the NH Department of Environmental Services (DES) on September 21, 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 permanent dock and all it's supports shall be completely removed from all areas of Wetlands jurisdiction prior to the installation of the seasonal dock.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and

shall remain until the area is stabilized.

- 7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
- 8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
- 9. All activities shall be in accordance with the 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(d), construction of a docking system that exceeds the criteria for minimum impact docking structures.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The installation of a seasonal dock is less impacting than repairing the existing permanent docking structure.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. DES Staff conducted a field inspection of the proposed project on September 21, 2011. Field inspection supported the existing conditions of the docking structure.
- 6. The applicant has an average of 227 feet of shoreline frontage along Kingswood Lake.
- 7. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
- 8. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**MINIMUM IMPACT PROJECT**

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**2009-00570                      GRIMES, WILLIAM**  
**ATKINSON   Unnamed Wetland**

Requested Action:

Stabilize and restore 135 linear feet of a highly eroded intermittent stream utilizing coir logs and willow stakes installed in lifts and turf reinforcement matting covering a total of 675 sq. ft. to abate further erosion to the stream banks and flow channel subject to periodic high flows discharged from an existing roadway culvert. In addition, a boulder energy dissipater will be constructed at the downstream culvert mouth together with a stone rip-rap level spreader.

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Conservation Commission/Staff Comments:

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

APPROVE AMENDMENT:

Stabilize and restore 135 linear feet of a highly eroded intermittent stream utilizing coir logs and willow stakes installed in lifts and turf reinforcement matting covering a total of 675 sq. ft. to abate further erosion to the stream banks and flow channel subject to periodic high flows discharged from an existing roadway culvert. In addition, a boulder energy dissipater will be constructed at the downstream culvert mouth together with a stone rip-rap level spreader.

With Conditions:

- 1. All work shall be in accordance with plans by Civil Construction Management, Inc. dated May 2008 (last revised 8-5-2011), as received by DES on August 18, 2011.
- 2. Area shall be regraded to original contours following completion of work.
- 3. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction

activities.

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

**2011-01340                    NH DEPT OF TRANSPORTATION**  
**NEWTON   Unnamed Stream**

Requested Action:

Repair headwall to a 4 ft. x 6 ft. arch culvert impacting 818 sq. ft. (686 sq. ft. temporary) of stream bank. NHDOT project #2011M611(2)

EMERGENCY AUTHORIZATION ISSUED 06/09/2011

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Conservation Commission/Staff Comments:

Cons. Comm. - no comment

CONFIRM EMERGENCY AUTHORIZATION:

Confirm Emergency Authorization issued on June 9, 2011 to repair the headwall of a 4 ft. x 6 ft. arch culvert impacting 818 sq. ft. (686 sq. ft. temporary) of stream bank. NHDOT project #2011M611(2)

With Conditions:

1. 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.

**2011-01888                    NH DEPT OF TRANSPORTATION**  
**SANBORNTON   Unnamed Stream**

Requested Action:

Remove a 24 in. culvert and replace it to outlet 20 ft. northerly on a skew and adjacent to another 24 in. culvert impacting 230 sq. ft. (100 sq. ft. temporary) of riverine wetlands.

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Conservation Commission/Staff Comments:

Cons. Comm. - no comment

Inspection Date: 08/26/2011 by Gino E Infascelli

APPROVE PERMIT:

Remove a 24 in. culvert and replace it to outlet 20 ft. northerly on a skew and adjacent to another 24 in. culvert impacting 230 sq. ft. (100 sq. ft. temporary) of riverine wetlands. NHDOT project #M313-21.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 3 dated 8/3/11 as received by the Department on Aug. 5, 2011.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.

6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Work shall be done during low flow.

**2011-02493                      PITTSBURG BOARD OF SELECTMEN, TOWN OF  
CLARKSVILLE   Crawford Brook/connecticut River**

Requested Action:

Temporarily impact 443 square feet of the bed and banks of Crawford Brook, an intermittent stream, and associated wetlands, for the installation of an underground watermain and temporary vehicle crossing.

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APPROVE PERMIT:

Temporarily impact 443 square feet of the bed and banks of Crawford Brook, an intermittent stream, and associated wetlands, for the installation of an underground watermain and temporary vehicle crossing.

With Conditions:

1. All work shall be done in accordance with plans by Horizons Engineering, Inc. entitled Town of Pittsburg: Water System Improvements (Sheets 1-2 of 2) dated September 2011 s received by DES on September 30, 2011.
2. Work shall be done during periods of non-flow.
3. Areas of temporary impact shall be restored to pre-construction conditions
4. Native material removed from the streambed water main installation, shall be stockpiled separately and reused to emulate a natural channel bottom. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
5. Seed mix within the restored temporary impact areas shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications.
6. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
8. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
9. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. 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.
15. 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.
16. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will

require a new application and approval by the Bureau.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04 (n) Any project not otherwise specified in this section that alters the course of or disturbs less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule 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 Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This project is the first phase of multiphase project to replace a failing water system belonging to the town of Pittsburg.
6. The NHFG Nongame and Endangered Wildlife Program commented that although there was a NHB record present in the vicinity, they do not expect that it will be impacted by the proposed project.

**FORESTRY NOTIFICATION**

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**2011-01334                      PENACOOK/BOSCAWEN WATER PREC.  
BOSCAWEN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Boscawen Tax Map 45, Lot# 78

**2011-02513                      GREEN ACRE WOODLANDS INC  
RUMNEY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Rumney Tax Map 11, Lot# 28 & 29

**2011-02579                      PRISTINE PROPERTIES LLC  
LONDONDERRY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Londonderry Tax Map 15, Lot# 821

**2011-02580                      NH DRED  
CANAAN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Canaan Tax Map 8, Lot# 39

**2011-02597                      RICHARDS, MICHELE  
CONCORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Concord Tax MAp 103, Lot# 6-2

**2011-02598**                    **TAYLOR, JONATHAN**  
**SANDWICH** Unnamed Stream

COMPLETE NOTIFICATION:  
Sandwich Tax Map R7, Lot# 12 & 13

**2011-02603**                    **CONCORD, CITY OF**  
**CONCORD** Unnamed Stream

COMPLETE NOTIFICATION:  
Concord Tax Map 99, Lot# 32

**2011-02611**                    **GREEN CROW CORP**  
**PLAINFIELD** Unnamed Stream

COMPLETE NOTIFICATION:  
Plainfield Tax Map 205, Lot# 13

**2011-02625**                    **CHOCORUA FORESTLANDS, LLC, JEFF COOMBS**  
**BATH** Unnamed Stream

COMPLETE NOTIFICATION:  
Bath Tax Map/Lot# 13/80, 82 & 14/24

**2011-02626**                    **FERNALD, SHELIA**  
**MADBURY** Unnamed Stream

COMPLETE NOTIFICATION:  
Madbury Tax Map/Lot# 4/8 & 5/17

**2011-02636**                    **HILDRETH, CHARLES**  
**HOLLIS** Unnamed Stream

COMPLETE NOTIFICATION:  
Hollis Tax Map 17, Lot# 5 & 8

**2011-02637**                    **WOLDOW, MICHAEL**  
**CLAREMONT** Unnamed Stream

COMPLETE NOTIFICATION:  
Claremont Tax Map/Lot# 50/4 & 51/1

**2011-02640 FROTHINGHAM, HENRY**  
**GRAFTON Unnamed Stream**

COMPLETE NOTIFICATION:  
Grafton Tax Map 19, Lot# 51

**2011-02642 NOEL, VICTORIA**  
**CONWAY Unnamed Stream**

COMPLETE NOTIFICATION:  
Conway Tax Map 259, Lot# 23 & 24

**EXPEDITED MINIMUM**

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**2011-01951 GALE TRUST, CAROLINE**  
**WHITEFIELD Forest Lake**

Requested Action:

Replace an existing 6 ft x 24 permanent dock with a 6 ft x 24 ft permanent dock, install a 4 in x 6 ft anchor pad above full lake elevation, on Forest Lake, Whitefield.

\*\*\*\*\*

Conservation Commission/Staff Comments:  
Con Com signed Exp application

APPROVE PERMIT:

Replace an existing 6 ft x 24 permanent dock with a 6 ft x 24 ft permanent dock, install a 4 in x 6 ft anchor pad above full lake elevation, on Forest Lake, Whitefield.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on September 29, 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. The concrete anchor pad shall be located above and behind full lake elevation.
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.

**2011-02001**                      **VILLAGE GREEN CONDO ASSOC INC**  
**LEBANON**   **Tributary To Connecticut River**

Requested Action:

Impact 400 square feet of eroding bank along an intermittent stream to stabilize with geogrid material in the affected bank and filling with new granular material and replace and extend an existing railroad tie retaining wall with a 4 foot high, 40 foot long redi-rock stone wall and regrade the surrounding area to direct surface runoff flow towards an existing drain.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Lebanon Conservation Commission reviewed the application on August 11, 2011 and recommended approval.

APPROVE PERMIT:

Impact 400 square feet of eroding bank along an intermittent stream to stabilize with geogrid material in the affected bank and filling with new granular material and replace and extend an existing railroad tie retaining wall with a 4 foot high, 40 foot long redi-rock stone wall and regrade the surrounding area to direct surface runoff flow towards an existing drain.

With Conditions:

1. All work shall be in accordance with the following plans as received by the NH Department of Environmental Services (DES) on October 8, 2011: by Eric Merluzzi, P.E., dated July, 8 2011 and Catamount Subsurface Investigations LLC dated 18 July 2011.
2. 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.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. No work shall be done in the stream.
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. This permit does not allow dredging for any purpose.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), any project that alters the course of or disturbs less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
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.

**2011-02312**                      **DORCHESTER TOWN OF**  
**DORCHESTER**   **Unnamed Stream**

Requested Action:

Replace a 60 in. culvert with a 72 in. x 34 ft. culvert impacting 242 sq. ft. of riverine wetlands.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Cons. Comm. signed expedited application.

APPROVE PERMIT:

Replace a 60 in. culvert with a 72 in. x 34 ft. culvert impacting 242 sq. ft. of riverine wetlands.

With Conditions:

1. All work shall be in accordance with plans by Hinds Septic Design Services revised October 7, 2011 as received by the Department on Oct. 7, 2011.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j), projects within the right of way of a public highway meeting certain criteria.
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.

**2011-02373                      AW TOWNE REALTY TRUST**  
**EPSOM   Unnamed Stream**

Requested Action:

Impact a total of 2,978 square feet of wetlands to construct a driveway to a single family house lot by upgrading an existing woods road, including installation of a 6' x 8'x 20' box culvert in place of two existing 15" culverts.

\*\*\*\*\*

APPROVE PERMIT:

Impact a total of 2,978 square feet of wetlands to construct a driveway to a single family house lot by upgrading an existing woods road, including installation of a 6' x 8'x 20' box culvert in place of two existing 15" culverts.

With Conditions:

1. All work shall be in accordance with plans by Aspen Environmental Consultants LLC dated 6/14/2011, as received by the NH

Department of Environmental Services (DES) on 9/19/2011.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z)(1)-(5), installation of a stream crossing for access to a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The crossing upgrade is proposed for the previously disturbed location of the existing woods road crossing.
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. Per NH Fish and Game Department's review, the species of concern reported for the project vicinity by the NH Natural Heritage Bureau (the bridled shiner and the Blanding's turtle), are not expected to be impacted by the project, and the upgrade of the crossing will improve aquatic species passage.
5. The Epsom Conservation Commission signed the expedited minimum impact application.

**2011-02433 BLUE SKY ENTERPRISES INC  
GILFORD Unnamed Stream**

Requested Action:

Impact 330 square feet of intermittent stream to construct a driveway crossing including installation of a 36" x 20' long culvert, for property access, and to possible house lot.

\*\*\*\*\*

APPROVE PERMIT:

Impact 330 square feet of intermittent stream to construct a driveway crossing including installation of a 36" x 20' long culvert, for property access, and to possible house lot.

With Conditions:

1. All work shall be in accordance with plans by Blue Sky Enterprises dated 9/12/2011, as received by the NH Department of Environmental Services (DES) on 9/26/2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. 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. 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.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z)(1)-(5), installation of a stream crossing for access to a single family building lot or to property for non-commercial recreational use.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

and environments under the department's jurisdiction per Env-Wt 302.03.

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

5. The Gilford Conservation Commission signed the expedited minimum impact application.

**2011-02454                      DOWNING BROS INC**  
**ALTON   Unnamed Stream Lake Winnepesaukee**

Requested Action:

Repair an existing major docking system consisting of a 3 ft x 28 ft dock, a 3 ft x 58 ft dock, a 6 ft x 50 ft dock, a 11 ft 6 in x 59 ft 6 in dock connected to a 16 ft x 125 ft 6 in wharf along the shore, all piling supported, and permanently remove an unpermitted 3 ft 6 in x 27 ft 9 in permanent dock on the northern property line on an average of 315 ft of frontage on Lake Winnepesaukee, in Alton.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing major docking system consisting of a 3 ft x 28 ft dock, a 3 ft x 58 ft dock, a 6 ft x 50 ft dock, a 11 ft 6 in x 59 ft 6 in dock connected to a 16 ft x 125 ft 6 in wharf along the shore, all piling supported, and permanently remove an unpermitted 3 ft 6 in x 27 ft 9 in permanent dock on the northern property line on an average of 315 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated October 19, 2011, as received by the NH Department of Environmental Services (DES) on October 19, 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. No repair work may be conducted until the unpermitted dock to the north is completely and permanently removed from the frontage.
4. The repairs shall maintain the size, location and configuration of the pre-existing structures.
5. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. All 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.

**2011-02482                      PSNH**  
**TROY   Perkins Pond**

Requested Action:

Dredge and fill ± 41 sq. ft. and temporarily impact ± 575 sq. ft. of wetlands to directional bore under Perkins Pond for the installation of underground conduit.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill ± 41 sq. ft. and temporarily impact ± 575 sq. ft. of wetlands to directional bore under Perkins Pond for the installation of underground conduit.

**With Conditions:**

1. All work shall be in accordance with plans by Public Service of New Hampshire dated May 04, 2011, and revised through June 22, 2011, as received by the DES Wetlands Bureau on September 29, 2011.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. All work shall be in compliance with the Best Management Practices Manual for Utility Maintenance in and Adjacent to Wetlands and Waterbodies in New Hampshire, Interim (January 2010).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Area of temporary impact shall be regraded to original contours following completion of work.
11. Mulch within the restoration area shall be straw.
12. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. See related Wetlands Bureau file 2011-02483 for the portion of the project occurring in Jaffrey.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-02483 PSNH  
JAFFREY Perkins Pond**

**Requested Action:**

Dredge and fill ± 4 sq. ft. and temporarily impact ± 404 sq. ft. of wetlands to directional bore under Perkins Pond for the installation of underground conduit.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill ± 4 sq. ft. and temporarily impact ± 404 sq. ft. of wetlands to directional bore under Perkins Pond for the installation of underground conduit.

**With Conditions:**

1. All work shall be in accordance with plans by Public Service of New Hampshire dated May 04, 2011, and revised through June 22, 2011, as received by the DES Wetlands Bureau on September 29, 2011.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. All work shall be in compliance with the Best Management Practices Manual for Utility Maintenance in and Adjacent to Wetlands and Waterbodies in New Hampshire, Interim (January 2010).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Area of temporary impact shall be regraded to original contours following completion of work.
11. Mulch within the restoration area shall be straw.
12. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. See related Wetlands Bureau file 2011-02482 for the portion of the project occurring in Troy.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**TRAILS NOTIFICATION**

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**2011-02449                      ERNST, FREDERICK**  
**ACWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Acworth Tax Map 2-8, Lot# 209

**2011-02581                      NH DRED, SANDY YOUNG**  
**PITTSBURG   Unnamed Stream**

COMPLETE NOTIFICATION:  
Pittsburg Tax Map 1, Lot# 26

**ROADWAY MAINTENANCE NOTIF**

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**2011-02622 NH DEPT OF TRANSPORTATION  
NEW LONDON Unnamed Wetland**

**COMPLETE NOTIFICATION:**

Dredge 275 linear feet of roadside ditch along north bound off ramp to I-89 at exit 12

**2011-02623 HAMPSTEAD, TOWN OF  
HAMPSTEAD Unnamed Stream**

**COMPLETE NOTIFICATION:**

Replace an existing 24" culvert with a 36"x 50" culvert and extend by 2 feet at the inlet and 8 feet at the outlet

**2011-02624 NH DEPT OF TRANSPORTATION  
NEW LONDON Unnamed Wetland**

**COMPLETE NOTIFICATION:**

Replace header on an existing 12" culvert and clean ditch

**PERMIT BY NOTIFICATION**

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**2011-01271 LYON JR, HAROLD  
MEREDITH Lake Winnepesaukee**

**Requested Action:**

The Abutter requests reconsideration of the Department's acceptance of the Permit by Notification as complete.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com signed PBN form

**DENY RECONSIDERATION:**

Reaffirm the Department's determination that the Permit by Notification was complete as filed.

**With Findings:**

Standards for Approval

1. In accordance with Rule Env-Wt 506.01, Projects Qualifying for Permit by Notification, (a), (5); the repair of an existing docking structure that meets the criteria in Env-Wt 303.04(v) shall qualify for the permit by notification process.
2. Pursuant to Rule Env-Wt 303.04(v), Minimum Impact Projects; the maintenance, repair, and replacement in-kind of existing docking structures shall be classified as a minimum impact project provided: 1) No work is proposed that would be prohibited under RSA 482-A:26; 2) No change in location, configuration, construction type, or dimensions is proposed; and 3) The applicant certifies in writing that the existing structures would be considered grandfathered in their current configuration pursuant to Env-Wt 101.44 and have not been abandoned pursuant to Env-Wt 101.01 or Env-Wt 303.05(a)(4).
3. In accordance with Rule Env-Wt 506.02, Permit by Notification Procedures for Qualifying Projects, (c); after filing the

completed permit by notification forms with the town clerk, the applicant may proceed with the project: after 10 days, provided the application contains a waiver of intervention from the conservation commission, or if none, the local governing body; or after 25 days, unless disqualified from the permit by notification process.

4. In accordance with Rule Env-Wt 506.03, (f), Notification Completeness Requirements for Projects Qualifying for Permit by Notification in Env-Wt 506.01; the applicant shall file a written agreement with any abutters as required in Env-Wt 304.04(a), or Env-Wt 402.04 for docks, when work in jurisdiction will occur within 20 feet of the property line or imaginary extension thereof over surface waters.
5. Pursuant to Rule Env-Wt 402.04 Setbacks; as required by RSA 482-A:3, XIII(a), all docks shall be located at least 20 feet from any abutting property line or imaginary extension of the property line over surface water, unless the provisions of RSA 482-A:3, XIII(c) or (d) are met.
6. In accordance with paragraph XIII of RSA 482-A:3 Excavating and Dredging Permit; Certain Exemptions, as enacted by Chapter 224:1 of the laws of 2008 effective August 23, 1998, all boat docking facilities shall be at least 20 feet from an abutting property line in non-tidal waters, and at least 20 feet in tidal waters unless the owner of the boat docking facility obtains the written consent of the abutting property owner. Such consent shall be signed by all parties, notarized and filed with the dock application with the Department of Environmental Services.

Findings of Fact

1. On June 2, 2011, the Department received Permit by Notification for repairs to a docking structure on the frontage of property identified as Meredith tax map I-9, lot 8.
2. The docking structure to be repaired had been damaged by ice movement to the extent that the dock surfaces had been dislodged but the crib supports remained in place. Dock surfaces can be seen in the photographs submitted, floating and tethered to the shore and cribs.
3. The pre-existing docking structure encroaches upon the property line of the abutting lot identified as Meredith tax map I-9, lot 8a.
4. The Meredith Town Clerk had signed the Permit by Notification Form indicating that the abutters had been notified by certified mail.
5. The Meredith Conservation Commission signed the application indicating that they had no objection to the proposed repairs.
6. The Application had been signed indicating that the project met the criteria to qualify for the Permit by Notification process.
7. No new docking structures are proposed by the Applicant.

Rulings in Support of the Decision

1. Rule Env-Wt 506.03, (f), requires that applicants with dock projects address Env-Wt 402.04. The language of Rule Env-Wt 402.04 specifies that RSA 482-A:3, XIII must be met "as required." Because RSA 482-A:3, XIII was enacted in 1998, after the original construction of the docking structure in question, and cannot be retroactively applied to the structure, and no new structures or modifications were proposed, no notarized waiver of the 20 ft setback is required.
2. The Applicant filed a complete Permit by Notification. The Department acted appropriately in its acceptance and certification of the submitted Permit by Notification as complete.

**2011-02610                      KREITLER, MARGARET**  
**MEREDITH Lake Winnepesaukee**

Requested Action:

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

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

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

With Findings:

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

**2011-02620                    MASTERMAN, BARRY**  
**GILMANTON   Crystal Lake**

Requested Action:

Repair or replacement of existing retaining walls that is performed “in the dry” during drawdown of waters, and that results in no change in height, length, location, or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed “in the dry” during drawdown of waters, and that results in no change in height, length, location, or configuration.

With Findings:

Repair or replacement of existing retaining walls that is performed “in the dry” during drawdown of waters, and that results in no change in height, length, location, or configuration.

**2011-02653                    WINGATE JR, CHARLES/VERA**  
**WINDHAM   Cobbetts Pond**

Requested Action:

Repair or replacement of existing retaining walls that is performed “in the dry” during drawdown of waters, and that results in no change in height, length, location, or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBM form

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed “in the dry” during drawdown of waters, and that results in no change in height, length, location, or configuration.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), Repair or replacement of existing retaining walls that is performed “in the dry” during drawdown of waters, and that results in no change in height, length, location, or configuration.

**2011-02654                    LARO REVOC TRUST, STEVEN/CAROL**  
**STRAFFORD   Bow Lake**

Requested Action:

Repair or replacement of existing retaining walls that is performed “in the dry” during drawdown of waters, and that results in no change in height, length, location, or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

**PBN IS COMPLETE:**

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

**CSPA PERMIT**

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**2009-02456                      BROCK REVOC TRUST, CONSTANCE  
PITTSBURG   First Connecticut Lake**

**Requested Action:**

Owner would like to amend the permit for proposing an increase of 48 sq ft to the garage.

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**APPROVE AMENDMENT:**

**AMEND PERMIT DESCRIPTION:**

Impact 11,561 sq ft for the purpose of constructing a new residential dwelling, garage, associated accessory structures and installation of a new septic system.

**With Conditions:**

1. All work shall be in accordance with revised plans submitted by Karen L. Dickson dated October 2, 2011 and received by the Department of Environmental Services ("DES") on October 20, 2011.
2. No more than 19.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 12,320 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 10,010 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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. This permit is contingent upon all necessary approvals by the DES Subsurface Systems Bureau.

**2011-00860                      ZHANG, KE**  
**LEBANON   Mascoma River**

Requested Action:

Owner wishes to amend the plan by not removing the 700 sq ft gravel driveway to be restored to grass.

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APPROVE AMENDMENT:

Impact 6,700 sq ft in order to construct a driveway and garage.

With Conditions:

1. All work shall be in accordance with revised plans by Right Angle Engineering, PLLC dated October 18, 2011 and received by the NH Department of Environmental Services (DES) on October 20, 2011.
2. No more than 3.9% 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 94,114 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01901                      MEANS III, AUGUSTUS**  
**CANAAN   Canaan Street Lake**

Requested Action:

Amend Shoreland Permit to approve revised plan received by DES on October 19, 2011, to include the installation of a frost wall beneath the existing cottage and the construction of a 24 ft by 20 ft deck to connect the existing deck to the proposed addition.

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APPROVE AMENDMENT:

Amend permit to read: Impact 4,306 sq ft for the purpose of constructing 1600 sq ft addition to an existing residential dwelling, installing a frost wall beneath the existing structure, constructing a 24 ft x 20 ft deck, and associated stormwater improvements including an infiltration swale and rain garden.

With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC as revised by Augustus Means III and received by the NH Department of Environmental Services (DES) on October 19, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 11.35% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation 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.

**2011-02437                      STRANG, LARRY/MARY ANN**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Impact 6,776 sq ft for the purpose of razing an existing non-conforming structure, constructing a new dwelling with attached garage beyond the 50 ft setback, implementing a stormwater management plan, reconfiguring the driveway, constructing infiltration steps along an existing access path, and installing a new onsite septic system and associated impacts.

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APPROVE PERMIT:

Impact 6,776 sq ft for the purpose of razing an existing non-conforming structure, constructing a new dwelling with attached garage beyond the 50 ft setback, implementing a stormwater management plan, reconfiguring the driveway, constructing infiltration steps along an existing access path, and installing a new onsite septic system and associated impacts.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated September 13, 2011 and received by the NH Department of Environmental Services (DES) on October 17, 2011.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.”
3. All impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A. Specifically, the proposed retaining wall re-construction/repair will require a separate permit from the NH DES Wetlands Bureau.
4. No more than 29.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 2,093 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. Pursuant to RSA 483-B:11, the applicant has provided a more nearly conforming proposal. The proposed project includes the razing of a non-conforming structure and constructing a new home beyond the 50 ft setback. The proposal also includes the implementation of a stormwater management system (drip edge) and installation of a new onsite septic system.

**2011-02453                      MARJORIE LEAHY 2010 TRUST**  
**NEW DURHAM   Merrymeeting Lake**

Requested Action:

Impact 14,500 sq ft for the purpose of constructing a new, nonconforming primary structure and associated accessory structures and installing a new septic system and stormwater controls.

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APPROVE PERMIT:

Impact 14,500 sq ft for the purpose of constructing a new, nonconforming primary structure and associated accessory structures and installing a new septic system and stormwater controls

With Conditions:

1. All work shall be in accordance with revised plans by Benchmark Engineering, Inc., and received by the Department of Environmental Services ("DES") on October 19, 2011.
2. No more than 29.9% 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 and installing the proposed septic system.
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. 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), at least 1,181 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES on October 19, 2011, must remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 foot primary building setback to Merrymeeting Lake 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, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.
3. The applicant has proposed to achieve a 12 foot greater setback from the reference line.
4. The applicant has proposed to install stormwater controls consisting of a frame and grate drywell that will be capable of intercepting and infiltrating stormwater from the property.
5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
6. The applicant has proposed to install stormwater controls and a new septic system and attain a greater setback from the reference line, and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

**2011-02501                      DULAC REVOC TRUST, LOUISE**  
**LEBANON    Mascoma River**

Requested Action:

Impact 61,118 sq ft in order to construct a Planned Unit Residential Development, parking area, and stormwater treatment.

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APPROVE PERMIT:

Impact 61,118 sq ft in order to construct a Planned Unit Residential Development, parking area, and stormwater treatment.

With Conditions:

1. All work shall be in accordance with plans by Engineering Ventures PC dated September 29, 2011 and received by the NH Department of Environmental Services (DES) on October 3, 2011. 2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. No more than 11.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 29,270 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. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. 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. 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.

**2011-02528                      THRASHER, SHAWN**  
**WINDHAM    Cobbett's Pond**

Requested Action:

Impact 4,572 sq ft in order to construct an addition, decks, walkways and septic systems.

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APPROVE PERMIT:

Impact 4,572 sq ft in order to construct an addition, decks, walkways and septic systems.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated July 18, 2011 and received by the NH Department of Environmental Services (DES) on October 5, 2011. 2. No more than 66% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the

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

With Findings:

1. This project reduces the percentage of impervious surface from 67% to 66%.

**2011-02541                      HOLBERTON, ANNE**  
**WOLFEBORO   Lake Wentworth**

Requested Action:

Impact 9,927 sq ft in order to construct a new effluent disposal system for an existing 6 bedroom home, new garage with stone patio, expand existing gravel driveway and provide drainage improvements.

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APPROVE PERMIT:

Impact 9,927 sq ft in order to construct a new effluent disposal system for an existing 6 bedroom home, new garage with stone patio, expand existing gravel driveway and provide drainage improvements.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated October 5, 2011 and received by the NH Department of Environmental Services (DES) on October 6, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 15.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 9,693 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.

**2011-02560                      WICKS, ARTHUR**  
**PLAISTOW   Little River**

Requested Action:

Impact 8,936 sq ft for the purpose of constructing two new residential units.

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APPROVE PERMIT:

Impact 8,936 sq ft for the purpose of constructing two new residential units.

With Conditions:

1. All work shall be in accordance with plans by Cornerstone Survey Associates, dated September 12, 2011 and received by the Department of Environmental Services ("DES") on October 7th, 2011.
2. No more than 3.5% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 7,782 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.

4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
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.

**2011-02562                      MARIEN, KATHERINE**  
**TUFTONBORO   Mirror Lake**

Requested Action:

Impact 7,000 sq ft in order to construct a garage addition, reduce gravel driveway, remove existing workshop, and relocate leach field.

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APPROVE PERMIT:

Impact 7,000 sq ft in order to construct a garage addition, reduce gravel driveway, remove existing workshop, and relocate leach field.

With Conditions:

1. All work shall be in accordance with plans by Ambrose Marine Construction dated September 25, 2011 and received by the NH Department of Environmental Services (DES) on October 7, 2011. 2. All actions associated with the leach field must be approved by the Subsurface Bureau per RSA 485-A:29.
3. No more than 31% 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 2,208 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.

**2011-02566                      CARR, DONNA**  
**NEWBURY   Lake Sunapee**

Requested Action:

Impact 4,466 sq ft in order to repair and replace existing retaining walls.

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APPROVE PERMIT:

Impact 4,466 sq ft in order to repair and replace existing retaining walls.

With Conditions:

1. All work shall be in accordance with plans by Riverside Ecological Designs LLC dated September 29, 2011 and received by the NH Department of Environmental Services (DES) on October 7, 2011.
2. No more than 14% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 3,162 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.

**2011-02567                      BOULDERWOOD TRUST**  
**HOLDERNESS   Big Squam Lake**

Requested Action:

Impact 600 sq ft in order to enlarge a boat shed from 28ft x 18ft to 30ft x 20ft located behind the 20 ft accessory structure line.

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APPROVE PERMIT:

Impact 600 sq ft in order to enlarge a boat shed from 28ft x 18ft to 30ft x 20ft located behind the 20 ft accessory structure line.

With Conditions:

1. All work shall be in accordance with plans by Boulderwood Trust dated October 1, 2011 and received by the NH Department of Environmental Services (DES) on October 7, 2011.
2. No more than 8.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 46,650 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.

**2011-02587                      DEFEO, MICHELLE**  
**STRAFFORD   Bow Lake**

Requested Action:

Impact 20,108 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures and installing a new septic system.

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APPROVE PERMIT:

Impact 20,108 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Geometres Blue Hills, LLC., dated September 29, 2011 and received by the Department of Environmental Services ("DES") on October 12, 2011.
2. No more than 12.25% 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 50 feet of the refernece line except as necessary for a walkway to the waterbody.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
5. There shall be no impacts within jurisdictional 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), a least 10,537 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.
7. Orange construction fencing shall be placed at the 50 ft primary structure setback line to prevent accidental encroachment on areas of the waterfront buffer.
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.

**2011-02635                      GOFF, RICHARD**  
**GLEN   Saco River**

Requested Action:

Impact 5130 sq ft to stabilize slopes eroded by floodwaters.

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APPROVE PERMIT:

Impact 5130 sq ft to stabilize slopes eroded by floodwaters.

With Conditions:

1. All work shall be in accordance with plans by Thomas Duffield, PE dated September 26, 2011 and received by the NH Department of Environmental Services (DES) on October 13, 2011.
2. This project shall not increase the area of the lot within the protected shoreland covered by impervious surfaces.
3. This project shall not impact areas of the Natural Woodland Buffer beyond the primary building setback currently existing 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.