

Wetlands Bureau Decision Report

*Rev to
WME 9/4/12*

Decisions Taken
08/27/2012 to 09/02/2012

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

2011-02481 SALEM, TOWN OF
SALEM Unnamed Stream

Requested Action:

Impact a total of 1,645 sq. ft. (375 sf-temporary & 1,270 sf- permanent) of palustrine/forested/scrub-shrub/emergent wetlands, with a perennial stream, and a total of 11,580 sq. ft. (11,495 sf-temporary & 85 sf-permanent) of upland buffer to designated prime wetlands, at 13 separate locations, for work associated with the reconstruction of Lawrence Road including the upgrading and replacement of existing culverts and drainage structures.

Amend permit to include an additional 1,200 sq. ft. of temporary impacts for maintenance dredging and vegetative stabilization of a drainage swale with a redesigned rip-rap scour protection apron.

Conservation Commission/Staff Comments:

"The Salem Conservation Commission ... has completed its review of the above referenced application, including a site visit, and has voted to recommend approval of the application and plans ..."

Inspection Date: 10/26/2011 by Frank D Richardson

APPROVE AMENDMENT:

Impact a total of 1,645 sq. ft. (375 sf-temporary & 1,270 sf- permanent) of palustrine/forested/scrub-shrub/emergent wetlands, with a perennial stream, and a total of 11,580 sq. ft. (11,495 sf-temporary & 85 sf-permanent) of upland buffer to designated prime wetlands, at 13 separate locations, for work associated with the reconstruction of Lawrence Road including the upgrading and replacement of existing culverts and drainage structures.

Amend permit to include an additional 1,200 sq. ft. of temporary impacts for maintenance dredging and vegetative stabilization of a drainage swale with a redesigned rip-rap scour protection apron.

With Conditions:

1. All work shall be in accordance with plans by Stantec Consulting Services, Inc. dated 08/01/2011, as received by the NH Department of Environmental Services (DES) on September 29, 2011.
 - 1a. Approved amendment shall be in accordance with plans received from Stantec Consulting Services, Inc. dated 01/14/2012, as received by the DES on August 15, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau may require a new application and/or further permitting by the Bureau.
3. NHDES Wetlands Bureau Southeast Region staff and the Salem Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. The boundaries of the 100-foot prime wetland buffer shall be clearly marked with orange construction fencing prior to construction, shall be remain marked until construction is complete and the work area is fully stabilized.
5. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Any additional human activities within the 100-foot Prime Wetland Buffer without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by DES, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.
8. A land resource professional shall inspect the project to insure compliance with approved plans and permit conditions prior to completion of the project. 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.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.

11. Work shall be done during low flow.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
14. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
15. 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.
16. Temporary cofferdams shall be entirely removed immediately following construction.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
18. Faulty equipment shall be repaired prior to entering jurisdictional areas.
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.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on October 26, 2011. Field inspection determined the project is needed to upgrade Lawrence Road.
6. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the designated prime wetlands resource or the adjacent 100 foot buffer areas, as identified under RSA 482-A:15.
7. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
8. The erosion controls, water velocity controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.
9. Based on the inspection conducted on October 26, 2011 by DES Wetlands Bureau Southeast Region staff, the project involves minor environmental impacts.
10. Based on the above findings, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

2012-00741 SUTHERLAND, CRAIG
WOLFEBORO Lake Winnepesaukee

Requested Action:

Excavate approximately 80 cubic yards from 833 sq ft of lakebed and impact 1,399 sq ft of bank and shoreland to construct a 900 sq ft dug-in boathouse providing 2 slips on an average of 320 feet of shoreline frontage on Lake Winnepesaukee, in Wolfeboro.

Conservation Commission/Staff Comments:

Con Com submitted comments about need for boat house, whether the boat house is the least impacting alternative, and whether this may lead to further dredging of sand from this location

APPROVE PERMIT:

Excavate approximately 80 cubic yards from 833 sq ft of lakebed and impact 1,399 sq ft of bank and shoreland to construct a 900 sq ft dug-in boathouse providing 2 slips on an average of 320 feet of shoreline frontage on Lake Winnepesaukee, in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey and Engineering revision dated August 10, 2012, as received by the NH Department of Environmental Services (DES) on August 16, 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. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. 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.
6. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
7. 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.
8. The boathouse shall be a single-story structure; ridgeline not to exceed 20 ft in height (Elev. 524.32) above normal high water (Elev. 504.32).
9. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
10. 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.
11. 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.
12. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 2 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.
13. This permit does not allow for impacts to other areas of wetlands jurisdiction not identified as impact areas on the approved plan.
14. 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(g), removal of more than 20 cubic yards of material from public waters.
2. The applicant has an average of 320 feet of frontage on lot 4, along Lake Winnepesaukee.
3. A maximum of 5 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 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 for boathouse construction that will have 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.

8. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

**2012-00818 ANTRIM, TOWN OF
ANTRIM Contoocook River**

Requested Action:

Proposal to dredge and fill 1065 sq. ft. of wetland (banks of Contoocook River) to replace the Depot Street Bridge (NHDOT Bridge No. 184/071, NHDOT Project No. 15349A) between Antrim and Bennington. Work consists of removal of the approximately 72.5 linear ft. bridge deck, modification of the existing stone abutments, installation of new abutments landward of the existing stone abutments, and installation of a 93 linear ft. single span steel girder bridge.

APPROVE PERMIT:

Dredge and fill 2030 sq. ft. of wetland (banks of Contoocook River) to replace the Depot Street Bridge (NHDOT Bridge No. 184/071, NHDOT Project No. 15349A) between Antrim and Bennington. Work consists of removal of the approximately 72.5 linear ft. bridge deck, modification of the existing stone abutments, installation of new abutments landward of the existing stone abutments, installation of a 93 linear ft. single span steel girder bridge and associated bank stabilization on the Bennington side.

With Conditions:

1. All work shall be in accordance with plans by Quantum Construction Consultants, LLC dated March 29, 2012 and narratives, as received by the NH Department of Environmental Services (DES) on April 6, 2012 and as revised by plans revision date through July 23, 2012 and as received by DES with narratives on August 2, 2012.
2. The Town(s) shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property. Copies shall be supplied to DES Wetlands Bureau File No. 2012-0818 prior to construction.
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. 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. Work shall be done during low flow.
6. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. 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.
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 New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each

operator shall be trained in its use.

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

16. 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 903.01 (g) A project shall be classified as a major impact project if:

(1) The stream crossing is a new or replacement tier 3 crossing; or

(2) Any of the criteria for a major project specified in Env-Wt 303.02 are met, regardless of the tier classification of the stream crossing that is part of the project.

2. The project includes replacing a Tier 3 Bridge (new span and abutments) over the Contoocook River.

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

4. The bridge was built in 1946 and is considered structurally deficient by the New Hampshire Department of Transportation (NHDOT) and is on NHDOT's Municipal Redlist.

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.

7. The applicant has submitted the crossing design as an Alternative Design Per Env-Wt 904.09.

8. The applicant/agent has submitted the crossing application as an Alternative Design because the entire roadway passes through the floodplain and two other bridges on Depot Street are inundated under the 50-year flood and it would not be practicable or cost effective to raise the entire roadway up out of the floodplain.

9. The applicant/agent has indicated that the estimated cost for a design that satisfies the NHDES Stream Crossing Rules would cost approximately \$15,000,000.00.

10. The applicant provided DES with a letter from NHDOT indicating that the estimated construction item total for the approved bridge is \$869,449.00. It is also indicated in the letter that NHDOT has approved the preliminary plans.

11. The applicant has provided a response to the required stream rules per Chapter Env-Wt 900.

12. The applicant/agent has indicated that the new bridge structure has been designed for forces from being overtopped during the 50-year storm event in accordance with the American Association of State Highways and Transportation (AASHTO) LRFD Bridge Design Specification, Section 3.7 water Loads for static pressure buoyancy and stream pressure.

13. The existing bridge will be increased from a 72.5 ft. span bridge to a 90 ft. clear span bridge.

14. The applicant submitted plans and a drainage analysis stamped by a NH Licensed Professional Engineer.

15. An application was also submitted from the Town of Antrim for the proposed work (NHDES Wetlands Bureau file #2012-02187). That file has been closed and the permit was processed under the Town of Bennington, NHDES Wetlands Bureau application file #2012-00818.

16. DES has not received any comments in opposition to the project.

17. 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 resources, as identified under RSA 482-A:1.

2012-01171 BALD EAGLE COMPANY
ROCHESTER Cochecho River

Requested Action:

Impact a total of 128,895 square feet (2.95 acres) of man-made wetlands in a former gravel pit for commercial facility expansion of an existing construction company's headquarters site, including 89,882 square feet fill for lot development for work yard expansion; 34,613 square feet of impact for gravel stormwater wetland construction; and 4,263 square feet of fill for roadway access upgrades.

Approve as compensatory mitigation on-site enhancement of 66,774 sq.ft. in wetland area D with long-term protection provided

through deed restrictions, and off-site mitigation including 39,032 sq.ft. of wetland creation to occur at the Brock Street floodplain area. In addition, invasive species management is proposed to improve 25,900 sq.ft. of wetland area off-site for the removal of Japanese knotweed, and other invasive species.

Conservation Commission/Staff Comments:

On May 30, 2012 CC met has no objections to project

APPROVE PERMIT:

Impact a total of 128,895 square feet (2.95 acres) of man-made wetlands in a former gravel pit for commercial facility expansion of an existing construction company's headquarters site, including 89,882 square feet fill for lot development for work yard expansion; 34,613 square feet of impact for gravel stormwater wetland construction; and 4,263 square feet of fill for roadway access upgrades.

Approve as compensatory mitigation on-site enhancement of 66,774 sq.ft. in wetland area D with long-term protection provided through deed restrictions, and off-site mitigation including 39,032 sq.ft. of wetland creation to occur at the Brock Street floodplain area. In addition, invasive species management is proposed to improve 25,900 sq.ft. of wetland area off-site for the removal of Japanese knotweed, and other invasive species.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Engineers dated March 2012, as received by the DES on 4/5/2012.
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. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with DES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. 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.
9. 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.
10. 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.
11. Silt fencing must be removed once the area is stabilized.
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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
14. Faulty equipment shall be repaired prior to entering jurisdictional areas.
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. All refueling of equipment shall occur outside of surface waters or wetlands.
17. Dredged material, other than that to be used for wetland creation, shall be placed outside of the jurisdiction of the DES Wetlands

Bureau.

Mitigation conditions:

1. This permit is contingent upon the successful enhancement of Wetland D located on the construction site and wetland creation off-site located at the Brock Street Floodplain Creation Area on tax map 131, lot 62-2. The off-site mitigation proposal includes invasive species removal and management of areas vegetated with Japanese knotweed. Enhancement and creation work shall coincide with the project construction site work.
2. The planting plan, construction sequence and monitoring for the on-site and off-site mitigation areas shall be conducted according to plans and details by Stoney Ridge Environmental dated 5/7/2012, as received by DES on 5/9/2012.
3. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the wetland construction areas are constructed in accordance with the construction and planting plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. DES 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.
4. Wetland enhancement and creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
5. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the wetland creation 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. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each creation site.
6. Wetland creation 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.
7. The permittee shall delineate the wetlands within the wetland creation sites, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
8. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation sites. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
9. 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 wetland creation areas during construction and during the early stages of vegetative establishment.
10. 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.
11. The on-site enhancement of Wetland D shall be completed and the area protected from future disturbance through a deed restriction. A copy of the recorded deed restriction shall be submitted once the area is constructed and stabilized.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects that involve alteration of non-tidal wetlands in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project will provide and existing large construction company necessary equipment and material storage area and allow heavy equipment to move safely and efficiently within the facility.
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 wetlands to be impacted developed in a previously mined upland gravel pit which provided material for adjacent NH Route 16. The higher quality wetlands in the vicinity are not being impacted.
4. The impacts are further compensated by the proposed mitigation, which will provide water quality improvement by enhancing habitat diversity on-site and increase flood storage capacity, sediment/toxicant retention, nutrient removal, and production export in an off-site area that borders the Cocheco River.
5. The off-site mitigation area will involve invasive species removal and management which will be an improvement in an important river system.
6. The alternative mitigation proposal is supported by the Conservation Commission and the Cocheco River Local Advisory

Committee.

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. The NH Natural Heritage Bureau reports, per memo dated 2/22/12, that field surveys for a reported plant species of concern, the variable sedge, confirm the absence of the species on the site.

8. DES Staff conducted a field inspection of the proposed project in September 2011.

9. 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 palustrine resource, as identified under RSA 482-A:1.

10. The Rochester Conservation Commission reports in a letter dated 5/31/2012 that they have no problems or major concerns with the application, and are very pleased with the Brock Street mitigation site.

**2012-01690 NH DEPT OF TRANSPORTATION
PLAISTOW Kelly Brook**

Requested Action:

Slipline a 103 in. wide x 71 in. high x 40 ft. long CMP and add a 30 in. x 46' long culvert for capacity loss impacting 3,273 sq. ft of forested and riverine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE PERMIT:

Slipline a 103 in. wide x 71 in. high x 40 ft. long CMP and add a 30 in. x 46' long culvert for capacity loss impacting 3,273 sq. ft of forested and riverine wetlands. NHDOT project #15654

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 6-20-12, as received by the Department on June 27, 2012.
2. This permit is contingent upon the submission of the contractor's project construction schedule.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Proper headwalls shall be repaired/ constructed within seven days of culvert installation.
11. Work shall be done during low flow.
12. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was discussed at the monthly Natural Resource Agency (NRA) meeting held at the NH Dept. of Transportation on February 17, 2010 to coordinate the project.
6. The plan design was advanced prior to the adoption of the current stream rules.
7. The DES has determined the applicant has met the purpose of the current stream rules relative to not causing damage upstream or downstream by providing an additional culvert and not impeding aquatic organisms as the stream is ponded on both sides of the structure.
8. Information from the Natural Heritage Bureau indicates that although there were no records in the vicinity of the project.

2012-01956 DON B & SHARON M BROWN REVOCABLE TRUST
GILFORD Lake Winnepesaukee

Requested Action:

Expand an existing 14 ft x 30 ft seasonal canopy to 32 ft x 30 ft in order to cover two slips, adjacent to an existing dog-leg shaped breakwater and "W" shaped permanent dock on an average of 152 ft of frontage along Lake Winnepesaukee, in Gilford.

Conservation Commission/Staff Comments:

Requesting a "hold" until after meeting and on-site inspection.
8/8/2012 Con. Com. released "hold"

APPROVE PERMIT:

Expand an existing 14 ft x 30 ft seasonal canopy to 32 ft x 30 ft in order to cover two slips, adjacent to an existing dog-leg shaped breakwater and "W" shaped permanent dock on an average of 152 ft of frontage along Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated July 18, 2012, as received by the NH Department of Environmental Services (DES) on July 24, 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. 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.
4. 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.
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), modification of a docking facility associated with a breakwater.
2. The proposed modification to the docking facility will not increase the number of slips provided by the facility.
3. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

2012-02287 TOWN OF GORHAM
GORHAM Peabody River

Requested Action:

Dredge and fill 7,651 sq. ft. (approximately 320 linear ft.) of bed an bank of the Peabody River to restore and stabilize the stream bank and channel adjacent to an existing home. The work is being conducted through the Natural Resources Conservation Service ("NRCS") Emergency Watershed Protection Program ("EWP") to address impacts resulting from Tropical Storm Irene.

Conservation Commission/Staff Comments:

Submitted with 2012-02288

APPROVE PERMIT:

Dredge and fill 7,651 sq. ft. (approximately 320 linear ft.) of bed an bank of the Peabody River to restore and stabilize the stream bank and channel adjacent to an existing home. The work is being conducted through the Natural Resources Conservation Service ("NRCS") Emergency Watershed Protection Program ("EWP") to address impacts resulting from Tropical Storm Irene.

With Conditions:

1. All work shall be in accordance with plans and narratives by the USDA Natural Resources Conservation Service (NRCS) entitled DSR #3 Streambank Stabilization and Construction Specifications 2, 5, 6, 11, 21, 23, 61, 95, 600 and 708 dated July 2012, as received by the NH Department of Environmental Services (DES) on August 24, 2012.
2. The Town shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property or within 20 feet of their property. Copies shall be supplied to DES Wetlands Bureau File No. 2012-02287 prior to construction.
3. A planted native tree and/or shrub buffer shall be planted at the top of the new river bank (area depicted on NRCS plan sheet 12 of 14).
4. All seeding and plantings shall have at least 75% successful establishment after two (2) growing seasons, or it shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
5. The temporary access road shall be restored "in-kind".
6. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species and densities.
7. NRCS shall monitor construction to ensure that the areas are constructed in accordance with the approved plans.
8. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
9. Work shall be done during low flow.
10. 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.
11. 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.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
13. 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.
14. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access.
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau (unless used as part of the approved stabilization work).

- 18. 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.
- 19. 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.
- 20. 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.
- 21. 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).
- 22. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
- 23. 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.
- 24. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
- 25. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B.

With Findings:

- 1. This is a major impact project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The work is being conducted to protect an adjacent home from further erosion and flooding.
- 4. The bank and channel erosion/damage is a result of Tropical Storm Irene.
- 5. The work is being conducted and funded through the Natural Resources Conservation Service ("NRCS") Emergency Watershed Protection Program ("EWP") to address impacts resulting from Tropical Storm Irene.
- 6. The submitted plans are stamped by a professional engineer.
- 7. Per RSA 482-A:11 X. The department shall have the authority to grant permits, in accordance with the rules adopted under RSA 482-A:11, VI for expedited application and permitting, for any projects funded through the Emergency Watershed Protection Program of the Natural Resources Conservation Service, United States Department of Agriculture, when such projects are necessary to safeguard lives and property from floods and the products of erosion when a natural disaster is causing or has caused a sudden impairment of the watershed.
- 8. DES has not received any comments in opposition to the project.
- 9. 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.

2012-02288 TOWN OF GORHAM
GORHAM Peabody River

Requested Action:

Dredge and fill 6,515 sq. ft. (approximately 240 linear ft.) of bed and bank of the Peabody River to restore and stabilize the stream bank adjacent to an existing home. The work is being conducted through the Natural Resources Conservation Service ("NRCS") Emergency Watershed Protection Program ("EWP") to address impacts resulting from Tropical Storm Irene.

Conservation Commission/Staff Comments:

Submitted with 2012-02287

APPROVE PERMIT:

Dredge and fill 6,515 sq. ft. (approximately 240 linear ft.) of bed and bank of the Peabody River to restore and stabilize the stream bank adjacent to an existing home. The work is being conducted through the Natural Resources Conservation Service ("NRCS")

Emergency Watershed Protection Program ("EWP") to address impacts resulting from Tropical Storm Irene.

With Conditions:

1. All work shall be in accordance with plans and narratives by the USDA Natural Resources Conservation Service (NRCS) entitled DSR #4 Streambank Stabilization and Construction Specifications 2, 5, 6, 11, 21, 23, 61, 95, 600 and 708 dated July 2012, as received by the NH Department of Environmental Services (DES) on August 24, 2012.
2. The Town shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property or within 20 feet of their property. Copies shall be supplied to DES Wetlands Bureau File No. 2012-02288 prior to construction.
3. A planted native tree and/or shrub buffer shall be planted at the top of the new river bank (area depicted on NRCS plan sheet 12 of 14).
4. All seeding and plantings shall have at least 75% successful establishment after two (2) growing seasons, or it shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
5. The temporary access road shall be restored "in-kind".
6. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species and densities.
7. NRCS shall monitor construction to ensure that the areas are constructed in accordance with the approved plans.
8. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
9. Work shall be done during low flow.
10. 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.
11. 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.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
13. 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.
14. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access.
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau (unless used as part of the approved stabilization work).
18. 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.
19. 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.
20. 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.
21. 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).
22. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
23. 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.
24. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
25. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more

linear feet of an intermittent or perennial nontidal stream or river channel or its banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The work is being conducted to protect an adjacent home from further erosion and flooding.
4. The bank and channel erosion/damage is a result of Tropical Storm Irene.
5. The work is being conducted and funded through the Natural Resources Conservation Service ("NRCS") Emergency Watershed Protection Program ("EWP") to address impacts resulting from Tropical Storm Irene.
6. The submitted plans are stamped by a professional engineer.
7. Per RSA 482-A:11 X. The department shall have the authority to grant permits, in accordance with the rules adopted under RSA 482-A:11, VI for expedited application and permitting, for any projects funded through the Emergency Watershed Protection Program of the Natural Resources Conservation Service, United States Department of Agriculture, when such projects are necessary to safeguard lives and property from floods and the products of erosion when a natural disaster is causing or has caused a sudden impairment of the watershed.
8. DES has not received any comments in opposition to the project.
9. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

**2009-00152 NEW HAMPSHIRE NATIONAL GUARD, GEORGE SPAULDING
STRAFFORD Unnamed Wetland**

Requested Action:

An amendment request received on August 15, 2012, requested to fill an additional 880 sq. ft. of wetland and installation of an 18 in. x 30 ft. culvert for the construction of a combat trail for training.

APPROVE AMENDMENT:

Fill a total of 8,381 sq. ft. of wetlands and surface waters in six locations for construction of a combat trail for training, including the following: Wetland Impact #1: 1,150 sq. ft. and installation of 36 in. x 29 ft. long embedded culvert for combat trail crossing; Wetland Impact #2: 2,550 sq. ft. and installation of 36 in. x 29 ft. long embedded culvert for combat trail crossing; Wetland Impact #3: 1,240 sq. ft. and installation of 36 in. x 29 ft. long embedded culvert for combat trail crossing; Wetland Impact #4: 1,450 sq. ft. and installation of 36 in. x 35 ft. long embedded culvert for combat trail crossing; Wetland Impact #5: 1,111 sq. ft. and installation of 36 in. x 32 ft. long embedded culvert for combat trail crossing; Wetland Impact #A1: 880 sq. ft. and installation of 18 in. x 30 ft. long culvert for combat trail crossing.

With Conditions:

1. AMENDED: All work shall be in accordance with revised plans by The Louis Berger Group, Inc. dated August 6, 2009, as received by the Department on August 27, 2009 and the amended wetland impact plan dated August 15, 2012, as received by the Department on August 15, 2015.
2. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
3. 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).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. 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.

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

7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

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

10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

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

12. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

14. Work shall be done during low flow.

With Findings:

DES reaffirms finding no.'s 1-5:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(f), alteration of less than 20,000 square feet of non-tidal wetlands in the aggregate that exceed the criteria for minimum impact projects.
2. The need for the proposed impacts has been addressed by the applicant per Env-Wt 302.01(b) by demonstrating that the proposal must cross wetlands at some locations on this property to construct the trail for training and to connect the Training Center with Johnsonboro Road (Class VI) for safety, fire and security purposes.
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 by designing the proposed roadway in primarily the most narrow sections of wetland.
4. NH Natural Heritage Inventory (NHI) has record of the natural community Black gum - red maple basin swamp within the vicinity of this project. Threats are primarily logging and change to local hydrology either through damming or increased drainage. The applicant's agent has located the trail away from the red maple basin swamp and designed the size of the culverts for a 50 year storm which is not likely to significantly affect the drainage in the area over what currently exists. NHI also has record of the State and Federally threatened small whorled pogonia within the project vicinity. The U.S. Fish & Wildlife Service determined that the project is not likely to adversely affect this species.
5. The NH Division of Historical Resources (DHR) reviewed the proposed project to identify potential effects to historic and archeological resources listed, or eligible for listing, in the National Register of Historic Places. The project entails removal of approximately 8 ft. of stone wall to allow for emergency access/egress to the combat trail. DHR requested that the excess stone be placed in the vicinity of the stone wall rather than removed from the site.

DES adds the following findings:

6. An area of wetland not previously delineated was discovered during centerline layout and was subsequently delineated by a wetland scientist. The centerline was revised to minimized wetland impacts and cross the wetland at the most narrow point.
7. An amendment request received on August 15, 2012, requested to fill an additional 880 sq. ft. of wetland and installation of an 18 in. x 30 ft. culvert for the construction of a combat trail for training.

Requested Action:

Stabilize a total of 195 linear feet of eroded bank of the Blackwater River over 3 locations including installation of 80 linear feet of Grow Soxx biostabilization with plantings in two locations (70 linear feet and 10 linear feet); and installation of a combination of rip rap toe armoring to be applied up to the high water mark at elevation 432, progressing to stepped biostablization technique using an alternating combination of Grow Soxx and plantings to top of bank. Total impact 1,467 square feet.

Request to waive the requirements of Env-Wt 304.04, Setback from Property Lines.

APPROVE PERMIT:

Stabilize a total of 195 linear feet of eroded bank of the Blackwater River over 3 locations including installation of 80 linear feet of Grow Soxx biostabilization with plantings in two locations (70 linear feet and 10 linear feet); and installation of a combination of rip rap toe armoring to be applied up to the high water mark at elevation 432, progressing to stepped biostablization technique using an alternating combination of Grow Soxx and plantings to top of bank. Total impact 1,467 square feet.

Waive the requirements of Env-Wt 304.04, Setback from Property Lines.

With Conditions:

1. All work shall be in accordance with revised plans by Pollard Land Planning LLC dated 7/23/12, as received by the NH Department of Environmental Services (DES) on 8/2/2012.
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. This permit is contingent upon coordination with the NH Fish & Game Nongame and Endangered Species Program prior to construction relative to the potential presence of the brook floater in the project vicinity.
4. Work shall be done during low flow.
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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
8. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. 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.
10. All refueling of equipment shall occur outside of surface waters or wetlands.
11. 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.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Silt fencing must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that disturb less than 200 linear feet of a perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant is proposing a combination of stone rip-rap stabilization to the approximate normal water level for the lower portion of the bank, and Grow Soxx biostabilization, and shoreland buffer plantings for the upper portion of the bank, and the buffer, respectively, and a portion of the bank will only have Grow Soxx

bio-stabilization and no stone.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau ("NHB") reported an occurrence of a listed species in the vicinity. The permit has been conditioned to require coordination with the NH Fish and Game Department relative to the brook floater mussel prior to construction.

5. The Webster Conservation Commission did not report.

6. The requirement of Env-Wt 304.04, Setback from Property Lines, is waived, with the findings:

- a. the applicant has made a concerted effort to identify and then obtain permission from the abutter to work within 20 feet of the property line, and has received no response or cooperation from that abutter;
- b. the biostabilization of the eroded river bank will not negatively affect the abutter;
- c. the applicant has properly filed a request for a Waiver according to the requirements of Part Env-Wt 204, and has adequately demonstrated compliance with the requirements of Env-Wt 204.04 for a waiver to be granted by the Department.

2011-03110 LEFEVRE, ROBERT
KINGSTON Unnamed Wetland

Requested Action:

Dredge and fill a total of 4,255 sq. ft. of palustrine forested wetlands to construct a roadway with culvert crossings to access a six (6) lot residential subdivision on a 23.32 acre parcel of land.

Conservation Commission/Staff Comments:

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

APPROVE PERMIT:

Dredge and fill a total of 4,255 sq. ft. of palustrine forested wetlands to construct a roadway with culvert crossings to access a six (6) lot residential subdivision on a 23.32 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by James M. Lavelle Associates dated October 8, 2010 (last revised 4/11/12), as received by the NH Department of Environmental Services (DES) on July 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. This permit is contingent on approval by the DES Alteration of Terrain Bureau, if required.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. DES Wetlands Bureau Southeast Region staff and the Kingston Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. All vernal pool locations and their associated buffer areas identified on the plans shall be clearly marked off with orange construction safety fencing and appropriate erosion/siltation controls to provide the maximum protection during construction.
9. All fencing and erosion control materials shall be removed from these areas (item #8) as soon as the site is stabilized.
10. 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.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. 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.

14. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

15. Proper headwalls shall be constructed within seven days of culvert installation.

16. Culvert outlets shall be properly rip rapped.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. US EPA has reviewed the vernal pool assessment done for this project proposal and found the application "OK SPGP".

**2012-01347 BARNARD CONDO
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Impact 362 sq ft along approximately 90 linear feet of bank to conduct bio-stabilization of the shoreline and install granite stairs to access the dock on approximately 142 linear ft of frontage along Lake Winnepesaukee, in Tuftonboro.

Conservation Commission/Staff Comments:

06/11/12 rec'd CC letter from Ctr Tuftonbor no objections

APPROVE PERMIT:

Impact 362 sq ft along approximately 90 linear feet of bank to conduct bio-stabilization of the shoreline and install granite stairs to access the dock on approximately 142 linear ft of frontage along Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Stoney Ridge Environmental dated July 31, 2012, as received by the NH Department of Environmental Services (DES) on August 07, 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. This permit does not allow dredging for any purpose.
4. The proposed repair shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
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 water conditions.
7. 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(k), projects that disturb between 50 and 200 linear feet of shoreline.

2012-01616 TOWN OF SALEM
SALEM Widow Harris Brook

Requested Action:

Impact a total of 2,191 sq. ft. (1,706 sf permanent & 485 sf temporary construction impacts) within the embankments and flow channel for work associated with the replacement of the existing structurally deficient bridge with twin precast concrete box culverts to carry Bluff Street Extension over Widow Harris Brook.

Conservation Commission/Staff Comments:

The Salem Conservation Commission has reviewed the application, made a site visit and recommends approval of the application as submitted.

APPROVE PERMIT:

Impact a total of 2,191 sq. ft. (1,706 sf permanent & 485 sf temporary construction impacts) within the embankments and flow channel for work associated with the replacement of the existing structurally deficient bridge with twin precast concrete box culverts to carry Bluff Street Extension over Widow Harris Brook.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. dated June, 2012, as received by the NH Department of Environmental Services (DES) on June 20, 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 Salem Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. Proper headwalls / wingwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.
8. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
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. Temporary cofferdams shall be entirely removed immediately following construction.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
13. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c)& (l) projects which alter the course of or disturb less than 200 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. The Request for Alternative Design per Env-Wt 904.09 is approved with the finding that the proposed 32 ft. wide twin box culvert structure is greater than required for hydraulic considerations, removes the constriction in the brook caused by the existing structure and widens the bridge waterway to the average width of Widow Harris Brook upstream and downstream of the existing bridge.

2012-01863 TOWN OF RICHMOND
RICHMOND Tully Brook

Requested Action:

Impact a total of 4,545 sq. ft. (2,640 sf permanent & 1,905 temporary construction impacts) within the embankments and flow channel for work associated with the replacement of the bridge which carries Fay Martin Road over Tully Brook. The replacement bridge will be a 24 foot clear-span precast concrete rigid frame 3-sided box with precast wingwalls on spread footings and with stone rip-rap scour & erosion protection installed.

Conservation Commission/Staff Comments:

No report or comments received from the Richmond Conservation Commission on this municipal application.

APPROVE PERMIT:

Impact a total of 4,545 sq. ft. (2,640 sf permanent & 1,905 temporary construction impacts) within the embankments and flow channel for work associated with the replacement of the bridge which carries Fay Martin Road over Tully Brook. The replacement bridge will be a 24 foot clear-span precast concrete rigid frame 3-sided box with precast wingwalls on spread footings and with stone rip-rap scour & erosion protection installed.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated January 4, 2012, as received by the NH Department of Environmental Services (DES) on July 13, 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.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c)& (1) projects which alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or it's banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Request for Alternative Design per Env-Wt 904.09 is approved with the finding that the proposed clear-span of 24 feet, which is greater than required for hydraulic considerations, removes the constriction in the brook caused by the existing 14-foot bridge and widens the bridge waterway to the average width of Tully Brook upstream and downstream of the existing bridge.

2012-02133 JACKSON WATER PRECINCT
JACKSON Ellis River

Requested Action:

Impact 4,300 sq. ft. (of which 200 sf is new permanent impacts) in the bottom of the Ellis River for work associated with repairs to the Jackson Water Precinct's intake bed of crushed stone filled gabion mattresses which were damaged by flood waters during Tropical Storm Irene.

Conservation Commission/Staff Comments:

The Jackson Conservation Commission is in support of the project.

APPROVE PERMIT:

Impact 4,300 sq. ft. (of which 200 sf is new permanent impacts) in the bottom of the Ellis River for work associated with repairs to the Jackson Water Precinct's intake bed of crushed stone filled gabion mattresses which were damaged by flood waters during Tropical Storm Irene.

With Conditions:

1. All work shall be in accordance with plans by Civil Solutions, LLC dated August 04,2012, as received by the NH Department of Environmental Services (DES) on August 08, 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. Construction in cold water fishery streams shall not occur between October 1 and May 31 to minimize impacts to the fishery resource during spawning season.
4. Repair shall maintain existing size, location and configuration with the exception of the new wire mesh covering.
5. 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.
6. Work shall be done during low flow.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
8. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. 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.
10. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c).
 - 1A. This project was approved subject to NH DES SOP No. 201 and recommended for expedited review.
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.

**2012-02146 SAKUNTALA LLC/NEWPORT COMPUTERS
ROCHESTER**

Requested Action:

Fill 9,536 square feet of poorly drained forested wetland for construction of a 45,438 square foot manufacturing facility in an existing industrial park.

APPROVE PERMIT:

Fill 9,536 square feet of poorly drained forested wetland for construction of a 45,438 square foot manufacturing facility in an existing industrial park.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Engineering Inc. dated 7/10/2012, as received by the NH Department of Environmental Services (DES) on 8/9/2012.
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. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. 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 minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving alteration of less than 20,000 square feet in the aggregate in non-tidal wetlands which exceed Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The company is relocating a 1+ acre manufacturing warehouse in the existing Granite State Business Park on a 6+ acre industrial-zoned lot, and space and utility constraints make impact to the finger wetland in the center of the property unavoidable.
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 impact is at the end of the finger wetland in the lot center, and does not fragment the system.
4. The project is situated adjacent to the access road currently being constructed in association with the Safran/Albany International facility, therefore was approved by the Commissioner for processing under SOP 201.
5. 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. No species of concern were reported for the project vicinity by the NH Natural Heritage Bureau.
6. The Rochester Conservation Commission reports that they have reviewed the project and have no problems or major concerns with the project.

MINIMUM IMPACT PROJECT

2011-03178 EVE GARDNER ET AL
TUFTONBORO

Requested Action:

An amendment request received on August 16, 2012, requested to install the new septic tank in the location of the previously existing septic tank.

APPROVE AMENDMENT:

Dredge and fill 414 sq. ft. of wetland to construct a foundation under an existing cottage within the same footprint. Temporarily impact 1,258 sq. ft. of wetland to install a new pumpline to be connected to a new septic system constructed in the upland. Retain after-the-fact an additional 9 sq. ft. of temporary wetland impact to install a new septic tank in the location of the previously existing septic tank. Total wetland impacts is 1,681 sq. ft.

With Conditions:

1. All work shall be in accordance with revised plans by Fernstone Associates dated August 14, 2012, as received by the NH Department of Environmental Services (DES) on August 16, 2012.
2. 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.
3. The temporary impact area shall be regraded to original contours following completion of work, seeded with a wetland seed mix, and mulched with a weed-free straw.
4. A NH certified wetland scientist shall supervise the temporary wetland impact construction and submit a monitoring report with photographs to DES within 30 days of the completion of work. The monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, work activities and status of temporary impact area at the time of the monitoring report. Photographs should depict all stages of work sequencing.
5. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
6. 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.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. This permit is contingent upon approval by the DES Shoreland Program.

With Findings:

DES reaffirms finding no.'s 1-6:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that wetland impacts are necessary to move an existing septic system from a wetland to an upland location and stabilize an existing

dwelling within the existing footprint.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has demonstrated that the wetland impact for the pumpline to the new septic system is temporary and will be restored to its original condition. Further, the applicant has demonstrated that the dwelling needs to be stabilized with the construction of a new frost wall foundation.
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 NH Natural Heritage Bureau (NHB) has no record of a rare wildlife, plant, and/or natural community present within the vicinity of the project area.
5. Shoreland Permit #2011-3135 was approved on December 30, 2011 for the proposed work.
6. The Tuftonboro Conservation Commission did not submit comments to DES.

DES adds the following findings:

7. An amendment request received on August 16, 2012, requested to install the new septic tank in the location of the previously existing septic tank.

2012-01654 GILES, JOHN/SARAH
CANDIA Unnamed Wetland

Requested Action:

Dredge and fill a total of 1,355 sq. ft. of a palustrine forested wetland to construct a driveway with culvert crossing to access a single family residential house lot on a 3.1 acre parcel of land.

Conservation Commission/Staff Comments:

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

APPROVE PERMIT:

Dredge and fill a total of 1,355 sq. ft. of a palustrine forested wetland to construct a driveway with culvert crossing to access a single family residential house lot on a 3.1 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by James E. Franklin, LLC dated June 14, 2012, as received by the NH Department of Environmental Services (DES) on June 25, 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. Proper headwalls shall be constructed within seven days of culvert installation.
5. Culvert outlets shall be properly rip rapped.

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.

2012-01668 SOLOMON, ALBERT
MOULTONBOROUGH Unnamed Wetland

Requested Action:

After-the-fact approval to dredge and fill 20 sq. ft. of wetlands for replacement of a failed 18 inch HDPE culvert with twin 12 inch HDPE culverts, associated headwalls, grading and filling.

APPROVE AFTER THE FACT:

After-the-fact approval to dredge and fill 20 sq. ft. of wetlands for replacement of a failed 18 inch HDPE culvert with twin 12 inch HDPE culverts, associated headwalls, grading and filling.

With Conditions:

1. All work shall be in accordance with plans by KV Partners, as received by the NH Department of Environmental Services (DES) on June 26, 2012.
2. 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.
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

2012-02090 VOIGT, JOANNE/STEPHEN
WAKEFIELD Great East Lake

Requested Action:

Replace an existing 20 ft x 22 ft dug-in boathouse on an average of 199 feet of shoreline frontage along Great East Lake, in Wakefield.

Conservation Commission/Staff Comments:

No comments by Con Com by August 25, 2012

APPROVE PERMIT:

Replace an existing 20 ft x 22 ft dug-in boathouse on an average of 199 feet of shoreline frontage along Great East Lake, in Wakefield.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey and Engineering dated May 01, 2012, as received by the NH Department of Environmental Services (DES) on August 03, 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 to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
4. The repairs shall maintain the size, location and configuration of the pre-existing structures.
5. This permit does not allow for dredging of the lakebed to provide access to the boat house.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain

until the area is stabilized.

8. 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.
9. 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.
10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This 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.
2. The applicant submitted information supporting the claim the structure has not been abandoned.

FORESTRY NOTIFICATION

2012-02295 STEARNS, SHARON
SALISBURY Unnamed Stream

COMPLETE NOTIFICATION:
Salisbury, Tax Map#204, Lot#1

2012-02324 AVERSA, MICHAEL
NEW DURHAM Unnamed Stream

COMPLETE NOTIFICATION:
New Durham, Tax Map#263, Lot#023

2012-02331 HERTEL, VAN
WASHINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Washington, Tax Map#15, Lot#56

2012-02334 MOONEY, MARK
BELMONT Unnamed Stream

COMPLETE NOTIFICATION:
Belmont, Tax Map#229, Lot#079

2012-02342 **BAILEY, DARLENE**
GRAFTON Unnamed Stream

COMPLETE NOTIFICATION:
Grafton,Tax Map#M7,Lot#82

2012-02350 **GAGNON, JERRY**
GILFORD Unnamed Stream

COMPLETE NOTIFICATION:
Gilford,Tax Map#227,#190

EXPEDITED MINIMUM

2012-01523 **CITY OF MANCHESTER**
MANCHESTER

Requested Action:

Dredge and fill 74 sq. ft. of swamp wetlands to replace an existing wetlands crossing on Page Street for roadway improvements. Work includes installation of a new 12 inch HDPP culvert, headwalls and catch basins.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

APPROVE PERMIT:

Dredge and fill 18 sq. ft. of swamp wetlands to replace an existing wetlands crossing on Page Street for roadway improvements. Work includes installation of a new 12 inch HDPP culvert, headwalls, catch basins and treatment swale.

With Conditions:

1. All work shall be in accordance with plans by City of Manchester dated May 2012 (as revised with new treatment swale), as received by the NH Department of Environmental Services (DES) on August 14, 2012.
2. The work shall be conducted during low flow conditions.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

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

10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project includes adding a treatment swale before discharge flow enters the adjacent wetlands.

2012-01873 DREW CORPORATION
LIVERMORE Unnamed Wetland Sawyer River

Requested Action:

Impact a total of 1,000 sq. ft. on the embankments of the Sawyer River for bridge repairs on Sawyer River Road, required due to damage caused by Tropical Storm Irene within the White Mountain National Forest.

Conservation Commission/Staff Comments:

No comments received

APPROVE PERMIT:

Impact a total of 1,000 sq. ft. on the embankments of the Sawyer River for bridge repairs on Sawyer River Road, required due to damage caused by Tropical Storm Irene within the White Mountain National Forest.

With Conditions:

1. All work shall be in accordance with plans by USDA ~ Forest Service dated 17 May 2012, as received by the NH Department of Environmental Services (DES) on July 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/or further permitting by the Bureau.
3. Construction in cold water fishery streams shall not occur between October 1 and May 31 to minimize impacts to the fishery resource during spawning season.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
7. Faulty equipment shall be repaired prior to entering jurisdictional areas.
8. 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.
9. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(X), maintenance, repair or replacement of a nondocking structure such as a ... bridge ... or rip-rap slope of less than 50 linear feet.
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.

2012-02025

MOORE, ELLIOT

MADBURY

Requested Action:

Dredge 15,595 square feet of wet meadow to construct a pond.

APPROVE PERMIT:

Dredge 15,595 square feet of wet meadow to construct a pond.

With Conditions:

1. All work shall be in accordance with plans by Civil Consultants dated 7/19/2012, as received by the NH Department of Environmental Services (DES) on 7/31/2012.
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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p), construction of a pond with less than 20,000 square feet of impact that meets the requirements of Env-Wt 303.04(p)(1)-(4).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project area by the NH Natural Heritage Bureau.
5. The Madbury Conservation Commission signed the expedited minimum impact application.

2012-02095

SINOTTE, FRANCIS

MEREDITH Unnamed Wetland

Requested Action:

Dredge and fill 1,355 sq. ft. swamp wetlands (temporary impacts) to install a sewer pumpline for a new septic system at an existing single family home.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

APPROVE PERMIT:

Dredge and fill 1,355 sq. ft. swamp wetlands (temporary impacts) to install a sewer pumpline for a new septic system at an existing single family home.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated July 18, 2012, as received by the NH Department of Environmental Services (DES) on August 6, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives.
4. The wetland impact area shall be restored to original grade and replanted with native wetland seed mix and/or plantings. The wetland restoration areas shall have at least 75% successful establishment of wetland plantings after two (2) growing seasons, or it shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
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. 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.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau (expected as used for restoration of the temporary wetland impacts).
8. 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.
9. 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.
10. 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.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. 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.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

**2012-02207 GERY FAMILY INVESTMENT TRUST
WOLFEBORO Crescent Lake**

Requested Action:

Replace an existing 7 ft 9 in x 28 ft 3 in dock supported by a full crib with a 7 ft 9 in x 28 ft 3 in dock supported by two 6 ft x 6 ft cribs on an average of 339 ft of shoreline frontage, Crescent Lake, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com signed the application

APPROVE PERMIT:

Replace an existing 7 ft 9 in x 28 ft 3 in dock supported by a full crib with a 7 ft 9 in x 28 ft 3 in dock supported by two 6 ft x 6 ft cribs on an average of 339 ft of shoreline frontage, Crescent Lake, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated July 23, 2012, as received by the NH Department of Environmental Services (DES) on August 15, 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. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

**2012-02240 LAKESIDE AT WINNIPESAUKEE ASSOC
ALTON Lake Winnepesaukee**

Requested Action:

Repair "in kind" an existing 8 ft x 49 ft dock accessed by a 30 ft ramp, repair "in kind" an existing 162.66 ft long crib and pile supported dock, replenish an existing beach with no more than 10 cubic yards of sand and repair approximately 114 linear feet of retaining wall behind the beach on, Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed application

APPROVE PERMIT:

Repair "in kind" an existing 8 ft x 49 ft dock accessed by a 30 ft ramp, repair "in kind" an existing 162.66 ft long crib and pile supported dock, replenish an existing beach with no more than 10 cubic yards of sand and repair approximately 114 linear feet of retaining wall behind the beach on, Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Allen Folsom dated August 08, 2012, as received by the NH Department of Environmental Services (DES) on August 17, 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. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. 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.
13. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

GOLD DREDGE

2012-02363 PICKOWICZ, DONALD
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

TRAILS NOTIFICATION

2012-02346 BRIDGEWATER MOUNTAIN SNOWMOBILE CLUB
BRISTOL Unnamed Stream

COMPLETE NOTIFICATION:
Bristol, Tax Map#212, Lot#26

LAKES-SEASONAL DOCK NOTIF

2012-02308 STANLEY, RICHARD
ALEXANDRIA Newfound Lake

COMPLETE NOTIFICATION:
Installation of a seasonal dock.

2012-02309 WRIGHT, CARLA
NORTHFIELD Sandogardy Pond

COMPLETE NOTIFICATION:
Installation of a seasonal dock.

ROADWAY MAINTENANCE NOTIF

2012-02312 JEFFERSON, TOWN OF
JEFFERSON Unnamed Stream Unnamed Wetlands

COMPLETE NOTIFICATION:
12" x 30' culvert to be replaced.

2012-02337 DOT MAINTENANCE, DISTRICT 3
MOULTONBOROUGH Unnamed Stream Unnamed Wetland

COMPLETE NOTIFICATION:
Replace 18" RCP culvert in kind.

2012-02338 LACONIA, CITY OF
LACONIA Unnamed Stream Unnamed Wetland

COMPLETE NOTIFICATION:
Replace 48' of 36" RCP.

**2012-02339 DOT MAINTENANCE, DISTRICT 5
PITTSFIELD Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:
Repair pipes and repair headwalls and clean the inlet & outlet using a 36" and two 24" RCPs.

**2012-02344 DOT MAINTENANCE, DISTRICT 5
WARNER Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:
Replace 18" pipe.

**2012-02345 DOT MAINTENANCE, DISTRICT 5
WEBSTER Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:
Replace 12" pipe with 15", replace headwall, and clean inlet & outlet.

**2012-02365 DOT, DISTRICT 2
ENFIELD Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:
Replace sixty feet of 24" culvert . Replace catch basin and repair headwall.

PERMIT BY NOTIFICATION

**2012-02301 HESCOCK, GARY
NEWBURY Sunapee Lake**

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

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.

**2012-02304 COLLETT, JANET
MARLOW Unnamed Pond**

Conservation Commission/Staff Comments:
Con Com signed PBN application

PBN IS COMPLETE:
Install a dry hydrant.

With Findings:
Install a dry hydrant.

**2012-02333 ROUNER, JONATHAN/KATRIN
NORTH SANDWICH Unnamed Pond**

Requested Action:
PBN complete for maintenance dredging of an existing 125 ft. x 30 ft. man-made pond.

Conservation Commission/Staff Comments:
1. The Conservation Commission signed the PBN form waiving their right to intervene.

PBN IS COMPLETE:
PBN complete for maintenance dredging of an existing 125 ft. x 30 ft. man-made pond.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways, provided that:
(1) The work is done within the original bounds of a legally-constructed project;
(2) The project is not located in or adjacent to prime wetlands;
(3) The work does not exceed 20,000 square feet; and
(4) For man-made ponds, the pond has not been abandoned as defined in Env-Wt 101.02;
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.

**2012-02358 TOATES, JEAN
GILFORD Lake Winnepesaukee**

Requested Action:
Replace 5 piling in kind adjacent to an existing boathouse and breakwater on Fish Island, Lake Winnepesaukee, in Gilford.

PBN IS COMPLETE:

Replace 5 piling in kind adjacent to an existing boathouse and breakwater on Fish Island, Lake Winnepesaukee, in Gilford.

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.

**2012-02360 PONTOOK OPERATING LIMITED PARTNERSHIP, POLP
DUMMER Androscoggin River**

Requested Action:

Replace a 12 ft x 35 ft section of concrete boatramp during drawdown on the Androscoggin River in Dummer.

PBN IS COMPLETE:

Replace a 12 ft x 35 ft section of concrete boatramp during drawdown on the Androscoggin River in Dummer.

With Findings:

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

CSPA PERMIT

**2010-03282 NH DEPT OF TRANSPORTATION
WENTWORTH Baker River**

Requested Action:

Amendment to impact an additional 3,056 sq ft.

Impact 20,066 sq ft in order repair bridge and drainage.

APPROVE AMENDMENT:

Impact 23,122 sq ft in order repair bridge and drainage.

With Conditions:

1. All work shall be in accordance with revised plans by Fay, Spofford & Thorndike dated June 5, 2012 and received by the NH Department of Environmental Services (DES) on July 11, 2012.
2. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
3. No more than 30.9% 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 4,420 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.

2012-01720 WHITE, MIKE/ROBIN
HAMPTON Atlantic Ocean

Requested Action:

Impact 3,300 sq ft in order to replace existing home with a larger home over existing impervious area.

APPROVE PERMIT:

Impact 3,300 sq ft in order to replace existing home with a larger home over existing impervious area.

With Conditions:

1. All work shall be in accordance with plans by Quinn & Company dated April 24, 2012 and received by the NH Department of Environmental Services (DES) on July 27, 2012.
2. No more than 47% 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.

2012-01932 CHICK, STEPHEN/SUSAN
MEREDITH Lake Winnepesaukee

Requested Action:

Amend permit in order to correct boundary lines and impervious area coverage.

Impact 2,470 sq ft in order to remove an existing non-conforming residence and construct a new residence in the same location, reduce size of the driveway, incorporate stormwater management plan, and install native plantings within waterfront buffer.

APPROVE AMENDMENT:

Amend permit in order to correct boundary lines and impervious area coverage.

Impact 2,470 sq ft in order to remove an existing non-conforming residence and construct a new residence in the same location, reduce size of the driveway, incorporate stormwater management plan, and install native plantings within waterfront buffer.

With Conditions:

1. All work shall be in accordance with revised plans by Ames Associates dated August 24, 2012 and received by the NH Department of Environmental Services (DES) on August 24, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 44.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.

4. 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.

2012-02096 THE KURT M SWENSON REVOCABLE TRUST OF 2000
RYE Atlantic Ocean

Requested Action:

Impact 52,974 sq ft in order to remove existing house and build a new house, driveway, septic, well, and complete landscaping.

APPROVE PERMIT:

Impact 52,974 sq ft in order to remove existing house and build a new house, driveway, septic, well, and complete landscaping.

With Conditions:

1. All work shall be in accordance with plans by Bill Phinney dated July 13, 2012 and Atlantic Survey CO, LLC dated July 12, 2012 and received by the NH Department of Environmental Services (DES) on August 6, 2012.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. All work within the jurisdiction of the wetlands must receive a wetlands permit prior to the start of work, RSA 482-A.
5. No more than 18.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
6. At least 7,793 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).
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-02111 WASSERLEIN, JOHN
RYE Atlantic Ocean

Requested Action:

Impact 5,418 sq ft in order to construct a garage, new driveway, septic system, and install a catch basin as part of a stormwater management plan.

APPROVE PERMIT:

Impact 5,418 sq ft in order to construct a garage, new driveway, septic system, and install a catch basin as part of a stormwater management plan.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated July 31, 2012 and received by the NH Department of Environmental Services (DES) on August 7, 2012.
2. No more than 43.4% 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. The proposed stormwater management plan 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.

2012-02136 DEZENZO, EVA DONITA/RAYMOND
ALTON Lake Winnepesaukee

Requested Action:

Impact 5,340 sq ft in order to construct a temporary access road from the water, an addition to an existing cottage, install a new effluent disposal system, and construct a shed.

APPROVE PERMIT:

Impact 5,340 sq ft in order to construct a temporary access road from the water, an addition to an existing cottage, install a new effluent disposal system, and construct a shed.

With Conditions:

1. All work shall be in accordance with plans by Folsome Design Group dated June 4, 2012 and received by the NH Department of Environmental Services (DES) on August 8, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 14.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,634 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.
10. The temporary access road shall be regraded to original contours and 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.

**2012-02176 DEL TUFO JR, CATHERINE/JOSEPH
RAYMOND Exeter River**

Requested Action:

Impact 2,420 sq ft in order to replace existing structure with a new structure.

APPROVE PERMIT:

Impact 2,420 sq ft in order to replace existing structure with a new structure.

With Conditions:

1. All work shall be in accordance with plans by Blaisdell Survey, LLC dated August 2, 2012 and received by the NH Department of Environmental Services (DES) on August 13, 2012. 2. No more than 15.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 1,696 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.

**2012-02178 CHOATE, ARTHUR
DUBLIN Howe Reservoir**

Requested Action:

Impact 9,500 sq ft in order to construct a driveway access.

APPROVE PERMIT:

Impact 9,500 sq ft in order to construct a driveway access.

With Conditions:

1. All work shall be in accordance with plans by Michael F. Finley dated May 2012 and received by the NH Department of Environmental Services (DES) on August 13, 2012.
2. No more than 12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,350 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.

2012-02190 MOFFITT, HEATHER
SPRINGFIELD Lake Kolelemook

Requested Action:

Impact 3,405 sq ft in order to construct a deck/porch and entry to existing house under construction and expand driveway.

APPROVE PERMIT:

Impact 3,405 sq ft in order to construct a deck/porch and entry to existing house under construction and expand driveway.

With Conditions:

1. All work shall be in accordance with plans by Clayton E. Platt dated August 8, 2012 and received by the NH Department of Environmental Services (DES) on August 13, 2012.
2. No more than 13.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 4,110 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.

2012-02199 RICCI SUPPLY COMPANY
PORTSMOUTH North Mill Pond

Requested Action:

Impact 6,593 sq ft in order to renovate an existing structure with no change to the existing footprint.

Conservation Commission/Staff Comments:

Wetland MIE app # 2012-02198 rec'd 8/13/12

APPROVE PERMIT:

Impact 6,593 sq ft in order to renovate an existing structure with no change to the existing footprint.

With Conditions:

1. All work shall be in accordance with plans by Ross Engineering dated August 8, 2012 and received by the NH Department of Environmental Services (DES) on August 13, 2012.
2. No more than 96.76% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.

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.

**2012-02206 THE BLUEBIRD REALTY TRUST
HOLDERNESS Squam Lake**

Requested Action:

Impact 24,926 sq ft in order to construct a new house with terrace and garage, tennis court, driveway, and shed.

APPROVE PERMIT:

Impact 24,926 sq ft in order to construct a new house with terrace and garage, tennis court, driveway, and shed.

With Conditions:

1. All work shall be in accordance with plans by B.A. Barnard Ent., Inc. dated June 2012 and received by the NH Department of Environmental Services (DES) on August 15, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.
4. No more than 9.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 11,973 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. No accessory structure will be located within the 20 feet of the reference line.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The proposed shed shall be located at least 20 ft landward of the reference line.

**2012-02256 WALKER, MICHELLE
WOLFEBORO Lake Winnepesaukee**

Requested Action:

Impact 2,875 sq ft in order to replace wooded pathway with natural stone.

APPROVE PERMIT:

Impact 2,875 sq ft in order to replace wooded pathway with natural stone.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscape Co., Inc. dated August 13, 2012 and received by the NH Department of Environmental Services (DES) on August 20, 2012.
2. No more than 15.7% 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 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.

FORESTRY W/PRIME WETLAND

2012-02210 SPRINGER, CARSTEN
FREMONT Unnamed Stream

Requested Action:

Construct 8 foot span bridge for timber harvesting in the forested portion of the Town of Freemont prime wetland # 43 and its buffer.

APPROVE WETLAND WAIVER:

Construct 8 foot span bridge for timber harvesting in the forested portion of the Town of Freemont prime wetland # 43 and its buffer.

With Conditions:

1. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
2. The forestry work shall be done in a manner that minimizes impacts to prime wetland values for prime wetland # 43 in the Town of Freemont including: wildlife habitat, groundwater use potential, floodwater control, sediment trapping, nutrient attenuation, shoreline anchoring, dissipation of erosive forces, recreational value, educational value, and noteworthiness.
3. 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.

With Findings:

1. Work will be performed in coordination with NRCS (Natural Resource Conservation Service).
2. The crossing as proposed is at the narrowest portion of the wetland and perpendicular to it.
3. The work is proposed to be done "during the drier late summer in order to be of minimum impact to the ecosystem".
4. The bridge is designed to address wildlife considerations; through abutments construction techniques and by spanning the perennial stream and associated wetlands.
5. The access road leading from Sandown Road is not part of the proposed work as it is a long established existing road.
6. The Fremont Conservation Commission approved a similar proposal for a 2010 submission.
7. The applicant has demonstrated by clear and convincing evidence that the prime wetland functions and values will be protected pursuant to RSA 482-A:11.

