

Wetlands Bureau Decision Report

Reviewed by
W/MS 9/17/12

Decisions Taken
09/10/2012 to 09/16/2012

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

**2012-00751 PORTSMOUTH DPW, CITY OF
PORTSMOUTH Piscataqua River**

Requested Action:

Reconstruct 107 linear feet of existing seawall adjacent to city street in working waterfront Piscataqua Back Channel area of Portsmouth, including: 395 square feet of tidal impact to reconstruct seawall and construct stonework stairs as public access to intertidal zone; 1,100 square feet of developed upland tidal buffer zone impact associated with wall removal and roadbed excavation and replacement; and 1,070 square feet of temporary tidal substrate impact adjacent to work area for work access and installation of water quality protections.

Inspection Date: 09/06/2012 by Dori A Wiggin

APPROVE PERMIT:

Reconstruct 107 linear feet of existing seawall adjacent to city street in working waterfront Piscataqua Back Channel area of Portsmouth, including: 395 square feet of tidal impact to reconstruct seawall and construct stonework stairs as public access to intertidal zone; 1,100 square feet of developed upland tidal buffer zone impact associated with wall removal and roadbed excavation and replacement; and 1,070 square feet of temporary tidal substrate impact adjacent to work area for work access and installation of water quality protections.

With Conditions:

1. All work shall be in accordance with revised plans by Vine & Associates/GZA Inc. dated July 2012, as received by the NH Department of Environmental Services (DES) on 8/2/2012.
2. This permit is contingent upon submission to and approval by DES of an erosion control/water quality protection plan prior to the commencement of project work.
3. 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).
4. 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.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. 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 impact area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low tide.
8. Cofferdams shall not be installed during periods of high tide. Once a cofferdam is fully effective, confined work can proceed without restriction.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. 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.
14. 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(a), projects in tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project represents necessary repair of a deteriorated seawall which supports a municipal street.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposal replaces the antiquated wall with a new wall that meets current standards in terms of structural support, but limits permanent expansion into the resource to approximately four feet associated with new footing and facing construction. A small permanent impact for stair construction will provide safe public access to the water and eliminate access impact to the wall.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau reported that, although there is a species record for the project vicinity, no impact to the species is expected as a result of the project.
5. The Portsmouth Conservation Commission recommends approval with the condition that street stormwater be directed to a new catchbasin, and this has been incorporated into the project design.
6. DES Staff conducted a field inspection of the proposed project on 9/6/2012. Field inspection determined that conditions are as represented in the application, and the project is necessary.
7. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.

-Send to Governor and Executive Council-

2012-01182 NH DEPT OF TRANSPORTATION
PORTSMOUTH Unnamed Wetland Sagamore Creek

Requested Action:

Impact 11,790 sq. ft. (3,623 sq. ft. temporary) of tidal buffer zone, palustrine wetlands and tidal wetlands for storm water handling and treatment to reconstruct a portion of the roadway and re-align an intersection as Phase I of a multi-phase project to address bridge replacements.

Mitigate by constructing a 350 ft. long tidal ditch impacting 9,247 sq. ft. (5,603 sq. ft. temporary) of tidal wetland to intercept freshwater which will stop the encroachment of and reduce the existing Phragmites community.

Conservation Commission/Staff Comments:

Cons. Comm. approves with recommendation they receive notice of any hearing, mitigation not be Phragmites control unless 100% removal and mitigation be considered in the city

APPROVE PERMIT:

Impact 11,790 sq. ft. (3,623 sq. ft. temporary) of tidal buffer zone, palustrine wetlands and tidal wetlands for storm water handling and treatment to reconstruct a portion of the roadway and re-align an intersection as Phase I of a multi-phase project to address bridge replacements.

Mitigate by constructing a 350 ft. long tidal ditch impacting 9,247 sq. ft. (5,603 sq. ft. temporary) of tidal wetland to intercept freshwater which will stop the encroachment of and reduce the existing Phragmites community. NHDOT project 13455A.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated September 5, 2012, as received by the Department on September 6, 2012.
2. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources

Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. 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.
7. 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.
8. 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.
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. 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.
11. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
12. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
13. The impacts associated with the temporary work shall be restored immediately following construction.
14. The applicant shall designate a qualified professional who will have the responsibility to assure that the mitigation area is constructed in accordance with the mitigation plan, that monitoring is accomplished in a timely fashion, and remedial measures are taken if necessary. The Wetlands Bureau shall be notified of the designated professional prior to the start of work and if there is a change of status during the project.
15. The applicant shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrium salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
16. The salt marsh ditch is to have 1:1 or steeper side slopes.
17. The material for plugging of the existing swale shall be marine soils with the top being a salt mat free of invasive plants including purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*).
18. The schedule for mitigation construction shall be submitted to the Wetlands Bureau for review.
19. The final mitigation plans, including a planting schedule for the wetland creation and enhancement areas, shall be submitted to the Wetlands Bureau for review.
20. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
21. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
22. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. In other areas the permittee considers spreading the spoils, the potential for the establishment of the invasive species should be considered to limit its further establishment.
23. Wetland mitigation areas shall have at least 75% success rate in Phragmites elimination after two (2) growing seasons, or it shall be reviewed, monitored and modified until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
24. Wetland mitigation 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 hydraulic regime.

25. The NHDOT shall monitor the initial construction of the mitigation area to assure the work is accomplished in accordance with the plan, and that the necessary soil, water and vegetation are present upon completion of work.
26. The NHDOT shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of each mitigation site. After at least five full growing seasons, the NHDOT shall delineate the wetlands within the mitigation site and document the delineation with data forms and depict the delineation as an overlay of the final as built plans.
27. This permit is contingent upon the elimination of approximately 10,000 sq. ft. of invasive plants in accordance with plans received September 6, 2012.
28. The applicant shall consider modifications to the mitigation proposal if through amendments filed during final design and construction work, project impacts exceed amounts represented in the approved permit.
29. The schedule for mitigation construction shall coincide with site development unless otherwise considered and authorized by the Wetlands Bureau to occur subsequent to site construction.
30. Work on the salt marsh shall occur during the months of August through the following April. No work on the marsh shall occur after April 30 unless a waiver of this condition is requested by the applicant and approved by the DES Wetlands Bureau.
31. Construction equipment shall have specialized low ground pressure tracks, which impact less than four (4) pounds per square inch when loaded, or the permittee shall utilize timber or plywood mats beneath machines when driving over wetland areas.
32. Timber or plywood mats shall be utilized in all areas of the marsh where construction equipment is required to travel or turn multiple times over the same area.
33. All weight distribution mats shall be removed from the marsh within a minimum practicable time period.
34. Pre- and post-restoration monitoring shall be completed through the protocols set forth by the "Global Program of Action Coalition for the Gulf of Maine" (GPAC) and the "Monitoring Requirements for Saltmarsh Restoration Projects," NH Coastal Program, September 1998.
35. The permittee shall submit monitoring reports to the DES Wetlands Bureau according to the specifications stated in the above-listed protocols.
36. The permittee shall submit monitoring reports to the DES Wetlands Bureau relative to the forebay structure and shall submit an anticipated maintenance schedule after monitoring for one year.

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 his/her project, as approved and conditioned, 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 detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
6. The erosion controls, water velocity controls, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.
7. The project will remove an overpass and reduce the overall impervious area by 2 percent.
8. The project as approved and constructed in adherence to the erosion control strategies, water treatment system and maintenance requirement offsets impact from any continued discharge.
9. DES staff conducted a field inspection of the proposed project on April 6, 2012 and May 3, 2012. It was determined that the existing outlet discharging to the salt marsh was buried in sediment in a similar manner found during a March 21, 2006 inspection which resulted in a permit, file 2006-00742, to dredge 530 sq. ft. (83 linear feet) of drainage ditch to remove accumulated sediment and widen to provide a catchment area. Field inspections found the existing catch basins in the drainage system to be blocked with sediment and contained stagnant water. It was also determined that the wetland delineation was accurate, that many impacts to jurisdictional areas were previously disturbed and the project will improve public safety.
10. The purpose of the mitigation work is to compensate for the loss of functions provided by the wetlands, which will be otherwise diminished by the project's continual discharge of freshwater into the salt marsh.
11. The construction of a new tidal ditch along the toe of slope will stop the encroachment of and reduce the existing Phragmites

community.

12. Stopping the encroachment of and reducing the existing Phragmites community will improve the ability of the adjacent state threatened plant to survive.
13. The construction of a new tidal ditch will allow the older ditch to fill in over time which will flood the adjacent salt marsh for longer periods of time providing better wading bird habitat and therefore improve the wildlife function in the Designated Prime Wetland.
14. Numerous Natural Resource Agency meetings were held at the NH Dept. of Transportation to discuss and coordinate the project from 2007 through 2012.
15. At the Nov. 16, 2011 Natural Resource Agency meeting, the DES noted concerns that hooded catch basins did not provide enough water treatment and mentioned that the City of Portsmouth Prime Wetlands were submitted to the DES (FILE 2011-00261) although were not yet approved as the Wetlands Bureau was waiting for more information.
16. On Dec. 13, 2011 the DES met with the NHDOT design team and it was determined that a sediment separator unit would not fit in the current drainage easement area and the NHDOT would get more detailed topographic information at the outlet towards the salt marsh.
17. On Dec. 20, 2011 the DES accepted the City of Portsmouth Prime Wetlands, file 2011-00261, as complete.
18. On Feb. 9, 2012 the DES met with the NHDOT design team and discussed a proposed draft design which would include fill in the salt marsh to construct a sediment basin. The DES noted the recent acceptance of the Prime Wetlands and the design of filling them would not meet the requirement of clear and convincing evidence there would be no significant loss of values as set forth in RSA 482-A:1.
19. On Feb. 22, 2012 the DES received a set of road design plans and a drainage report for the project.
20. On Mar. 28, 2012 the DES met with the NHDOT design team and offered suggestions to change the outlet culverts into the salt marsh from round to a very shallow box in order to prevent flooding of the roadway and gain a better culvert slope providing a positive flow. NHDOT noted this would block the other culverts coming into the system
21. On May 10, 2012 the DES received the application to: Impact 13,555 sq. ft. (4,378 sq. ft. temporary) of tidal buffer zone, palustrine wetlands and tidal wetlands for storm water handling and treatment to reconstruct a portion of the roadway and re-align an intersection as Phase I of a multi-phase project to address bridge replacements. NHDOT project 13455A.
22. At the June 20, 2012 Natural Resource Agency meeting, the design was explained as treating 1.4 acres of roadway and that currently there is none. The discussion included the possibility of constructing a new ditch in the salt marsh to convey the water.
23. On June 22, 2012 DES staff conducted a field inspection of the proposed project with the Natural Heritage Bureau and NHDOT to assess possible impacts to a state threatened plant. Field inspection determined there would be the opportunity for Phragmites control and possible elimination over time through a design of a tidal ditch intercepting fresh water.
24. On June 26, 2012 the DES received a report from the Portsmouth Conservation Commission approving of the project with the recommendations that they receive notice of any hearing, mitigation not be Phragmites control unless 100% removal and mitigation be considered within the city
25. On June 26, 2012 the DES met with the NHDOT design team and noted that as there was no mitigation the application was incomplete and that at a previous meeting indicated the plans did not show how the project would meet the requirement of clear and convincing evidence there would be no significant loss of values.
26. On June 26, 2012 the DES received a letter from the NHDOT requesting approval with the condition that further evaluation of the outlet alternative would be performed and the permit be amended with concurrence by the DES and Conservation Commission.
27. On July 10, 2012 the DES met with the NHDOT design team who explained the progress of the survey to locate property lines and collect topographic information and that the new ditch appears to be constructible. DES noted that rule Env-Wt 704.01 requires a 20 day wait for permit issuance after any approval of impacts to prime wetland.
28. On August 23, 2012 the applicant sent an e-mail noting the modified plans will be submitted and the DES responded that the applicant consider addressing the rules regarding mitigation and Prime Wetlands so the application meets the clear and convincing evidence standard.
29. On Sept. 6, 2012, the DES received an amended plan set requesting to impact 11,790 sq. ft. (3,623 sq. ft. temporary) of tidal buffer zone, palustrine wetlands and tidal wetlands for storm water handling and treatment to reconstruct a portion of the roadway and re-align an intersection as Phase I of a multi-phase project to address bridge replacements and to mitigate by constructing a 350 ft. long tidal ditch impacting 9,247 sq. ft. (5,603 sq. ft. temporary) of tidal wetland. There was no response to the mitigation or Prime Wetland rules included with the submittal.
30. Based on findings #1-13 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

31. 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 and estuarine resources, as identified under RSA 482-A:1.

**2012-02447 ORSILLO, RICHARD & PATRICIA
GORHAM Peabody River**

Requested Action:

Dredge and fill 15,544 sq. ft. (approximately 372 linear ft.) of bed and bank of the Peabody River to restore and stabilize the stream bank adjacent to an existing home and road. 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.

APPROVE PERMIT:

Dredge and fill 15,544 sq. ft. (approximately 372 linear ft.) of bed and bank of the Peabody River to restore and stabilize the stream bank adjacent to an existing home and road. 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 #1 Streambank Stabilization and Construction Specifications 2, 5, 6, 11, 21, 23, 61, 81, 95, 600 and 708 dated through August 23, 2012, as received by the NH Department of Environmental Services (DES) on September 10, and 11, 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. 2012-02447 prior to construction.
3. 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.
4. The temporary access road shall be restored "in-kind".
5. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species and densities.
6. NRCS shall monitor construction to ensure that the areas are constructed in accordance with the approved plans.
7. 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.
8. Work shall be done during low flow.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. 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.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
12. 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.
13. 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.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau (unless used as part of the approved stabilization work).
17. 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.
18. 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.

19. 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.

20. 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).

21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

22. 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.

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

24. 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 and road from further erosion and flooding.

4. The 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

2011-03106 JOAN M RILEY REVOCABLE TRUST
RYE Unnamed Wetland

Requested Action:

Applicant requests permit amendment to reflect changes to previously approved plans.

Conservation Commission/Staff Comments:

See findings.

APPROVE AMENDMENT:

Impact a total of 7,526 square feet within the previously-developed 100-foot tidal buffer zone to include 2,909 square feet of permanent impact and 4,617 square feet of temporary impact for the construction of a garage, removal of impervious surface and construction of a rain garden for stormwater management on a single-family residential lot of approximately 4.14 acres.

With Conditions:

1. All work shall be in accordance with the 'Wetland Bureau Permit Plan' (Sheet C2) and 'Utility & Grading Plan' (Sheet C3) and plans by Ambit Engineering, Inc. dated November 2011 and revised through 7/23/12, as received by the NH Department of Environmental Services (DES) on August 14, 2012.
2. 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.
3. DES Wetlands Bureau Southeast Region staff and the Rye Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. There shall be no further alteration of jurisdictional areas for lot development, driveways, culverts, or for any other construction activities.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. 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.
10. No more than 4.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b) Projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02.
2. The applicant requests to construct a detached garage on the property within the previously developed 100-foot tidal buffer zone; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo dated 11/22/2011 from the NH Natural Heritage Bureau (NHB) identified two (2) plant species within the vicinity of the proposed project: Beach Grass (*Ammophila breviligulata*) and Tall Wormwood (*Artemisia campestris* ssp. *caudata*).
6. In response to the aforementioned NHB memo, the NHB stated, "[the] NHB does not expect that either of the rare plant species would grow on this site as they are both species that would grow in dry sandy dune habitat rather than salt marsh habitat."
7. The applicant offered mitigation for the proposed project although mitigation is not required under DES rules. Invasive plant species found on the property will be removed and the applicant offered to plant approximately 1,890 square feet in supplemental buffer plantings.
8. This project is also under the jurisdiction of the Shoreland Water Quality Protection Act and does not require the submittal of a Shoreland Application in accordance with RSA483-B:5-bIV.
9. The applicant requests a waiver to Env-Wq 1405.03(b)(2) in accordance with Env-Wq 1413.03.
10. DES hereby waives rule Env-Wq 1405.03(b)(2) as granting the waiver will not result in an adverse effect to the nearby salt marsh or natural resources of the State, public health, or public safety.
11. Although the owner is not required to create a rain garden to manage stormwater as only 4.4% percent of the lot will be impervious, the rain garden will be constructed in accordance with RSA 483-B:9V(g)(2).
12. The Rye Conservation Commission did not comment directly to the DES speaking for or against the proposed project.

13. No Federal agencies commented on the project.

**2012-01504 NH DEPT OF TRANSPORTATION
ANDOVER Blackwater River**

Requested Action:

Rehabilitate a bridge, remove boulder, armor the center pier and modify drainage impacting 9,565 sq. ft. (7,999 sq. ft. temporary) of riverine and palustrine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE PERMIT:

Rehabilitate a bridge, remove boulder, armor the center pier and modify drainage impacting 9,565 sq. ft. (7,999 sq. ft. temporary) of riverine and palustrine wetlands. NHDOT project #15901

With Conditions:

1. All work shall be in accordance with undated plans by NHDOT Bureau of Bridge Design, as received by the Department on June 11, 2012.
2. Invasive species shall be flagged in the field during the growing season and located on a plan to be submitted to the file prior to any construction activity.
3. Invasive species shall be dealt with in accordance with appropriate methods including the Best Management Practices for Roadside Invasive Plants 2008 by the NH Dept. of Transportation.
4. Construction shall be coordinated with the requirements noted in the NH Fish and Game Dept. memo of February 28, 2011 and any construction activities shall be coordinated with that Dept.
5. At least 48 hours prior to the start of construction, a notice shall be submitted to this file along with an anticipated construction schedule.
6. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
7. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
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 not be located within surface waters.
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; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. 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.
15. 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.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching 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.

17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

18. 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.

19. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

20. All activity 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 Wt 303.02((p), projects that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 31, 2012. Field inspection determined that impacts to jurisdiction will protect the structure, remove an obstruction or will be temporary impacts and will improve public safety. Inspection also found a significant area of invasive species.
6. The project will rehabilitate an existing deteriorated bridge deck to meet current standards.
7. The project was coordinated with the Natural Resource Agencies and presented at a meeting held at the NH Dept. of Transportation on March 16, 2011.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine wetland ecosystem.

2012-02098 TOWN OF WASHINGTON
WASHINGTON Unnamed Stream

Requested Action:

Impact a total of 4,228 sq. ft. (1415 sf permanent & 2813 sf temporary construction impacts) within the flow channel and embankments of an unnamed brook which crosses under Dole School House Road for work associated with the removal and replacement of a deteriorated and undersized 7 ft. x 11 ft. CMP culvert with a 24 ft. x 40 ft. bridge on abutments with stone rip-rap bank stabilization. A temporary bypass road/culvert crossing will be in place during construction.

Conservation Commission/Staff Comments:

No comments were received from the Washington Conservation Commission on this application.

APPROVE PERMIT:

Impact a total of 4,228 sq. ft. (1415 sf permanent & 2813 sf temporary construction impacts) within the flow channel and embankments of an unnamed brook which crosses under Dole School House Road for work associated with the removal and replacement of a deteriorated and undersized 7 ft. x 11 ft. CMP culvert with a 24 ft. x 40 ft. bridge on abutments with stone rip-rap bank stabilization. A temporary bypass road/culvert crossing will be in place during construction.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated July 3, 6 & 13, 2012, as received by the NH Department of Environmental Services (DES) on August 06, 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. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
8. 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.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. 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.
14. 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(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
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 24 ft. x 40 ft. bridge is greater than required for hydraulic considerations, removes the constriction in the brook caused by the existing deteriorated 7 ft. x 11 ft. CMP culvert and widens the waterway opening to the average width of the brook upstream and downstream of the existing undersized culvert.

MINIMUM IMPACT PROJECT

2012-01770 CITY OF NASHUA
NASHUA Merrimack River

Requested Action:

Temporarily impact 4,000 sq. ft. of upland adjacent to a designated prime wetland for work associated with the installation of an underground Combined Sewer Overflow (CSO) storage tank with interconnecting pipeline.

Conservation Commission/Staff Comments:

The Lower Merrimack LAC is in support of this project.

APPROVE PERMIT:

Temporarily impact 4,000 sq. ft. of upland adjacent to a designated prime wetland for work associated with the installation of an underground Combined Sewer Overflow (CSO) storage tank with interconnecting pipeline.

With Conditions:

1. All work shall be in accordance with plans by Hayner/Swanson, Inc. dated 28 September 2010, as received by the NH Department of Environmental Services (DES) on July 05, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Nashua 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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(0).
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 is construct an approximately 800 sf underground concrete tank which will be used to store combined sewer overflows (CSO) during storm events and then discharge it back to the City sewer system when sewer capacity becomes available. CSO's consist of stormwater and untreated sewage. The structure will include an internal weir device to allow cso to discharge into the Merrimack River during very large storm events when the capacity of the tank is exceeded. Overall, the underground storage tank will result in the substantial reduction of CSO discharges to the river, thus improving the water quality and habitat for aquatic species.

2012-02002 KALIL, BRENDA/CHARLES
DUMMER Androscoggin River

Requested Action:

Fill 1,352 sq. ft. in palustrine forested wetlands to upgrade an existing woods road to provide better access to the Kalil & Son Fish & Game Farm.

Conservation Commission/Staff Comments:

Dummer Conservation Commission signed the expedited application

APPROVE PERMIT:

Fill 1,352 sq. ft. in palustrine forested wetlands to upgrade an existing woods road to provide better access to the Kalil & Son Fish & Game Farm.

With Conditions:

1. All work shall be in accordance with plans by Jonathan A. Sisson III dated July 11, 2012, as received by the NH Department of Environmental Services (DES) on July 30, 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. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

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.

2012-02205

NH DEPT OF TRANSPORTATION

ALTON

Requested Action:

Remove sediment at the outlet of a 6 ft. culvert impacting 1,100 sq. ft. of riverine and palustrine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Remove sediment at the outlet of a 6 ft. culvert impacting 1,100 sq. ft. of riverine and palustrine wetlands. NHDOT project #M315-6.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 3 dated 7/31/12 as received by the Department on Aug. 15, 2012.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. 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.
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 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.
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).
9. 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.
10. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
11. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j), projects within the right of way of a public highway meeting certain criteria.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

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

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

FORESTRY NOTIFICATION

2012-02218 NASER, ROBERT
GOFFSTOWN Unnamed Stream

COMPLETE NOTIFICATION:
Goffstown, Tax Map#10, Lot#28-4

2012-02279 CROOKS, GARY
WEBSTER Unnamed Stream

COMPLETE NOTIFICATION:
Webster, Tax Map#2, Lot#26-1

2012-02289 BRIOTT LLC
NEWBURY Unnamed Stream

COMPLETE NOTIFICATION:
Newbury, Tax Map#051, Lot#483, Block#694

2012-02462 ULERY, FREDERICK
BENTON Unnamed Stream

COMPLETE NOTIFICATION:
Benton, Tax Map#5, Lot#2

2012-02466 TEMPLE, JEAN
MADBURY Unnamed Stream

COMPLETE NOTIFICATION:
Madbury, TM 3, L #45

2012-02474 LAMERE, DONALD
NORTHFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Northfield Tax Map R21, Lot #6

2012-02485 MATHEY, GEORGE
BETHLEHEM Unnamed Stream

COMPLETE NOTIFICATION:
Bethlehem TM 403, Lot #13

2012-02491 BLODGETT, IROV FAMILY TRUST
SALEM Unnamed Stream

COMPLETE NOTIFICATION:
Salem, TM 100, Lot #7913

2012-02498 ROSE, CHUCK
SALISBURY Unnamed Stream

COMPLETE NOTIFICATION:
Salisbury, Tax Map#229, Lot#7

2012-02504 USDA FOREST SERVICE
BENTON Unnamed Stream

COMPLETE NOTIFICATION:
Benton, Tax Map# US Tracts 44,48,59,59a-c,59p,62a,77,155

EXPEDITED MINIMUM

2012-02188 LEARY, ROBERT
FARMINGTON

Requested Action:

Remove collapsed stone woods road crossing from streambed impacting 60 square feet; replace with full-span crossings with 75 square feet of impact in the banks for abutments.

APPROVE PERMIT:

Remove collapsed stone woods road crossing from streambed impacting 60 square feet; replace with full-span crossings with 75 square feet of impact in the banks for abutments.

With Conditions:

1. All work shall be in accordance with plans by Robert Leary, PE dated 7/28/2012, as received by the NH Department of Environmental Services (DES) on 8/14/2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new

application and 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. 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. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), and exempt from the stream crossing rules per Env-Wt 901.03(e).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing crossing was damaged by flooding in 2007, is not usable and has created a flow obstruction.
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 new crossing will eliminated the obstruction and provide for full flow capacity to greater than 25-year storm 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project vicinity by the NH Natural Heritage Bureau.
5. The Farmington Conservation Commission signed the expedited application.
6. This project is part of a NRCS Wetlands Restoration Plan for a 78-acre parcel in the NRCS Wetlands Reserve program.

2012-02198 RICCI SUPPLY COMPANY
PORTSMOUTH North Mill Pond

Requested Action:

Impact a total of 12,383 square feet in the developed upland tidal buffer zone for renovation of an existing business structure in an urban location, including 8,700 square feet to reconstruct the structure in the same footprint, and 3,683 square feet of associated temporary impact.

Request to waive Administrative Rule Env=Wt 304.04, Setback to Property lines.

APPROVE PERMIT:

Impact a total of 12,383 square feet in the developed upland tidal buffer zone for renovation of an existing business structure in an urban location, including 8,700 square feet to reconstruct the structure in the same footprint, and 3,683 square feet of associated temporary impact.

Waive Administrative Rule Env=Wt 304.04, Setback to Property lines.

With Conditions:

1. All work shall be in accordance with plans by Ross Engineering dated 8/8/2012, as received by the NH Department of Environmental Services (DES) on 8/13/2012.
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 further permitting by the Bureau.
3. 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.
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 remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. 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 minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed uplands within 100 feet of the highest observable tide line which are not major or minor pursuant to Env-Wt 303.02 or 303.03, respectively.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Two old adjoining commercial buildings are in need of repair or replacement.
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. One building will have only interior renovations; the other will be rebuilt in the same footprint.
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 in the project vicinity by the NH Natural Heritage Bureau.
5. The Portsmouth Conservation Commission signed the expedited minimum application.
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 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 reconstruction of the building within the same footprint 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.

2012-02244 TOWN OF WASHINGTON
WASHINGTON Unnamed Wetland

Requested Action:

Impact a total 1,021 sq. ft. (242 sf permanent & 779 sf temporary construction impacts) within the flow channel and embankments of an unnamed brook for work associated with the replacement of a deteriorated and undersized 36 in. CMP culvert with a 4 ft. x 8 ft. concrete box culvert. A temporary bypass road / culvert crossing will be in place during construction.

Conservation Commission/Staff Comments:

No comments received.

Conservation Commission signed expedited application

APPROVE PERMIT:

Impact a total 1,021 sq. ft. (242 sf permanent & 779 sf temporary construction impacts) within the flow channel and embankments of an unnamed brook for work associated with the replacement of a deteriorated and undersized 36 in. CMP culvert with a 4 ft. x 8 ft. concrete box culvert. A temporary bypass road / culvert crossing will be in place during construction.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated August 14, 2012, as received by the NH Department of Environmental Services (DES) on August 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. 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. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
8. 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.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. 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.
14. 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(o).
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 Request for Alternative Design per Env-Wt 904.09 is approved with the finding that the proposed 4 ft. x 8 ft. concrete box culvert is greater than required for hydraulic considerations, removes the constriction in the brook caused by the existing deteriorated 36 in. CMP culvert and widens the culvert crossing to the average width of the brook upstream and downstream of the existing undersized culvert.

2012-02275 TRUSTEES OF DARTMOUTH COLLEGE
LYME Unnamed Wetland

Requested Action:

Impact 1,865 sq. ft. in DES Wetlands jurisdiction for work associated with the improvements required by DES Dam Bureau LOD, DSP # 12-012 to the wastewater lagoon berms at Dartmouth Skiway.

Conservation Commission/Staff Comments:

The Lyme Conservation Commission signed the application and has no objections to the project as proposed.

APPROVE PERMIT:

Impact 1,865 sq. ft. in DES Wetlands jurisdiction for work associated with the improvements required by DES Dam Bureau LOD, DSP # 12-012 to the wastewater lagoon berms at Dartmouth Skiway.

With Conditions:

1. All work shall be in accordance with plans by Geoinsight, Inc. dated 07/30/12, as received by the NH Department of Environmental Services (DES) on August 30, 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. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
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.

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.

2012-02328 BETHLEHEM VILLAGE DISTRICT/USFS
BETHLEHEM South Branch Gale River

Requested Action:

Impact a total of 2,320 square feet within jurisdictional areas to include 2,040 square feet within a palustrine forested wetland, 120 square feet of bed and bank (along 24 linear feet) of an intermittent stream, and 160 square feet bed and bank (along 20 linear feet) of the South Branch of the Gale River to gain access to the Bethlehem Village District's Gale River Dam to perform necessary repairs for continued usefulness.

APPROVE PERMIT:

Impact a total of 2,320 square feet within jurisdictional areas to include 2,040 square feet within a palustrine forested wetland, 120 square feet of bed and bank(along 24 linear feet) of an intermittent stream, and 160 square feet bed and bank (along 20 linear feet) of the South Branch of the Gale River to gain access to the Bethlehem Village District's Gale River Dam to perform necessary repairs for continued usefulness.

With Conditions:

1. All work shall be in accordance with plans by Lobdell Associates, Inc. as received by the NH Department of Environmental Services (DES) on August 27, 2012.
2. DES Wetlands Bureau Southeast Region staff (Portsmouth Office) shall be notified in writing prior to commencement of work and upon its completion.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
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. 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. Unconfined work within the South Branch of the Gale 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. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

11. Temporary cofferdams shall be entirely removed immediately following construction.

12. Repair shall maintain existing size, location and configuration.

13. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.

15. Faulty equipment shall be repaired prior to entering jurisdictional areas.

16. 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.

17. 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), alteration of less than 3,000 square feet of forested wetland.

2. The impacts are necessary to repair the Bethlehem Village District's (BVD) Gale River Dam as the dam supplies approximately 25 percent of the BVD water supply to the residents of Bethlehem; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The impacts to access the dam have been minimized by utilizing an existing water main corridor and the dam repairs will be performed in-kind; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

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

5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

6. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

7. In accordance with Env-Wt 304.04(a) the applicant received written concurrence from the abutter identified as the United States Department of Agriculture, Forest Service, White Mountain National Forest for those impacts within 20-feet of their property.

8. On August 23, 2012, Thomas S. Burack, DES Commissioner approved the 'Request for Expedited Review of Wetlands Application' pursuant to SOP 201 for the review of this application.

9. An application was also submitted from the Town of Franconia for the proposed work (NHDES Wetlands Bureau file #2012-02376). That file has been closed and the permit was processed under the Town of Bethlehem, NHDES Wetlands Bureau application file #2012-02328.

GOLD DREDGE

2012-02445 TAYLOR, ERIC
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

LAKES-SEASONAL DOCK NOTIF

2012-02424 STRONG, ANN
NEW HAMPTON Jackson Pond

Requested Action:
Installation of a seasonal docking structure.

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN:
Installation of a seasonal docking structure.

With Findings:
Installation of a seasonal docking structure.

ROADWAY MAINTENANCE NOTIF

2012-02476 NH DEPT OF TRANSPORTATION
DOVER Unnamed Stream Unnamed Wetlands

COMPLETE NOTIFICATION:
Replace 8 ft. of 15 in. culvert and construction of 2 headwalls.

PERMIT BY NOTIFICATION

2012-02411 TERRY, SUSAN
BARNSTEAD Huntress Pond

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

Conservation Commission/Staff Comments:
Con Com signed PBN form

PBN IS COMPLETE:
Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no

change in height, length, location, or configuration.

With Findings:

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

2012-02422 FETTER, LISA
EAST WAKEFIELD Ivanhoe Pond

Requested Action:

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

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

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

With Findings:

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

2012-02423 NELSON TRUST, MARY LOU
MEREDITH Lake Winnepesaukee

Requested Action:

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

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

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

With Findings:

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

2012-02448 OLIVER, KEVIN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Installation of a seasonal boatlift.

Conservation Commission/Staff Comments:

Con Com submitted comments stating Boatlift is already installed.

PBN IS COMPLETE:

Installation of a seasonal boatlift.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ac), installation of a seasonal boatlift.

2012-02449 DAVIS, MICHELLE/THOMAS
SUNAPEE Sunapee Lake

Requested Action:

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

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

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

With Findings:

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

2012-02480 TOBEY, HERBERT/JEAN
SUNAPEE 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.

2012-02487 SPRINGFIELD, TOWN OF
SPRINGFIELD Kolelemook Lake

Requested Action:

Installation or repair of a dry hydrant.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Installation or repair of a dry hydrant.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w), installation or repair of a dry hydrant.

CSPA PERMIT

2009-00105 GATEWAY HOMES LLC
NEW CASTLE Lavenger Creek

Requested Action:

Applicant request after the fact approval of as-built plans showing modifications made to the proposed home and site grading.

APPROVE AFTER THE FACT:

Approve as-built plan revision dated August 13, 2012 showing modifications made to the footprint of the residence, grading, and stormwater management system.

With Findings:

1. The project as constructed resulted is less impervious surface area than was originally approved.
2. The subsurface stormwater management system should be adequate to treat the stormwater run-off from the project as completed.

2012-01692 PUTNAM, FREDERICK/SUSAN
HARRISVILLE Silver Lake

Requested Action:

Amended Permit Description: Approve construction is located on Tax Map 71 Lt No. 6 & 6-1

Impact 20,080 sq ft in order to relocate an existing driveway, install retaining walls, terraces and rain gardens, and relocate an existing leachfield to a location outside of protected shorelands.

APPROVE AMENDMENT:

Amended Permit Description: Approve construction is located on Tax Map 71 Lt No. 6 & 6-1

Impact 20,080 sq ft in order to relocate an existing driveway, install retaining walls, terraces and rain gardens, and relocate an existing leachfield to a location outside of protected shorelands.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates dated July 23, 2012 and received by the NH Department of Environmental Services (DES) on July 24, 2012.
2. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,030 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.

2012-02257 G & A COLONY 2003 TRUST
HARRISVILLE Silver Lake

Requested Action:

Impact 6,195 sq ft in order to reconstruct a primary structure and relocate it such that all portions shall be landward of the reference line, remove a shed, and replace a nonconforming deck with a conforming pervious patio.

APPROVE PERMIT:

Impact 6,195 sq ft in order to reconstruct a primary structure and relocate it such that all portions shall be landward of the reference line, remove a shed, and replace a nonconforming deck with a conforming pervious patio.

With Conditions:

1. All work shall be in accordance with plans by Pelletieri Associates, Inc. dated August 8, 2012 and received by the NH Department of Environmental Services (DES) on August 20, 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 14.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 2,196 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. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. 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.

2012-02259 GOYETTE, CHERYL/LEO
ALTON Lake Winnepesaukee

Requested Action:

Impact 4,845 sq. ft. in order to renovate an existing dwelling and construct an attached garage.

APPROVE PERMIT:

Impact 4,845 sq. ft. in order to renovate an existing dwelling and construct an attached garage.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc. dated August 16, 2012 and received by the NH Department of Environmental Services (DES) on August 21, 2012.
2. No more than 21.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. 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.

2012-02267

LAPLANTE, PHILIP

HOOKSETT Merrimack River

Requested Action:

Impact 5,600 sq. ft. in order to install a 24ft. x 48ft. tent structure.

APPROVE PERMIT:

Impact 5,600 sq. ft. in order to install a 24ft. x 48ft. tent structure.

With Conditions:

1. All work shall be in accordance with plans by Philip J. Laplante dated August 1, 2012 and received by the NH Department of Environmental Services (DES) on August 22, 2012.
2. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The percentage of area maintained in an unaltered state on nonconforming lots shall not be decreased if less than 25 percent state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-02268

NH FISH & GAME DEPARTMENT

STRATHAM Squamscott River

Requested Action:

Impact 3025 sq. ft. in order to add additional 605 ft. of hard packed surface to an existing pathway.

APPROVE PERMIT:

Impact 3025 sq. ft. in order to add additional 605 ft. of hard packed surface to an existing pathway.

With Conditions:

1. All work shall be in accordance with plans by Kellee A Duckworth dated August 20, 2012 and received by the NH Department of Environmental Services (DES) on August 22, 2012.
2. No more than 7.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 9,677 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.

2012-02270 ROCCO, EDWARD/PATRICIA
GILFORD Lake Winnepesaukee

Requested Action:

Impact 6,248 sq. ft. in order to construct a single family dwelling and driveway.

APPROVE PERMIT:

Impact 6,248 sq. ft. in order to construct a single family dwelling and driveway.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc. dated August 1, 2012 and received by the NH Department of Environmental Services (DES) on August 22, 2012.
2. No more than 19.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. No work within the waterfront buffer shall reduce the score that is required for each 50ft. x 50ft. grid segment per RSA 483-B:9,V.(a).
4. At least 2,468 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

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

2012-02274 FIORE, ALICE
GOFFSTOWN Piscataquog River

Requested Action:

Impact 2,700 sq. ft. in order to raze existing structure and construct a new structure further back from the reference line.

APPROVE PERMIT:

Impact 2,700 sq. ft. in order to raze existing structure and construct a new structure further back from the reference line and install permeable pavers for the driveway.

With Conditions:

1. All work shall be in accordance with plans by Eric C. Mitchell & Association, Inc. dated July 20, 2012 and received by the NH Department of Environmental Services (DES) on August 23, 2012.
2. No more than 30.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. 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 control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2012-02290 NIGHTINGALE, DAVID/NELIA
CENTER OSSIPEE Ossipee Lake

Requested Action:

Impact 3,281 sq ft in order to construct a new entry, add an addition, install a new septic system, and revegetate a portion of existing driveway.

APPROVE PERMIT:

Impact 3,281 sq ft in order to construct a new entry, add an addition, install a new septic system, and revegetate a portion of existing driveway.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey & Engineering, Inc. dated July 26, 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 30.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 1,191 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.

CSPA PERMIT W/WAIVER

2009-00892 GRAHAM, JOHN
ENFIELD Spectacle Pond

Requested Action:

AMENDMENT DESCRIPTION: Revised plan submitted May 11, 2012 to include the construction of a 4 foot by 10 foot addition to the primary structure and changes to garage, driveway, and access walkway locations. New post-construction impervious area, 13.8%.

PERMIT DESCRIPTION: Impact 4,700 sq ft to construct a 12'x 12' screened porch, a 20x 24' detached garage, a 3'x 51' long sidewalk, and reconfigure gravel driveway.

Inspection Date: 03/08/2011 by Jeffrey D Bleharczyk

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Revised plan submitted May 11, 2012 to include the construction of a 4 foot by 10 foot addition to the primary structure and changes to garage, driveway, and access walkway locations. New post-construction impervious area is 13.8%.

PERMIT DESCRIPTION: Impact 4,700 sq ft to construct a 12'x 12' screened porch, a 20x 24' detached garage, a 3'x 51' long sidewalk, and reconfigure gravel driveway.

With Conditions:

- 1. All work shall be in accordance with plans by Pathway Consulting, LLC dated April 30, 2012 and received by the Department of Environmental Services ("DES") on May 11, 2012.
- 2. This Permit is contingent upon completion of the Restoration Plan Approval Letter issued by DES on September 10, 2012.
- 3. No more than 13.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- 4. At least 1,156 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
- 5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
- 6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
- 7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.