

# Wetlands Bureau Decision Report

Revised  
JWB  
6/28/12

Decisions Taken  
06/18/2012 to 06/24/2012

## DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

**MAJOR IMPACT PROJECT**

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**2011-01972                      ROLLINS, ALGER**  
**DURHAM Little Bay**

Requested Action:

Name change from Alger Rollins to Yael DeCapo. Amend Permit to change proposed dock location on frontage by relocating 35' to the northeast, and change dock design and dimensions from approved 4' x 31' permanent pier to a 3' x 30' ramp to a 8' x 12' landing float with two 8' x 24' floats creating a T, to: a 70' x 4' permanent pier to a 3' x 35' ramp to a 10' x 40' float, providing 1 slip on 1,631 feet of frontage

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Inspection Date: 10/11/2011 by Dori A Wiggin

APPROVE AMENDMENT:

Name change from Alger Rollins to Yael DeCapo. Construct a 70' x 4' permanent pier to a 3' x 35' ramp to a 10' x 40' float, providing 1 slip on 1,631 feet of frontage on Little Bay.

With Conditions:

1. Amended: All work shall be in accordance with amended plans by Riverside & Pickering Marine dated 4/4/2012, as received by the Department of Environmental Services on 4/5/2012.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
5. 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.
6. Amended: Construction of this tidal docking structure consisting of a 70' x 4' permanent pier to a 3' x 35' ramp to a 10' x 40' float, providing 1 slip on 1,631 feet of frontage on Little Bay shall be the only dock structure on this water frontage.
7. Work shall be done during low tide.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. There is currently no docking structure on the property to provide access to the water.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The decking of the dock shall have a minimum of 4 ft. clearance from the surface of the tidal marsh or 1:1 ratio of deck height to width as appropriate, and shall have 3/4-inch spacing between the decking planks.
4. The new location and design provides 4 additional hours of water access over the tidal cycle than the previous design.
5. The new design represents an 11% increase in square footage, but eliminates all tidal buffer zone impacts, whereas the previous design had a wooden approach ramp in the tbz and involved the removal of mature trees. All construction for this design will occur from a barge.
6. The NH Natural Heritage Bureau has reviewed the amendment request and states in comments dated 4/16/2012 that there might

be slight impacts involved [to the exemplary natural community], but that appropriate bmps as proposed by the applicant will minimize impacts. The three recommendations made by the NHB (use of a crane, deck height to width ratio, and spacing of decking) are all incorporated into the permit conditions.

7. The Durham Conservation Commission has reviewed the amendment request and has no concerns, per comments dated 5/11/2012.

8. The NH Division of Ports and Harbors has reviewed the amendment request and finds no negative impacts to navigation with the new location, per comments dated 5/16/2012.

9. Field inspection was conducted by DES on 6/14/2012 found that the amended design represents a structural increase of 11%, but avoids loss of important mature shoreland trees and mud flat impact, and that the design and location is more consistent with other tidal dock approvals than the previous approvals.

-Send to Governor and Executive Council-

**2011-03198                      KNIGHT, BRADFORD/KARIN**  
**AMHERST   Souhegan River**

Requested Action:

Impact a total of 20,538 sq.ft., in four sections, along a total of 1,366 linear feet of highly eroded embankments of the Souhegan River to install stone rip-rap armor to top-of-bank to stabilize the embankments and establish a 25 foot wide no-cut / no disturbance riparian buffer along the entire length of the River on this property.

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Conservation Commission/Staff Comments:

The Amherst Conservation Commission, at their January 8, 2012 meeting, voted to "... approve the plan [for hard armoring a total of 1,300 linear feet of eroded river bank on the Souhegan River] as presented."

Inspection Date: 05/02/2012 by Frank D Richardson

Inspection Date: 02/23/2012 by Frank D Richardson

Inspection Date: 08/05/2011 by Frank D Richardson

APPROVE PERMIT:

Impact a total of 20,538 sq.ft., in four sections, along a total of 1,366 linear feet of highly eroded embankments of the Souhegan River to install stone rip-rap armor to top-of-bank to stabilize the embankments and establish a 25 foot wide no-cut / no disturbance riparian buffer along the entire length of the River on this property.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated August 19, 2011 (last revised 06/11/12), as received by the NH Department of Environmental Services (DES) on June 14, 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/or further permitting by the Bureau.
3. DES Wetlands Bureau Southeast Region staff and the Amherst Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. 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.
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. Work shall be done during low flow.
7. A qualified environmental professional shall inspect each of the four sections of work, at the start and finish of each section to

assure that the contractor is installing the rip-rap amour according to the approved plans for a total no less than eight (8) on site inspections. Prior to the start of construction, the applicant shall provide DES with the name of the qualified environmental professional.

- 8. Each inspection shall be documented with a written report describing the work being done and any issues or problems which may arise during the implementation of the project.
- 9. Each inspection shall be documented with photographs taken from at least four (4) distinct photo stations to be noted in the written reports and identified on the plans.
- 10. The 25 foot wide no cut / no disturbance riparian buffer shall be clearly marked by a row of fence posts, installed 50 feet on center, on the landward extent of the buffer, along the entire lot 65-1 frontage on the Souhegan River.

With Findings:

- 1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate & (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. DES Staff conducted field inspections of the proposed project on August 05, 2011, February 23, 2012 & May 02, 2012. Field inspections determined the project is necessary to protect the landowners property, but must be implemented in a fashion so as to be the least impacting practicable alternative and a minimum of a 25 foot wide riparian buffer must be established along the entire frontage of this property on the Souhegan River.
- 6. The concerns expressed by the Souhegan River Local Advisory Committee have been duly considered by the DES. The Department finds that this project as designed, based on the recommendations of professional fluvial geomorphologist John Field, Ph.D., will have minimum adverse environmental impact on the Souhegan River while affording the land owner needed river bank stabilization to abate the loss of land due to the highly erodable soil conditions.
- 7. This is a river bank stabilization project including restoration and rehabilitation of the previously impacted riparian buffer and therefore does not require compensatory wetlands mitigation.

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

Requested Action:

Applicant requests reconsideration of the Departments decision to deny the applicant's request to 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.

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Conservation Commission/Staff Comments:

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

DENY RECONSIDERATION:

Deny reconsideration and reaffirm the denial of the Applicant's request 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:11 Administrative Provisions. 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.

2. In accordance with Rule Env-Wt 204.04 (b) No waiver shall be granted if the effect of the waiver would be to waive or modify a statutory requirement.
3. In accordance with Rule Env-Wt 302.04,(a),(1) Requirements for Application Evaluation, for any major or minor project, the applicant shall demonstrate the need for the proposed impacts by plan and example.
4. 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.

#### Findings of Fact

1. On April 13, 2012, the Department denied the Applicant's original request to 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. The basis the denial was the proposed project was not the least impacting alternative and the proposed project would adversely affect the abutter's enjoyment of their property.
2. On May 11, 2012, the Department received a Reconsideration Request dated May 11, 2012. This request included a waiver request of the abutter 20 foot setback and two plans in support of the request for reconsideration. Evidence of a pre-existing shoreline or pre-existing conditions was not submitted or evidence this was the least impacting alternative to jurisdictional areas was not submitted. The request stated this would aid in a property line dispute.

#### Rulings in Support of Denial

1. The request to waive the abutter's 20 foot setback and construct the project within the abutter's 20 foot setback would unreasonably affect the value or enjoyment of the abutter's property, therefore pursuant to RSA 482-A:11, the reconsideration is denied.
2. The request to waive the abutter's 20 foot setback and construct the project within the abutter's 20 foot setback would unreasonably affect the value or enjoyment of the abutter's property, therefore pursuant to Env-Wt 204.04(b), the request to waive the abutter's 20 foot setback is denied.
3. 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 claims the proposed fill is to address property line issue with the abutter. The proposal is not the least impacting alternative to jurisdictional areas pursuant to Env-Wt 302.04,(a),(2).

2012-00878

MOSES, PETER RICKER

GILFORD Lake Winnepesaukee

#### Requested Action:

Permanently remove an existing seasonal dock and fill 495 sq ft to construct 37 linear ft of breakwater, in an "I" configuration, with a 25 ft gap at the shoreline, and a 6 ft x 34 ft 6 inch cantilevered pier accessed by a 6 ft x 25 ft pile supported walkway, dredge 6 cubic yards from 375 sq ft of lakebed, on an average of 102 ft of frontage on Lake Winnepesaukee, Gilford.

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#### Conservation Commission/Staff Comments:

Received Con Comm letters on 4/13/12 & 4/17/12 from Town of Gilford for a "Hold" on this application.

Con Com has no concerns via letter dated 04/18/2012

JR

**APPROVE PERMIT:**

Permanently remove an existing seasonal dock and fill 495 sq ft to construct 37 linear ft of breakwater, in an "I" configuration, with a 25 ft gap at the shoreline, and a 6 ft x 34 ft 6 inch cantilevered pier accessed by a 6 ft x 25 ft pile supported walkway, dredge 6 cubic yards from 375 sq ft of lakebed, on an average of 102 ft of frontage on Lake Winnepesaukee, Gilford.

**With Conditions:**

1. All work shall be in accordance with plans by Ames Associates dated March 27, 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. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. 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.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
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. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This project is classified as a major project per Rule Env-Wt 303.02(j), Construction of a Breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.07, Breakwaters.
3. The applicant has an average of 102 feet of frontage along Lake Winnepesaukee, Gilford.
4. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A and therefore meets Rule Wt 402.13.
6. 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 lacustrine resource, as identified under RSA 482-A:1.

-Send to Governor and Executive Council-

**2012-01073 NH STATE PORT AUTHORITY  
HAMPTON Atlantic Ocean**

Requested Action:

Maintenance and improvement dredge a total of 172,200 cu. yds. of accumulated and/or shoaled sands and gravel over an area of 1,530,000 sq. ft. (approx. 35 acres) within Hampton-Seabrook Harbor to restore the controlling depths within the NH State anchorages and navigational channels.

Dredged materials will be disposed of in designated beach nourishment areas located northerly and southerly of the Hampton-Seabrook Harbor inlet.

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Conservation Commission/Staff Comments:

\$10,000 fee cap for project paid by Pease Development Authority Disbursement Account check no. 005577 April 19, 2012.

No report or comments on this maintenance dredging project from either the Hampton or Seabrook Conservation Commissions.

The Hampton Board of Selectmen, per letter dated June 11, 2012 to the DES Watershed Management Bureau, requests that dredged materials be disposed of on "Sun Valley's Atlantic facing beach"

Inspection Date: 04/03/2012 by Frank D Richardson

APPROVE PERMIT:

Maintenance and improvement dredge a total of 172,200 cu. yds. of accumulated and/or shoaled sands and gravel over an area of 1,530,000 sq. ft. (approx. 35 acres) within Hampton-Seabrook Harbor to restore the controlling depths within the NH State anchorages and navigational channels.

Dredged materials will be disposed of in designated beach nourishment areas located northerly and southerly of the Hampton-Seabrook Harbor inlet.

With Conditions:

1. All work shall be in accordance with plans by Appledore Marine Engineering, Inc. dated April 2012, as received by the Department on May 1, 2012.
2. Dredged materials shall be disposed of in designated beach nourishment areas as shown on the approved plans located northerly and southerly of the Hampton-Seabrook Harbor inlet. +++++  
Approved disposal locations may be modified by agreement between NHDES, NH DRED, the NH Fish and Game Department, US Fish and Wildlife Service and the permittee prior to the start of dredging.
3. Dredging time frame will be limited to the period of October 15 to February 1 for dredging started in 2012 and from November 15 to March 15 thereafter, during the five-year duration of the permit unless otherwise determined.
4. Any request for dredging outside this time frame will be for emergency conditions only and must be coordinated with the DES Wetlands Bureau and the NH Fish and Game Department.
5. At least 2 weeks prior to mobilization for the project, the specific locations for disposal of the dredged materials shall be delineated on a plan and submitted to the DES Wetlands Bureau for distribution to interested parties including those listed in condition # 2 above.
6. At least 48 hours prior to the start of dredging, a pre-construction meeting shall be held with the DES Wetlands Bureau technical staff at the project site to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, their professional engineer, the contractor(s) and any other party responsible for performing or overseeing the work.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a), Projects in tidal wetlands & (b), removal of more than 20 cubic yards of rock, gravel, sand, mud or other 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) and (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 May 03, 2012. Field inspection determined this project is required to provide safe navigation within the channel and anchorages of Hampton - Seabrook Harbor.
6. This project has been reviewed extensively by the NH DES Dredge Management Task Force which has overseen a coordinated

review process involving all stakeholders in the project including state and federal resource agencies, the ACOE, local boards and commissions and the applicant - The Pease Development Authority Division of Ports and Harbors.

-Send to Governor and Executive Council-

## MINOR IMPACT PROJECT

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2007-01287                      **SCRIMA REVOC TRUST, MARY**  
**HAMPTON Sand Dune**

### Requested Action:

New owner requests to change the name on the approved permit.

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### Conservation Commission/Staff Comments:

The Hampton Conservation Commission intervened on this application and then filed a follow-up report stating that : "The Hampton Conservation Commission opposes the granting of a DES Dredge and Fill application [sic] for the new construction on a piece of previously undeveloped sand dune ..." [discussion on the matter w/ observations] Further stating : "If the DES does grant this application [sic] we would request that : [list of 4 items which have been addressed in conditions and/or findings]".

Inspection Date: 08/30/2007 by Frank D Richardson

### APPROVE NAME CHANGE:

Excavate, regrade and/or otherwise alter terrain over a total of 4,150 sq. ft. of previously impacted sand dune/ upland tidal buffer zone (2,402 sq. ft. of permanent impact and 1,748 sq. ft. of temporary impact to be restored) to construct a single family home with all construction being more than 50 feet landward of the highest observable tide line.

### With Conditions:

1. All work shall be in accordance with plans by Wetland Consulting Services dated Aug 3, 2007, as received by DES on August 10, 2007.
2. All activity shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B.
3. There shall be no further alteration of areas within NH DES Wetlands Bureau jurisdiction for lot development or any other construction activities.
4. Areas temporarily disturbed during construction shall be regraded to original contours and planted with American Beach Grass following completion of work.
5. The permittee shall retain a qualified professional to oversee the restoration of areas temporarily disturbed during construction and supervise the planting and subsequent successful establishment of American Beach Grass (*Ammophila breviligulata*) in these areas.
6. The name and qualifications of the professional selected shall be submitted to the Wetlands Bureau and Hampton Conservation Commission for review and acceptance prior to the start of any work on this site.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas of sand dune vegetation to remain undisturbed.
8. All paved surfaces shall be constructed of a permeable material to allow for infiltration of storm water runoff.
9. The actual footprint of the permanent impact area will be staked out on site and witnessed to comply with the approved plans by DES Wetlands Bureau staff and the Hampton Conservation Commission prior to the start of construction.
10. There shall be no impacts, temporary or permanent, authorized for adjacent land owned by the Town of Hampton.
11. 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.

With Findings:

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

**2012-00230                      JONATHANS LANDING CONDOMINIUM ASSOCIATION  
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Replenish the beach with 20 cubic yards or less.

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APPROVE PERMIT:

Replenish the beach with 20 cubic yards or less.

With Conditions:

1. All work shall be in accordance with plans by John Fortin dated February 2012, as received by the NH Department of Environmental Services (DES) on February 3, 2012.
2. 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.
3. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. No more than 20 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), replenishment an existing beach.
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.

**2012-01111                      SENIOR CITIZENS HOUSING DEVELOPMENT CORP  
CLAREMONT Tyler Brook**

Requested Action:

Temporarily impact 7,883 square feet of emergent wetlands and 1,084 square feet of intermittent and perennial stream, including Tyler Brook, to replace 2,975 linear feet of sewer line (Bog Sewer).

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APPROVE PERMIT:

Temporarily impact 7,883 square feet of emergent wetlands and 1,084 square feet of intermittent and perennial stream, including Tyler Brook, to replace 2,975 linear feet of sewer line (Bog Sewer).

With Conditions:

1. All work shall be in accordance with plans by Underwood Engineers dated 4/6/12, and construction sequence, as received by the Department on May 03, 2012.
2. This permit is contingent on receipt of the final Erosion and Sediment Control and Stormwater Management Plan / Stormwater Pollution Prevention Plan.
3. This permit is contingent on the restoration of 7,883 square feet of temporary wetlands impact.
4. This permit is contingent on receipt of copies of the final recorded easements prior to construction.
5. Work shall be done during low flow conditions.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. 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.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. Temporary impact wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
19. A post-construction report 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.
20. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success temporary impact wetlands restoration 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.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks; and Env-Wt 303.04(h), Projects involving less than 20,000 square feet of alteration in nontidal wetlands.
2. This permit is contingent on receipt of the final Erosion and Sediment Control and Stormwater Management Plan / Stormwater Pollution Prevention Plan to confirm final stream diversion and dewatering methods.
3. This permit is contingent on the restoration of 7,883 square feet of temporary wetlands impact.

4. The applicant has received written consent from the property owner(s) of tax map(s)/lot no.(s) 130/95 and 143/1, owners of the properties on which project activities will take place.
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(a), Requirements for Application Evaluation, has been considered in the design of the project.

## MINIMUM IMPACT PROJECT

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**2011-01571**                      **RISTAGNO TRUSTEE, MARCIA**  
**RYE Unnamed Wetland**

### Requested Action:

Dredge, fill and temporarily impact a total of 1,997 sq. ft. (1,227 sf permanent; 720 sf temporary) of palustrine forested / scrub-shrub wetlands, along the perimeter of a previously developed house-lot, to construct a new dwelling with appurtenant landscaping and stormwater treatment provisions including underground infiltration chambers and a rain garden.

\*\*\*\*\*

### Conservation Commission/Staff Comments:

In a letter dated March 15, 2012: "The [Rye Conservation] Commission appreciates the efforts of the applicant and his engineers to reduce the impact on the Wetlands. However, the RCC does not believe that the latest design qualifies as "least Impacting". On April 18, 2012, the applicant provided revised plans showing considerably less impact than previously proposed. No further comments were received from the RCC.

Inspection Date: 09/21/2011 by Frank D Richardson

### APPROVE PERMIT:

Dredge, fill and temporarily impact a total of 1,997 sq. ft. (1,227 sf permanent; 720 sf temporary) of palustrine forested / scrub-shrub wetlands, along the perimeter of a previously developed house-lot, to construct a new dwelling with appurtenant landscaping and stormwater treatment provisions including underground infiltration chambers and a rain garden.

### With Conditions:

1. All work shall be in accordance with plans by GZA GeoEnvironmental, Inc. dated March 2012 (last revised 2/15/2012), as received by the NH Department of Environmental Services (DES) on April 18, 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/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Rye Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. 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.
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. Work shall be done during seasonal low flow conditions.

### With Findings:

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

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In a letter dated March 15, 2012: "The [Rye Conservation] Commission appreciates the efforts of the applicant and his engineers to reduce the impact on the Wetlands. However, the RCC does not believe that the latest design qualifies as "least Impacting". On April 18, 2012, the applicant provided revised plans showing considerably less impact than previously proposed. No further comments were received from the RCC.
6. The DES finds that the applicant has made a concerted effort to reduce and minimize the impacts for this project on a previously developed lot. The current revision is reasonable and will not adversely affect the wetlands in the environs of the project.

**2012-00585                      THORPE, PATRICIA/PETER**  
**BATH Ammonoosuc River**

Requested Action:

Retain 660 square feet (40 linear feet) of impacts to an intermittent stream for the replacement culvert of an existing 12 inch driveway culvert with a 24 inch diameter culvert. Headwalls and the downstream banks will be stabilized.

\*\*\*\*\*

APPROVE PERMIT:

Retain 660 square feet (40 linear feet) of impacts to an intermittent stream for the replacement culvert of an existing 12 inch driveway culvert with a 24 inch diameter culvert. Headwalls and the downstream banks will be stabilized.

With Conditions:

1. All work shall be done in accordance with narratives and plans by Lobdell Associates Inc. (Figure 2; 3) as received by DES on March 14, 2012.
2. Work shall be done during low flow.
3. The stabilization of the culvert outlet shall be completed by September 01, 2012.
4. A qualified professional shall inspect the area, and submit an initial monitoring report with photographs to DES and the Ammonoosuc River Local Advisory Committee within 20 days of completion, but in no event shall the initial monitoring report be submitted later than October 31, 2012.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Appropriate erosion, siltation and turbidity 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.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed.
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. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

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

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

With Findings:

1. This is a minimum impact project per NH Administrative Rule Env-Wt 303.04 (n) Any project not otherwise specified in this section that alters the course of or disturbs less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks.
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 Requirements for Application Evaluation, has been considered in the design of the project.
5. The culvert was replaced without a permit. The culvert that was replaced did not have a history of flooding.
6. Work still to be completed includes installing stone headwalls; shaping and seeding the stream banks downstream of the outlet.
7. The Ammonoosuc River Local Advisory Committee commented on the project in a letter dated April 16, 2012. The agent addressed these comments in a letter dated May 22, 2012. No additional comments from the Ammonoosuc River Local Advisory Committee have been received by the department.
8. No comments were submitted from the NHEG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

**2012-00881 CAROLE P WILSON REV TRUST OF 1997  
BRENTWOOD Exeter River**

Requested Action:

Dredge and fill a total of 825 sq. ft. on the embankments and adjacent wetlands of the Exeter River for work associated with a river bank stabilization, riparian buffer enhancement and stormwater treatment project along Rowell Road West.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Brentwood Conservation Commission supports the implementation of this project.

APPROVE PERMIT:

Dredge and fill a total of 825 sq. ft. on the embankments and adjacent wetlands of the Exeter River for work associated with a river bank stabilization, riparian buffer enhancement and stormwater treatment project along Rowell Road West.

With Conditions:

1. All work shall be in accordance with plans by the Rockingham County Conservation District dated March 28, 2012, as received by the NH Department of Environmental Services (DES) on April 12, 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/or further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow.

With Findings:

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

**2012-00964                    DERRY, TOWN OF  
LONDONDERRY   Unnamed Wetland**

Requested Action:

Dredge and fill 546 sq. ft. of palustrine scrub-shrub / emergent wetlands to construct a portion of a gravel maintenance road along the toe of the municipal waste water treatment lagoon berm for the Town to comply with NHDES Dam Bureau regulations.

\*\*\*\*\*

Conservation Commission/Staff Comments:

5/16/12 Londonderry Con. Com letter approved application.

APPROVE PERMIT:

Dredge and fill 546 sq. ft. of palustrine scrub-shrub / emergent wetlands to construct a portion of a gravel maintenance road along the toe of the municipal waste water treatment lagoon berm for the Town to comply with NHDES Dam Bureau regulations.

With Conditions:

1. All work shall be in accordance with plans by Town of Derry, NH Engineering Division dated 03/22/12, as received by the NH Department of Environmental Services (DES) on April 19, 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/or further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow.

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 sq. ft. 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.

**FORESTRY NOTIFICATION**

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**2012-01425                    BAYROOT LLC  
ATK GIL GRANT   Unnamed Stream**

COMPLETE NOTIFICATION:

Errol Tax MAp 1628, Lot# 2

**2012-01427**                    **AMHERST CONSERVATION COMMISSION**  
**AMHERST** Unnamed Stream

COMPLETE NOTIFICATION:  
Amherst Tax Map 8, Lot# 1-1

**2012-01429**                    **KLATT, ERIC**  
**FARMINGTON** Unnamed Stream

COMPLETE NOTIFICATION:  
Farmington Tax Map/Lot# R37/3 & R46/6

**2012-01457**                    **ABELLI, KEVIN**  
**MEREDITH** Unnamed Stream

COMPLETE NOTIFICATION:  
Meredith Tax Map S5, Lot# 25-26

**2012-01458**                    **WOODMAN REALTY LLC**  
**WAKEFIELD** Unnamed Stream

COMPLETE NOTIFICATION:  
Wakefield Tax Map 61, Lot# 1

**2012-01459**                    **MERKER, AUGUST/MARIA**  
**HILL** Unnamed Stream

COMPLETE NOTIFICATION:  
Hill Tax Map 1212, Lot# 50

**2012-01460**                    **CROFOOT, WARREN/TIMOTHY**  
**SANBORNTON** Unnamed Stream

COMPLETE NOTIFICATION:  
Sanbornton Tax Map 13, Lot# 17

**2012-01476**                    **FIVE N ASSOCIATES**  
**LONDONDERRY** Unnamed Stream

COMPLETE NOTIFICATION:  
Londonderry Tax Map 28, Lot# 18-3

**2012-01498**                    **MEADOWSEND TIMBERLANDS LTD**  
**NEWPORT** Unnamed Stream

COMPLETE NOTIFICATION:  
Newport Tax Map 250, Lot# 1000

**2012-01530**                    **PLUM CREEK MAINE TIMBERLANDS LLC**  
**CAMBRIDGE Unnamed Stream**

COMPLETE NOTIFICATION:  
Cambridge Tax Map 1619, Lot# 42

**2012-01532**                    **WRIGHT, CHARLES**  
**SWANZEY Unnamed Stream**

COMPLETE NOTIFICATION:  
Swanzy Tax Map 15, Lot# 4

**2012-01533**                    **MULHOLLAND, CATHERINE**  
**GRAFTON Unnamed Stream**

COMPLETE NOTIFICATION:  
Grafton Tax Map/Lot# 7/644, 1078 & 12/707

**2012-01590**                    **METIVIER, DONALD/JACQUELINE**  
**KEENE Unnamed Stream**

COMPLETE NOTIFICATION:  
Kene Tax Map 983, Lot# 36

**2012-01593**                    **ETTINGER, MARGARET/THOMAS**  
**MADISON Unnamed Stream**

COMPLETE NOTIFICATION:  
Madison Tax Map 245, Lot# 6

**2012-01595**                    **GOODMAN, ALAN/LORRAINE**  
**CANAAN Unnamed Stream**

COMPLETE NOTIFICATION:  
Can aan Tax Map 4, Lot# 32,35,36

**2012-01601**                    **CONNECTICUT LAKES REALTY TRUST**  
**PITTSBURG Unnamed Stream**

COMPLETE NOTIFICATION:

Pittsburg Tax Map 1, Lot# 26

**2012-01604                   CONNECTICUT LAKES REALTY TRUST  
CLARKSVILLE   Unnamed Pond**

COMPLETE NOTIFICATION:  
Clarksville Tax Map R6, Lot# 02

**2012-01631                   PETERS, RICHARD/PAULETTE  
NORTH SANDWICH   Unnamed Stream**

COMPLETE NOTIFICATION:  
N Sandwich Tax Map R3, Lot# 46B

**EXPEDITED MINIMUM**

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**2012-00520                   HALSTEAD, CAROLYN  
MILFORD   Unnamed Wetland**

Requested Action:

Dredge and fill 1,500 square feet of forested wetland to upgrade an existing woods road to construct a driveway and install a 15-inch by 30-foot HDPE culvert for access to a single family residential dwelling on approximately 2.817 acres as part of a 2-lot subdivision of 5.552 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:  
See findings.

APPROVE PERMIT:

Dredge and fill 1,500 square feet of forested wetland to upgrade an existing woods road to construct a driveway and install a 15-inch by 30-foot HDPE culvert for access to a single family residential dwelling on approximately 2.817 acres as part of a 2-lot subdivision of 5.552 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Fieldstone Land Consultants, PLLC:
  - a.) The 'Minimum Impact Expedited Wetland Permit Plan' (Sheet 1 of 1) dated July 6, 2011, as received by the NH Department of Environmental Services (DES) on May 5, 2012; and,
  - b.) The 'Subdivision Plan' (Sheet 1 of 1) July 11, 2012, as received by the NH Department of Environmental Services (DES) on May 25, 2012
2. DES Southeast Region staff (Portsmouth office) shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

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. Work shall be done during seasonal low flow conditions.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
10. No fill shall be done for lot development.
11. No fill shall take place in Atlantic white cedar swamps.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The impacts are necessary to gain access to buildable upland; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will utilize an existing woods road; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
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 Milford Conservation Commission signed the Minimum Impact Expedited Application.
6. No Federal agencies commented on the project.
7. A memo from the NH Natural Heritage Bureau (NHB) dated 6/22/2011 states, "We [NHB] currently have no recorded occurrence for sensitive species near this project area."
10. In accordance with Env-Wt 304.04(a) the applicant sent, via US Postal Service certified mail, a letter to the abutter whose property is within 20-feet of the proposed impacts.
11. The applicant requested a waiver of Env-Wt 304.04(a) as the applicant did not receive written concurrence from the abutter.
12. DES hereby grants the waiver of Env-Wt 304.04(a) in accordance with Env-Wt 204.04(a) as granting the request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety; or an impact on abutting property that is more significant than that which would result from complying with the rule. Furthermore, granting the request is consistent with the intent and purpose of the rule being waived. Strict compliance with the rule will provide no benefit to the public and will cause an economic hardship to the applicant.

**2012-01330                      DONNELLY, PAUL/SUZANNE**  
**SALEM   Unnamed Wetland**

Requested Action:

Dredge and fill 1,500 square feet of wet meadow for the construction of a driveway and installation of a 12-inch by 20-foot HDPE culvert for access to a single family residential lot of approximately 2.00 acres as part of a 4-lot subdivision of approximately 8.13 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

See findings.

**APPROVE PERMIT:**

Dredge and fill 1,500 square feet of wet meadow for the construction of a driveway and installation of a 12-inch by 20-foot HDPE culvert for access to a single family residential lot of approximately 2.00 acres as part of a 4-lot subdivision of approximately 8.13 acres.

**With Conditions:**

1. All work shall be in accordance with the 'NHDES Subdivision Plan of Land' by Meisner Brem Corporation (Sheet 1 of 1) dated May 2, 2012, as received by the NH Department of Environmental Services (DES) on May 23, 2012.
2. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #8 of this approval.
4. DES Southeast Region staff (Portsmouth office) shall be notified in writing prior to commencement of work and upon its completion.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Work shall be done during seasonal low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
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).

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wet meadow.
2. The impacts are necessary to access buildable upland; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The crossing occurs at the narrowest portion of wetland; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo from the NH Natural Heritage Bureau (NHB) dated 4/25/2012 states, "We [NHB] currently have no recorded occurrences for sensitive species near this project area."
6. The Salem Conservation Commission "has voted to recommend approval of the application and plans as submitted."

**GOLD DREDGE**

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2012-01477

**ELLIOTT SR, JEFFREY**

**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:

cc Bath ConCom

**2012-01578**                    **MILLER, WILLIAM**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2012-01582**                    **BEAUDOIN, ROBERT**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2012-01584**                    **BROOKS, BRUCE**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2012-01585**                    **ORZEL, MICHAEL**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2012-01587**                    **MCCUMBER, TIMOTHY**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2012-01596**                    **TORRE, LINDA**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2012-01617**                    **PERRY, SCOTT**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**TRAILS NOTIFICATION**

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**2012-01423                    ROBBINS, LESLIE**  
**LITTLETON   Unnamed Wetland**

COMPLETE NOTIFICATION:  
Littleton Tax Map 73, Lot# 59

**2012-01499                    NH DRED, SANDY YOUNG**  
**CLARKSVILLE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Clarksvill Tax Map 6, Lot# 0602

**2012-01528                    BAYROOT LLC**  
**DUMMER   Unnamed Wetland**

COMPLETE NOTIFICATION:  
Dummer Tax Map R10, Lot# 2

**2012-01591                    USFS WHITE MTN NATIONAL FOREST**  
**ALBANY   Paugus Brook**

COMPLETE NOTIFICATION:  
Albany Tax Map 40, Lot# 233

**LAKES-SEASONAL DOCK NOTIF**

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**2012-01605                    CHAMBERLIN, BETH/WILLIAM**  
**FRANKLIN   Webster Lake**

COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure

**2012-01629                    GARVEY, PAULA**  
**WOLFEBORO   Lake Winnepesaukee**

COMPLETE NOTIFICATION:

Installation of a seasonal docking structure.

**2012-01630                      HAWKINS POND LLC**  
**CENTER HARBOR   Hawkins Pond**

COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure.

**PERMIT BY NOTIFICATION**

\*\*\*\*\*

**2012-01399                      STAFFORD 1993 TRUST, BETTE**  
**LACONIA   Lake Winnepesaukee**

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

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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.

**2012-01502                      KORJEFF, ANNE**  
**FITZWILLIAM   Laurel Lake**

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

\*\*\*\*\*

Conservation Commission/Staff Comments:  
Con Com signed PBN form

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

With Findings:

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

**2012-01542                      MOORES POND ASSOCIATION BEACH**  
**MADISON   Moore's Pond**

Requested Action:

Beach replenishment with less than 10 cubic yards of sand.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Beach replenishment with less than 10 cubic yards of sand.

With Findings:

Beach replenishment with less than 10 cubic yards of sand.

**CSPA PERMIT**

\*\*\*\*\*

**2011-00392                      BELL, BRIAN**  
**WINDHAM   Moeckel Pond**

Requested Action:

Impact 19,304 sq ft in order to construct a house, septic system and associated accessory structures.

\*\*\*\*\*

Conservation Commission/Staff Comments:

TOWN LINE WINDHAM/PELHAM

Inspection Date: 09/30/2011 by Jeffrey D Blecharczyk

APPROVE NAME CHANGE:

Impact 19,304 sq ft in order to construct a house, septic system and associated accessory structures.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc., Inc. dated December 1, 2010 and received by the NH Department of Environmental Services (DES) on February 18, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 4.3 of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 28,228 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. 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.

With Findings:

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

**2012-01390                      KNIGHTS, LARRY**  
**WAKEFIELD   Lovell Lake**

Requested Action:

Impact 4,219 sq ft in order to install a foundation under an existing relocated dwelling, construct an attached garage, reduce driveway area, and clear for future new septic system.

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APPROVE PERMIT:

Impact 4,219 sq ft in order to install a foundation under an existing relocated dwelling, construct an attached garage, reduce driveway area, and clear for future new septic system.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated May 29, 2012 and received by the NH Department of Environmental Services (DES) on May 31, 2012.
2. No more than 40.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-01395                      PALTRINERI, SHERRIE**  
**CENTER BARNSTEAD   Locke Lake**

Requested Action:

Impact 4,958 sq ft in order to remove two sets of steel stairs, large portion of asphalt driveway, and add pervious pathway to dock landing, patio, stone wall, stormwater control, and extensive landscape improvements.

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APPROVE PERMIT:

Impact 4,958 sq ft in order to remove two sets of steel stairs, large portion of asphalt driveway, and add pervious pathway to dock landing, patio, stone wall, stormwater control, and extensive landscape improvements.

With Conditions:

1. All work shall be in accordance with plans by G2 + 1 LLC dated May 29, 2012 and received by the NH Department of

Environmental Services (DES) on May 31, 2012.

2. No more than 18.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All actions associated with proposed perch beach and steps to the water must be approved by the Wetlands Bureau, RSA 482-A.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-01400                      WOLFGANG REALTY TRUST**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Impact 8,700 sq ft in order to replace existing 2 bedroom home with a new 2 bedroom home with a new septic system, incorporate a stormwater management plan and bring the unaltered area up 1,937 sq ft with native plantings.

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APPROVE PERMIT:

Impact 8,700 sq ft in order to replace existing 2 bedroom home with a new 2 bedroom home with a new septic system, incorporate a stormwater management plan and bring the unaltered area up 1,937 sq ft with native plantings.

With Conditions:

1. All work shall be in accordance with plans by William J. McNair dated May 3, 2012 and received by the NH Department of Environmental Services (DES) on June 1, 2012.
2. No more than 28.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 1,176 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.

**2012-01403                      SPENCER, WILLIAM**  
**CARROLL   Ammonoosuc River**

Requested Action:

Impact 9,868 sq ft in order to construct a 3 bedroom house, deck, driveway, septic system and waterline.

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**APPROVE PERMIT:**

Impact 9,868 sq ft in order to construct a 3 bedroom house, deck, driveway, septic system and waterline.

**With Conditions:**

1. All work shall be in accordance with plans by Michael Carbonneau Jr. dated April 2012 and received by the NH Department of Environmental Services (DES) on June 1, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 8.3% 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 10,207 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-01414                      SMITH, MARION/PAUL  
WOLFEBORO Lake Winnepesaukee**

**Requested Action:**

Impact 4,530 sq ft in order to expand the bump- out on the W side of residence, add a second floor to the residence using the existing foundation, rebuild the existing deck and convert 10ft x 24.4ft of the deck to screen porch. Rebuild the detached garage in the same location as a 24ft x 40ft garage.

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**APPROVE PERMIT:**

Impact 4,530 sq ft in order to expand the bump- out on the W side of residence, add a second floor to the residence using the existing foundation, rebuild the existing deck and convert 10ft x 24.4ft of the deck to screen porch. Rebuild the detached garage in the same location as a 24ft x 40ft garage.

**With Conditions:**

1. All work shall be in accordance with plans by Ames Associates dated May 30, 2012 and received by the NH Department of Environmental Services (DES) on June 4, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 25.8% 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 5,221 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.

**2012-01433                      CONKLIN, JOHN/SUSAN**  
**ANTRIM   Franklin Pierce Lake**

Requested Action:

Impact 14,330 sq ft in order to construct a single family home with septic system.

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APPROVE PERMIT:

Impact 14,330 sq ft in order to construct a single family home with septic system.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated April 9, 2012 and received by the NH Department of Environmental Services (DES) on June 5, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 12.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 5,054 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.

**2012-01439                      HARTWELL, ALLISON**  
**TILTON   Lake Winnisquam**

Requested Action:

Impact 3,120 sq ft in order to replace existing home with a new home within existing footprint and install a crawl space.

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APPROVE PERMIT:

Impact 3,120 sq ft in order to replace existing home with a new home within existing footprint and install a crawl space.

With Conditions:

1. All work shall be in accordance with plans by Dwayne LaPlante dated May 2012 and received by the NH Department of Environmental Services (DES) on June 5, 2012.
2. No more than 10.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

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

8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**UTILITY NOTIFICATION**

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**2012-01572                      PSNH**  
**HANCOCK Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 12-192 for fee amount

COMPLETE NOTIFICATION:  
Vegetative maintenance

**2012-01573                      PSNH**  
**JAFFREY Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 12-192 for fee amount

COMPLETE NOTIFICATION:  
Vegetative maintenance

**2012-01574                      PSNH**  
**MANCHESTER Unnamed Wetland**

Conservation Commission/Staff Comments:  
file close duplicate

COMPLETE NOTIFICATION:  
Vegetative maintenance

**2012-01597                      PSNH**  
**LISBON Unnamed Stream Unnamed Wetlands**

Conservation Commission/Staff Comments:  
See file 01-27-12 for fee amount.

COMPLETE NOTIFICATION:  
Vegetative maintenance.

**2012-01599                      PSNH**  
**ROLLINSFORD   Unnamed Stream Unnamed Wetlands**

Conservation Commission/Staff Comments:  
See file 01/27/12 for fee amount.

COMPLETE NOTIFICATION:  
Vegetative maintenance.

**2012-01600                      PSNH**  
**FRANCONIA   Unnamed Stream Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 01-27-12 for fee amount.

COMPLETE NOTIFICATION:  
Vegetative maintenance.

