

Review 12/17/14

# Wetlands Bureau Decision Report

Decisions Taken  
12/08/2014 to 12/14/2014

## **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:**

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or at [appeals@des.nh.gov](mailto:appeals@des.nh.gov). The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

**MAJOR IMPACT PROJECT**

\*\*\*\*\*

**2008-02822                      OSSIPEE BLUFFS ASSOC INC**  
**OSSIPEE   Ossipee Lake & Lovell River**

Requested Action:

Request permit time extension.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No Con Com comments by 03/13/09

APPROVE TIME EXTENSION:

Install approximately 119 feet of rip rap and temporarily place approximately 142 linear feet of sand bags before installing approximately 135 feet of coir logs for long term bank stabilization within Ossipee Lake, in Ossipee.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co Inc revised January 6, 2010, as received by DES on January 8, 2010 and amendment request email received May 11, 2011.
2. Impacted areas shall be regraded to original contours following completion of work.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be done during drawdown.
6. Work shall be done during low flow.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
9. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
10. The sand bags shall be in place for no more than 3 years from the date of this approved amendment.
11. The approved coir logs shall be installed as originally approved and completed prior to the expiration date of this permit at the end of the 3 year period.
12. The applicant shall submit a surveyed plan indicating the location where the sand bags have been placed to the file within 30 days of installation.
13. The applicant shall submit photographs to the file within 30 days of installation of the sand bag installation.
14. The applicant shall submit and photographs of the complete coir log installation prior to the expiration date of this permit.
15. All activities shall be in accordance with the Comprehensive Shoreland 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.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.

-Send to Governor and Executive Council-

**2014-02041 NH DEPT OF TRANSPORTATION  
BELMONT Pumping Station Brook**

**Requested Action:**

Install a reinforced concrete invert in an 85 ft. long, 11 ft. 5 in. x 7 ft. 3 in. metal pipe arch culvert, and install cutoff walls, rip-rap and fish weir impacting 2,827 sq. ft. (2,527 sq. ft. temporary) of riverine and palustrine wetlands.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Cons. Comm. - no comment

**APPROVE PERMIT:**

Install a reinforced concrete invert in an 85 ft. long, 11 ft. 5 in. x 7 ft. 3 in. metal pipe arch culvert, and install cutoff walls, rip-rap and fish weir impacting 2,827 sq. ft. (2,527 sq. ft. temporary) of riverine and palustrine wetlands. NHDOT project #14285

**With Conditions:**

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance signed 11/21/14, as received by the Department on Dec. 4., 2014.
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 the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
16. Any work outside of the Right of Way shall be coordinated with the landowner prior to construction in those areas.

**With Findings:**

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was discussed at the monthly Natural Resource Agency (NRA) meeting held at the NH Dept. of Transportation on March 19, 2014 to coordinate the project.
6. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
7. 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.

**2014-02215                      ANGEL PARTNERS OF NEW HAMPSHIRE LLC**  
**TUFTONBORO Lake Winnepesaukee**

Requested Action:

Remove fill from 137 sq. ft. of lakebed to open a 6.5 foot gap at the shoreline and reduce the existing breakwater to extend not more than 50 ft. from the normal highwater line, retain an existing deck over the breakwater, construct a 3 ft. x 30 ft. piling pier to be connected to the existing 56 ft. long cantilevered pier by a 3 ft. x 12 ft. walkway in an "h" configuration, install 3 tie-off piles and a 28 ft. x 30 ft. seasonal canopy on an average of 132 feet of shoreline frontage, along Lake Winnepesaukee, in Tuftonboro.

\*\*\*\*\*

Conservation Commission/Staff Comments:

7/2/14 Per DHR, no historic properties affected.

9/16/14 Per Con. Com., site visit was made and there are no objections to the issuance of the permit.

APPROVE PERMIT:

Remove fill from 137 sq. ft. of lakebed to open a 6.5 foot gap at the shoreline and reduce the existing breakwater to extend not more than 50 ft. from the normal highwater line, retain an existing deck over the breakwater, construct a 3 ft. x 30 ft. piling pier to be connected to the existing 56 ft. long cantilevered pier by a 3 ft. x 12 ft. walkway in an "h" configuration, install 3 tie-off piles and a 28 ft. x 30 ft. seasonal canopy on an average of 132 feet of shoreline frontage, along Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders Inc. revision dated October 20, 2014, as received by the NH Department of Environmental Services (DES) on November 3, 2014.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain in place until the area is stabilized.
5. 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.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
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. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.

9. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
10. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
11. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
12. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
13. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
14. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
15. The minimum clear spacing between piles shall be 12 feet.
16. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
17. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction or modification of a breakwater.
2. The modification of the breakwater will bring it into better compliance with the current design criteria outlined in Rule Env-Wt 402.07, Breakwaters.
3. The applicant has an average of 132 ft. of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
6. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

**2014-02425 NH DEPT OF TRANSPORTATION  
CANAAN Mascoma River**

Requested Action:

Rehabilitate bridge 103/049, reconstructing the south west wing, resetting stone at west abutment and place stone in front of the easterly abutment providing protection of the bridge impacting 1,810 sq. ft. (1,660 sq. ft. temporary) of riverine wetlands.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Cons. Comm. - sent a signed application form by fax

Inspection Date: 12/02/2014 by Gino E Infascelli

APPROVE PERMIT:

Rehabilitate bridge 103/049, reconstructing the south west wing, resetting stone at west abutment and place stone in front of the easterly abutment providing protection of the bridge impacting 1,810 sq. ft. (1,660 sq. ft. temporary) of riverine wetlands. NHDOT project #28335

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 7/2/14, as received by the Department on Aug. 29, 2014.
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.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(), alteration of ... [note: Leave no space between 302.02 and the parentheses!]
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) [and (c) for tidal projects], (EDIT as needed), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on [date]. Field inspection determined ...
6. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the [palustrine/lacustrine/riverine/estuarine] resource, as identified under RSA 482-A:1.

**MINOR IMPACT PROJECT**

\*\*\*\*\*

**2014-00740                      PATTERSON, BRENDA**  
**PETERBOROUGH Cranberry Meadow Pond**

Requested Action:

Dredge and fill 3,153 square feet and temporarily impact 1,923 square feet of Cranberry Meadow Pond to replace the existing spillway, install embankment riprap and raise the existing earthen dam embankment.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 4,292 square feet and temporarily impact 1,297 square feet of Cranberry Meadow Pond to replace the existing

spillway, install embankment riprap and raise the existing earthen dam embankment.

With Conditions:

1. All work shall be in accordance with plans by Wright-Pierce dated March 2014, as received by the NH Department of Environmental Services (DES) on May 19, 2014, plans with revision date of 10/20/14 as received by DES on November 12, 2014 and revised Wetland Impact plan dated Nov. 2014, as received by DES on December 8, 2014.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
4. The "Preformed Scour Hole" shall be constructed/graded to maintain a surface water connection to the adjacent (non-impacted) stream section.
5. Any temporary stream bed impacts (outside of the Preformed Scour Hole) shall be restored (surface) with natural round stone or existing streambed materials and shall not include angular rip-rap.
6. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access.
7. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. 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. 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.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. There shall be no excavation or operation of construction equipment in flowing water.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. 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.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. 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.
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 prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
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.

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, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The dam reconstruction/repairs are needed to address issues identified by the NHDES Dam Bureau, Letter of Deficiency dated November 12, 2010.

4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has added a low flow structure "orifice" to the proposed design to ensure downstream flows are maintained.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. The existing normal pool elevation of the pond will be maintained after construction is complete.
8. The applicant has received a conditional approval from the NHDES Dam Bureau for reconstruction of the dam.
9. The department has not received any comments in objection to the proposed project.
10. The Conservation Commission signed the application waiving their right to intervene.

**2014-02502 BRINEY, TONY**  
**GILFORD Lake Winnepesaukee**

Requested Action:

Replace 128 linear ft. of existing retaining wall and the existing steps and replenish the existing sloped beach on an average of 220 ft. of shoreline frontage along Lake Winnepesaukee, in Gilford.

\*\*\*\*\*

Conservation Commission/Staff Comments:

9/8/14 Con. Com. requests a "hold" until their review on September 16th along with a possible site inspection.

09/18/2014 Con. Com. voted to approve repair of the retaining wall and stairs but DENIED installation of the sand unless a perched beach is constructed.

9/11/14 Per DHR, no historic properties affected.

APPROVE PERMIT:

Replace 128 linear ft. of existing retaining wall and the existing steps and replenish the existing sloped beach on an average of 220 ft. of shoreline frontage along Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscape Company revision dated November 12, 2014, as received by the NH Department of Environmental Services (DES) on November 13, 2014.
2. Work shall be done during drawdown.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain in place until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. No more than 1 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. 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(j) repair or replacement of existing retaining walls that requires work in the water, but that results in no change in height, length, location, or configuration.
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 proposal to place no more than 1 cubic yard of sand on the existing sloped beach is less than the original proposal to place 10 cubic yards of sand, this addresses the local Conservation Commission concerns.

**2014-02814                      OAK KNOLL ASSOC**  
**TUFTONBORO Lake Winnepesaukee**

**Requested Action:**

Replenish an existing 2400 sq. ft. beach with not more than 20 cu. yd. of sand on an average of 302 ft. of frontage along Lake Winnepesaukee, in Tuftonboro.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

10/15/2014 Con. Com. made their site visit and have no objections to issuance of the permit.

**APPROVE PERMIT:**

Replenish an existing 2400 sq. ft. beach with not more than 20 cu. yd. of sand on an average of 302 ft. of frontage along Lake Winnepesaukee, in Tuftonboro.

**With Conditions:**

1. All work shall be in accordance with plans by Folsom Design Group dated September 11, 2014, as received by the NH Department of Environmental Services (DES) on October 06, 2014.
2. No more than 20 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
3. This permit shall be used only once, and does not allow for annual beach replenishment.
4. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03 (f) replenishment of a beach that does not exceed the criteria in Env-Wt 303.04(d) or the criteria in Env-Wt 303.04(aa) other than to propose the use of more than 10 cubic yards of sand, but not more than 20 cubic yards.
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.

**MINIMUM IMPACT PROJECT**

\*\*\*\*\*

2014-01296 NEDELMAN, GARY/SUSAN  
BROOKLINE Potanipo Pond

Requested Action:

Install a 4 ft. x 30 ft. seasonal dock with a seasonal boatlift in the easterly slip on 20 feet of shoreline frontage along Lake Potanipo, in Brookline.

\*\*\*\*\*

APPROVE PERMIT:

Install a 4 ft. x 30 ft. seasonal dock with a seasonal boatlift in the easterly slip on 20 feet of shoreline frontage along Lake Potanipo, in Brookline.

With Conditions:

1. All work shall be in accordance with plans by Fieldstone Land Consultants, PLLC dated October 10, 2014, as received by the NH Department of Environmental Services (DES) on October 21, 2014.
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. These shall be the only structures on this water frontage. At no time shall any portion of the docking structures extend across the imaginary extension of the property lines over the water.
4. The securing of any watercraft to the west side of the seasonal pier shall be a violation of RSA 482-A:3,XIII(b) which reads "Boat docking facilities may be perpendicular or parallel to the shoreline or extend at some other angle into a water body, depending on the needs of the landowners, factors related to safe navigation, and the difficulty of construction. However, any boat secured to such a dock shall not extend beyond the extension of the abutter's property line." and as such may be prosecuted as a violation by any State and local law enforcement officials in accordance with RSA 482-A:14, Penalties, II.
5. All seasonal structures shall be removed from the lake for the non-boating season.
6. No portion of the structures shall extend more than, 30 ft. from the shoreline at full lake elevation.
7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. In accordance with RSA 482-A:3, XIII, (c), boat docking facilities may be located closer than 20 feet from an abutter's property line in non-tidal waters if the owner of the boat docking facility obtains the written consent of the abutting property owner. Such consent shall be signed by all parties, notarized and filed with the dock application with the department of environmental services.
2. In accordance with RSA 482-A:3,XIII(b) Boat docking facilities may be perpendicular or parallel to the shoreline or extend at some other angle into a water body, depending on the needs of the landowners, factors related to safe navigation, and the difficulty of construction. However, any boat secured to such a dock shall not extend beyond the extension of the abutter's property line.
3. The Department received an application regarding the installation of a 4 ft. x 30 ft. seasonal dock with a seasonal boatlift in the easterly slip on lot 17, tax map L, in Brookline.
4. This application was submitted in response to a DES compliance action on the lot.
5. The proposed project is a minimum impact project pursuant to Rule Env-Wt 303.03(a) construction of a seasonal docking structure that provides 2 slips.
6. The tax map and plan submitted with the application indicate a lot with approximately 20 feet of shoreline frontage with converging property lines.
7. The plan submitted with the application indicate a 4 ft. x 30 ft. seasonal dock with a seasonal boatlift in the easterly slip. The dock is installed a slight angle and abuts the property line to the west at the most lakeward dimension. The boatslip provided to the west is located over the extension of the property line.
8. The Applicant submitted signed notarized waivers of the 20 ft. setback to property lines from both affected abutters.
9. The waivers obtained from the abutters cannot authorize the securing of watercraft to this dock where those watercraft would extend across the imaginary extension of the property line over public waters.

**FORESTRY NOTIFICATION**

\*\*\*\*\*

**2014-03378 HANOVER, TOWN OF  
HANOVER Unnamed Stream**

COMPLETE NOTIFICATION:  
Hanover, Tax Map #14, Lot #26

**2014-03390 TOBINE, DAVID  
CAMPTON Unnamed Stream**

**2014-03439 HEYWOOD JR, JOHN  
NEW IPSWICH Unnamed Stream**

**2014-03441 DOHERTY, CRAIG  
DUMMER Unnamed Stream**

**2014-03442 BAYROOT LLC  
SHELBURNE Unnamed Stream**

Requested Action:  
Shelburne, Tax Map 2, Lot 2  
\*\*\*\*\*

**2014-03447 US FOREST SERVICE  
(ALL TOWNS) Unnamed Stream**

Requested Action:  
Various (Bethlehem, Carroll, Crawford Purchase)  
US Tracts 945, 981, 1068, 1068A  
\*\*\*\*\*

**2014-03451 JAMES AND JUDITH STONE REV TRUST  
DUNBARTON Unnamed Stream**

COMPLETE NOTIFICATION:  
Dunbarton, Tax Map/Lot # F4-02-01

2014-03454                    **LESTER E HUCKINS REV TRUST**  
**BARNSTEAD Unnamed Stream**

2014-03455                    **DESLAURIERS, ROBERT**  
**EPSOM Unnamed Stream**

2014-03459                    **TWIGS COMPANY**  
**LACONIA Unnamed Stream**

Requested Action:  
Laconia, Tax Map 23, Lot 1, Block 153  
\*\*\*\*\*

2014-03461                    **POTTER, ARTHUR**  
**MILAN Unnamed Stream**

Requested Action:  
Milan, Tax Map 22, Lot 5  
\*\*\*\*\*

2014-03465                    **MOKLER, BRIAN/MARY**  
**SANBORNTON Unnamed Stream**

COMPLETE NOTIFICATION:  
Sanbornton, Tax Map #27, Lots #21 & #21.00

2014-03466                    **SHERMAN CALDERWOOD, SARAH**  
**MADISON Unnamed Stream**

COMPLETE NOTIFICATION:  
Madison, Tax Map #258, Lot #9

2014-03467                    **GORHAM, TOWN OF**  
**RANDOLPH Unnamed Stream**

Requested Action:  
Randolph, Tax Map MR8, Lot 3

\*\*\*\*\*

**2014-03468                    PLACY, GREG**  
**COLEBROOK   Unnamed Stream**

Requested Action:  
Colebrook, Tax Map 226, Lot 42  
\*\*\*\*\*

**2014-03471                    THE HARRIS CENTER FOR CONSERVATION EDUCATION**  
**NELSON   Unnamed Stream**

Requested Action:  
Nelson, Tax Map M405, Lots 8, 9  
\*\*\*\*\*

**EXPEDITED MINIMUM**

\*\*\*\*\*

**2014-01234                    MARQUIS, LISA/SCOTT**  
**MILTON   Milton Three Ponds**

Requested Action:  
Replace electric line.  
\*\*\*\*\*

Conservation Commission/Staff Comments:  
Con Com signed application

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:  
Replace electric line.

With Findings:

1. A request for additional information dated September 22, 2014, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a)(2), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2014-02825                    BURAK, THEODORE LANCE**  
**WOODSTOCK   Pemigewasset River (east Branch)**

Requested Action:  
Dredge and fill 120 square feet (40 linear feet) of the East Branch of the Pemigewasset River for the in-kind repair of stone and vegetative bank stabilization.

\*\*\*\*\*

Conservation Commission/Staff Comments:

10/13/14 Per DHR, no historic properties affected.

APPROVE PERMIT:

Dredge and fill 120 square feet (40 linear feet) of the East Branch of the Pemigewasset River for the in-kind repair of stone and vegetative bank stabilization.

With Conditions:

1. All work shall be in accordance with plans by Lance Burak as received by the NH Department of Environmental Services (DES) on October 28, 2014.
2. All repairs shall be in-kind and shall match the bank stabilization as approved in Wetlands Permit 2003-00218.
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. No equipment shall enter the water.
5. All work shall be done during low flow.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
8. 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.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
11. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. 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. 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 NH Administrative Rule 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.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The work is needed due to erosive damage sustained during Tropical Storm Irene and subsequent high water during early spring 2014.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. The applicant provided a letter from the owners of property located at Town of Woodstock tax lot 106-090 and 107-002 waiving the NH Wetlands Bureau requirement of maintaining a 20 foot setback.
7. **The Conservation Commission signed the application waiving their right to intervene.**
8. The NH Natural Heritage Bureau commented that although there was a NHB record present in the vicinity, they do not expect that it will be impacted by the proposed project.

**TRAILS NOTIFICATION**

\*\*\*\*\*

**2014-03348                    NORTH HAMPTON, TOWN OF**  
**NORTH HAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
North Hampton Tax Map 15 Lot 17

**2014-03427                    NH DEPT OF TRANSPORTATION**  
**LINCOLN   Hanson Brook**

COMPLETE NOTIFICATION:  
Lincoln Tax Map 105 Lot 7

**LAKES-SEASONAL DOCK NOTIF**

\*\*\*\*\*

**2014-03400                    TOBEY, JOHN**  
**ALEXANDRIA   Newfound Lake**

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

COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure.

**2014-03401                    ROSS, ALAN**  
**WASHINGTON   Smith Pond**

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

COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure.

**2014-03415                    GOLDSTEIN, MARK**  
**FREEDOM   Ossipee Lake**

Requested Action:

Installation of a seasonal docking structure.

\*\*\*\*\*

COMPLETE NOTIFICATION:

Installation of a seasonal docking structure.

**ROADWAY MAINTENANCE NOTIF**

\*\*\*\*\*

**2014-03433                    NH DOT D1**  
**FRANCONIA   Unnamed Stream**

COMPLETE NOTIFICATION:

Replace a 24"x45' culvert and replace a 24"x50' culvert.

**PERMIT BY NOTIFICATION**

\*\*\*\*\*

**2014-02197                    MOUNTAIN VIEW COVE ASSOCIATION**  
**ALTON BAY   Lake Winnepesaukee**

Requested Action:

Replace retaining wall with new 6x6 timbers in original foot print.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Replace retaining wall with new 6x6 timbers in original foot print.

With Findings:

1. A request for additional information dated August 28, 2014, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (2), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2014-03009                    NEAL, JOHN**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Replace deck supports on grandfathered non-conforming dock system & install 2 PWC lifts and one boatlift(all seasonal lifts). No changes in size, location.

\*\*\*\*\*

Conservation Commission/Staff Comments:  
Con Com signed PBN form

**PBN DISQUALIFIED:**

Replace deck supports on grandfathered non-conforming dock system & install 2 PWC lifts and one boatlift(all seasonal lifts). No changes in size, location.

**With Findings:**

1. A Notice of Incomplete Permit by Notification dated October 28, 2014, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 20 days of the request.
2. Pursuant to Env-Wt 506.02(g), if the requested additional information is not received by DES within 20 days of the request, DES shall disqualify the application.
3. DES did not receive the requested additional information within the 20 days and therefore the application has been denied.

**2014-03102                      RAGUSA FAMILY TRUST 2014  
SPOFFORD Spofford Lake**

**Requested Action:**

Repair existing retaining wall "in kind", replace steps with 6 foot wide steps, add a dock anchor pad, replenish an existing beach area with no more than 1 cubic yard of sand, Spofford Lake, in accordance with plans dated December 05, 2014.

\*\*\*\*\*

**PBN IS COMPLETE:**

Repair existing retaining wall "in kind", replace steps with 6 foot wide steps, add a dock anchor pad, replenish an existing beach area with no more than 1 cubic yard of sand, Spofford Lake, in accordance with plans dated December 05, 2014.

**2014-03221                      MESSINEO, STEPHEN/JOY  
WOLFEBORO Lake Winnepesaukee**

**Requested Action:**

Maintenance, repair, and replacement in-kind of existing docking structures, such as breakwaters, docks, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated December 10, 2014.

\*\*\*\*\*

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

**PBN IS COMPLETE:**

Maintenance, repair, and replacement in-kind of existing docking structures, such as breakwaters, docks, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated December 10, 2014.

**2014-03309                      LACHANCE, LUKE  
RINDGE Monomonac Lake**

**Requested Action:**

Replenishment of sand on an existing beach, provided no sand shall be placed below the high water line or full pond elevation and no more than 10 cubic yards of sand shall be used.

\*\*\*\*\*

PBN IS COMPLETE:

Replenishment of sand on an existing beach, provided no sand shall be placed below the high water line or full pond elevation and no more than 10 cubic yards of sand shall be used.

**2014-03352                    WILKINS, JOHN**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Maintenance, repair, and replacement in-kind of existing docking structures, or other docking facilities, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated October 14, 2014.

\*\*\*\*\*

Conservation Commission/Staff Comments:

12/2/2014 Con. Com. has no objections . Dock dimensions agree with 2006 application drawings but vary somewhat to what is existing.

PBN IS COMPLETE:

Maintenance, repair, and replacement in-kind of existing docking structures, or other docking facilities, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated October 14, 2014.

**2014-03432                    MCGRATH, MADELINE**  
**GILFORD   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 in accordance with plans dated November 29, 2014.

\*\*\*\*\*

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 in accordance with plans dated November 29, 2014.

**2014-03437                    ROSA, ANGEL**  
**NEW DURHAM   Merrymeeting Lake**

Requested Action:

Construction or modification of a seasonal pier or wharf if no more than 2 slips, installation of a seasonal boatlift, installation of 2 seasonal PWC lifts, installation of a dock anchoring pad, in accordance with plans dated November 17, 2014.

\*\*\*\*\*

PBN IS COMPLETE:

Construction or modification of a seasonal pier or wharf if no more than 2 slips, installation of a seasonal boatlift, installation of 2 seasonal PWC lifts, installation of a dock anchoring pad, in accordance with plans dated November 17, 2014.

**2014-03444 MALLARDS LANDING ASSOC, HANK MARCOUX  
BELMONT Winnisquam Lake**

**Requested Action:**

Maintenance, repair, and replacement in-kind of existing docking structures, such as boat ramps, or other docking facilities, provided no change in location, configuration, construction type, or dimensions is proposed, replenish an existing beach with no more than 10 cubic yards of sand, in accordance with plans dated October 10, 2014.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com signed PBN form

**PBN IS COMPLETE:**

Maintenance, repair, and replacement in-kind of existing docking structures, such as boat ramps, or other docking facilities, provided no change in location, configuration, construction type, or dimensions is proposed, replenish an existing beach with no more than 10 cubic yards of sand, in accordance with plans dated October 10, 2014.

**2014-03452 CAIRA, BRUNO & MARIA  
MOULTONBOROUGH Kanasatka Lake**

**Requested Action:**

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration and replace an existing deck, in accordance with plans dated December 03, 2014.

\*\*\*\*\*

**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 and replace an existing deck, in accordance with plans dated December 03, 2014.

