

Wetlands Bureau Decision Report

Decisions Taken
04/09/2012 to 04/15/2012

Review 12
WAB
4/16/12

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

2012-00072 LEGACY REALTY TRUST
LACONIA Lake Winnepesaukee

Requested Action:

Construct commercial use docking facilities consisting of:

- a) A 6 ft x 61 ft piling pier to accommodate a boat sewage pumpout station accessible from the 2 slips provided by the structure,
- b) A 12 ft x 53 ft forklift ramp and travelway for the launching of watercraft and loading of cargo;
- c) A 6 ft x 34 ft walkway from the forklift travelway to a 6 ft x 116.5 ft walkway from which will extend four 4 ft x 25 ft finger piers providing 13 boatslips;
- d) An 18 ft wide launch ramp;
- e) A 225 linear ft breakwater (wave attenuation system);
- f) One 14 ft x 30 ft seasonal canopy, four seasonal boatlifts, four personal watercraft lifts, and tie-off pilings, ice cluster pilings, and bumper piling clusters as shown on the approved plans.

To mitigate for the dock impacts as listed above 150 linear ft of low rock wall shall be placed landward of the normal highwater line, topsoil shall be placed as needed in the 2,250 sq ft area between this new wall and the existing concrete wall set back from the shoreland. This same area shall be successfully revegetated to provide detention and treatment of stormwater run-off from the adjacent commercial facilities.

APPROVE PERMIT:

Construct commercial use docking facilities consisting of:

- a) A 6 ft x 61 ft piling pier to accommodate a boat sewage pumpout station accessible from the 2 slips provided by the structure,
- b) A 12 ft x 53 ft forklift ramp and travelway for the launching of watercraft and loading of cargo;
- c) A 6 ft x 34 ft walkway from the forklift travelway to a 6 ft x 116.5 ft walkway from which will extend four 4 ft x 25 ft finger piers providing 13 boatslips;
- d) An 18 ft wide launch ramp;
- e) A 225 linear ft breakwater (wave attenuation system);
- f) One 14 ft x 30 ft seasonal canopy, four seasonal boatlifts, four personal watercraft lifts, and tie-off pilings, ice cluster pilings, and bumper piling clusters as shown on the approved plans.

To mitigate for the dock impacts as listed above 150 linear ft of low rock wall shall be placed landward of the normal highwater line, topsoil shall be placed as needed in the 2,250 sq ft area between this new wall and the existing concrete wall set back from the shoreland. This same area shall be successfully revegetated to provide detention and treatment of stormwater run-off from the adjacent commercial facilities.

With Conditions:

1. All work associated with the construction and installation of the docking and launching structures shall be conducted in accordance with plans by Watermark Marine Construction as revised March 8, 2012, and received by the NH Department of Environmental Services (DES) on March 15, 2012.
2. All work associated with the construction and revegetation of the mitigation area shall be completed in accordance with plans by Jordan Associates, Inc. as revised February 13, 2012, and received by the NH Department of Environmental Services (DES) on March 15, 2012.
3. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
4. If at any time, and for any reason, boat sewage pump-out services cease to be provided by these facilities the owner shall be required to remove a portion of the docking facilities sufficient to reduce the number of slips provided on the frontage to not more than 14. Removal shall occur within 6 months of the cessation of the pump out services.

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 dredged or excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. The permittee for shoreline structures classified as a major project shall file a restrictive covenant in the appropriate Registry of Deeds dedicating the shoreline frontage to those structures.
11. This permit is contingent upon the revegetation of 2,250 sq ft of shoreline in accordance with plans received by DES on March 15, 2012.
12. 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.
13. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
14. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
15. Shoreline restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland and buffer areas. 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.
16. 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.
17. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
18. 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.
19. Shoreline restoration areas shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional buffer is replicated in a manner satisfactory to the DES Wetlands Bureau.
20. 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.
21. 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.
22. This permit does not allow dredging for the purpose of improving slip depth or navigation.
23. The low retaining wall to hold soil for the shoreline restoration area shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
24. All seasonal structures shall be removed from the lake for the non-boating season.
25. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
26. All construction equipment, as well as the forklift, shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
27. Faulty equipment shall be repaired prior to entering jurisdictional areas.
28. The Owner 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.
29. All refueling of equipment shall occur outside of surface waters or wetlands.
30. 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 major project per Rules Env-Wt 303.02(j), construction of a breakwater, and Env-Wt 303.02(d), construction of a docking facility that provides 5 or more boat slips.
2. The project proposed by the Applicant meets the definition of "Marina" as set forth in Rule Env-Wt 101.58.
3. Pursuant to Rule Env-Wt 402.16, Marinas - Design Standards, (c), (2), The standard for marinas shall be one slip for every 25 ft of shoreline. However more slips may be permitted if evidence is provided to the Department indicating that the increase is in the public interest.
4. The applicant has an average of 364 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 14 slips may be permitted on this frontage per Rule Env-Wt 402.16.
6. The proposed docking facilities will provide 15 slips on the frontage; one more than the standard allowed under Rule Env-Wt 402.16.
7. The permitting of the additional slip to provide boat sewage pump-out services is in the public's interest and thus allowed pursuant to Rule Env-Wt 402.16.
8. The Applicant has met the criteria of Rule Env-Wt 204.04, Criteria, and thus a waiver of Rule Env-Wt 402.07, Breakwaters, (c), pertaining to the submittal of wave data is waived.
9. The Applicant has met the criteria of Rule Env-Wt 204.04, Criteria, and thus a waiver of Rule Env-Wt 402.07, Breakwaters, (e), (1) pertaining to the maximum extension of a breakwater from shore is waived.
10. The Applicant has met the criteria of Rule Env-Wt 204.04, Criteria, and thus a waiver of Rule Env-Wt 402.03, Dimensions, (c), pertaining to the maximum width of piers is waived.
11. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
12. The Applicant has proposed to mitigate for the proposed dock impacts by restoring 2,250 sq ft of vegetated buffer immediately adjacent to the shoreline and improving the treatment of stormwater run-off from the property.

-Send to Governor and Executive Council-

2012-00140 TOWN OF SWANZEY
SWANZEY Unnamed Wetland

Requested Action:

Dredge and fill 1,473 square feet of Perry Brook to replace the Warmac Road existing 13-foot x 7-foot x 70-foot corrugated metal pipe arch with a 28-foot x 8-foot x 47-foot precast bridge.

APPROVE PERMIT:

Dredge and fill 1,473 square feet of Perry Brook to replace the Warmac Road existing 13-foot x 7-foot x 70-foot corrugated metal pipe arch with a 28-foot x 8-foot x 47-foot precast bridge.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. dated January, 2012, as received by the Department on January 20, 2012.
2. Copies of recorded construction easements from affected landowners outside of the existing road right-of-way shall be submitted to DES Wetlands File No. 2012-00140 prior to construction.
3. Work shall be done during low flow conditions.
4. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
5. 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.

6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. 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.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
18. 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.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
20. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
21. 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.
22. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
23. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. The proposed structure can accommodate a 100-year storm without creating a backwater condition.
3. Floodplain culvert installation was assessed and determined to be infeasible due to the geometry of the road, abutting properties and cost.
4. The submitted Tier 3 replacement alternative design meets the General Design Criteria to the maximum extent practicable per Env-Wt 904.09.
5. The submitted Natural Heritage Bureau (NHB) report stated, "We currently have no recorded occurrences for sensitive species near this project area..."
6. No comments of concern on the proposed project were received by DES.
7. 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.
8. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

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

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

**2012-00193 WINMIIR CONDOMINIUM ASSOCIATION
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Dredge 66 cubic yards from 2,350 sq ft of lake bed adjacent to a major docking system and attach 30 linear feet of skirting to the docking system to create barrier to sand migration on an average of 568 feet of frontage along Lake Winnepesaukee, in Tuftonboro.

Conservation Commission/Staff Comments:

No comments by Con Com by Feb 28, 2012

APPROVE PERMIT:

Dredge 66 cubic yards from 2,350 sq ft of lake bed adjacent to a major docking system and attach 30 linear feet of skirting to the docking system to create barrier to sand migration on an average of 568 feet of frontage along Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans revision dated March 8, 2012, as received by the NH Department of Environmental Services (DES) on March 14, 2012.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Appropriate siltation, erosion, and 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. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. 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.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(g), removal of more than 20 cubic yards of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with RSA 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, nor adversely affect, the values of Lake Winnepesaukee, as identified under RSA 482-A:1.
6. The local Conservation Commission submitted comments with regards to Specific Condition # 4 on prior DES permit 2007-2863. Specific Condition # 4 is not relevant to the work proposed under this new application.

-Send to Governor and Executive Council-

2012-00231 **VILLAGE DISTRICT OF EIDELWEISS**
MADISON Unnamed Stream

Requested Action:

Proposal to add a beaver debris grate to the inlet of the approved culvert.

APPROVE AMENDMENT:

Dredge and fill 400 square feet of a perennial stream connecting Pea Porridge Pond and Middle Pea Porridge Pond to replace a 52" diameter culvert with a 77" wide, 52" high elliptical culvert and include a beaver debris grate. 100 square feet of the impacts are temporary.

With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC. entitled NHDES Dredge & Fill Permit Application (Sheets 1-2 of 2) dated December 20, 2012 as revised February 20, 2012 and as received by DES on February 21, 2012 and as revised by plan sheet 1 and 2 of 2 with a final revision date of March 28, 2012, as received by DES on March 28, 2012.
2. Temporary impacts shall be restored to pre-construction conditions.
3. Work shall be done during low flow.
4. The Permittee shall monitor the weather and not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
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. 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.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. 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.
17. 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.
18. 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.
19. 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).
20. 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:

DES reaffirms findings 1 through 13 with additional findings:

1. This is a Major Project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
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. A licensed professional engineer indicated that the new structure will pass the 100-year storm event.
6. Installing an open bottom culvert would require lowering the existing water main and would be cost prohibitive for the Town.
7. In an e-mail dated January 13, 2012 NH Fish and Game recommended that a permanent beaver fence not be included as part of the wetlands permit for this job as it is unlikely to provide adequate aquatic species passage. NH Fish and Game further recommended that the grid fence should only be considered as a last resort and the fence should be a simple flat grate with the largest possible openings (6" grid is still undersized and unlikely to provide aquatic species passage for waterfowl, turtles and aquatic mammals) that can be put in place and removed, as needed, rather than a permanent constructed box as shown in the plans.
8. Revised plans that removed the permanent beaver fence from the plans were received by the department on February 21, 2012.
9. In an e-mail dated February 21, 2012 The NHFG Nongame and Endangered Species Program stated that they support the proposed revisions (removal of a permanent beaver fence) and the reestablishment of the free flowing channel between Little Pea Porridge Pond and Pea Porridge Pond in Madison.
10. The applicant requested an expedited review in a letter dated January 12, 2012.
11. The department granted an expedited review on January 27, 2012 in accordance with Department of Environmental Services Standard Operating Procedure, No. 201-Processing of Permit Applications.
12. The application was received on February 03, 2012.
13. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

Additional findings:

14. The applicant has submitted revised plans stamped by a NH licensed Engineer.
15. The NH Fish and Game Department indicated that they are okay with the design as long as the grate has 8 inch or larger grid openings.
16. The beaver debris fence/grate has been designed with 8 inch grid openings.

**2012-00368 DEVELIS, JOSEPH
ALTON Lake Winnepesaukee**

Requested Action:

Fill 50 sq of public submerged land to reclaim land alleged to have been previously dredged from property having 171 ft of frontage along Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com requested 40 day hole, no comments from Con Com by April 09, 2012

DENY PERMIT:

Fill 50 sq of public submerged land to reclaim land alleged to have been previously dredged from property having 171 ft of frontage along Lake Winnepesaukee, in Alton.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:4 Definition, II, Without limiting RSA 482-A:3, the waters and adjacent areas within this state to which this chapter applies are defined to include "those portions of great ponds or lakes created by the raising of the water level of the same, whether by public or private structure, and to all surface waters of the state as defined in RSA 485-A:2 which contain fresh water, including the portion of any bank or shore which borders such surface waters, and to any swamp or bog subject to periodical flooding by fresh water including the surrounding shore."
2. In accordance with RSA 482-A:11, No permit to dredge or fill shall be granted if it shall infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners.
3. In accordance with Rule Env-Wt 304.04 Setback From Property Lines, (a) The department shall limit the location of a project to at least 20 feet from an abutting property line or imaginary extension thereof over surface water unless it receives written agreement from the affected abutter concurring with any impact that may result relative to the abutter's interests.
4. In accordance with Rule Env-Wt 302.04, Requirements for Application Evaluation, (a), (1), for any major or minor project, the applicant shall demonstrate the need for the proposed impacts by plan and example.
5. In accordance with Rule Env-Wt 302.04 Requirements for Application Evaluation, (a), (2), for any major or minor project, the applicant shall demonstrate, by plan and example, that the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
6. In accordance with Rule Env-Wt 501.02, (a), for projects affecting surface water shoreline, the applicant shall supply the general shape of the shoreline including the length of frontage, the full water body elevation, the footprint of all existing and proposed structures on the property, the intended use of each proposed structure, and the distance from existing and proposed work to abutting property lines.

Findings of Fact

1. On February 17, 2012, the Wetlands Bureau received a Standard Dredge and Fill application to "Fill 50 sq ft of public submerged land and vegetate the filled area on Lake Winnepesaukee, Alton."
2. The Department also received a Shoreland Permit Application for impacts within the protected Shoreland for the same proposed project and same lot on February 23, 2012. This application was denied on February 28, 2012.
3. The Department received a letter from the local Conservation Commission requesting a 40 day hold on the application review on February 17, 2012.
4. Review of photographs submitted with this application as well as previously filed Wetlands applications for this property found that the areas to be impacted were located within the surface water and its bank.
5. The proposed plan indicates that impacts will occur within 20 feet of the abutter's property line.
6. There is no letter from the affected abutter granting permission for work within the abutter's 20 foot setback or located in front of the abutter's frontage.
7. Review of information contained in previous DES files pertaining to this lot found documents in which a prior owner of the property admitted to aiding in the dredge of the area of bank the Applicant has applied to fill.
8. Review of information contained in previous DES files pertaining to this lot has failed to find any evidence of the location of the shoreline at Elevation 504.32 as it existed prior to the dredging that is alleged to have occurred on the frontage.
9. Review of information contained in previous DES files pertaining to this lot has failed to find any evidence of the footprint, or extent, of the area that was allegedly excavated.
10. Review of prior DES files has found no evidence of erosion or instability along this portion of the shoreline on this site.

Rulings in Support of Denial

1. The Applicant failed to submit a signed letter from the affected abutter agreeing to the proposed work within the abutter's 20 foot setback as required pursuant to Rule Env-Wt 304.04.
2. The Applicant failed to submitted evidence of erosion or shoreline instability that would demonstrate the need for the proposed impacts as required by Rule Env-Wt 302.04, (a), (1),.
4. The Applicant did not submit documentation showing that the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site as required by Rule Env-Wt 302.04, (a), (2),.

- 5. The plan submitted with the application fails to identify the top of the bank and the limits of wetlands jurisdiction as established by RSA 482-A as required pursuant to Rule Env-Wt 501.02..
- 6. The plan submitted did not include plans of all structures on the frontage as required pursuant to Rule Env-Wt 501.02.
- 7. The plan submitted with the application did not include specific information with regards to the type of fill, or how the bank is to be stabilized once the fill is placed.
- 8. The proposal will have an adverse impact on the ability of the abutter to enjoy their frontage, therefore pursuant to RSA 482-A:11, the application is denied.

2012-00518

POPPLETON, ANN/JAY

GILFORD Lake Winnepesaukee

Requested Action:

Install 5 piles adjacent to an existing breakwater and docking system to support a permanent boatlift and a 14 ft x 30 ft seasonal canopy on an average of 155 ft of frontage on Lake Winnepesaukee, in Gilford.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Install 5 piles adjacent to an existing breakwater and docking system to support a permanent boatlift and a 14 ft x 30 ft seasonal canopy on an average of 155 ft of frontage on Lake Winnepesaukee, in Gilford.

With Conditions:

- 1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated February 27, 2012, as received by the NH Department of Environmental Services (DES) on March 05, 2012.
- 2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
- 3. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
- 4. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
- 5. 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 major project per Rule Env-Wt 303.02(d), construction or modification of a major dockings system.
- 2. The applicant has an average of 155 feet of frontage along Lake Winnepesaukee.
- 3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
- 4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
- 5. The proposed modifications do not add any slips to the existing docking system.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2012-00111

ROUGHAN, PATRICIA/THOMAS

HAMPTON Upland Tidal Buffer Zone

Requested Action:

Temporarily impact 502 sq. ft. within the previously developed upland tidal buffer zone to rehabilitate a house on the existing foundation, remove pavement and replace with pervious pavers and rebuild a split rail fence in its original location. All work is within 50 feet of a salt marsh.

Conservation Commission/Staff Comments:

"The [Hampton] Conservation Commission does not oppose the granting of a wetlands permit for the reconstruction of the house on the existing foundation, and installation of replacement fencing and deck supports at 18 Bragg Avenue."

Inspection Date: 03/23/2012 by Frank D Richardson

APPROVE PERMIT:

Temporarily impact 502 sq. ft. within the previously developed upland tidal buffer zone to rehabilitate a house on the existing foundation, remove pavement and replace with pervious pavers and rebuild a split rail fence in its original location. All work is within 50 feet of a salt marsh.

With Conditions:

1. All work shall be in accordance with plans by Millennium Engineering Inc. dated Nov. 16, 2011 (last revised 02-21-12), as received by the NH Department of Environmental Services (DES) on March 05, 2012.
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. NH DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on tidal wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b), projects that involve work within 50 feet of a salt marsh.
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)&(c) 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 March 23, 2012. Field inspection determined this project will have no adverse affect on the adjacent salt marsh.

2012-00195

TOWN OF PITTSBURG

PITTSBURG Unnamed Wetland

Requested Action:

Temporarily impact 15,714 square feet of wetlands for the installation of a public water main. All impacts will be restored immediately following installation of the water main.

APPROVE PERMIT:

Temporarily impact 15,714 square feet of wetlands for the installation of a public water main. All impacts will be restored immediately following installation of the water main.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering, Inc. entitled Town of Pittsburg Water System Improvements (Sheet 1-2 of 2; Sheet 1 of 1) dated January 18, 2012 as received by the Department on January 30, 2012.
2. Areas of temporary impact shall be restored to pre-construction conditions.
3. Mulch within the restoration area shall be straw.
4. 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.
5. 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.
6. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restored temporary impact areas 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.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
8. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
9. 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.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. 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.
15. 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.
16. 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.
17. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minor Project per NH Administrative Rule Env-Wt 303.04 (h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per 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. The project is expected to benefit the general public by providing a safe and reliable water source for the Town of Pittsburg.
6. The Connecticut River crossing will be completed by directional boring.
7. This project is Phase 2 of the Town of Pittsburg water system project. Phase 1 was approved as Wetlands Permit 2011-02493.
8. The applicant provided a written statement from the owner of property located at Town of Pittsburg tax map U3 lot 147A waiving the NH Wetlands Bureau requirement of maintaining a 20 foot setback.

9. The NH Natural Heritage Bureau 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.

~~2012-00602~~ **CONDON, MARY ELLEN**
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair 126 linear feet of retaining wall "in kind" along an average of 111 ft of frontage on Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:

No comments from Con Com by April 12, 2012

APPROVE PERMIT:

Repair 126 linear feet of retaining wall "in kind" along an average of 111 ft of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated February 10, 2012, as received by the NH Department of Environmental Services (DES) on March 15, 2012.
2. 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.
3. The repairs shall maintain the existing size, location and configuration of the structures
4. Appropriate siltation, erosion, and 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. 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 existing retaining walls in kind which require work in the water.

~~2012-00773~~ **RICHARD T COWERN TRUST**
HEBRON Newfound Lake

Requested Action:

Reposition existing stairs moved by ice and replace one rock from wall that has fallen into waterbody, on Newfound Lake, in Hebron.

Conservation Commission/Staff Comments:

No comments from Con Com by April 11, 2012

APPROVE PERMIT:

Reposition existing stairs moved by ice and replace one rock from wall that has fallen into waterbody, on Newfound Lake, in Hebron.

With Conditions:

1. All work shall be in accordance with plans by B A Barnard dated March 2012, as received by the NH Department of

Environmental Services (DES) on April 3, 2012.

2. 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.
3. Repair shall maintain existing size, location and configuration.
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. This permit does not allow for new rocks to be used for the repair, only rock which has fallen may be used for repair.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), repair of existing retaining wall that requires work in the water.

MINIMUM IMPACT PROJECT

2011-02356 UNIVERSITY OF NH, CHASE OCEAN ENG LAB
NEWINGTON Great Bay

Requested Action:

Impact 6 sq. ft. of estuarine wetland to install pins at the bottom of the river to secure a tidal energy testing platform that measures 64 ft. x 34 ft.

APPROVE PERMIT:

Impact 6 sq. ft. of estuarine wetland to install pins at the bottom of the river to secure a tidal energy testing platform that measures 64 ft. x 34 ft.

With Conditions:

1. All work shall be in accordance with plans by Kenneth Baldwin, University of new Hampshire Chase Ocean Engineering Laboratory, as received by the NH Department of Environmental Services (DES) on September 16, 2011 and January 17, 2012.
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. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

With Findings:

1. In accordance with Env-Wt 303.04(o), this project is deemed minimum impact by DES based on the degree of environmental impact. The applicant proposes to install four pins to the river bottom to secure a floating platform.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The testing platform will be used by the University of New Hampshire Chase Ocean Engineering Laboratory to evaluate producing energy from the tidal flow of the river.
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 explored two options to securing the

platform including dead weight anchors and drilling holes and grouting attachment points. The latter option was selected because maintaining position during a testing cycle is important in establishing fluid flow conditions for both ebb and flow tides.

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. The Natural Heritage Bureau ("NHB") has record of sensitive species within the project vicinity, but states that it's unlikely there will be any impact on the species from the project.

5. The Newington and Dover Conservation Commission's did not submit comments to DES regarding the project.

2011-03243 OLIVEIRA, AMANDA/JOSEPH
WAKEFIELD Round Pond

Requested Action:

Approve name change to: Dal Ray Riley and Joanne D. Riley, 849 Second Crown Point Road, Strafford NH 03884 per request received 3/28/12. Previous owner: Amanda & Joseph Oliveira.

APPROVE NAME CHANGE:

Retain 150 sq. ft. (83 linear ft.) of impact along the shore of Lake Ivanhoe to repair and reconstruct an existing mortared stone retaining wall within the same general footprint.

Construct a 150 sq. ft. perched beach on an average of 100 ft. of shoreline frontage, construct drip edges around an existing dwelling, construct a 150 sq. ft. swale, and construct a new 40 linear ft. loose stone retaining wall.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated November 30, 2011, as received by the NH Department of Environmental Services (DES) on December 30, 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 installation.
3. No more than 3 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
4. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B.
8. Work shall be done during drawdown.

With Findings:

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

2012-00268 PATCH, DAVID/MAXINE
BARTLETT Unnamed Wetland

Requested Action:

Dredge and fill 1,777 square feet of wetlands for the construction of a shared access driveway to two single family homesites. Work in jurisdiction includes the installation of two culverts.

APPROVE PERMIT:

Dredge and fill 1,777 square feet of wetlands for the construction of a shared access driveway to two single family homesites. Work in jurisdiction includes the installation of two culverts.

With Conditions:

1. All work shall be in accordance with the plans by Ammonoosuc Survey Company, Inc. entitled Wetlands Impact Plan: Property of David Patch dated February 02, 2012 as received by DES on February 06, 2012.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Culverts shall be laid at original grade.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
8. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
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. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the 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).
13. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The access drive is adjacent to an apparent vernal pool area; no direct impacts to the vernal pool are proposed.
6. The applicant has provided signage and a restrictive deed providing a buffer to the vernal pool area.
7. The applicant provided a written statement from the owner of property located at Town of Bartlett tax map 2JENKS Lot 023L00 waiving the NH Wetlands Bureau requirement of maintaining a 20 foot setback.
8. The NH Natural Heritage Bureau 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.

2012-00503
SUTTON

TOWN OF SUTTON

Requested Action:

Dredge and fill 500 square feet of unnamed perennial stream to replace the existing Penacook Road 8-foot x 2.5-foot x 18-foot box culvert with a 10-foot x 5-foot x 20-foot concrete box culvert.

APPROVE PERMIT:

Dredge and fill 500 square feet of unnamed perennial stream to replace the existing Penacook Road 8-foot x 2.5-foot x 18-foot box culvert with a 10-foot x 5-foot x 20-foot concrete box culvert.

With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC dated January 20, 2012, as received by the Department on March 02, 2012.
2. Work shall be done during low flow conditions.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. 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.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Culverts shall be laid at original grade.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Materials used to in the natural channel bottom beyond the stone apron shall be rounded and smooth stones similar to the natural stream substrate and shall not include angular riprap or gravel.
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
19. 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.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
21. Banks shall restored to their original grades and to a stable condition within three days of completion of construction.
22. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
23. 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.
24. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
25. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the

DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ah), Any project that includes any new stream crossing which qualifies as minimum impact under Env-Wt 903.01(e).
2. No comments of concern on the proposed project were received by DES.
3. The submitted Natural Heritage Bureau report stated, "It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project."
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. 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.

FORESTRY NOTIFICATION

2012-00749 CHICHESTER, CONSERVATION COMMISSION
CHICHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Chichester Tax Map 8, Lot# 20 & 21

2012-00759 NH FISH & GAME DEPARTMENT
NEWTON Unnamed Stream

COMPLETE NOTIFICATION:
Newton Tax Map 16, Lot# 14

2012-00799 BREULER JR, GEORGE
SUTTON Unnamed Stream

COMPLETE NOTIFICATION:
Sutton Tax Map 8, Lot# 764-364

2012-00824 YVON CORMIER CONSTRUCTION CORP
DERRY Unnamed Stream

COMPLETE NOTIFICATION:
Derry Tax MAp 134, Lot# 817

2012-00825 BEAN, DOROTHY
FARMINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Farmington Tax Map R21, Lot# 5

2012-00849 **SEELY, JOHN**
BETHLEHEM Unnamed Stream

COMPLETE NOTIFICATION:
Bethlehem Tax MAp 422, Lot# 16 & 17

2012-00850 **ALBANY, TOWN OF**
ALBANY Unnamed Stream

COMPLETE NOTIFICATION:
Albany Tax Map/Lot# 7/117,118 & 9/89, 91

2012-00851 **ALBANY, TOWN OF**
CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
CONway Tax Map 264, Lot# 31 & 50

2012-00861 **SAWYER, NATHANIEL**
EFFINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Effingham Tax Map 406, Lot# 27 & 28

2012-00862 **DONAHUE, AL**
BELMONT Unnamed Stream

COMPLETE NOTIFICATION:
Belmont Tax Map 8, Lot# 14-26-1

2012-00863 **RANCLOES, FRANK**
CLARKSVILLE Unnamed Stream

COMPLETE NOTIFICATION:
Clarksville Tax Map R3, Lot# 21

EXPEDITED MINIMUM

2011-03182 ROBITAILLE, JOSEPH
NEW BOSTON Near Middle Branch Piscataquog River

Requested Action:

Dredge and fill 12,736 square feet of palustrine forested wetlands for pond construction.

APPROVE PERMIT:

Dredge and fill 12,736 square feet of palustrine forested wetlands for pond construction.

With Conditions:

1. All work shall be in accordance with plans by Christopher K. Danforth & Associates, LLC, dated November 27, 2011, as received by the Department on December 20, 2011.
2. All work shall be done in low flow conditions.
3. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction.
5. Machinery shall not be located within surface waters, where practicable.
6. Machinery shall be staged and refueled in upland areas.
7. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands 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 twenty (20) feet of undisturbed vegetated buffer.
9. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. A post-construction narrative documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p), pond construction.
2. The submitted Natural Heritage Bureau report stated, "We currently have no recorded occurrences for sensitive species near this project area..."
3. The application and supporting materials confirm the project site is greater than 1/4 mile from the Middle Branch of the Piscataquog River, a designated river.
4. The application narrative states the proposed pond will not impact very poorly drained soils or streams.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2012-00582 USDA WHITE MOUNTAIN NATIONAL FOREST
JACKSON Tributary To Wildcat Brook

Requested Action:

Place downed trees and wood along 6 miles of perennial streams (Bog Brook, Wildcat River, Davis Brook, Wildcat Brook and several unnamed tributaries to Wildcat Brook) in the Upper areas of the Wildcat Brook watershed. Up to 300 pieces of wood will be applied per linear mile impacting approximately 40 linear feet of the streams.

APPROVE PERMIT:

Place downed trees and wood along 6 miles of perennial streams (Bog Brook, Wildcat River, Davis Brook, Wildcat Brook and several unnamed tributaries to Wildcat Brook) in the Upper areas of the Wildcat Brook watershed. Up to 300 pieces of wood will be applied per linear mile impacting approximately 40 linear feet of the streams.

With Conditions:

1. All work shall be in accordance with plans by the USDA White Mountain National Forest, as received by the Department on March 14, 2012.
2. Work shall be done during low flow and between the months of May through September.
3. Only hand tools shall be used.
4. All in-stream work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be conducted in a manner so as to minimize the duration of construction in the watercourse.
5. If applicable, appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
6. No trees shall that are stabilizing banks or slopes shall be cut.
7. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), projects deemed minimum impact by the Department based on the degree of the environmental impact.
2. The project would meet the current WMNF Plan Goal to restore and enhance aquatic habitats and improve riparian conditions.
3. A 1991 survey of the fish/riparian habitat of these headwater streams indicated that the stream channels were stable, water temperatures were adequate for Eastern brook trout but there was a lack of in-stream structure that creates pool habitat and cover.
4. The trees will be placed to mimic natural wood recruitment.
5. The placement of trees is intended to stabilize stream beds and banks and improve aquatic organism habitat.
6. The addition of woody material is intended to create quality pool habitat, woody cover that would store organic nutrients, collect sediment and spawning gravel.
7. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
8. 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.
9. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
10. The applicant will strategically place logs above bridges and culverts so that they get jammed some distance from existing infrastructure. The closest bridge, that is not owned by the applicant, is 1.5 miles downstream of the project area.
11. The proposed project is expected to occur over the course of several years.
12. No comments from the NH Natural Heritage Bureau or the NH Fish and Game Department.
13. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**2012-00607 NH FISH & GAME DEPARTMENT
NEWMARKET Squamscott River**

Requested Action:

Cover 40,000 sq. ft. of estuarine bottom with cleaned, dry clamshell to restore historic oyster reef habitat.

APPROVE PERMIT:

Cover 40,000 sq. ft. of estuarine bottom with cleaned, dry clamshell to restore historic oyster reef habitat.

With Conditions:

1. All work shall be in accordance with plans by the Nature Conservancy dated 2/1/2012, as received by DES on 3/16/2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. The permittee shall communicate with DES yearly for the life of the permit as to the status of the project's success.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), restoration of degraded wetlands, and meets the criteria specified Env-Wt 303.04(t)(1)-(4).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. This project proposes to provide base material for restoration of a historic oyster reef area, as many historic reef areas have been lost to siltation.
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 proposal was developed in coordination with the Nature Conservancy, UNH, and NH Fish and Game Department, and is being funded by the State of NH.
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. The species of concern reported by the NH Natural Heritage Bureau ("NHB") as occurring in the project vicinity are not expected to be impacted by the project, per comments from NHB.
5. The Newmarket Conservation Commission signed the expedited application.

**2012-00608 WARD, KRYSTIN
NEWMARKET Lamprey River**

Requested Action:

Cover a total 65,340 sq. ft. of estuarine bottom at two locations (approx. 1 acre and approximately 0.5 acre) with seasoned clamshell and recycled oyster shell, to restore historic oyster reef habitat.

APPROVE PERMIT:

Cover a total 65,340 sq. ft. of estuarine bottom at two locations (approx. 1 acre and approximately 0.5 acre) with seasoned clamshell and recycled oyster shell, to restore historic oyster reef habitat.

With Conditions:

1. All work shall be in accordance with plans by Krystin Ward, UNH, dated 2/2/2012, as received by DES on 3/16/2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

- 4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
- 5. The permittee shall communicate with DES yearly for the life of the permit as to the status of the project's success.

With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), restoration of degraded wetlands, and meets the criteria specified Env-Wt 303.04(t)(1)-(4).
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. This project proposes to provide base material for restoration of a historic oyster reef area, as many historic reef areas have been lost to siltation.
- 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 proposal was developed by UNH in coordination with NH Fish and Game Department, and is being funded by UNH.
- 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. The species of concern reported by the NH Natural Heritage Bureau ("NHB") as occurring in the project vicinity are not expected to be impacted by the project, per comments from NHB.
- 5. The Newmarket Conservation Commission signed the expedited application.

GOLD DREDGE

2012-00840 OLSON, ROBERT
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2012-00875 DESJARDINS, KENNETH
(ALL TOWNS) Unnamed Stream

LAKES-SEASONAL DOCK NOTIF

2012-00843 RICHARDS, ROBERT
OSSIPEE Ossipee Lake

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure

2012-00865 QUINTAL, CHERYL/RICHARD
SUGAR HILL Streeter Pond

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure

2012-00888 **PEASE, RICHARD**
LACONIA Opechee Bay

COMPLETE NOTIFICATION:
Installation of seasonal docking structure.

2012-00902 **DUFFY, MARK**
WAKEFIELD Lovell Lake

COMPLETE NOTIFICATION:
Installation of seasonal docking structure.

2012-00903 **AMES/YOUNG, W STETSON/ANNE**
STRAFFORD Bow Lake

COMPLETE NOTIFICATION:
Installation of seasonal docking structure.

ROADWAY MAINTENANCE NOTIF

2012-00889 **NH DEPT OF TRANSPORTATION**
WASHINGTON Unnamed Stream Unnamed Wetland

COMPLETE NOTIFICATION:
Remove an existing 24"x 30" CMP and replace with an 18"x 30' HDPE along with reconstruction of headwalls

2012-00890 **NH DEPT OF TRANSPORTATION**
DUMMER Unnamed Wetland

COMPLETE NOTIFICATION:
Replace 3 existing 18"x 50' culverts and clean ditches at the inlet & outlet

2012-00891 **HANCOCK HWY DEPT, TOWN OF HANCOCK**
HANCOCK Unnamed Stream

COMPLETE NOTIFICATION:
Replace a failed 12" culvert with a 15" HDPE and extend inlet & outlet 8 feet

2012-00892 HANCOCK HWY DEPT, TOWN OF HANCOCK
HANCOCK Unnamed Stream

COMPLETE NOTIFICATION:

Replace a failed 15" culvert with a 15" HDPE and extend outlet end by 8 feet

2012-00900 GRUBE, DOMINICK
STODDARD Unnamed Stream

COMPLETE NOTIFICATION:

Replace a 12" culvert in kind

PERMIT BY NOTIFICATION

2012-00793 NAGY, ANNE MARIE
MEREDITH Lake Winnepesaukee

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.

Inspection Date: 04/06/2012 by Jeffrey D Blecharczyk

PBN DISQUALIFIED:

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:

Plan indicates an increase in wall elevation from existing conditions. This is not a repair in kind.

2012-00841 CONNOLLY, JAMES
NEW LONDON Lake Sunapee

Requested Action:

Install a seasonal boatlift and canopy adjacent to and existing seasonal docking structure, Lake Sunapee, New London.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN DISQUALIFIED:

Install a seasonal boatlift and canopy adjacent to and existing seasonal docking structure, Lake Sunapee, New London.

With Findings:

The installation of a canopy is not a project type which qualifies for the PBN process.

**2012-00864 SMITH, CHARLES/ANN
MEREDITH Lake Winnepesaukee**

Requested Action:

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

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

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

With Findings:

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

**2012-00882 POWERS, ROBERT
MEREDITH Lake Winnepesaukee**

Requested Action:

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

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

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

With Findings:

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

**2012-00884 TRYBA REVOC LIVING TRUST, HERIBERT TRYBA
HARRISVILLE Chesham Pond**

Requested Action:

Replenish an existing beach with less than 10 cubic yards of sand.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Replenish an existing beach with less than 10 cubic yards of sand.

With Findings:

Replenish an existing beach with less than 10 cubic yards of sand.

CSPA PERMIT

2011-02355 FARINA, RICHARD
WAKEFIELD Pine River Pond

Requested Action:

Impact 7,400 sq ft in order to construct a detached garage with stormwater control, a driveway, retaining wall, and revert 5,070 sq ft of disturbed area back to unaltered area.

APPROVE PERMIT:

Impact 7,400 sq ft in order to construct a detached garage with stormwater control, a driveway, retaining wall, and revert 5,070 sq ft of disturbed area back to unaltered area.

With Conditions:

1. All work shall be in accordance with plans by Kerry M. Fox dated February 22, 2012 and received by the NH Department of Environmental Services (DES) on April 4, 2012.
2. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 11,728 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.

2012-00604 METHOT, ALPHEE
GOFFSTOWN Piscataquog River

Requested Action:

Impact 5,947 sq ft in order to raze existing house, reduce impervious area and rebuild a new house with a pervious driveway.

APPROVE PERMIT:

Impact 5,947 sq ft in order to raze existing house, reduce impervious area and rebuild a new house with a pervious driveway.

With Conditions:

1. All work shall be in accordance with plans by Dahlberg Land Services, Inc. dated March 6, 2012 and received by the NH Department of Environmental Services (DES) on March 15, 2012.
2. No more than 25.7% 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 pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
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.

**2012-00645 BRISTOL, TOWN OF
BRISTOL Newfound River**

Requested Action:

Impact 71,235 sq ft in order to reconstruct roadways, sidewalks, landscaping, and complete associated work with an overall reduction of impervious area.

APPROVE PERMIT:

Impact 71,235 sq ft in order to reconstruct roadways, sidewalks, landscaping, and complete associated work with an overall reduction of impervious area.

With Conditions:

1. All work shall be in accordance with plans by KV Partners LLC dated November 1, 2011 and received by the NH Department of Environmental Services (DES) on March 20, 2012.
2. No more than 87.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. 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.

**2012-00658 HALL, ROBERT
DOVER Bellamy River**

Requested Action:

Impact 1500 sq ft in order to remove an existing garage and rebuild a larger garage with drip edge for stormwater control.

APPROVE PERMIT:

Impact 1500 sq ft in order to remove an existing garage and rebuild a larger garage with drip edge for stormwater control.

With Conditions:

1. All work shall be in accordance with plans by Dana C. Lynch, P.E., Civilworks, Inc. dated March 7, 2012 and received by the NH Department of Environmental Services (DES) on March 21, 2012.
2. No more than 29.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. 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.

2012-00660

ZAWADZKI, CHARLOTTE/HENRY

PELHAM Little Island Pond

Requested Action:

Impact 3,657 sq ft in order to replace an existing seasonal cottage with a year-round single family dwelling and install a new septic system.

APPROVE PERMIT:

Impact 3,657 sq ft in order to replace an existing seasonal cottage with a year-round single family dwelling and install a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Meisner Brem Corporation dated March 5, 2012 and received by the NH Department of Environmental Services (DES) on March 21, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 23.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. At least 1,799 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. 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.

2012-00661 HEBOLD, DIANE
GILFORD Lake Winnepesaukee

Requested Action:

Impact 3,990 sq ft in order to construct a 28 ft x 36 ft with residence, a septic system, and a 14 ft x 18 ft shed.

APPROVE PERMIT:

Impact 3,990 sq ft in order to construct a 28 ft x 36 ft with residence, a septic system, and a 14 ft x 18 ft shed.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated March 6, 2012 and received by the NH Department of Environmental Services (DES) on March 21, 2012.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 7.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 5,470 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.

2012-00662 HEBOLD, DIANE/WALTER
GILFORD Lake Winnepesaukee

Requested Action:

Impact 4,745 sq ft in order to construct a 95 sq ft addition to existing residence, relocate a guest house to the north, construct a 14 ft x 18 ft shed, install a new patio and landing, and install a new septic system.

APPROVE PERMIT:

Impact 4,745 sq ft in order to construct a 95 sq ft addition to existing residence, relocate a guest house to the north, construct a 14 ft x 18 ft shed, install a new patio and landing, and install a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated March 6, 2012 and received by the NH Department of Environmental Services (DES) on March 21, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 11.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,505 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.

2012-00677 BRENDA C JACKSON REVOCABLE TRUST
DURHAM Little Bay

Requested Action:

Impact 4,540 sq ft in order to replace an existing effluent disposal area that can accommodate a four bedroom home.

APPROVE PERMIT:

Impact 4,540 sq ft in order to replace an existing effluent disposal area that can accommodate a four bedroom home.

With Conditions:

1. All work shall be in accordance with plans by Faretra Septic Design, LLC dated February 22, 2012 and received by the NH Department of Environmental Services (DES) on March 23, 2012.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 12.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,890 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.

2012-00679 KNELL, CAROL
MOULTONBOROUGH Lees Pond

Requested Action:

Impact 12,450 sq ft in order to construct a single family dwelling with detached garage and driveway with parking area, and install a septic system.

APPROVE PERMIT:

Impact 12,450 sq ft in order to construct a single family dwelling with detached garage and driveway with parking area, and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by Bollinger Associates dated February 1, 2012 and received by the NH Department of Environmental Services (DES) on March 23, 2012.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 16.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 6,187 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.

2012-00681 DUNN, MICHAEL
BARTLETT East Branch River

Requested Action:

Impact 6,795 sq ft in order to construct a 12 foot wide by 1,000 foot long gravel driveway to a residential home.

APPROVE PERMIT:

Impact 6,795 sq ft in order to construct a 12 foot wide by 1,000 foot long gravel driveway to a residential home.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers, Inc. dated March 12, 2012 and received by the NH Department of Environmental Services (DES) on March 23, 2012.
2. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.
3. No more than 6.1% 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 38,486 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.

2012-00685 MAYER, GUY/MARIE
ALTON BAY Lake Winnepesaukee

Requested Action:

Impact 3,750 sq ft in order to construct a 30 ft x 50 ft tennis court, expand the driveway, install brick-paver walkways, and replace pavement over a waterfront walkway with a combination of crushed bluestone and stepping stones.

APPROVE PERMIT:

Impact 3,750 sq ft in order to construct a 30 ft x 50 ft tennis court, expand the driveway, install brick-paver walkways, and replace pavement over a waterfront walkway with a combination of crushed bluestone and stepping stones.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated March 19, 2012 and received by the NH Department of Environmental Services (DES) on March 26, 2012.
2. No more than 18.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 5,660 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.

UTILITY NOTIFICATION

**2012-00826 NEW ENGLAND POWER COMPANY D/B/A NATIONAL GRID
DUNBARTON Unnamed Wetland**

Conservation Commission/Staff Comments:
see 12-819 for fee amount

COMPLETE NOTIFICATION:

Equipment repair and maintenance along the A201 line for tower structures #810-746 and towers #815-754 on the B202 line. Vegetative maintenance will be conducted to access structures and post maintenance

**2012-00827 NEW ENGLAND POWER COMPANY D/B/A NATIONAL GRID
HOPKINTON Unnamed Wetland**

Conservation Commission/Staff Comments:
See file 2012-819 for fee amount

COMPLETE NOTIFICATION:

Equipment repair and maintenance along the A201 line for tower structures #745-696 and towers #753-704 on the B202 line. Vegetative maintenance will be conducted to access structures and post maintenance

2012-00828 NEW ENGLAND POWER COMPANY D/B/A NATIONAL GRID
ANDOVER Unnamed Wetland

Conservation Commission/Staff Comments:
see file 2012-819 for fee amount

COMPLETE NOTIFICATION:
Equipment repair and maintenance along the A201 line for tower structures #568-550 and towers #574-556 on the B202 line.
Vegetative maintenance will be conducted to access structures and post maintenance

2012-00829 NEW ENGLAND POWER COMPANY D/B/A NATIONAL GRID
HILL

Conservation Commission/Staff Comments:
see file 12-819 for fee amount

COMPLETE NOTIFICATION:
Equipment repair and maintenance for towers along the A201 line the B202 line. Vegetative maintenance will be conducted to access structures and post maintenance

2012-00830 NEW ENGLAND POWER COMPANY D/B/A NATIONAL GRID
SALISBURY Unnamed Wetland

COMPLETE NOTIFICATION:
Equipment repair and maintenance for towers structures #612-569 along the A201 line and structures #618-575 along the B202 line.
Vegetative maintenance will be conducted to access structures and post maintenance

2012-00831 NEW ENGLAND POWER COMPANY D/B/A NATIONAL GRID
WEBSTER Unnamed Wetland

COMPLETE NOTIFICATION:
Equipment repair and maintenance for towers structures #676-613 along the A201 line and structures #683-619 along the B202 line.
Vegetative maintenance will be conducted to access structures and post maintenance