

Review by  
MAR 3/4/13

# Wetlands Bureau Decision Report

Decisions Taken  
02/25/2013 to 03/03/2013

## **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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**2010-01896                      KEENE, CITY OF**  
**KEENE   Unnamed Wetland Unnamed Stream**

Requested Action:

Dredge and fill 4,985 sq. ft. and temporarily impact 3,140 sq. ft. of Robin Hood Pond and associated wetlands to replace the reservoir outlet pipe, raise the dam elevation, repave the roadway across the dam and install riprap (Dam No. 126.25). The project also includes replacement of the Woodland Avenue culverts and closed drainage.

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APPROVE PERMIT:

Dredge and fill 4,985 sq. ft. and temporarily impact 3,140 sq. ft. of Robin Hood Pond and associated wetlands to replace the reservoir outlet pipe, raise the dam elevation, repave the roadway across the dam and install riprap (Dam No. 126.25). The project also includes replacement of the Woodland Avenue culverts and closed drainage.

With Conditions:

1. All work shall be in accordance with plans by Dubois and King, Inc. dated 1/23/13, as received by the Department on January 28, 2013.
2. This permit is contingent on approval by the DES Dam Bureau.
3. This permit is contingent on receipt by the DES Wetlands Bureau of final water diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. 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.
5. 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.
6. 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.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. 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.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
16. Culverts shall be laid at original grade.
17. Proper headwalls shall be constructed within seven days of culvert installation.
18. 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).
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
20. 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.

21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
22. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
23. 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.
24. 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.

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 project is necessary to comply with the NHDES Dam Bureau's LOD issued May 06, 2008.
3. The original project proposal dam repairs included increasing the spillway outlet, raising the dam elevation (including replacing the road), regrading and rip-rapping the dam's upstream embankment. The project also included three culvert or closed drainage replacements on the stream flowing out of the Robin Hood Pond Dam impoundment (an unnamed Tributary to Beaver Brook) at Water St., Roxbury St. and Woodland Ave./Bellevue St./ Residential. Construction also included full dewatering the impoundment.
4. The Dubois & King, Inc. submittal received March 30, 2012, revised the dam improvements to include in-kind replacement of the existing outlet pipe at the reservoir (eliminating the need for the downstream culvert and closed drainage replacement), raising the dam elevation at select locations, repaving the roadway above the dam, installing overtopping protection armor on the downstream face of the dam and replacing a section of one of the three originally proposed culvert replacement; the residential section of the Woodland Ave./Bellevue St./ Residential drainage. The Dubois & King, Inc. submittal received March 30, 2012, also revised the drawdown to a 1.5-foot to 2-foot drawdown rather than a full dewater of the reservoir.
5. The historic pond surface water elevation will be maintained.
6. The approved stream impacts include replacement of a section of the City's existing closed drainage system.
7. The original application for this project was received on July 14, 2010. The project design was designed before adoption of the DES stream rules.
8. In response to the original application submittal and in correspondence dated August 17, 2010, the Keene Conservation Commission recommended the project comply with the timeline recommended by NH Fish and Game Department and coordinate with NHFG regarding fish stocking.
9. In response to the original application submittal and in dated August 11, 2010, NHFG recommended the drawdown is complete by September 15th or that the pond is drained immediately after ice-out. NHFG also stressed the importance that the water level is dropped by a couple of inches a day over a couple weeks.
10. The Dubois & King, Inc. submittal received March 30, 2012, also revised the drawdown to a 1.5-foot to 2-foot drawdown rather than a full dewater of the reservoir.
11. Email correspondence received from NHFG on April 26, 2012, in response to the drawdown revision indicated there were no longer concerns or timeframe restrictions.
12. Multiple letters of concern were submitted to the file in response to the original application submittal. Concerns included: inadequate notice to affected landowners, permission required for work on private property, the possibility of future plan revisions engineering plan errors, design deficiencies, and potential impacts to the species known to occur in the area.
13. The Dubois & King, Inc. submittal dated December 03, 2010, stated that the City held a public hearing on November 16, 2010, and private communications occurred between the City and property owners.
14. The Dubois & King, Inc. submittal received March 30, 2012, included finalized easements from affected landowners for work outside of the existing road right-of-way or on City owned parcels.
15. The approved plans dated 1/23/13, are stamped by a professional engineer.
16. Conservatively, the proposed closed drainage replacement is adequate for at least the 25 year storm.
17. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
18. 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.
19. 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.
20. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is

not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2012-02214 NH DEPT OF TRANSPORTATION  
TEMPLE Unnamed Stream**

**Requested Action:**

Install a reinforced concrete invert in a 13 ft. culvert and add concrete cutoff walls underneath the inlet and outlet and add a fish weir downstream impacting 2,188 sq. ft. (1,182 sq. ft. temporary) of riverine wetlands.

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**Conservation Commission/Staff Comments:**

Cons. Comm. - no comment

**APPROVE PERMIT:**

Install a reinforced concrete invert in a 13 ft. culvert and add concrete cutoff walls underneath the inlet and outlet and add a fish weir downstream impacting 2,188 sq. ft. (1,182 sq. ft. temporary) of riverine wetlands. NHDOT project #23409

**With Conditions:**

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated, 7/16/12/ as received by the Department on Aug. 15, 2012.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, 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 final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
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. Matting and pinning shall stabilize slopes steeper than 3:1.
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. 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.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. 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 project per Env-Wt 302.02(p), any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project is approved as an alternative design per rule Env-Wt 904.09(a).
6. The DES has determined the applicant has met the purpose of the current stream rules relative to not causing damage upstream or downstream and not impeding aquatic organisms as the project provides a fish weir downstream of the structure.

**2012-02361 HANOVER, TOWN OF  
HANOVER Mink Brook**

Requested Action:

Dredge and fill a total of 980 sq. ft. of wetland to rehabilitate an existing twin 9'-6" span x 6'-5" rise CMP culverts utilizing sliplining techniques and constructing new headwalls including the following: 250 sq. ft. of permanent stream impacts to construct cast-in-place concrete headwalls at the inlet and outlet; and 730 sq. ft. of temporary stream impacts to construct the temporary water diversion berms.

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APPROVE PERMIT:

Dredge and fill a total of 980 sq. ft. of wetland to rehabilitate an existing twin 9'-6" span x 6'-5" rise CMP culverts utilizing sliplining techniques and constructing new headwalls including the following: 250 sq. ft. of permanent stream impacts to construct cast-in-place concrete headwalls at the inlet and outlet; and 730 sq. ft. of temporary stream impacts to construct the temporary water diversion berms.

With Conditions:

1. All work shall be in accordance with revised plans by Eckman Engineering, LLC dated February 27, 2013, as received by the NH Department of Environmental Services (DES) on February 27, 2013.
2. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
3. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
4. Any temporary work areas shall be restored to original condition upon completion of work.
5. There shall be no environmental impact to abutting properties.
6. Any further alteration of areas on these properties that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. 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. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site

has returned to normal clarity.

11. Work shall be done during low flow.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with haybales 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 ft. of undisturbed vegetated buffer.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
16. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. 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.
18. All refueling of equipment shall occur outside of surface waters or wetlands.

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 applicant has demonstrated that the existing culverts are deteriorated and need rehabilitation.
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 proposal of sliplining the existing culverts minimizes the permanent and temporary impacts to the streambed and banks due to construction. Sliplining techniques maintain the same alignment and the same footprint.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The Natural Heritage Bureau (NHB) has record of a sensitive species within the vicinity of the proposed project, but NHB does not expect impacts to this species.
5. The applicant submitted plans stamped by a NH Licensed Professional Engineer.
6. DES has not received any comments in opposition to the project.
7. The applicant's agent submitted a written request for an alternative design in accordance with Env-Wt 904.09 due to requirements for the installation of an open bottom culvert or a span structure to meet the 100-year flood flows, vegetated banks, and no stream simulation for a Tier 3 crossing. The sliplining rehabilitation maintains the existing closed bottom culvert, maintains the existing hydraulic capacity, will not overtop the road during the 100-year storm event and passes the 50-year storm event. To construct a compliant structure would cost approximately \$500,000 which is substantially greater than the \$120,000 proposed sliplining technique.
8. The Hanover Conservation Commission submitted comments to DES on September 17, 2012. The Hanover Conservation Commission questioned if the project was covered under the DES stream crossing rules and if the plans submitted were for an alternate design under Env-Wt 904.09. In response, the applicant has addressed Chapter 900 of the DES stream crossing rules and the alternative design under Env-904.09.
9. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

Requested Action:

Impact a total of 1,030 sq. ft. of tidal wetland and upland tidal buffer zone to place rip-rap on an eroding slope including the following: 235 sq. ft. of tidal wetland impact for the placement of rip-rap; 235 sq. ft. of upland tidal buffer zone for the placement of rip-rap; and 560 sq. ft. of temporary impact in tidal wetland for construction access.

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Inspection Date: 02/21/2013 by David A Price

APPROVE PERMIT:

Impact a total of 1,030 sq. ft. of tidal wetland and upland tidal buffer zone to place rip-rap on an eroding slope including the following: 235 sq. ft. of tidal wetland impact for the placement of rip-rap; 235 sq. ft. of upland tidal buffer zone for the placement of rip-rap; and 560 sq. ft. of temporary impact in tidal wetland for construction access.

With Conditions:

1. All work shall be in accordance with revised plans by Riverside & Pickering Marine Contractors dated February 22, 2013, as received by the Department on February 22, 2013.
2. The contractor performing the work shall use a rubber tracked excavator and utilize mats to buffer the substrate from the equipment within the temporary impact area.
3. No trees shall be removed.
4. There shall be no impact to the *Spartina Alterniflora* (E2EM1) along the shoreline of the property.
5. Siltation/turbidity barrier shall be installed throughout the duration of construction to protect from the occurrence of sedimentation during tidal cycles.
6. All temporary work areas shall be restored to original condition following completion of construction.
7. A coastal wetlands ecologist shall be on-site during construction to minimize impacts to aquatic resources.
8. Coastal staff shall be notified in writing prior to commencement of work and upon its completion. Notification may be via e-mail to David Price at David.Price@des.nh.gov.
9. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
10. This permit shall not be effective until recorded at the Rockingham County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
12. 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.
13. Work shall be done during low tide.
14. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
15. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
17. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. 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.
19. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The applicant has provided evidence that the bank is eroding and needs stabilization.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The applicant has demonstrated that vegetation is ineffective at this location at stabilizing the embankment. The embankment contains shallow ledge and is very steep along the entire shore (50%-70% grade).
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. NH Natural Heritage Bureau (NHB) has record of a Natural Community within the vicinity of the project. The applicant has coordinated with NHB to minimize impacts to the Natural Community. NHB recommends siltation/turbidity barrier be installed throughout the duration of construction to protect from the occurrence of sedimentation during tidal cycles. Permit condition 4 addresses the NHB's recommendation.
5. The U.S. Environmental Protection Agency (EPA) review of the project on 1/17/2013 recommends having a coastal wetlands ecologist on site during construction and restoring temporary impacts upon completion of construction. The permit is conditioned that reflect comments from the joint Federal review of the project on 1/17/2013.
6. DES staff field inspection on 2/21/2013 found that the site is accurately represented in the application.
7. The Durham Conservation Commission did not submit comments on this 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 estuarine resource, as identified under RSA 482-A:1.

**2012-03239                      GREENVILLE, TOWN OF  
GREENVILLE   Souhegan River**

Requested Action:

Dredge and fill 22,960 square feet and temporarily impact 24,570 square feet of the Souhegan River to stabilize a landslide slope that failed in March 2010. Stabilization includes construction of a 232 foot anchored sheet pile wall at the top of the slope and riprap armoring the lower slope. The project also includes tree removal from the Souhegan River, construction access and reconstructing the closed drainage system on High Street to eliminate the uncontrolled release of concentrated stormwater.

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APPROVE PERMIT:

Dredge and fill 22,960 square feet and temporarily impact 24,570 square feet of the Souhegan River to stabilize a landslide slope that failed in March 2010. Stabilization includes construction of a 232 foot anchored sheet pile wall at the top of the slope and riprap armoring the lower slope. The project also includes tree removal from the Souhegan River, construction access and reconstructing the closed drainage system on High Street to eliminate the uncontrolled release of concentrated stormwater.

With Conditions:

1. All work shall be in accordance with plans by Dubois & King, Inc., dated JAN. 2013, as received by the DES Wetlands Bureau on February 04, 2013.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Shoreland Program.
4. This permit is contingent on confirmation of one of the two submitted access plans or the receipt and approval of the final access plans, including: a) final construction access plan; b) construction sequence; c) water control /erosion control plan; d) restoration plan; and e) final impact totals.
5. This permit is contingent on restoration of all temporary impacts as approved by the final access plan.
6. The permittee shall notify in writing the DES Wetlands Bureau, the Conservation Commission and the Souhegan River Local Advisory Committee at least 14 days prior to the commencement of project construction.
7. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the project is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
8. The qualified professional shall submit weekly monitoring reports including the status of the project and the work conducted each

week, the status of the erosion control measures with color photographs. These reports shall be submitted via e-mail to [kirsten.pulkkinen@des.nh.gov](mailto:kirsten.pulkkinen@des.nh.gov).

9. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
10. Work shall be done during low flow conditions.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
12. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
13. 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.
14. 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.
15. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
16. Temporary cofferdams shall be entirely removed immediately following construction.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. 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.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
20. Excavated material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
21. All temporarily stockpiled material shall be placed out any area that is within the jurisdiction of the DES Wetlands Bureau.
22. 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.
23. 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.
24. 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.
25. Silt fencing must be removed once the area is stabilized.
26. Riverbank plantings shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
27. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the DES Wetlands Bureau if the species is found in the stabilization areas during construction and during the early stages of vegetative establishment.
28. A post-construction report documenting the status of slope stabilization and temporary impact restoration areas, including photographs during and post construction shall be submitted to the Wetlands DES within sixty (60) days of the completion of construction.
29. The permittee or a designee shall conduct a follow-up inspection after the first full growing season, to review the success of the project and schedule remedial actions if necessary. A report outlining the project status including photographs and any follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second year following the completion of the project.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), Projects that involve alteration of nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet.
2. The landslide occurred on a steep bank slope on the north side of Otis Falls Hydro Impoundment on the Souhegan River and abutting High Street.
3. The slope failure occurred following a prolonged period of heavy rains.
4. Geotechnical investigation and analyses suggested the slope failure was precipitated by an increase in the level of perched

groundwater in fill soils that are located above native glacial till and that it does not appear fluvial erosion contributed to the landslide.

5. Several alternatives were considered as part of the preliminary engineering study. Three stabilization options were then selected for a detailed evaluation; a continuous riprap slope, sheet pile wall and riprap slope and a sheet pile wall and vegetated slope. Geotechnical borings revealed an organic soil layer, which rendered the vegetation option unviable and the proposed option (sheet pile and riprap) was selected as the most viable option for slope stabilization and protecting adjacent properties and infrastructure.
6. Due to the height (84 feet) and steepness (varying from 1.5:1 to 3:1) of the slope, access from the landslide side of the river is not possible.
7. Two access plans were outlined in the application; a) a barge with temporary docks or b) a haul road that requires the impoundment is drained and gravel haul road constructed.
8. Plans for both of the two access alternative were provided with the application.
9. This permit is contingent on confirmation of one of the two submitted access plans or the receipt and approval of the final access plans, including: a) final construction access plan; b) construction sequence; c) water control /erosion control plan; d) restoration plan; and e) final impact totals.
10. This permit is contingent on restoration of all temporary impacts as approved by the final access plan.
11. The impacts approved by this permit include the maximum impacts anticipated for either access plan.
12. Copies of executed easements for work outside of the town right-of-way were received via email on February 14, 2013.
13. In email correspondence received January 28, 2013, the Souhegan River Local Advisory Committee stressed the importance of turbidity monitoring, stated that drainage plans should be implemented as presented in the plan and the value of the park to be utilized as staging was noted and restoration of said park requested.
14. The NH Programmatic General Permit (PGP) review notes dated 1/17/13 state that the project is eligible for review through the NHSPGP.
15. The submitted Natural Heritage Bureau report stated, "It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project."
16. DES Staff conducted a field inspection of the proposed project in March 2010.
17. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
18. 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.
19. 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.
20. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2012-03326                      WENTWORTH, TOWN OF**  
**WENTWORTH Baker River**

**Requested Action:**

Dredge and fill 1,044 square feet of the bed and banks of the South Branch Baker River to rehabilitate an existing bridge. Work in jurisdiction includes placing erosion stone along the edge of the abutment footings for scour protection and 400 square feet of temporary impacts for construction access and turbidity controls.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill 1,044 square feet of the bed and banks of the South Branch Baker River to rehabilitate an existing bridge. Work in jurisdiction includes placing erosion stone along the edge of the abutment footings for scour protection and 400 square feet of temporary impacts for construction access and turbidity controls.

**With Conditions:**

1. All work shall be in accordance with plans by Holden Engineering & Surveying, Inc. entitled Plans of Proposed Bridge Rehabilitation and Roadway Improvements Dufour Road Bridge Over South Branch Baker River (Sheets 1-15 of 15) dated January

- 30, 2013 as received by the Department on February 22, 2013.
2. 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.
  3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
  4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
  5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
  6. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
  7. No equipment shall enter the water.
  8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
  9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
  10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
  11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
  12. Temporary cofferdams shall be entirely removed immediately following construction.
  13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
  14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
  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. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
  18. Areas of temporary impact shall be restored to original conditions following the completion of work.
  19. 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.
  20. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
  21. 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.
  22. 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.
  23. 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.
  24. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a major project per NH Administrative Rule Env-Wt 303.02 (p) Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
5. The bridge is on the NH Department of Transportation's Red List.
6. The applicant submitted a technical report by a professional engineer in accordance with Env-Wt 904.09 (b) requesting the approval of an alternative design.
7. To pass 100 year storm would require raising the structure 5 feet. The agent found that the cost to modify the bridge to accommodate the 100 year storm would be approximately \$145,000 with an additional \$125,000 possible for the increased construction duration and the cost of a temporary vehicular bridge. The bridge serves only one residential property and the existing abutments are sufficient for re-use. The Town Road agent has not observed any flooding of the bridge over the past nine years, which includes several major storms.
8. The proposed bridge will maintain the existing abutments and the 62 foot span with natural stream bottom. The proposed rip-rap will not reduce the hydraulic capacity of the crossing. The proposed bridge deck is slightly higher and has a positive grade relative to the existing deck, resulting in an increased waterway opening of 127 square feet.
9. Aquatic organism and wildlife passage will essentially remain unchanged and the natural alignment and gradient of the channel will be preserved. Stream flows, water depths and velocities will also remain unchanged.
10. The applicant has provided a letter from the owners of the Town of Wentworth tax map/ lot 11-08-01 and 11-04-01 stating their agreement with the proposed plan as outlined in the application.
11. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
12. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
13. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resources, as identified under RSA 482-A:1.

**2013-00318                      WINMIIR CONDOMINIUM ASSOCIATION**  
**TUFTONBORO Lake Winnepesaukee**

Requested Action:

Replenish 10,171 sq. ft. of existing beach with 94 cubic yards of sand, remove two rocks from within the beach area, upgrade the perimeter drain and add a level spreader at the drain outfall on an average of 568 ft of frontage along Lake Winnepesaukee, in Tuftonboro.

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Conservation Commission/Staff Comments:

1/30/13 Con. com. made a site visit and will defer application to DES.

APPROVE PERMIT:

Replenish 10,171 sq. ft. of existing beach with 94 cubic yards of sand, remove two rocks from within the beach area, upgrade the perimeter drain and add a level spreader at the drain outfall on an average of 568 ft of frontage along Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated January 9, 2013, as received by the NH Department of Environmental Services (DES) on January 28, 2013.
2. 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.
3. All dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. No more than 94 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.

8. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(o), replenishment of a beach which exceeds the criteria for minimum impact and minor impact projects.
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.

**MINOR IMPACT PROJECT**

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**2007-02459                      DUYMAZLAR, MEHMET**  
**CENTER HARBOR Lake Winnepesaukee**

Requested Action:

Request permit time extension.

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APPROVE TIME EXTENSION:

Install two 6 ft x 40 ft seasonal piers connected by a 6 ft x 12 ft walkway with a 14 ft x 30 ft seasonal canopy, a seasonal boatlift, and two seasonal personal watercraft lifts and construct a 30 ft x 28 ft perched beach with 6 ft wide stairs to the water on an average of 154 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction revised February 6, 2008, as received by DES on February 8, 2008.
2. This permit shall not be effective until it has been recorded with the 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. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. All seasonal structures shall be removed from the lake for the non-boating season.
5. No portion of the docking facilities shall extend more than 40 feet from the shoreline at full lake elevation.
6. All excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. 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.
8. The steps installed for access to the water shall be located completely landward of the normal high water line.
9. No more than 10 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. 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.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

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.

**2008-00028                      FAIRWAY OAKS LLC**  
**PLAISTOW   Unnamed Wetland**

Requested Action:

Request name change to Hillcrest Estates LLC.

Dredge and fill 7,400 sq. ft. of palustrine scrub-shrub wetlands and install a 4 ft. x 4 ft. open box culvert with a natural bottom to carry the roadway across a seasonal stream to provide access to a 36-unit elderly housing project on a 22.95 acre parcel of land.

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Conservation Commission/Staff Comments:

No report or comments received from the Plaistow Conservation Commission.

APPROVE NAME CHANGE:

Change name to Hillcrest Estates LLC, 10 George St. Ste 210, Lowell, MA 01852

Dredge and fill 7,400 sq. ft. of palustrine scrub-shrub wetlands and install a 4 ft. x 4 ft. open box culvert with a natural bottom to carry the roadway across a seasonal stream to provide access to a 36-unit elderly housing project on a 22.95 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Christiansen & Sergi dated November 13, 2007, as received by DES on January 08, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
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. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or 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.
9. 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).
10. Work shall be done during low flow.
11. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

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

Requested Action:

Request permit time extension.

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**APPROVE TIME EXTENSION:**

Change name to Hillcrest Estates LLC, 10 George St. Ste 210, Lowell, MA 01852

Dredge and fill 7,400 sq. ft. of palustrine scrub-shrub wetlands and install a 4 ft. x 4 ft. open box culvert with a natural bottom to carry the roadway across a seasonal stream to provide access to a 36-unit elderly housing project on a 22.95 acre parcel of land.

**With Conditions:**

1. All work shall be in accordance with plans by Christiansen & Sergi dated November 13, 2007, as received by DES on January 08, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
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. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or 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.
9. 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).
10. Work shall be done during low flow.
11. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

**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.

**2012-01914 NH DEPT OF TRANSPORTATION  
PORTSMOUTH Unnamed Wetland**

**Requested Action:**

Replace Middle Road and Islington Street bridges over the US Route 1 Bypass impacting 7,892 sq. ft. (1,896 sq. ft. temporary) palustrine wetlands.

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**Conservation Commission/Staff Comments:**

City of Portsmouth Conservation Commission recommends approval of this project.

**APPROVE PERMIT:**

Replace Middle Road and Islington Street bridges over the US Route 1 Bypass impacting 7,892 sq. ft. (1,896 sq. ft. temporary) palustrine wetlands. NHDOT project #13455-B.

With Conditions:

1. All work shall be in accordance with revised plans by NHDOT Bureau of Highway Design, dated 1/3/13 as received by the Department on Feb. 1, 2013.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Construction equipment shall not be located within surface waters.
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; 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.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
10. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
11. 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.
12. The impacts associated with the temporary work shall be restored immediately following construction.
13. For any invasive species encountered during construction, the contractor will follow the appropriate procedures outlined in NHDOT's Best Management Practices for Roadside Invasive Plants, dated 2008 to ensure proper handling and disposal.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq. ft. of non-tidal 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. On Nov. 19, 2012 the NHDOT indicated the erosion control plans would be submitted to the file.
6. The revised plans received on February 1, 2013 include erosion controls, increase the temporary impacts by 475 sq. ft. and have no revision dates.

2012-02882

CBDA DEVELOPMENT LLC

ROCHESTER

Requested Action:

Fill a total of 9,730 sq. ft. of wetlands in two locations for construction of a roadway and upgrade of an existing woods road for construction of 50 single-family lots, 9 duplex lots, 4 apartment lots, and 2 open space lots on 116 acres including the following: Wetland Impact #1: 9,200 sq. ft. and installation of 5 ft. x 5 ft. x 130 ft. long box culvert for roadway construction; and Wetland Impact #2: 530 sq. ft. and installation of a 18 in. x 35 ft. culvert to upgrade an existing woods road for a community septic system.

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APPROVE PERMIT:

Fill a total of 9,730 sq. ft. of wetlands in two locations for construction of a roadway and upgrade of an existing woods road for construction of 50 single-family lots, 9 duplex lots, 4 apartment lots, and 2 open space lots on 116 acres including the following: Wetland Impact #1: 9,200 sq. ft. and installation of 5 ft. x 5 ft. x 130 ft. long box culvert for roadway construction; and Wetland Impact #2: 530 sq. ft. and installation of a 18 in. x 35 ft. culvert to upgrade an existing woods road for a community septic system.

With Conditions:

1. All work shall be in accordance with revised plans by Bedford Design Consultants, Inc. dated January 17, 2013, as received by the NH Department of Environmental Services (DES) on February 22, 2013.
2. There shall be a 100 ft. non-disturbance buffer around vernal #4 as depicted on revised plan titled "Subdivision Plan - The Village at Clark Brook" Sheet 6 of 38 dated January 14, 2013. Vernal pool markers shall be set every 100 ft.+/- on existing trees along the buffer prior to construction.
3. A copy of the recorded "Declaration of Conditions, Open Space, Restrictions and Easements of The Village at Clark Brook, Rochester, New Hampshire" along with the final open space plan showing vernal pool #4 described in condition #2 shall be submitted to DES prior to construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. This permit shall not be effective until it has been recorded with the Strafford 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.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
13. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #11 of this approval.
14. Work shall be done during low flow.

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. The applicant has demonstrated that wetland impact is necessary to access buildable 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 location of the proposed impacts are crossing perpendicular to the resource at the most narrowest width of the wetland. Further, the roadway crossing is designed with a 5 ft. x 5ft. embedded box culvert to provide a natural substrate in the bottom of the culvert.
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 record of a sensitive species within the vicinity of this project, but NHB does not expect impacts to the species.
5. This project qualifies as a Tier 1 Stream Crossing and the applicant has designed the stream crossing in accordance with Env-Wt 904.02 and Env-Wt 903.03. The applicant has demonstrated that the proposed crossing has been designed to accommodate the 50-year frequency flood without restriction, is a closed-bottom box culvert embedded to mimic the natural channel, and should not disrupt the movement of indigenous aquatic life.

6. The Rochester Conservation Commission did not submit comments on the application.

**2012-02950                      WALSH, LILLI/PATRICK**  
**HAMPSTEAD   Big Island Pond**

Requested Action:

Expand an existing 8 ft. x 10 ft. concrete boat ramp constructed in the waterbody to 12 ft. x 14 ft. on an average of 72 feet of shoreline frontage along Big Island Pond, in Hampstead.

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Conservation Commission/Staff Comments:

Con Com did not sign Wetland application

DENY PERMIT:

Expand an existing 8 ft. x 10 ft. concrete boat ramp constructed in the waterbody to 12 ft. x 14 ft. on an average of 72 feet of shoreline frontage along Big Island Pond, in Hampstead.

With Findings:

Standards for Approval

1. Pursuant to Rule Env-Wt 302.04 Requirements for Application Evaluation, (a), (1), for any major or minor project, the applicant shall demonstrate the need for the proposed impacts to areas and environments under the Department's jurisdiction by plan and example.
2. Pursuant to Rule Env-Wt 302.04 Requirements for Application Evaluation, (a), (2) the applicant shall demonstrate by plan and example that the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
3. Pursuant to Rule Env-Wt 402.21, Modification of Existing Structures, the Department shall not approve any change in size, location, or configuration of an existing structure unless the applicant demonstrates, and the department finds, that the modification is less environmentally-impacting or provides for fewer boat slips and less construction surface area over public submerged lands than the current configuration.
4. Pursuant to Rule Env-Wt 402.09, Structures Disallowed, the Department shall not permit structures for the transfer of land based activities to locations within public waters.
5. Pursuant to Rule Env-Wt 302.04, Requirements for Application Evaluation, (d), the Department shall not grant a permit if there is a practicable alternative that would have a less adverse impact on the area and environments under the Department's jurisdiction or the project will cause random or unnecessary destruction of wetlands.

Findings of Fact

1. On November 8, 2012 the Wetlands Bureau received a Wetlands Permit Application to expand both the length and width of an existing concrete boat ramp constructed within the waterbody on an average of 72 feet of shoreline frontage on Big Island Pond, in Hampstead.
2. The project is classified as a major impact project pursuant to Rule Env-Wt 302.02(n), because it proposes to place fill in public waters for the purposes of making land.
3. The existing ramp was constructed by filling within the lake using concrete to create a surface down which a trailer could be lowered rather than by excavation of the shoreline. The construction of a ramp by filling in the public waters is prohibited by Rule Env-Wt 402.09. Therefore, the ramp is considered to be a non-conforming structure.
4. The proposed project would create an additional 24 sq. ft. of land within the public waters in order to allow the individual landowner to launch boats using a larger trailer.
5. The plans submitted indicate there is no route on the property by which to access the boat ramp using vehicle with a width of more than 8 feet on the lot.
6. On December 14, 2012, the Department of Environmental Services issued a Request for More Information letter. This letter requested that the applicant identify other launching alternatives that had been considered and explain why the placement of

additional fill within the lake might be considered the least impacting alternative.

7. The Request for More Information letter also requested that the applicant demonstrate a need for the additional fill requested.
8. On February 6, 2013, the applicant submitted a response to the request for more information letter. The response did not provide an explanation of other alternatives considered, nor did it include evidence that the project as proposed was necessary and the least impacting alternative.

#### Rulings in Support of Denial

1. The Applicant did not demonstrate by plan and example that the project as proposed is the least impacting alternative, therefore pursuant to Rule Env-Wt 302.04(d), the application is denied.
2. The Applicant did not demonstrate the need for the proposed impact, therefore pursuant to Rule Env-Wt 302.04(d), the application is denied.
3. The construction of addition ramp surface would not be consistent with the requirement of Rule Env-Wt 402.09, therefore the project is denied.
4. The proposed modification fails to meet the requirements of Rule Env-Wt 402.21. Therefore, the application is denied.

2012-03127

### NH DEPT OF TRANSPORTATION

#### CARROLL Unnamed Stream

#### Requested Action:

Construct a new scenic overlook on the south side of Rte. 302, remove the existing overlook located on the north side of the roadway and use the area to construct a 190 ft. long treatment swale impacting 4,477 sq. ft. (330 sq. ft. temporary) of palustrine wetlands.

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#### Conservation Commission/Staff Comments:

LAC and Cons. Comm. submitted letters of concern.

#### APPROVE PERMIT:

Construct a new scenic overlook on the south side of Rte. 302, remove the existing overlook located on the north side of the roadway and use the area to construct a 190 ft. long treatment swale impacting 4,477 sq. ft. (330 sq. ft. temporary) of palustrine wetlands. NHDOT project #21431.

#### With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 10/31/12 (printed 1/24/2013) as received by the Department on Feb. 7, 2013.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

9. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
10. 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.
11. The impacts associated with the temporary work shall be restored immediately following construction.
12. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq. ft. of non-tidal 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 plans by NHDOT Bureau of Highway Design dated 10/31/12 (printed 1/24/2013) as received by the Department on Feb. 7, 2013 includes additional information as requested by the DES, but do not change the design from the plans received with the application on Nov. 30, 2012.
6. The new overlook will improve traffic flow and capacity accommodating approximately 22 passenger vehicles and 6 buses.
7. The construction a 190 ft. long swale in the location of the existing overlook to treat runoff from the new overlook meets the design requirements of the NH Dept. of Environmental Services (DES).
8. The project was coordinated with state and federal agencies through discussions at the monthly Natural Resource Agency meetings held at the NH Dept. of Transportation (NHDOT) on March 21, 2012 and October 17, 2012.
9. On January 7, 2013 the DES received a letter from the Ammonoosuc River Local Advisory Committee (LAC) dated January 4, 2013 including but not limited to concerns with the project including the stormwater treatment plan lacking pollution control and maintenance plans, the design is only for a 10 year storm, petroleum and creosote pollutants, thermal loading, existing culvert problems, stability issues in the general area, impacts to the underlying aquifer, use as a water source, salting and snow plowing, refuse maintenance, lighting, construction timing impacts to bats, song birds and raptors, invasive species, lack of justification for the design size and the cumulative impacts. Attached was a December 5, 2012 letter from the Ammonoosuc Chapter of Trout Unlimited noting similar concerns.
10. On January 11, 2013 the DES received a report from the Carroll Conservation Commission dated January 6, 2013 noting the river will benefit from moving the parking across the road but has concerns that the application did not justify the size of the project with data, lacks photos showing that the existing parking is inadequate, the new intersection configuration will increase accidents, recommends a smaller parking area to absorb runoff, and concurs with the LAC.
11. On January 18, 2013 the DES sent a Request for More Information to the applicant.
12. On February 7, 2013, the DES received a response from the applicant including additional information on the plans including the 100 year floodplain, existing and proposed topography along with a proposed planting plan.
13. The response also included detailed information addressing each item that is within the DES Wetlands Bureau jurisdiction as raised in the letters received on January 7 and 11, 2013 including:
  - (a). The proposed project is designed to address safety concerns occurring during peak tourism and is intended to provide defined parking and access passenger cars and large vehicles along with minimizing hazards for passenger loading and unloading.
  - (b). The photographs submitted clearly show the problems with vehicular maneuverability during peak tourism.
  - (c). This project includes the consolidation of and reduces the number of access points along the roadway and is considered a safety improvement.
  - (d). The proposed treatment swale appears to meet the requirements by the DES Alteration of Terrain program although the NHDOT is not required to provide a maintenance schedule.
  - (e). The project design includes separating the surface and ground water from the parking area to maximize the treatment of the runoff.
  - (f). The proposed swale will discharge into a vegetated wetland providing additional treatment prior to reaching the river along with dissipating the possible water temperature increase which would be minimal at the point of discharge.

- (g). Transference of contaminants from the railroad tracks to the river is unlikely as the material under the tracks will not be disturbed, the soils adjacent to the tracks are unlikely to contain contaminants and the cut slopes uphill of the project will be revegetated.
- (h). The project was coordinated with state and federal agencies, which did not express concerns with wildlife. Further information provided by the applicant indicates the project is unlikely to impact bats. DES agrees with the timing of construction so the re-establishment of vegetation during the growing season will reduce the opportunity of erosion.
- (i). The applicant indicates there are no issues with the existing downstream culvert and the flows were considered in the project design.
- (j). The permit contains a condition that "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."
- (k). The response from the applicant indicates the design considered the location relative to a wellhead protection area and coordination of the project with the DES Drinking Water and Groundwater Bureau resulted in the suggestion that winter maintenance contractors be Green SnoPro certified.

**2012-03142                      MARK W WHITCHER 2011 REV TRUST**  
**STRAFFORD Bow Lake**

**Requested Action:**

Permanently remove a permanent dock from an existing breakwater, relocate 9 rocks (86 sq. ft.) on the lakebed, install a 6 ft. x 40 ft. seasonal dock, and restore 10 rocks (30 sq. ft.) to their previous locations on the shoreline on an average of 131 ft of frontage along Bow Lake, in Strafford.

\*\*\*\*\*

**APPROVE PERMIT:**

Permanently remove a permanent dock from an existing breakwater, relocate 9 rocks (86 sq. ft.) on the lakebed, install a 6 ft. x 40 ft. seasonal dock, and restore 10 rocks (30 sq. ft.) to their previous locations on the shoreline on an average of 131 ft of frontage along Bow Lake, in Strafford.

**With Conditions:**

1. All work shall be in accordance with plans by Geometres Blue Hills LLC revision dated February 1, 2013, as received by the NH Department of Environmental Services (DES) on February 7, 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. The seasonal dock shall not be installed until the permanent dock has been completely removed from the breakwater.
4. The seasonal dock 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.
5. The seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
7. The shoreline repairs shall be limited to the relocation of the 10 specified rocks. No additional rocks shall be brought on site.
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(a), Projects in any bank, flat, marsh, or swamp or in and adjacent to any waters of the state or within 100 feet of the highest observable tide line that do not meet any of the criteria of Env-Wt 303.02, Env-Wt 303.04 or Env-Wt 303.05.
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 an average of 131 feet of shoreline frontage along Bow Lake.

- 5. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
- 6. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2012-03297                      CANOBIE LAKE REALTY CORP & KLN CORPORATION**  
**SALEM   Canobie Lake**

Requested Action:

Dredge and fill a total of 3,126 sq. ft. of isolated palustrine forested/scrub-shrub wetlands for work associated with the expansion of an existing parking lot with drainage features at Canobie Lake Park.

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Conservation Commission/Staff Comments:

The Salem Conservation Commission "... has voted to recommend approval of the application and plans as submitted."

APPROVE PERMIT:

Dredge and fill a total of 3,126 sq. ft. of isolated palustrine forested/scrub-shrub wetlands for work associated with the expansion of an existing parking lot with drainage features at Canobie Lake Park.

With Conditions:

- 1. All work shall be in accordance with plans by SFC Engineering Partnership Inc. dated 21/12/2012, as received by the NH Department of Environmental Services (DES) on December 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. DES Wetlands Bureau Southeast Region staff and the Salem Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
- 4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 5. 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).

With Findings:

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

**2012-03335                      MARY STEPHENS LIVING TRUST**  
**HAMPTON   Unnamed Wetland**

Requested Action:

Impact a total of 1,300 sq. ft. within the previously developed tidal buffer zone to replace/reconstruct a failed retaining wall, remove existing asphalt pad, replace a fence and appurtenant landscaping.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Hampton Conservation Commission "...does not oppose the granting of the wetlands permit."

**APPROVE PERMIT:**

Impact a total of 1,300 sq. ft. within the previously developed tidal buffer zone to replace/reconstruct a failed retaining wall, remove existing asphalt pad, replace a fence and appurtenant landscaping.

**With Conditions:**

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 10/05/12 (last revised 12/21/12), as received by the NH Department of Environmental Services (DES) on XXX.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. No further encroachment onto adjacent salt marsh whatsoever.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b), projects that involve work within 50 feet of a salt marsh that do not meet the criteria of Env-Wt 303.02
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2013-00362 CARRIAGE HOUSE POINT TRUST  
TUFTONBORO Lake Winnepesaukee**

**Requested Action:**

Repair an existing 10 ft. x 40 ft. 7 in. crib dock accessed by a 16 ft. 7in, x 4 ft. 11 in. dock, a tapered 10 ft. 1 in. x 26 ft. 8 in. crib dock, a 24 ft. x 33 ft. crib dock with a 9 ft. x 13 ft. piling dock extending from the lakeward end, and install a 6 ft. x 30 ft. seasonal dock anchored to an existing boulder on a average of 709 feet of shoreline frontage along Lake Winnepesaukee, in Tuftonboro.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

2/8/13 Con. Com. has no objections.

**APPROVE PERMIT:**

Repair an existing 10 ft. x 40 ft. 7 in. crib dock accessed by a 16 ft. 7in, x 4 ft. 11 in. dock, a tapered 10 ft. 1 in. x 26 ft. 8 in. crib dock, a 24 ft. x 33 ft. crib dock with a 9 ft. x 13 ft. piling dock extending from the lakeward end, and install a 6 ft. x 30 ft. seasonal dock anchored to an existing boulder on a average of 709 feet of shoreline frontage along Lake Winnepesaukee, in Tuftonboro.

**With Conditions:**

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated January 20, 2013, as received by the NH Department of Environmental Services (DES) on February 1, 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 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. Seasonal pier shall be removed from the lake for the non-boating season.
- 10. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
- 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 303.03(d), construction of a docking system that exceeds the criteria for minimum impact 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 an average of 709 feet of shoreline frontage along Lake Winnepesaukee.
- 5. A maximum of 10 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
- 6. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**MINIMUM IMPACT PROJECT**

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**2012-02359                      STATE OF NEW HAMPSHIRE**  
**HAMPTON   Tide Mill Creek**

Requested Action:

Temporarily impact 111 square feet of upland tidal buffer zone to perform emergency repairs of an existing water main.  
\*\*\*\*\*

Inspection Date: 02/28/2013 by Eben M Lewis

CONFIRM EMERGENCY AUTHORIZATION:

Temporarily impact 111 square feet of upland tidal buffer zone to perform emergency repairs of an existing water main.

With Conditions:

- 1. All work shall be in accordance with plans by James Verra and Associates, Inc. dated 6-15-2012 and revised 1-21-2013, as received by the NH Department of Environmental Services (DES) on January 21, 2013.
- 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.

With Findings:

- 1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(o) Projects deemed minimum impact by the

department based on the degree of environmental impact.

2. The project was necessary to replace a failed water main that provides drinking water to Hampton Beach.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on March 20, 2012 in accordance with Env-Wt 500.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.
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) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
8. DES Staff conducted a field inspection of the proposed project on February 28, 2013. Field inspection determined the impacts are stabilized and accurately depicted on the plans supplied with the application.
9. The detailed plans accurately locate the boundary of the wetlands and prime wetlands.
10. No comments of concern on the proposed project were received by DES.
11. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
12. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
13. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.
14. Based on findings 1-13 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

**2012-02556**

**A AND G REVOCABLE TRUST**

**SANBORNTON**

**Requested Action:**

Proposal to retain after-the-fact wetland impacts (2050 sq. ft.) resulting from maintenance dredging of a manmade pond, culvert replacement, outlet protection, culvert removal and impacts to an old horse paddock area.

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**APPROVE AFTER THE FACT:**

Approval to retain after-the-fact wetland impacts (2050 sq. ft.) resulting from maintenance dredging of a manmade pond, culvert replacement, outlet protection, culvert removal and impacts to an old horse paddock area.

**With Conditions:**

1. All work shall be in accordance with plans and narratives by Shuey Environmental, as received by the NH Department of Environmental Services (DES) on December 19, 2013.
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. Wetland restoration/stabilization areas shall have at least 75% successful establishment of vegetation after one growing season, or it shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
6. A qualified professional shall submit a monitoring report to the NHDES Land Resources Management compliance section upon completion of the paddock (wetland) restoration work and at the end of the growing season (by November 1, 2013).

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant, Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways and Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.

**2012-02949 PALANCHIAN, MARK  
GILFORD Lake Winnepesaukee**

Requested Action:

Impact 551 sq. ft. to construct a 515 sq. ft. perched beach with access stairs to the waterbody on 100 feet of frontage along Lake Winnepesaukee, in Gilford.

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Conservation Commission/Staff Comments:

11/29/12 Con. Com. denied project. Perched beach should be reduced for lot size and vegetation formula needs to be reviewed. Also suggests DES look at abutting property to the North for shoreland compliance issues.  
11/13/12 Con. Com. requests a "hold" until they review at their next meeting. 1/10/13 Con. Com. recommends steps off dock because of elevation difference between sand box area and lake (less impacting). Release "hold".

APPROVE PERMIT:

Impact 551 sq. ft. to construct a 515 sq. ft. perched beach with access stairs to the waterbody on 100 feet of frontage along Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Bryan Bailey Associates revision dated February 25, 2013, as received by the NH Department of Environmental Services (DES) on February 28, 2013.
2. Upon completion of the proposed project, all vegetation within the waterfront buffer, including natural ground cover, shall be allowed to regenerate and grow to restore the natural conditions except that that area necessary for a 6 foot wide pathway to access the public waterbody.
3. In accordance with RSA 483-B:9, V, (a) future pruning of the shrub layer shall not reduce the height of the vegetation below 3 feet except for within the area of the path.
4. The applicant shall submit photographs documenting the waterfront buffer has been allowed to regenerate to prior conditions for two consecutive years following the completion of the beach construction.
5. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau's jurisdiction.
6. 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.
7. The steps installed for access to the water shall be located completely landward of the normal high water line.
8. No more than 10 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
9. This permit shall be used only once, and does not allow for annual beach replenishment.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. 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.
12. 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.
13. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach.
2. DES has documented that the shrub layer is regenerating and therefore, no additional replanting of shrubs will be required.

**2013-00447 PEASE DEVELOPMENT AUTHORITY**  
**RYE Atlantic Ocean**

Requested Action:

Replace a 1,152 sq. ft. concrete floating dock system severely damaged during hurricane Sandy with a new seasonal timber element with plastic float modules system, in the same location and configuration, including the removal of existing damaged piles and the installation of nine (9) steel guide piles at the Rye Harbor State Marina.

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Conservation Commission/Staff Comments:

No report or comments on this application was received from the Rye Conservation Commission .

Inspection Date: 02/22/2013 by Frank D Richardson

APPROVE PERMIT:

Replace a 1,152 sq. ft. concrete floating dock system severely damaged during hurricane Sandy with a new seasonal timber element with plastic float modules system, in the same location and configuration, including the removal of existing damaged piles and the installation of nine (9) steel guide piles at the Rye Harbor State Marina.

With Conditions:

1. All work shall be in accordance with plans by Appledore Marine Engineering, Inc. dated February 2013, as received by the NH Department of Environmental Services (DES) on February 12, 2013.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Rye Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Seasonal floating dock system shall be removed from the water for the non-boating season.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v), maintenance, repair, and replacement in-kind of existing docking structures.
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.

**2013-00501 SULLIVAN, TOWN OF**  
**SULLIVAN Ferry Brook**

Requested Action:

Dredge approximately 1,000 sq. ft. of bed and banks of Ferry Brook to restore the stream channel by removing accumulated cobble/stone, downed trees and a foot bridge deposited in the stream. The work is being conducted to address impacts resulting from storm damage occurring in May of 2012.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge approximately 1,000 sq. ft. of bed and banks of Ferry Brook to restore the stream channel by removing accumulated cobble/stone, downed trees and a foot bridge deposited in the stream. The work is being conducted to address impacts resulting from storm damage occurring in May of 2012.

**With Conditions:**

1. All work shall be in accordance with plans, photographs and narratives by the USDA Natural Resources Conservation Service (NRCS) entitled DSR #29 Debris Removal sheets 1 through 4 of 4 dated November 8, 2012 and Construction Specifications 11, 21, 600, 704, 705, 706, 708 and 709, as received by the Department on February 20, 2013.
2. The Town or NRCS shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property or outside of the Town right-of-way.
3. NRCS shall monitor construction to ensure that the areas are constructed in accordance with the approved plans that there are no water quality violations.
4. Any channel dredging associated with the debris removal shall maintain the natural stream bed elevations and channel width as directed by the NRCS engineer.
5. Work shall be done during low flow.
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. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access.
12. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. 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.
16. 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.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

**With Findings:**

1. This is a minimum impact project per 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 Env-Wt 302.01.
3. The work is being conducted to remove debris blocking stream flow and prevent additional flooding.

4. The damage is a result of a severe storm occurring in May of 2012.
5. The work is being conducted and funded through the Natural Resources Conservation Service ("NRCS") Emergency Watershed Protection Program ("EWP") to address storm damage impacts.
6. Per RSA 482-A:11 X. The department shall have the authority to grant permits, in accordance with the rules adopted under RSA 482-A:11, VI for expedited application and permitting, for any projects funded through the Emergency Watershed Protection Program of the Natural Resources Conservation Service, United States Department of Agriculture, when such projects are necessary to safeguard lives and property from floods and the products of erosion when a natural disaster is causing or has caused a sudden impairment of the watershed.
7. DES has not received any comments in opposition to the project.
8. NRCS will oversee the approved work.

**FORESTRY NOTIFICATION**

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**2013-00277                    ROTONDO, ROBERT**  
**NEW HAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
New Hampton, Tax Map #U16, Lot #8-26

**2013-00473                    CHOCORUA FORESTLANDS LLC**  
**MOULTONBOROUGH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Moultonborough, Tax Map #401, Lot #005

**2013-00494                    CITY OF CONCORD**  
**CONCORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Concord, Tax Map #120, Lot #26, Block #1

**2013-00502                    WEBSTER LAND CORP**  
**CAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Campton, Tax Map #17, Lot #6 & 14

**2013-00543                    TOWN OF OSSIPEE**  
**OSSIPEE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Ossipee, Tax Map #112, Lot #2

**2013-00553                    RALPH A MATREGANO TRUST**  
**RUMNEY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Rumney, Tax Map #9, Lot #1-13

**2013-00561                    FRIEDRICH, CAROL**  
**WENTWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Wentworth, Tax Map/Lot #5-5-6

**EXPEDITED MINIMUM**

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**2012-02672                    MONT VERNON, TOWN OF**  
**MONT VERNON   Carleton Pond**

Requested Action:

Impact 2,645 square feet of forested wetland to improve an existing fire pond, Carleton Pond, to include regrading to improve access for fire trucks as well as recreational uses, install two (2) new dry hydrants, a drainage structure, and replace the culvert beneath Grand Hill Road.

\*\*\*\*\*

APPROVE PERMIT:

Impact 2,645 square feet of forested wetland to improve an existing fire pond, Carleton Pond, to include regrading to improve access for fire trucks as well as recreational uses, install two (2) new dry hydrants, a drainage structure, and replace the culvert beneath Grand Hill Road.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner Associates, Inc. dated October 1, 2012 and revised 01/31/13, as received by the NH Department of Environmental Services (DES) on January 31, 2013.
2. 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.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work 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. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.

10. 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) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The impacts are necessary to replace the existing, faulty dry hydrant, improve access for fire trucks, and enhance recreational use of Carleton Pond; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
7. In accordance with Env-Wt 304.04(a) the applicant received written concurrence from the abutter identified as the Pestana Revocable Trust for the impacts within 20-feet of their property.
8. The applicant received written permission from the abutter identified as David Gramatges for the impacts on their property.

**2013-00313 TORRO, JOSEPH  
SUTTON Unnamed Stream**

Requested Action:

Dredge and fill 277 square feet of intermittent stream (2 crossings) for driveway access to a single family residential lot.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 277 square feet of intermittent stream (2 crossings) for driveway access to a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Aspen Environmental Consultants, LLC dated January 10, 2013, as received by the Department on January 28, 2013.
2. Work shall be done during low flow conditions and in dry.
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. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culverts shall be laid at original grade.
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. 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 minimum impact project per Administrative Rule Env-Wt 303.04(z), single residential family access.

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.

**2013-00415                      US FOREST SERVICE**  
**MILAN   Higgins Brook**

**Requested Action:**

Temporarily impact 400 square feet of the bed and banks of Higgins Brook for the removal of two culverts and the restoration of the stream channel and banks.

\*\*\*\*\*

**APPROVE PERMIT:**

Temporarily impact 400 square feet of the bed and banks of Higgins Brook for the removal of two culverts and the restoration of the stream channel and banks.

**With Conditions:**

1. All work shall be in accordance with plans by the USDA White Mountain National Forest entitled Project Plans A and Project Plan B as received by the Department on February 15, 2013.
2. Materials used to restore the streambed must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap.
3. The recreated stream channel shall match the natural stream channel width and profile.
4. 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.
5. Work shall be done during annual low flow conditions.
6. The Permittee shall monitor the weather and not commence work within flowing water when rain is in the forecast.
7. Appropriate siltation, erosion controls, turbidity, and sedimentation controls shall be utilized.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
9. All equipment shall work from adjacent banks or uplands and shall not enter flowing water.
10. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. 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.
15. 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.
16. 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).
17. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), projects deemed minimum impact by the Department based on the degree of the environmental impact.
2. The project will restore the stream channel and banks by remove two culverts that have historically washed out and restoring the stream channel and banks to its original dimensions. The project will restore aquatic passage. The stream banks will be stabilized with native vegetation.
3. If future access is needed an ADM style bridge will be installed.
4. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
7. No comments from the NH Natural Heritage Bureau or the NH Fish and Game Department.
8. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**2013-00457                      NH FISH & GAME DEPARTMENT**  
**DOVER    Piscataqua River**

Requested Action:

Cover 60,000 sq. ft. of estuarine bottom with seasoned shell to restore historic oyster reef habitat.

\*\*\*\*\*

APPROVE PERMIT:

Cover 60,000 sq. ft. of estuarine bottom with seasoned shell to restore historic oyster reef habitat.

With Conditions:

1. All work shall be in accordance with plans by the Nature Conservancy dated 2/1/2013, as received by DES on 2/13/2013.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. 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.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. The permittee shall communicate with DES yearly for the life of the permit as to the status of the project's success.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), restoration of degraded wetlands, and meets the criteria specified Env-Wt 303.04(t)(1)-(4).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. This project proposes to provide base material for restoration of a historic oyster reef area, as many historic reef areas have been lost to siltation.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposal was developed in coordination with the Nature Conservancy, UNH, and NH Fish and Game Department, and is being funded by the US Environmental Protection Agency.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau ("NHB") has no record of any sensitive species present within the vicinity of the project area.
5. The Dover Conservation Commission signed the expedited application.

**GOLD DREDGE**

\*\*\*\*\*

**2013-00539                   RECTOR II, DENNIS**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2013-00540                   DADARIO, ALEX**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2013-00554                   HUBNER JR, PAUL**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**LAKES-SEASONAL DOCK NOTIF**

\*\*\*\*\*

**2013-00535                   HUNTER, NICKIE**  
**TUFTONBORO Lake Winnepesaukee**

Requested Action:  
Installation of a seasonal docking structure.  
\*\*\*\*\*

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.

**2013-00548                   BARON, CATHERINE/JACOB**  
**GILFORD Lake Winnepesaukee**

Requested Action:  
Installation of a seasonal docking structure.  
\*\*\*\*\*

COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure.

**2013-00549                    LINDGREN, ERIC**  
**NEW LONDON   Sunapee Lake**

Requested Action:  
Deny applicant's seasonal dock notification.  
\*\*\*\*\*

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN:  
Deny applicant's seasonal dock notification.

With Findings:  
There is an existing dock on the frontage, therefore the seasonal dock notification is disqualified.

**PERMIT BY NOTIFICATION**

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**2013-00419                    RILLAHAN, BRIAN**  
**LACONIA   Lake Winnepesaukee**

Requested Action:  
Installation of a seasonal boat lift.  
\*\*\*\*\*

Conservation Commission/Staff Comments:  
Con Com did not sign PBN form

PBN IS COMPLETE:  
Installation of a seasonal boat lift.

**2013-00547                    DETWILLER, THOMAS**  
**MOULTONBOROUGH   Lake Winnepesaukee**

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

Conservation Commission/Staff Comments:  
Con Com signed PBN form

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

With Findings:

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

**CSPA PERMIT**

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**2012-02865                    WALSH, LILLI/PATRICK**  
**HAMPSTEAD   Big Island Pond**

Requested Action:

Impact 1,460 sq ft in order to add an addition to existing house and construct two pervious patios.  
\*\*\*\*\*

APPROVE PERMIT:

Impact 1,460 sq ft in order to add an addition to existing house and construct two pervious patios.

With Conditions:

1. All work shall be in accordance with plans by V.W. Dingman & Sons dated December 30, 2012 and received by the NH Department of Environmental Services (DES) on February 6, 2013.
2. No more than 20.7% 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 200 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.

**2012-03043                    DAMICO ASSOCIATES LLC**  
**LANCASTER   Blood Pond**

Requested Action:

Impact 9,277 sq ft in order to add four cabins to four existing sites and add a new septic system with associated features.  
\*\*\*\*\*

APPROVE PERMIT:

Impact 9,277 sq ft in order to add four cabins to four existing sites and add a new septic system with associated features.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated January 2, 2013 and received by the NH

Department of Environmental Services (DES) on January 9, 2013.

2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 10% 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 16,531 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.

**2012-03246                      NH DEPT OF TRANSPORTATION**  
**CARROLL Ammonoosuc River**

**Requested Action:**

Discontinue the existing overlook on the north side of US Route 302 across from Mount Washington Hotel and construct a new overlook located on the south side of US Route 302.

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**APPROVE PERMIT:**

Discontinue the existing overlook on the north side of US Route 302 across from Mount Washington Hotel and construct a new overlook located on the south side of US Route 302.

**With Conditions:**

1. All work shall be in accordance with plans by NH Department of Transportation dated January 4, 2013 and received by the NH Department of Environmental Services (DES) on January 5, 2013.
2. No more than 52% 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 6,484 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.

**2013-00276                      HUNTER, NICKIE**  
**TUFTONBORO Lake Winnepesaukee**

**Requested Action:**

Impact 4,949 sq ft in order to construct a 40 ft x 30 ft camp, an 8 ft x 10 ft shed, a 6 ft wide path toward the reference line, and install a septic system.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 4,949 sq ft in order to construct a 40 ft x 30 ft camp, an 8 ft x 10 ft shed, a 6 ft wide path toward the reference line, and install a septic system.

**With Conditions:**

1. All work shall be in accordance with plans by Nickie Hunter dated January 19, 2013 and received by the NH Department of Environmental Services (DES) on February 19, 2013.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. All equipment will be landed by a barge with sufficient ramps to avoid all disturbance to the bank. There shall be no disturbance to the bank associated with the temporary access road. All temporary impacts above the top of bank associated with the access road shall be completely restored to original conditions upon completion of construction.
4. This permit does not allow for impact to the bank or waterbody which require a permit from DES Wetlands Bureau. The Owner shall obtain any permit as may be required pursuant to RSA 482-A prior to impacting areas within the surface water or its banks.
5. No more than 8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
6. At least 1,900 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2013-00281                      HUGHES, DAVID**  
**LACONIA Lake Winnepesaukee**

**Requested Action:**

Impact 9,955 sq ft in order to build a new house and a driveway on a vacant lot.

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**APPROVE PERMIT:**

Impact 9,955 sq ft in order to build a new house and a driveway on a vacant lot.

**With Conditions:**

1. All work shall be in accordance with plans by S&H Land Services dated January 22, 2013 and received by the NH Department of Environmental Services (DES) on January 23, 2013.
2. No more than 18.7% 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 2,164 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.

**2013-00323                      PSNH**  
**NASHUA   Salmon Brook**

Requested Action:

Impact 23,600 sq ft in order to remove outdated substation equipment in the waterfront buffer, install two pads outside the waterfront buffer, and grade access road.

\*\*\*\*\*

APPROVE PERMIT:

Impact 23,600 sq ft in order to remove outdated substation equipment in the waterfront buffer, install two pads outside the waterfront buffer, and grade access road.

With Conditions:

- 1. All work shall be in accordance with plans by TFM Civil Engineers dated January 24, 2013 and received by the NH Department of Environmental Services (DES) on January 28, 2013.
- 2. 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.
- 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.

**2013-00324                      WELLS, HEATHER**  
**NORTH SUTTON   Kezar Lake**

Requested Action:

Impact 4,356 sq ft in order to remove deck and stairs, replace with fieldstone terrace and granite steps, construct screen porch and garage with a driveway.

\*\*\*\*\*

APPROVE PERMIT:

Impact 4,356 sq ft in order to remove deck and stairs, replace with fieldstone terrace and granite steps, construct screen porch and garage with a driveway.

With Conditions:

- 1. All work shall be in accordance with plans by Bristol Sweet Associates dated January 15, 2013 and received by the NH Department of Environmental Services (DES) on January 28, 2013.
- 2. No more than 19.5% 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 3,137 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.

**2013-00327                      KENNEY, DONALD**  
**MEREDITH Pemigewasset Lake**

Requested Action:

Impact 4,700 sq ft in order to construct a private residence.

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APPROVE PERMIT:

Impact 4,700 sq ft in order to construct a private residence.

With Conditions:

1. All work shall be in accordance with plans by Shane P Kenny dated January 2013 and received by the NH Department of Environmental Services (DES) on January 28, 2013.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than .07% 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 25% 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. No impacts shall occur to natural ground covers within the waterfront buffer.
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. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2013-00328                      TTW LLC**  
**FRANCONIA Gale River**

Requested Action:

Impact 18,465 sq ft in order to replace septic system, construct additional office and parking area, reduce impervious area by using pervious asphalt, and install infiltration drip edge borders to control stormwater.

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APPROVE PERMIT:

Impact 18,465 sq ft in order to replace septic system, construct additional office and parking area, reduce impervious area by using

pervious asphalt, and install infiltration drip edge borders to control stormwater.

**With Conditions:**

1. All work shall be in accordance with plans by Presby Construction, Inc. dated January 14, 2013 and received by the NH Department of Environmental Services (DES) on January 28, 2013.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All action associated with impacts within the jurisdiction of the wetland is contingent upon the approval of the Wetland file # 2013-00322.
4. No more than 43.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 5,800 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 pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**With Findings:**

1. The existing lot within 250 feet of the reference line consist of 48.6% impervious surface coverage along the Gale River.
2. In accordance with RSA 483-B:9 V.(g)(1), no more than 30% 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. The applicant is proposing a reduction in impervious surface area from 48.6% to 43.5%
4. The applicant has proposed to reduce the impervious gravel parking lot by 5,718 sq ft.
5. The applicant has proposed to install infiltration borders around new construction.
6. The new parking lot will consist of pervious asphalt.
7. The applicant is proposing a new septic system.

**2013-00348 UHLIG, JEANETTE/THOMAS**  
**RINDGE Monomonac Lake**

**Requested Action:**

Impact 5,046 sq ft in order to replace existing 1,324 sq ft single family home with a new 2,208 sq ft single family home.  
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**APPROVE PERMIT:**

Impact 5,046 sq ft in order to replace existing 1,324 sq ft single family home with a new 2,208 sq ft single family home.

**With Conditions:**

1. All work shall be in accordance with plans by Folsom Designs dated November 14, 2012 and received by the NH Department of Environmental Services (DES) on January 30, 2013.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 26% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional

approval is obtained from DES.

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

**2013-00354                      BARON, CATHERINE/JACOB**  
**GILFORD Lake Winnepesaukee**

Requested Action:

Impact 9,990 sq ft in order to construct a residence, septic system, and a detached 12ft x 12ft deck on a vacant island property.  
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APPROVE PERMIT:

Impact 9,990 sq ft in order to construct a residence, septic system, and a detached 12ft x 12ft deck on a vacant island property.

With Conditions:

- 1. All work shall be in accordance with plans by Ames Associates dated January 11, 2013 and received by the NH Department of Environmental Services (DES) on January 31, 2013.
- 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 3. No more than 5.3% 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 4,349 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
- 5. All equipment will be landed by a barge with sufficient ramps to avoid all disturbance to the bank. There shall be no disturbance to the bank associated with the temporary access road.
- 6. This permit does not allow for impact to the bank or waterbody which require a permit from DES Wetlands Bureau. The Owner shall obtain any permit as may be required pursuant to RSA 482-A prior to impacting areas within the surface water or its banks.
- 7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
- 8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
- 9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2013-00359                      SCHLERF, LINDA/STEVEN**  
**WAKEFIELD Pine River Pond**

Requested Action:

Impact 5,830 sq ft in order to expand deck, add additions to existing dwelling, remove part of gravel drive and parking area, and install stormwater controls.  
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**APPROVE PERMIT:**

Impact 5,830 sq ft in order to expand deck, add additions to existing dwelling, remove part of gravel drive and parking area, and install stormwater controls.

**With Conditions:**

1. All work shall be in accordance with plans by David M. Dolan Associates, PC dated January 25, 2013 and received by the NH Department of Environmental Services (DES) on January 31, 2013.
2. No more than 28.38% 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 4,275 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.

**2013-00373                      MESERVE, CHRISTINE/ROBERT  
ORFORD Connecticut River**

**Requested Action:**

Impact 1,750 sq ft in order to construct an 18ft x 24ft garage.

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**APPROVE PERMIT:**

Impact 1,750 sq ft in order to construct an 18ft x 24ft garage.

**With Conditions:**

1. All work shall be in accordance with plans by Harry J. Burgess dated January 2013 and received by the NH Department of Environmental Services (DES) on February 4, 2013.
2. No more than 3.7% 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 10,556 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.

**2013-00450                      PAUL WOODS, THERESA  
BELMONT Winnisquam Lake**

Requested Action:

Replace existing mobile home with a new mobile home.

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APPROVE PERMIT:

Replace existing mobile home with a new mobile home.

With Conditions:

1. All work shall be in accordance with plans by Paul Woods dated February 2013 and received by the NH Department of Environmental Services (DES) on February 12, 2013.
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. 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.