

# Wetlands Bureau Decision Report

*Review to  
MJP  
1/28/13*

Decisions Taken  
01/21/2013 to 01/27/2013

## DISCLAIMER:

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

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

## APPEAL:

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

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

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

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

**MAJOR IMPACT PROJECT**

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**2012-02115                      WATERVILLE VALLEY, TOWN OF  
WATERVILLE VALLEY Mad River**

Requested Action:

Dredge and fill a total of 3,810 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.

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APPROVE AMENDMENT:

Dredge and fill a total of 3,810 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. AMENDED: All work shall be in accordance with revised plans by CMA Engineers, Inc. dated October 15, 2012, as received by the NH Department of Environmental Services (DES) on November 8, 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. On October 3, 2012, CMA Engineers, Inc., submitted a letter response with an amended plan to DES in response to a DES "Request for More Information" letter. The amended plan incorrectly stated the amount of wetland impact for the project as 2,620 sq. ft. The plan should have stated the amount of wetland impact as 3,810 sq. ft. as originally requested when the application was submitted. This amendment reflects the amount of impacts proposed in the original wetlands application.
2. 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. 3. 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.
4. 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.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. Natural Heritage Bureau ("NHB") has no record of any sensitive species within the vicinity of this project.
6. 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.
7. The applicant has obtained a shoreland permit #2012-2158 for work with the shoreland zone.
8. The Town of Waterville Valley Conservation Commission did not submit comments on the application.
9. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resource, as identified under RSA 482-A:1.

**2012-02747                      NH DEPT OF TRANSPORTATION**  
**CANAAN   Mascoma River**

Requested Action:

Temporary scaffolding will be placed in the river to catch debris while the concrete deck is replaced and repair the NE wing wall impacting 1,890 sq. ft. (1,874 sq. ft. temporary) of riverine wetlands.

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Conservation Commission/Staff Comments:

Cons. Comm. - no comments

LAC - no comments

APPROVE PERMIT:

Temporary scaffolding will be placed in the river to catch debris while the concrete deck is replaced and repair the NE wing wall impacting 1,890 sq. ft. (1,874 sq. ft. temporary) of riverine wetlands. NHDOT project #23998.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance signed 9/22/12 and dated 8/27/12, as received by the Department on Oct. 12, 2012.

2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. 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.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; 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.
9. 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.
10. 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
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 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.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 904.09(p), a replacement of a stream crossing structure in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project is approved as an alternative design per rule Env-Wt 904.09(a).

**MINOR IMPACT PROJECT**

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**2012-02278                      HENNIKER CRUSHED STONE**  
**HENNIKER   Unnamed Wetland**

Requested Action:

Dredge and fill 6,804 square feet of excavated wetlands to extend an existing gravel-surface haul road and excavate a stormwater detention basin.

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APPROVE PERMIT:

Dredge and fill 6,804 square feet of excavated wetlands to extend an existing gravel-surface haul road and excavate a stormwater detention basin.

With Conditions:

1. All work shall be in accordance with plans by Moser Engineering dated DECEMBER 2010, and revised through 6-25-12, and plans dated JANUARY 2010, and revised through 6-25-12, as received by the Department on August 23, 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 to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. 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.

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 NH Certified Wetland Scientist for the project has stated the wetlands are a result of excavation to the water table or soil compaction.
3. The Natural Heritage Bureau (NHB) report dated 8/23/2012 indicated a database search of records for rare species and exemplary natural communities resulted in Wood Turtle.
4. Email correspondence dated January 22, 2012, from the NH Fish and Game Nongame and Endangered Species Program stated, "As the 35 ft. wooded buffer requested by us for the previous application appears to have been preserved or allowed to revegetate along Amey Brook, we do not expect impacts to wood turtle as a result of the current application."
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2012-03308                      **HERLITZ REVOCABLE TRUST 2008**  
**SUTTON Blaisdell Lake**

Requested Action:

Repair 40 linear feet of retaining wall with no change in location or configuration on Blaisdell Lake, Sutton.

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APPROVE PERMIT:

Repair 40 linear feet of retaining wall with no change in location or configuration on Blaisdell Lake, Sutton.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs dated November 01, 2012, as received by the NH Department of Environmental Services (DES) on December 26, 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. Work shall be done during drawdown.
4. Repair shall maintain existing size, location and configuration.
5. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. 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 or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

**MINIMUM IMPACT PROJECT**

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**2012-02935                      BAYBERRY REAL ESTATE TRUST**  
**WOLFEBORO Lake Winnepesaukee**

Requested Action:

Expand an existing 361 sq. ft. beach area to a total area of 489 sq. ft. beach area located immediately adjacent to a 1,128 sq. ft. beach on the abutting lot on Lake Winnepesaukee, in Wolfeboro.

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Conservation Commission/Staff Comments:

Con Com did not sign application

12/4/12 Letter from Con. Com. dated 11-21-12. Con. Com. does not recommend expansion of existing non-conforming beach. The existing beach is not perched and the expansion does not appear to be perched.

APPROVE PERMIT:

Expand an existing 361 sq. ft. beach area to a total area of 489 sq. ft. beach area located immediately adjacent to a 1,128 sq. ft. beach on the abutting lot on Lake Winnepesaukee, in Wolfeboro.

With Conditions:

1. All work on this property having an average of 147 ft. of frontage along Lake Winnepesaukee shall be in accordance with revised plans by Bayberry Nurseries dated December 12, 2012, as received by the NH Department of Environmental Services (DES) on January 15, 2013.
2. All dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. No more than 5 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
4. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
6. 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.

7. 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.
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 minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach for a single family residence.
2. The proposed expansion does not increase the linear ft of shoreline impacted; the expansion is a lateral expansion into an area of maintained lawn.
3. The existing beach is cut by the property line separating two independent lots of record each with a different owner.

**FORESTRY NOTIFICATION**

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**2013-00116                    NH DRED**  
**LANCASTER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Lancaster, Tax Map #R23, Lot #01

**2013-00129                    SMITH, DAVID**  
**KINGSTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Kingston, Tax Map #R26, R27, Lot #15-32 & 39-56, 49

**2013-00238                    ROUTE 11 INVESTMENTS INC**  
**ROCHESTER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Rochester, Tax Map #216, Lot #9 & 11

**2013-00240                    LAWSON, BENNETT**  
**THORNTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Thornton, Tax Map #16, Lot #24.03, Block #6

**2013-00252                    DOUCET, WILLIAM**  
**DUNBARTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Dunbarton, Tax Map #B4, Lot #L04-01

**2013-00267**                    **CRONAN, ELIZABETH/R TODD**  
**TAMWORTH** Unnamed Stream

COMPLETE NOTIFICATION:  
Tamworth, Tax Map #204, Lot #2

**2013-00280**                    **PAPADIMATOS, GEORGE**  
**LITTLETON** Unnamed Stream

COMPLETE NOTIFICATION:  
Littleton, Tax Map #32 & 44, Lot #11 & 28

**2013-00282**                    **BUNTING FAMILY V FORESTRY**  
**STRATFORD** Unnamed Stream

COMPLETE NOTIFICATION:  
Stratford, Tax Map #R01, Lot #3

**2013-00285**                    **NANCY BOTTOM TRUST OF 1980**  
**HAMPTON** Unnamed Stream

COMPLETE NOTIFICATION:  
Hampton, Tax Map #36 & 49, Lot #7 & 1

**2013-00287**                    **MARTIN, MICHAEL**  
**HOPKINTON** Unnamed Stream

COMPLETE NOTIFICATION:  
Hopkinton, Tax Map #230, Lot #13

**2013-00288**                    **JANIGAN, MIRIAM**  
**GOFFSTOWN** Unnamed Stream

COMPLETE NOTIFICATION:  
Goffstown, Tax Map #6, Lot #54

**2013-00289**                    **LOTTERO, ROBERT**  
**LANCASTER** Unnamed Stream

COMPLETE NOTIFICATION:  
Lancaster, Tax Map #R03, Lot #007

**2013-00290**                    **MOCKLER, JOANNA**  
**GRAFTON** Unnamed Stream

COMPLETE NOTIFICATION:  
Grafton, Tax Map #7, Lot #645

**2013-00291**                    **MOOSE HILL ORCHARD INC**  
**LONDONDERRY** Unnamed Stream

COMPLETE NOTIFICATION:  
Londonderry, Tax Map #6, Lot #97

**2013-00292**                    **SOCIETY FOR THE PROTECTION OF NH FORESTS**  
**DEERING** Unnamed Stream

COMPLETE NOTIFICATION:  
Deering, Tax Map #242, Lot #23

**2013-00293**                    **HALL, PATRICIA**  
**BRADFORD** Unnamed Stream

COMPLETE NOTIFICATION:  
Bradford, Tax Map #32, Lot #729, 788, Unit #283, 130

**EXPEDITED MINIMUM**

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**2012-02841**                    **MEYER, DEBORAH**  
**RYE** Atlantic Ocean

Requested Action:

Temporarily impact a total of 316 square feet within the 100-foot previously-developed tidal buffer zone for the construction of a 60.3 square foot addition to an existing single family residential dwelling with approximately 48.18 feet of shoreline frontage on the Atlantic Ocean.

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APPROVE PERMIT:

Temporarily impact a total of 316 square feet within the 100-foot previously-developed tidal buffer zone for the construction of a 60.3 square foot addition to an existing single family residential dwelling with approximately 48.18 feet of shoreline frontage on the Atlantic Ocean.

With Conditions:

1. All work shall be in accordance with 'NHDES Wetland Permit Plan' by James Verra and Associates, Inc. revised through

10-15-2012, as received by the NH Department of Environmental Services (DES) on October 23, 2012.

2. This permit is contingent upon an approved Shoreland Permit and the owner is responsible for obtaining a Shoreland Permit per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B.
3. DES Wetlands Bureau Southeast region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. No fill shall be done for lot development.
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.
2. The impacts are necessary to expand the existing dwelling; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts occur within the previously-developed tidal buffer zone and the total amount of impervious surface will be decreased from 23.45% to 12.70%; 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 NHEG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Rye Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
7. In accordance with Env-Wt 304.04, the applicant received written concurrence from the abutter whose property is within 20-feet of the proposed impacts.

**2012-03186                      LENK, CAROL/STUART**  
**CHATHAM Lower Kimball Pond**

Requested Action:

Install 20 linear feet of coir logs along the existing shoreline to stabilize the bank, on Lower Kimball Pond, Chatham.

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Conservation Commission/Staff Comments:

Con Com signed Wet application

APPROVE PERMIT:

Install 20 linear feet of coir logs along the existing shoreline to stabilize the bank, on Lower Kimball Pond, Chatham.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on December 10, 2012.
2. This permit does not allow dredging for any purpose.
3. Coir logs shall be placed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
4. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the

structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

5. Work shall be done during low flow.

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(m), projects which disturb less than 50 linear feet along the shoreline of a lake or pond.

**2012-03331 GRUBE, KATHY  
STODDARD Highland Lake**

Requested Action:

Install a 4 ft. x 24 ft. seasonal dock connected to a 7 ft. x 6 ft. wooden anchor pad on an average of 60 ft. of shoreline frontage, Highland Lake, Stoddard.

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Conservation Commission/Staff Comments:

Con Com signed Wet application  
12/20/12 DHR no historic properties affected.

APPROVE PERMIT:

Install a 4 ft. x 24 ft. seasonal dock connected to a 7 ft. x 6 ft. wooden anchor pad on an average of 60 ft. of shoreline frontage, Highland Lake, Stoddard.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on January 15, 2013.
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 shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
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(a), installation of a seasonal dock which provides no more than 2 slips.

**GOLD DREDGE**

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**2013-00304 VEIGHEY JR, RICHARD  
(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**LAKES-SEASONAL DOCK NOTIF**

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**2013-00270 MAHER, DAVID**  
**WOLFEBORO Crescent Lake**

Requested Action:  
Installation of a seasonal docking structure  
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COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure

With Findings:  
Installation of a seasonal docking structure

**2013-00284 MEGNIN, CHARLES**  
**HILLSBOROUGH Winnisquam Lake**

Requested Action:  
Installation of a seasonal docking structure  
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COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure

With Findings:  
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), Installation of a seasonal docking structure.

**PERMIT BY NOTIFICATION**

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**2013-00244 GIFFUNE, MARY**  
**WAKEFIELD Lovell Lake**

Requested Action:  
Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.  
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Conservation Commission/Staff Comments:  
Con Com signed PBN form

COMPLETE NOTIFICATION:

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

With Findings:

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

**CSPA PERMIT**

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**2012-02181                      TRINQUE, GARY**  
**STEWARTSTOWN    Diamond Pond**

Requested Action:

Impact 1,372 sq ft in order to relocate cabin 8 feet further from the reference line and attach to existing garage.

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APPROVE PERMIT:

Impact 1,372 sq ft in order to relocate cabin 8 feet further from the reference line and attach to an existing garage.

With Conditions:

1. All work shall be in accordance with plans by Beaver Brook Environmental Consultants, LLC dated August 1, 2012 and received by the NH Department of Environmental Services (DES) on August 13, 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. 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.

**2012-02787                      LINCOLN, MICHAEL/NANCY**  
**ALEXANDRIA    Newfound Lake**

Requested Action:

Impact 4,795 sq ft in order to raze existing nonconforming structure and rebuild a new structure, replace gravel driveway with permeable pavers, install a retaining wall, and incorporate stormwater features.

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APPROVE PERMIT:

Impact 4,795 sq ft in order to raze existing nonconforming structure and rebuild a new structure, replace gravel driveway with permeable pavers, install a retaining wall, and incorporate stormwater features.

With Conditions:

1. All work shall be in accordance with plans by Pollock Land Planning LLC dated October 3, 2012 and received by the NH Department of Environmental Services (DES) on October 17, 2012.
2. No more than 24.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 4,050 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.

**2012-02928                      MCGRATH, EDWARD**  
**WAKEFIELD Pine River Pond**

Requested Action:

Impact 4,626 sq ft in order to construct a two tier retaining wall and regrade parking area.

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APPROVE PERMIT:

Impact 4,626 sq ft in order to construct a two tier retaining wall and regrade parking area.

With Conditions:

1. All work shall be in accordance with plans by Beals Associates PLLC dated January 2, 2013 and received by the NH Department of Environmental Services (DES) on January 7, 2013.
2. No more than 16.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 9,038 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. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2013-00098                      GARDINER BAY LLC**  
**SUNAPEE Sunapee Lake**

Requested Action:

Impact 13,905 sq ft in order to raze existing lodge and cottage and build two new 5 bedroom structures.

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APPROVE PERMIT:

Impact 13,905 sq ft in order to raze existing lodge and cottage and build two new 5 bedroom structures.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated December 21, 2012 and received by the NH Department of Environmental Services (DES) on January 7, 2013.
2. No more than 12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 3,717 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. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.

2013-00099

WOJCIK, PAMELA/STEPHEN

SUNAPEE Sunapee Lake

Requested Action:

Impact 13,378 sq ft in order to construct a new house with attached garage, a driveway, and a pervious patio.

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APPROVE PERMIT:

Impact 13,378 sq ft in order to construct a new house with attached garage, a driveway, and a pervious patio.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated December 21, 2012 and received by the NH Department of Environmental Services (DES) on January 7, 2013.
2. No more than 23.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,496 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. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
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.

**2013-00117 SMITH, COREY  
CAMPTON Pemigewasset River**

Requested Action:

Impact 2,102 sq ft in order to convert a schoolhouse into restaurant, add a deck and patio, and install septic system.

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APPROVE PERMIT:

Impact 2,102 sq ft in order to convert a schoolhouse into restaurant, add a deck and patio, and install septic system.

With Conditions:

1. All work shall be in accordance with plans by Duffield Engineering & consulting dated July 23, 2012 and received by the NH Department of Environmental Services (DES) on January 8, 2013.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 18.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 6,000 sq ft of the Natural Woodland Buffer (50 ft to 150 ft) 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.

**2013-00119 SILVERSTEIN, JAMIE  
SUNAPEE Sunapee Lake**

Requested Action:

Impact 19,621 sq ft in order to remove existing nonconforming house and rebuild a more nearly conforming structure further from the reference line with a detached garage, driveway, pervious patio, and stormwater mangement features.

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APPROVE PERMIT:

Impact 19,621 sq ft in order to remove existing nonconforming house and rebuild a more nearly conforming structure further from the reference line with a detached garage, driveway, pervious patio, and stormwater mangement features.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated January 4, 2013 and received by the NH Department of Environmental Services (DES) on January 8, 2013.
2. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.
3. No more than 25.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. At least 1,862 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

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

7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

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

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

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

**2013-00136                      MARSDEN, BARBARA/CHARLES**  
**WINDHAM   Cobbett's Pond**

**Requested Action:**

Impact 4,970 sq ft in order to raze an existing structure, build a new structure further from the reference line, and modify the existing driveway.

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**APPROVE PERMIT:**

Impact 4,970 sq ft in order to raze an existing structure, build a new structure further from the reference line, and modify the existing driveway.

**With Conditions:**

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated November 4, 2012 and received by the NH Department of Environmental Services (DES) on January 9, 2013.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 17.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 5,160 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.

**With Findings:**

1. The existing non-conforming structure is located within the 50 ft primary building setback to the Cobbetts Pond, and therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the SWQPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.
3. The applicant has proposed to raze existing structure and relocate the new structure further from the reference line, install stormwater features that will divert runoff from the boat ramp and driveway to grass areas.

**2013-00142                      THE ULTIMA D MORGAN REVOCABLE TRUST**  
**BELMONT   Lake Winnisquam**

Requested Action:

Impact 2,474 sq ft sq ft in order to expand the main driveway, relocate an adjacent driveway, remove a shed, and construct a garage with guest quarters.

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APPROVE PERMIT:

Impact 2,474 sq ft sq ft in order to expand the main driveway, relocate an adjacent driveway, remove a shed, and construct a garage with guest quarters.

With Conditions:

1. All work shall be in accordance with plans by Environmental Consultants LLC dated December 27, 2012 and received by the NH Department of Environmental Services (DES) on January 9, 2013.
2. No more than 27.5% 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 3,475 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.
9. Construction of the guest quarters is contingent upon receipt of any approval as may be necessary from the DES Subsurface Systems Bureau.

**CSPA PERMIT W/WAIVER**

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**2013-00068                      NORRIS, BRIAN**  
**ALTON Lake Winnepesaukee**

Requested Action:

Impact 3,768 sq ft in order to install new septic system, well, driveway, retaining wall, and drywell.

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APPROVE PERMIT:

Impact 3,768 sq ft in order to install new septic system, well, driveway, retaining wall, and drywell.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated December 28, 2012 and received by the NH Department of Environmental Services (DES) on January 4, 2013.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 51% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. At least 644 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The existing property is located more than 50 feet from the reference line on Lake Winnepesaukee, and therefore, cannot conform to the required vegetation points within the waterfront buffer as set forth in RSA 483-B:9 V.(a)(D).
2. In accordance with RSA 483-B:9 V.(g)(1) No more than 30 percent of the area of a lot located within the protected shoreland shall be composed of impervious surfaces, unless a stormwater management system designed and certified by a professional engineer that will not concentrate stormwater runoff or contribute to erosion is implemented.
- (3) If the impervious surface area will exceed 30 percent and the tree, sapling, shrub, and groundcover in the waterfront buffer does not meet the point score requirement of RSA 483-B:9, V(a)(2)(D) in any segment, then such segment shall be planted, as determined by rule of the department, with trees, saplings, shrubs, or groundcover in sufficient quantity, type, and location either to meet the minimum score or to provide at least an equivalent level of protection as provided by the minimum score and shall be maintained in accordance with RSA 483-B:9, V(a).
4. The applicant has proposed to re-establish portions of the woodland buffer, install a new septic system, and implement a stormwater management system.

