

Wetlands Bureau Decision Report

*Review by
WJH
10/15/12*

Decisions Taken
10/08/2012 to 10/14/2012

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

2007-01433 NASHUA, CITY OF
NASHUA Salmon Brook

Requested Action:

Request Time Extension on permit to: Excavate, regrade or otherwise alter terrain and/or perform construction work totaling 2,237 sq. ft. of permanent and temporary impacts in or adjacent to the designated prime wetlands of Salmon Brook for work associated with the Rotary Common Improvement Project to upgrade existing conditions at this abandoned former industrial site for use as a pedestrian oriented municipal urban park.

Conservation Commission/Staff Comments:

The Nashua Conservation Commission provided a favorable recommendation for this project at their meeting on June 5, 2007.

Inspection Date: 10/24/2007 by Frank D Richardson

APPROVE TIME EXTENSION:

Approve Time Extension on permit to: Excavate, regrade or otherwise alter terrain and/or perform construction work totaling 2,237 sq. ft. of permanent and temporary impacts in or adjacent to the designated prime wetlands of Salmon Brook for work associated with the Rotary Common Improvement Project to upgrade existing conditions at this abandoned former industrial site for use as a pedestrian oriented municipal urban park.

With Conditions:

1. All work shall be in accordance with plans by The Louis Berger Group, Inc. dated June 15, 2007, as received by DES on June 22, 2007.
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. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. NH DES Wetland Bureau Southeast Region staff and the Nashua Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this 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 project as approved and constructed in adherence to the provided construction sequence, erosion controls, water treatment system and maintenance program offsets impact from any increased runoff created by the development.
7. Based on the inspection conducted on October 24, 2007 by Wetlands Bureau staff, the project involves minor environmental impacts.
8. Based on the findings 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.
9. A prime wetlands public hearing was held October 24, 2007.

2009-02154 **LUCY, CHESTER**
CONWAY Saco River

Requested Action:

Dredge and fill 400 linear feet (12,840 square feet; including 890 square feet of temporary impacts) of bed and bank of the Saco River for bank stabilization. These impacts include retaining 225 linear feet (8,055 square feet) of dredge and fill that occurred without a permit. Compensatory mitigation for the stream impacts consists of a 10.8 acre upland buffer preservation area.

APPROVE PERMIT:

Dredge and fill 400 linear feet (12,840 square feet; including 890 square feet of temporary impacts) of bed and bank of the Saco River for bank stabilization. These impacts include retaining 225 linear feet (8,055 square feet) of dredge and fill that occurred without a permit. Compensatory mitigation for the stream impacts consists of a 10.8 acre upland buffer preservation area.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers, Inc. entitled Design Drawings for Saco River Bank Stabilization on property of Chester Lucy (sheets 1-7 of 7) with revised March 29, 2012 as received by the Department on April 06, 2012.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Work shall be done during low flow.
5. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction and after two full growing seasons.
6. The river banks buffer 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.
7. Construction equipment shall not enter the surface water and shall conduct work from the adjacent banks and upland areas.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. 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.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. 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.

18. 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.

Compensatory Mitigation

19. This permit is contingent upon the execution of a conservation easement on 10.8 acres as depicted on plans entitled Conservation Easement Plan of the Armbruster Lot as received by the Department on August 22, 2012.

20. Following permit issuance and prior to recording of the conservation easement deed, the natural resources existing on the conservation easement parcel shall not be removed, disturbed, or altered without prior written approval of DES and the easement holder.

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

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

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

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

25. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.

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

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 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.
3. 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.
4. Reports by Field Geology Services: Fluvial Geomorphology stated: (1) There is a history of land clearance in the upper watershed and artificial channel straightening on the mainstem continues to generate high sediment loads that feed the growth of the gravel bar across from the eroding bank; (2) The height of the eroding bank further increases instability by containing flood flows within the channel; (3) Erosion at the site has persisted for decades and rapid erosion is expected to continue into the future based on the geometry of the bend; (4) Continuous and rapid bank erosion does not provide sufficient time for vegetation to become rooted in the bank slope. Therefore vegetative solutions at the site are likely to be ineffective; (5) The valley constriction downstream of the site controls the rate of sediment transport such that the downstream sediment deficit typically resulting from riprap will not occur at the site; (6) The existing riprap at the site has not resulted in downstream erosion or channel instability.
5. The applicant's engineer was concerned with the lack of success of vegetative stabilization based on recent damage from Tropical Storm Irene of other banks stabilization projects. Furthermore, the applicant's engineer referenced guidance given by DES in response to Tropical Storm Irene for the design elevation of riprap. Guidance given for the immediate response for Tropical Storm Irene addressed emergency situations where a threat to public safety or public health existed or significant damage to private property was imminent. The department's standard review is based on avoidance, minimization and the least impacting alternative (Env-Wt 302.03(a) and Env-Wt 302.04(a)(2)). The department's decision to approve the proposed design was not based on these concerns. The department's decision was based on site constraints and downstream controls as documented in reports by Field Geology Services.
6. The project includes planting a 10 foot wide riparian buffer.

7. The project has been designed and plans stamped by a licensed New Hampshire Professional Engineer.
8. The conservation easement property contains 440 feet of the East bank of the Saco River, 370 feet of frontage along the former main channel of the Saco River, 8.6 acres of mixed hardwood floodplain forest, provides important wildlife habitat, and abuts nearby conservation lands.
9. The Society for the Protection of New Hampshire Forest indicated in a letter dated July 18, 2012 that the property would be a significant and important addition to their portfolio of conservation easements.
10. The applicant has provided a waiver request per Env-Wt 204.03, to waive the delineation of wetland boundaries as required per Env-Wt 301.01 (g).
11. All proposed impacts will occur in the bed and banks of the Saco River.
12. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 301.01.
13. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
14. In a memo dated February 13, 2012 the NH Natural Heritage Bureau stated "This memo is a follow-up to NHB11-1772 which had listed two state-threatened plant species and three exemplary natural communities in close proximity to the proposed bank stabilization project. The Natural Heritage Bureau (NHB) requested further information about the project to determine the potential for impacts. Based on the information provided (site plans and site photos), NHB does not expect that any of the rare plant species or exemplary natural communities would occur along the bank that is proposed to be stabilized. However, the exemplary hudsonia - silverling river channel community with the two namesake state-threatened plant species (hairy hudsonia (*Hudsonia tomentosa*) and silverling (*Paronychia argyrocoma*)) does occur in immediate vicinity, on the other side of the river bank. The exemplary natural community occupies the uppermost zone of the river channel, corresponding roughly to the two-year floodplain. The restricted distribution of this community corresponds to a combination of flood-related disturbance and soil conditions along the river profile. Above open cobble shore, river channel barren zones are scoured enough to prevent most woody plant growth, but stable enough for perennial species such as hairy hudsonia and silverling to survive. Since the natural community and rare plants are restricted to this uppermost zone, above the wide cobble barren, it is unlikely that it will be impacted by the bank stabilization across the river."
15. DES has not received any abutter or public comments in objection to the proposed project.
16. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

2012-01027 AMAZEEN, CAROLINE/PAUL
NEW CASTLE Piscataqua River

Requested Action:

Approve name change to: Jonathan Watson Sobel, trustee, The Jonathan Watson Sobel Revocable Trust, 49 Sheaf Street, Portsmouth, NH 03801 Second Crown Point Road, Strafford NH 03884 per request received 10/1/12. Previous owner: Paul G. Amazeen and Caroline J. Amazeen.

Conservation Commission/Staff Comments:

See findings.

Inspection Date: 02/17/2011 by Eben M Lewis

APPROVE NAME CHANGE:

- 1) Construct a new 6' x 115'6" permanent pier on pilings leading to a 3' x 30' seasonal arched aluminum ramp landing on a 10' x 24' seasonal float and
- 2) In-kind replacement of a 338 square foot 2nd story deck and
- 3) Repair 272 square feet of existing riprap along 53.51 linear feet of shoreline frontage on the Piscataqua River.

With Conditions:

1. All work shall be in accordance with plans by Riverside & Pickering Marine Contractors dated 4/19/12, as received by DES on April 24, 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 New Castle Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
6. Work on the riprap revetment shall be done during low tide only.
7. Handrails shall be constructed on both sides of the pier to separate the pier from the dwelling.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
9. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

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

-Send to Governor and Executive Council-

2012-02115 TOWN OF WATERVILLE VALLEY
WATERVILLE VALLEY Mad River

Requested Action:

Dredge and fill a total of 2,620 sq. ft. of wetlands and surface waters for replacement of a 100 ft. pedestrian bridge to provide access over the Mad River from Waterville Valley village to the White Mountain National Forest trails.

APPROVE PERMIT:

Dredge and fill a total of 2,620 sq. ft. of wetlands and surface waters for replacement of a 100 ft. pedestrian bridge to provide access over the Mad River from Waterville Valley village to the White Mountain National Forest trails.

With Conditions:

1. All work shall be in accordance with revised plans by CMA Engineers, Inc. dated October 1, 2012, as received by the NH Department of Environmental Services (DES) on October 3, 2012. 2. Dredged material shall be placed out of the NHDES jurisdiction unless otherwise specified.
3. Unconfined work within the river and stream, exclusive of work associated with installation of a cofferdam, shall be done during low flow.
4. 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, unless other methods are specifically authorized by the DES Wetlands Bureau.
5. Temporary cofferdams shall be entirely removed immediately following construction.
6. Construction equipment shall not be located within surface waters.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; 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.

8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. 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.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching 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.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Appropriate storm water management and erosion control Best Management Practices (BMP) shall be implemented to ensure turbidity impacts are minimized and water quality standards are not violated. If the BMP conflicts with terms or conditions of this permit, the terms and conditions of this permit shall control.
13. The applicant/contractor shall limit unnecessary removal of vegetation within riparian areas during driveway construction and areas cleared of vegetation shall be re-vegetated as quickly as possible after construction to minimize erosion and restore wildlife habitat.
14. Land clearing in jurisdictional areas during construction is to be kept to a minimum to reduce impacts on wildlife habitat.
15. Standard precautions shall be taken not to import or transport soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
16. There shall be no further alteration of wetlands or surface waters without amendment of this permit.
17. Work shall be done at low flow.

With Findings:

1. This is a major impact project per Administrative Rule 904.04 (a)(1), Tier 3 Stream Crossings, projects on a watercourse where a contributing watershed is 640 acres or greater. 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The previous pedestrian bridge that crossed the Mad River at this location provided a vital link between the Village of Waterville Valley and the White Mountain National Forest trails. The previous bridge received extensive damage from Tropical Storm Irene.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant is proposing to construct the new bridge in the same location as the previous bridge. The applicant has reduced the wetland impacts by 830 sq. ft. from the original application submittal by reducing the amount of rip-rap needed on the slopes.
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. Natural Heritage Bureau ("NHB") has no record of any sensitive species within the vicinity of this project.
5. The applicant's agent submitted a written request for an alternative design in accordance with Env-Wt 904.09 due to requirements for vegetative banks for a Tier 3 crossing. The existing river bottom and banks of the Mad River are predominantly covered with rock and placing stone fill around the bridge abutments and adjacent banks will not introduce a significantly different bank cover material and is consistent with upstream and downstream conditions. All other criteria for a Tier 3 crossing have been met including maintaining the natural stream bed characteristics, provides adequate flood control during the 100-year storm, allows passage of debris, and simulates the natural stream by closely maintaining the depth and velocity through the structure to match existing conditions.
6. The applicant has obtained a shoreland permit #2012-2158 for work with the shoreland zone.
7. The Town of Waterville Valley Conservation Commission did not submit comments on the application.
8. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2012-01210 CRYSTAL REALTY INC
DERRY Unnamed Wetland

Requested Action:

Dredge and fill a total of 9,958 sq. ft. along the outer edge of a palustrine forested/scrub-shrub wetland for the redevelopment of the existing commercial site.

The invasive bittersweet encroaching on and adjacent to the wetlands portion of this parcel will be eradicated to the greatest extent possible by the permittee during redevelopment of the site.

Conservation Commission/Staff Comments:

The Derry Conservation Commission walked the site. Have no objections to the project. Support the proposed removal of the invasive bittersweet from the site.

APPROVE PERMIT:

Dredge and fill a total of 9,958 sq. ft. along the outer edge of a palustrine forested/scrub-shrub wetland for the redevelopment of the existing commercial site.

The invasive bittersweet encroaching on and adjacent to the wetlands portion of this parcel will be eradicated to the greatest extent possible by the permittee during redevelopment of the site.

With Conditions:

1. All work shall be in accordance with plans by The Dubai Group, Inc. dated 11/2/11 (last revised 8/29/12), as received by the NH Department of Environmental Services (DES) on August 29, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
4. DES Wetlands Bureau Southeast Region staff and the Derry Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands.
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 Derry Conservation Commission supports the project including the eradication of the invasive bittersweet in and adjacent to the wetlands on the property.
6. The US EPA has determined this project is approvable under the NH State Programmatic General Permit
7. The redevelopment of this commercial site will utilize Low-Impact Development (LID) features including Hydroworks/Hydroguard HG-4i systems for proprietary pretreatment of storm water runoff.

2012-01952 **BRELKA LLC**
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Permanently remove an existing seasonal dock and install three 6 ft. x 40 ft. seasonal docks connected by two 6 ft. x 12 ft. seasonal walkways in a "W" shaped configuration with a 30 ft. x 32 ft. seasonal canopy over the center slips on an average of 288 ft. of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:

Redraw plans for the dock. The current dock is not over the boulders as shown on the plan. Investigate to determine if a wetlands app. was submitted for a new 6' x 40' dock as this dock was observed during a recent visit to the site.

APPROVE PERMIT:

Permanently remove an existing seasonal dock and install three 6 ft. x 40 ft. seasonal docks connected by two 6 ft. x 12 ft. seasonal walkways in a "W" shaped configuration with a 30 ft. x 32 ft. seasonal canopy over the center slips on an average of 288 ft. of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated August 06, 2012, as received by the NH Department of Environmental Services (DES) on August 07, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock ing structure shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
6. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 4-slip docking system.
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 applicant has an average of 288 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2012-02293 **PLONSKI, JOSEPH**
SANBORNTON Winnisquam Lake

Requested Action:

Conduct the following bank stabilization along an existing rocky shoreline proceeding from south to north: repair a 5 ft. section; a 12 ft. section; a 4 ft. section; a 1.5 ft. section; a 5 ft. section; a 1 ft. section; a 2.5 ft. section; a 1 ft. section; a 21 ft. section; a 10 ft. section; a 3 ft. section; a 1 ft. section; a 12 ft. section, and an 18 ft. section. Place rocks behind full lake elevation adjacent to a large boulder, place rocks under a 15 ft. section of undercut bank, construct a wall behind an existing beach, place 3 cubic yards of sand on the beach, and remove an existing fallen tree from the bank and lakebed and leaving the stump in place on 723 ft of frontage along Lake Winnisquam and Chapman Brook, in Sanbornton.

Conservation Commission/Staff Comments:

Con Com signed application

APPROVE PERMIT:

Conduct the following bank stabilization along an existing rocky shoreline proceeding from south to north: repair a 5 ft. section; a 12 ft. section; a 4 ft. section; a 1.5 ft. section; a 5 ft. section; a 1 ft. section; a 2.5 ft. section; a 1 ft. section; a 21 ft. section; a 10 ft. section; a 3 ft. section; a 1 ft. section; a 12 ft. section, and an 18 ft. section. Place rocks behind full lake elevation adjacent to a large boulder, place rocks under a 15 ft. section of undercut bank, construct a wall behind an existing beach, place 3 cubic yards of sand on the beach, and remove an existing fallen tree from the bank and lakebed and leaving the stump in place on 723 ft of frontage along Lake Winnisquam and Chapman Brook, in Sanbornton.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on September 25, 2012.
2. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Work shall be done during drawdown.
6. No portion of the repair work shall extend impacts lakeward of the naturally existing shoreline. There shall be no fill placed lakeward of the shoreline as identified by elevation 482.35.
7. This permit does not allow for any equipment to operate on the lakebed. All work shall be done from the shoreline and behind full lake elevation of 482.35.
8. This permit does not allow for removal of any trees or vegetation to perform the proposed repairs.
9. No more than 3 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
13. The removal of the specified tree shall leave the root system in place and undisturbed.
14. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k), projects that disturb between 50 and 200 linear feet of shoreline along a lake.

Requested Action:

Impact 750 sq. ft. of bank to construct a 30 ft. x 25 ft. perched beach on an average of 442 ft. of frontage along Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com has no concerns with proposed project

APPROVE PERMIT:

Impact 750 sq. ft. of bank to construct a 30 ft. x 25 ft. perched beach on an average of 442 ft. of frontage along Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated August 15, 2012; as received by the NH Department of Environmental Services (DES) on September 5, 2012.
2. All dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 10 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
9. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. This permit does not allow removal of any trees on the frontage within the waterfront buffer to construct the beach.
11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.04 (f), construction of a beach with lake access steps to be placed below full lake elevation.

MINIMUM IMPACT PROJECT

2007-01431 SEABROOK DPW, TOWN OF SEABROOK Unnamed Wetland Cains Brook & Farm Brook

Requested Action:

Request permit time extension.

Conservation Commission/Staff Comments:

No comments received from the Seabrook Conservation Commission on this municipal public works project.

APPROVE TIME EXTENSION:

Dredge and fill a total of 2,900 sq. ft. of jurisdictional wetlands for work associated with the routine maintenance at twenty (20) existing stormwater outfalls including vegetation clearing, debris and sediment removal, rip-rap placement and headwall repair and/or installation.

With Conditions:

1. All work shall be in accordance with plans by Wetland Consulting Services dated April 2007, as received by DES on June 22, 2007.
2. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
3. 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.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.

With Findings:

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

**2012-01807 OSCAR & CHERYL JOHNSON JOINT REVOCABLE TRUST
MEREDITH Unnamed Wetland**

Requested Action:

Dredge and fill 260 sq. ft. of intermittent stream to install a 36 in. x 20 ft. HDPE culvert to access the buildable area of a residential lot.

APPROVE PERMIT:

Dredge and fill 260 sq. ft. of intermittent stream to install a 36 in. x 20 ft. HDPE culvert to access the buildable area of a residential lot.

With Conditions:

1. All work shall be in accordance with plans by Advanced Land Surveying Consultants, PLLC revision date of September 11, 2012, as received by the NH Department of Environmental Services (DES) on September 17, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau (if applicable).
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. 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.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. 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.
13. 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 (z) Installation of a stream crossing and associated fill to permit vehicular access to a piece of property for a single family building lot, for noncommercial recreational uses including conservation projects, or for normal agricultural operations, provided:
 - (1) The total jurisdictional impact shall not exceed 3,000 square feet;
 - (2) The roadway width at the crossing shall not exceed 20 feet;
 - (3) The fill width, measured at toe of roadway side slopes, shall be minimized, for example, by making the sideslopes steeper and constructing walls, and not exceed 50 feet;
 - (4) Fill for any single wetland crossing shall not exceed 60 feet in length, measured along the centerline of the proposed access way; and
 - (5) Such projects shall be limited to crossings that:
 - a. Do not impact bogs, marshes, sand dunes, tidal wetlands, cedar swamps, or undisturbed tidal buffer zone;
 - b. Are not located in or within 100 feet of prime wetlands, unless a waiver has been granted pursuant to RSA 482-A:11, IV(b);
 - c. Do not meet the criteria of Env-Wt 303.02(k);
 - d. If crossing streams, qualify as minimum impact under Env-Wt 903.01(e); and
 - e. If crossing a swamps or wet meadows, cross those that have no standing water for 10 months of the year;
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 Conservation Commission recommended that the culvert be constructed to accommodate a hundred year flood event.
6. Due to Administrative Rule Env-Wt 901.03(e) ("Exemptions") DES requested a culvert diameter that is 1.2 x bank full width.
7. The applicant's agent indicated that the 36 in. culvert is 1.2x bankfull width.

2012-02441 THE FORESTLAND GROUP
PITTSBURG Middle Branch Indian Stream

Requested Action:

Restore aquatic habitat and fluvial geomorphic processes along approximately 28,000 linear feet (approximately 24,300 square feet) of Middle Branch Indian Stream by cutting and felling trees into the stream.

APPROVE PERMIT:

Restore aquatic habitat and fluvial geomorphic processes along approximately 28,000 linear feet (approximately 24,300 square feet) of Middle Branch Indian Stream by cutting and felling trees into the stream.

With Conditions:

1. All work shall be in accordance with the plans and narratives as received by DES on September 17, 2012 and the restoration treatment narrative and plans received by DES on September 19, 2012.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
4. All work shall be done using hand tools.
5. Trees that are stabilizing slopes and banks of the stream shall be left intact.
6. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
7. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t) Restoration of altered or degraded wetlands provided the project: (1) Receives financial support and direct supervision of a New Hampshire state agency, the US Environmental Protection Agency, the US Army Corps of Engineers, the US Natural Resources Conservation Service, or the US Fish and Wildlife Service; (2) Shall not be used to perform restoration in cases where the applicant is subject to a removal or restoration order; (3) Is not located in or adjacent to prime wetlands; and (4) Does not meet the criteria of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project proposes to restore degraded aquatic resources that benefit native brook trout and to restore fluvial geomorphic processes.
6. This restoration project is supported by the NH Fish & Game Department.
7. The project design was based on research findings on habitat use of brook trout in the Nash Stream State Forest.
8. The applicant provided written permission from the property owner for the work to occur on their property.
9. The NH Natural Heritage Bureau does not expect impacts to the identified exemplary natural communities as long as machinery is kept out of sensitive herbaceous areas.
10. The permit is conditioned on all work being conducted using hand tools.
12. NHFG Wildlife Division staff indicated that there should be no negative impacts to marten from the project as described.

FORESTRY NOTIFICATION

2012-02716 GORANSSON, PAUL
WAKEFIELD Unnamed Stream Unnamed Wetland

COMPLETE NOTIFICATION:
Wakefield, Tax Map 242, Lot #1

2012-02717 REED TRUST
DANBURY Unnamed Stream Unnamed Wetland

COMPLETE NOTIFICATION:
Danbury, Tax map 406, Lots #190,162,163

2012-02720 SOCIETY FOR THE PROTECTION OF NH FORESTS
ALEXANDRIA Unnamed Stream Unnamed Wetland

COMPLETE NOTIFICATION:
Alexandria, Tax map 420, Lot #20 and
Danbury, Tax map 410, Lot #43

2012-02736 GODWIN, BRENDA
ANDOVER Unnamed Stream Unnamed Wetland

COMPLETE NOTIFICATION:
Andover, Tax map 9, Lot #145

2012-02749 ORLY FIELDS LLC
MARLOW Unnamed Stream Unnamed Wetland

COMPLETE NOTIFICATION:
Marlow, Tax map 408, Lot #19

EXPEDITED MINIMUM

2012-02226 ELLIOTT, WILLIAM
HARRISVILLE Harrisville Pond

Requested Action:
Repair in kind 75 linear feet of retaining wall on Harrisville Pond, Harrisville.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

APPROVE PERMIT:
Repair in kind 75 linear feet of retaining wall on Harrisville Pond, Harrisville.

With Conditions:

1. All work shall be in accordance with plans, as received by the NH Department of Environmental Services (DES) on September 19, 2012.
2. Repair shall maintain existing size, location and configuration.
3. Work shall be done during drawdown.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

5. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls that is performed in the dry.

2012-02291 VIENS, DENIS
WILTON Unnamed Wetland

Requested Action:

Dredge and fill 650 square feet of palustrine forested wetland for the installation of a 15-inch by 20-foot HDPE culvert with associated headwalls for the construction of a driveway for access to a single family residential lot on approximately 5.653 acres as part of a 2-lot subdivision of 11.375 acres.

APPROVE PERMIT:

Dredge and fill 650 square feet of palustrine forested wetland for the installation of a 15-inch by 20-foot HDPE culvert with associated headwalls for the construction of a driveway for access to a single family residential lot on approximately 5.653 acres as part of a 2-lot subdivision of 11.375 acres.

With Conditions:

1. All work shall be in accordance with the 'Minimum Impact Wetland Permit Plan' by Fieldstone Land Consultants, PLLC dated August 9, 2012, as received by the NH Department of Environmental Services (DES) on September 10, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems 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. 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. Work shall be done during seasonal low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
10. No fill shall be done for lot development.
11. No fill shall take place in Atlantic white cedar swamps.
12. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.

2. The impacts are necessary to access buildable upland; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will utilize an existing woods road; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. 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.

**2012-02454
CORNISH**

CORNISH, TOWN OF

Requested Action:

Dredge and fill 19 square feet of unnamed perennial stream to repair an existing Cornish Recreation and Educational Area (CREA) footbridge. Repairs include replacing the decking, reconstructing the western abutment in uplands and surrounding the eastern abutment and pier with 6-inch locust timbers and raising the height by 12-inches.

APPROVE PERMIT:

Dredge and fill 19 square feet of unnamed perennial stream to repair an existing Cornish Recreation and Educational Area (CREA) footbridge. Repairs include replacing the decking, reconstructing the western abutment in uplands and surrounding the eastern abutment and pier with 6-inch locust timbers and raising the height by 12-inches.

With Conditions:

1. All work shall be in accordance with plans by Lucas Jameson / Leo Maslan dated 7-27-12, as received by the Department on September 10, 2012.
2. Work shall be done during annual low flow conditions
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
10. 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).
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
12. 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.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
15. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

17. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

18. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The bridge is used extensively throughout the year by Cornish residents. In particular the environmental education and athletic program at the Cornish Elementary school, Boy Scouts and other youth organizations regularly use the bridge.
3. Flooding of the bridge forces pedestrians to use an alternate access along heavily traveled roads, thereby presenting a safety hazard.
4. Raising the elevation of the bridge is proposed to alleviate this hazard.
5. All work will be done with volunteer hand labor.
6. Comments of concern were not submitted to the file.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. 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.

2012-02470 **NGUYEN, NHAN**
SALEM **Canobie Lake**

Requested Action:

Remove and replace an existing 10 ft. 6 in. x 22 ft. x 6 in. dug in boat house on Canobie Lake, Salem.

Conservation Commission/Staff Comments:

Con Com signed Wet application

APPROVE PERMIT:

Remove and replace an existing 10 ft. 6 in. x 22 ft. x 6 in. dug in boat house on Canobie Lake, Salem.

With Conditions:

1. All work shall be in accordance with plans by Nhan Nguyen dated August 21, 2012, as received by the NH Department of Environmental Services (DES) on September 24, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for

obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

**2012-02514 ABELS, CECIL
STRAFFORD Unnamed Wetland**

Requested Action:

Fill a total of 2,067 sq. ft. of wetland in two location to construct a driveway to serve a single-family residential lot, including the following: Wetland Impact #1: 545 sq. ft. of fill for the driveway and installation of a 18' x 18" culvert and; Wetland Impact #2: 1,522 sq. ft. of fill for the driveway and installation of two 20' x 24" culverts.

APPROVE PERMIT:

Fill a total of 2,067 sq. ft. of wetland in two location to construct a driveway to serve a single-family residential lot, including the following: Wetland Impact #1: 545 sq. ft. of fill for the driveway and installation of a 18' x 18" culvert and; Wetland Impact #2: 1,522 sq. ft. of fill for the driveway and installation of two 20' x 24" culverts.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying & Engineering dated September 4, 2012, as received by the NH Department of Environmental Services (DES) on September 17, 2012.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. 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).
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and 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 in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that wetland impacts are necessary to access uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has demonstrated that the wetland crossings are located at the most narrow locations.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau has no record of sensitive species present within the vicinity of the project area.
5. The Strafford Conservation Commission signed the expedited application.

2012-02568 FLAHERTY, TERRY
MOULTONBOROUGH

Requested Action:

Repair in kind, existing stone steps accessing the waterbody, repair a 50 ft. 6 in. x 7 ft. post and rock supported docking structure, replace fallen rocks on existing breakwater, on an average of 386 ft. of shoreline frontage, Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:
Con Com signed Wet application

APPROVE PERMIT:

Repair in kind, existing stone steps accessing the waterbody, repair a 50 ft. 6 in. x 7 ft. post and rock supported docking structure, replace fallen rocks on existing breakwater, on an average of 386 ft. of shoreline frontage, Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated September 04, 2012, as received by the NH Department of Environmental Services (DES) on September 21, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

2012-02594 TUFTONBORO, TOWN OF
TUFTONBORO Lake Winnepesaukee

Requested Action:

Repair an existing approximately 84 ft. x 29 ft. earth and pile docking structure with no work to a 31 ft. 6 in. x 31 ft. 6 in. permanent dock at the lakeward end, replace two 3 pile ice clusters, on Lake Winnepesaukee, Tuftonborough.

Conservation Commission/Staff Comments:
Con Com signed Wet application

APPROVE PERMIT:

Repair an existing approximately 84 ft. x 29 ft. earth and pile docking structure with no work to a 31 ft. 6 in. x 31 ft. 6 in. permanent dock at the lakeward end, replace two 3 pile ice clusters, on Lake Winnepesaukee, Tuftonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated September 10, 2012, as received by the NH Department of Environmental Services (DES) on September 25, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

TRAILS NOTIFICATION

2012-02638 BELL, RAY
COLUMBIA Roaring Brook

COMPLETE NOTIFICATION:
Columbia Tax Map 420 lot 26.1 and lot 43.

LAKES-SEASONAL DOCK NOTIF

2012-02679 GUARRIELLO, KEVIN & CAROL
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

With Findings:
Installation of a seasonal docking structure.

ROADWAY MAINTENANCE NOTIF

2012-02697 DOT MAINTENANCE, DISTRICT 3
HOLDERNESS Unnamed Wetland Unnamed Wetland

COMPLETE NOTIFICATION:
Clean inlet & outlet of a 32" culvert.

PERMIT BY NOTIFICATION

2012-02545 CHRISTIAN CAMPS & CONFERENCES INC, ROBERT STRODEL
ALTON

Requested Action:
PBN complete for construction of a dry hydrant adjacent to Damon Drive and Hurd Brook.

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

PBN IS COMPLETE:
PBN complete for construction of a dry hydrant adjacent to Damon Drive and Hurd Brook.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.

2012-02652 HAUGHEY, THOMAS
GILFORD Lake Winnepesaukee

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

Conservation Commission/Staff Comments:
Con Com signed PBN form

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

With Findings:

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

CSPA PERMIT

2012-01147 GLASSER, ALAN
WHITEFIELD Burns Lake

Requested Action:
Revised plans dated August 28, 2012 to turn the house to the west and remove parking area outside of the Shoreland Protection area.

Impact 6,729 sq ft in order to construct a residence with a deck, parking area and septic system.

APPROVE AMENDMENT:
Impact 6,729 sq ft in order to construct a residence with a deck and septic system.

With Conditions:

1. All work shall be in accordance with revised plans by Larry Rexford dated August 28, 2012 and received by the NH Department of Environmental Services (DES) on September 7, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. 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.
4. At least 24 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.

2012-01661 ROBERT, CAROL
ENFIELD Mascoma Lake

Requested Action:

Revised plans dated October 3, 2012 to expand deck from 10ft x 20ft to 10ft x 22ft.

Impact 8,179 sq ft in order to construct a single family residence with garage and driveway.

APPROVE AMENDMENT:

Impact 8,199 sq ft in order to construct a single family residence with garage and driveway.

With Conditions:

1. All work shall be in accordance with revised plans by Pathway Consulting, LLC dated October 3, 2012 and received by the NH Department of Environmental Services (DES) on October 3, 2012.
2. No more than 26.1% 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.

2012-01903 WACHMAN 2005 REVOCABLE TRUST
CENTER HARBOR Squam Lake

Requested Action:

Revised dated October 2, 2012 to include foundation drain within the waterfront buffer.

Impact 9,185 sq ft in order to remove a nonconforming residence and construct a conforming residence with an attached garage, modify the driveway, and install a septic system.

APPROVE AMENDMENT:

Impact 9,185 sq ft in order to remove a nonconforming residence and construct a conforming residence with an attached garage and foundation drain, modify the driveway, and install a septic system.

With Conditions:

1. All work shall be in accordance with revised plans by Ames Associates dated October 2, 2012 and received by the NH Department of Environmental Services (DES) on October 2, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 22.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 4,344 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.

2012-02294 ARCHIBALD, NOLAN
WOLFEBORO Lake Winnepesaukee

Requested Action:
Revised plans dated August 22, 2012 to replace septic tank with a larger tank.

Impact 6,844 sq ft in order to remove existing carriage house, construct a new attached cottage and connect to existing sewage disposal system.

APPROVE AMENDMENT:

Impact 6,844 sq ft in order to remove existing carriage house, construct a new attached cottage, and replace 3,000 septic tank with a 4,500 gallon tank.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey & Engineering, Inc. dated August 22, 2012 and received by the NH Department of Environmental Services (DES) on October 3, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 16.8% 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 14,525 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.

2012-02388 KING, CLIFFORD
HOLDERNESS Little Squam Lake

Requested Action:
Impact 3,804 sq ft in order to raze existing structure and rebuild a new larger structure further from the reference line and replace septic system.

APPROVE PERMIT:

Impact 3,804 sq ft in order to raze existing structure and rebuild a new larger structure further from the reference line and replace septic system.

With Conditions:

1. All work shall be in accordance with plans by Samyn-D'Elia Architects dated August 16, 2012 and received by the NH Department of Environmental Services (DES) on September 13, 2012.
1. This permit is contingent on approval by the DES Subsurface Systems Bureau.
2. No more than 7.1% 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 2,615 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.

2012-02451 DURKIS, THOMAS
PITTSBURG Lake Francis

Requested Action:

Impact 2,704 sq. ft. in order to construct a 12ft. x 16ft. addition, install state approved septic system and a temporary access road.

APPROVE PERMIT:

Impact 2,704 sq. ft. in order to construct a 12ft. x 16ft. addition, install state approved septic system and a temporary access road.

With Conditions:

1. All work shall be in accordance with plans by North Country Septic Design dated September 4, 2012 and received by the NH Department of Environmental Services (DES) on September 18, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 7.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 4,465 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.

2012-02494 MULLEN, CHERYL/JOSEPH
NEW DURHAM Merrymeeting Lake

Requested Action:

Impact 3,805 sq ft in order to raze existing structure and construct a new 2 bedroom structure, install a new septic system, and reconfigure driveway.

APPROVE PERMIT:

Impact 3,805 sq ft in order to raze existing structure and construct a new 2 bedroom structure, install a new septic system, and reconfigure driveway.

With Conditions:

1. All work shall be in accordance with plans by Land Tech dated September 2012 and received by the NH Department of Environmental Services (DES) on September 13, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 19.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 3,527 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.

**2012-02517 346 BOWLES ROAD LLC
NEWBURY Sunapee Lake**

Requested Action:

Impact 899 sq. ft. in order to remove deck with roof and construct an addition to house, extend frost wall to garage corner, and construct a new patio and walkways.

APPROVE PERMIT:

Impact 899 sq. ft. in order to remove deck with roof and construct an addition to house, extend frost wall to garage corner, and construct a new patio and walkways.

With Conditions:

1. All work shall be in accordance with plans by Bristol, Sweet, & Associates, Inc. dated August 28, 2012 and received by the NH Department of Environmental Services (DES) on September 21, 2012.
2. No more than 22.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
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.

2012-02518 WILDER RIDGE ESTATES LLC
LEBANON Connecticut River

Requested Action:

Impact 6,640 sq ft in order to construct a single family residence, driveway, and septic system.

APPROVE PERMIT:

Impact 6,640 sq ft in order to construct a single family residence, driveway, and septic system.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting, LLC dated September 1, 2012 and received by the NH Department of Environmental Services (DES) on September 17, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 14.8% 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 1,505 sq. ft. of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2012-02531 CUNNINGHAM, DENISE/WILLIAM
GILFORD Lake Winnepesaukee

Requested Action:

Impact 2,915 sq ft in order to reconstruct the south section of existing residence in the same footprint, repair/replace foundation, add 2nd floor to residence, construct a new deck along the north and west walls of the building, and install new septic system.

APPROVE PERMIT:

Impact 2,915 sq ft in order to reconstruct the south section of existing residence in the same footprint, repair/replace foundation, add 2nd floor to residence, construct a new deck along the north and west walls of the building, and install new septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated September 11, 2012 and received by the NH Department of Environmental Services (DES) on September 19, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 21.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 776 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.

2012-02533 GELZER, ANDREA/REED

NEWBURY Sunapee Lake

Requested Action:

Impact 14,750 sq. ft. in order to remove existing structure and build a new structure with a deck, pervious patio, and walkways, install stormwater controls, and regrade and pave portions of existing gravel driveway.

APPROVE PERMIT:

Impact 14,750 sq. ft. in order to remove existing structure and build a new structure with a deck, pervious patio, and walkways, install stormwater controls, and regrade and pave portions of existing gravel driveway.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated September 7, 2012 and received by the NH Department of Environmental Services (DES) on September 19, 2012.
2. No more than 22.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 4,089 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.

2012-02536 JOHNSON, KAREN/SCOTT

MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair an existing garage that is deteriorating.

APPROVE PERMIT:

Repair an existing garage that is deteriorating.

With Conditions:

1. All work shall be in accordance with plans by Scott/Karen Johnson dated September 16, 2012 and received by the NH Department of Environmental Services (DES) on September 19, 2012.
2. No more than 15% 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.

2012-02537 MICHALENOICK, MICHAEL
ENFIELD Mascoma Lake

Requested Action:

Impact 1,401 sq ft in order to construct an addition to an existing structure and install stormwater drainage system.

APPROVE PERMIT:

Impact 1,401 sq ft in order to construct an addition to an existing structure and install stormwater drainage system.

With Conditions:

1. All work shall be in accordance with plans by Riverside Ecological Designs, LLC dated September 12, 2012 and received by the NH Department of Environmental Services (DES) on September 19, 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. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-02561 BALSAMS VIEW LLC
DIXVILLE Gloriette Lake

Requested Action:

Impact 5,674 sq. ft. in order to construct an addition to the south wing of the Balsams View Resort.

APPROVE PERMIT:

Impact 5,674 sq. ft. in order to construct an addition to the south wing of the Balsams View Resort.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated August 2012 and received by the NH Department of Environmental Services (DES) on September 21, 2012.
2. No more than 22.6% 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 35,864 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.

2012-02562 FERMAN, GEOFFREY/MARGARET
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 738 sq. ft. in order to construct a covered porch and stairs, and remove an existing gravel walk and part of an existing gravel drive; construct a stepping stone walk.

APPROVE PERMIT:

Impact 738 sq. ft. in order to construct a covered porch and stairs, and remove an existing gravel walk and part of an existing gravel drive; construct a stepping stone walk.

With Conditions:

1. All work shall be in accordance with plans by David M Dolan dated September 10, 2012 and received by the NH Department of Environmental Services (DES) on September 21, 2012.
2. No more than 36.71% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-02563 CARRIGAN, CHARLES/PATRICIA
ERROL Lake Umbagog

Requested Action:

Impact 4,160 sq. ft. in order to construct a 3 bedroom house and driveway, drill a well, and install a septic system.

APPROVE PERMIT:

Impact 4,160 sq. ft. in order to construct a 3 bedroom house and driveway, drill a well, and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by North Country Septic Design dated September 18, 2012 and received by the NH Department of Environmental Services (DES) on September 21, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 10.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,494 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2012-02566 JILL J AMER MANAGEMENT TRUST
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Impact 1,738 sq ft in order to reconstruct, expand existing cottage, and relocate further from the reference line.

APPROVE PERMIT:

Impact 1,738 sq ft in order to reconstruct, expand existing cottage, and relocate further from the reference line.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated September 17, 2012 and received by the NH Department of Environmental Services (DES) on September 21, 2012.
2. No more than 7.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 3,700 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.

**2012-02582 SAVAGE ONE FAMILY TRUST
SUNAPEE Sunapee Lake**

Requested Action:

Impact 820 sq ft in order to replace a portion of the primary structure, relocate an adjacent stone retaining wall, and reconfigure a walkway in vicinity of alterations.

APPROVE PERMIT:

Impact 820 sq ft in order to replace a portion of the primary structure, relocate an adjacent stone retaining wall, and reconfigure a walkway in vicinity of alterations.

With Conditions:

1. All work shall be in accordance with plans by Raymond T Critch dated September 21, 2012 and received by the NH Department of Environmental Services (DES) on September 24, 2012.
2. No more than 32% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 1,948 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.

2012-02592 MONTGOMERY, JOHN
WEARE Piscataquog River

Requested Action:

Impact 4,500 sq. ft. in order to replace foundation under existing structure, replace EDS, and construct a 14ft x 20ft Shed.

APPROVE PERMIT:

Impact 4,500 sq. ft. in order to replace foundation under existing structure, replace EDS, and construct a 14ft x 20ft Shed.

With Conditions:

1. All work shall be in accordance with plans by Robert B Todd dated August 14, 2012 and received by the NH Department of Environmental Services (DES) on September 25, 2012.
2. No more than 23% 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 2,182 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.

2012-02606 ZIPKIN, ANDREW/DIANA
WAKEFIELD Balch Lake

Requested Action:

Impact 7,741 sq ft in order to construct a foundation under existing cottage, pour concrete slab under existing deck, construct a retaining wall with stairs, regrade driveway for stormwater improvements and regrade slope located on north side of cottage.

APPROVE PERMIT:

Impact 7,741 sq ft in order to construct a foundation under existing cottage, pour concrete slab under existing deck, construct a retaining wall with stairs, regrade driveway for stormwater improvements and regrade slope located on north side of cottage.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated September 4, 2012 and received by the NH Department of Environmental Services (DES) on September 26, 2012.
2. No more than 10.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Pursuant to RSA 483-B:11 there shall be no expansion of living space toward the reference line. The concrete slab to be installed beneath the existing deck shall not be modified nor used for the future conversion of this area into living space.
4. At least 2,932 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.

2012-02607 DROUIN BUILDERS INC
CANTERBURY New Pond

Requested Action:

Construct an 821 sq. ft. house in an area previously impacted.

APPROVE PERMIT:

Construct an 821 sq. ft. house in an area previously impacted.

With Conditions:

1. All work shall be in accordance with plans by Charlie W. Noddin dated September 21, 2012 and received by the NH Department of Environmental Services (DES) on October 9, 2012.
2. No more than 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 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.

CSPA PERMIT W/WAIVER

2012-02526 FISK, TAMMIE
GORHAM Moose River

Requested Action:
Impact 20,000 sq. ft. in order to re-develop an existing retail motor fueling outlet.

APPROVE PERMIT:
Impact 20,000 sq. ft. in order to re-develop an existing retail motor fueling outlet.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated August 31, 2012 and received by the NH Department of Environmental Services (DES) on September 18, 2012.
2. No more than 49% 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 impacts shall occur within the footprint of the pre-existing paved and disturbed areas.
4. At least 2,439 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.