

Review 1/5/15

Wetlands Bureau Decision Report

Decisions Taken
12/29/2014 to 01/04/2015

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. 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

**2013-02918 ANDERSON / EA2 LLC, KENNETH
NEWINGTON Piscataqua River**

Requested Action:

Applicant requests a waiver of Rule Env-Wt 806.05(b) for the ARM Fund payment deadline for Phase 1 of the proposed project to be extended to March 31, 2015.

Conservation Commission/Staff Comments:

11/22/13 Per DHR no Historic Properties affected.

Inspection Date: 03/26/2014 by David A Price

APPROVE AMENDMENT:

Approve amendment for the ARM Fund payment to be extended to March 31, 2015 for the project to impact a total of 5,185 sq. ft. of undeveloped upland tidal buffer zone and 21,061 sq. ft. of tidal surface water of the Piscataqua River to construct a commercial marine contractor facility in two phases including the following:

a) Phase 1: Construct a 40 ft wide x 132.5 ft. long permanent pier connecting to a 8 ft. wide x 152.5 ft. long fixed pier connecting to a 7 ft. wide x 50 ft. long ramp, connecting to a 10 ft. wide x 24 ft. long landing float, connecting to a 8 ft. wide x 105.5 ft. long and 10 ft. wide x 140 ft. long main float in a modified L-configuration; install eighteen, single, 12-inch diameter float support piles immediately adjacent to all float sections; install three 12-inch diameter 3-pile cluster tie-off piles immediately adjacent to further-most float section, and install six, 12-inch diameter, 5-pile cluster independent dolphins within approximately 80 feet down-river of the docking structure. Impact 5,185 sq. ft. of undeveloped upland tidal buffer zone to construct a gravel driveway and parking area. Proposed compensatory mitigation involves a payment of \$103,918.38 to the Aquatic Resource Mitigation Fund for Phase 1 surface water and tidal buffer zone impacts.

b) Phase 2: expand permanent pier permitted in Phase 1 with further construction extending the permanent pier an additional 320 ft. in length at same 40 ft. width, final overall permanent pier length from Phase 1 & 2 to be 452.5 ft. Proposed compensatory mitigation involves a payment to the Aquatic Resource Mitigation Fund (ARM) for Phase 2 impacts and allow the deposit to occur prior to Phase 2 construction rather than within 120 days of notice by DES. The Phase 2 ARM Fund payment would be calculated and adjusted at the time of payment.

With Conditions:

With amended conditions:

1. AMENDED: All work shall be in accordance with revised plans by Tighe & Bond, Inc. dated June 26, 2014, as received by the Department on July 2, 2014.
2. AMENDED: This approval is contingent on receipt by DES of a one time payment of \$9,447.12 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 30 days of the date of the approval letter or the application will be denied.
3. AMENDED: This approval is contingent on receipt by DES of a payment of \$94,471.26 to the DES Aquatic Resource Mitigation (ARM) Fund for Phase 1 impacts. The payment shall be received by DES prior to construction and before March 31, 2015 or the application will be denied.
4. Phase 2 approval is contingent on receipt by DES of a payment to the DES Aquatic Resource Mitigation (ARM) Fund for Phase 2 impacts. Phase 2 impacts to be calculated and adjusted according to ARM Fund calculation at time of Phase 2 payment.
5. Phase 2 construction may not proceed without receipt by DES of a payment to the DES Aquatic Resource Mitigation (ARM) Fund for Phase 2 impacts as calculated per condition 3. above.

- 6. Any project changes that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting and compensatory mitigation.
- 7. 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.
- 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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
- 10. Work shall be conducted in a manner that avoids discharges of sediments to fish spawning areas.
- 11. Construction of this commercial tidal docking structure consisting of impact of 26,246 sq. ft. of undeveloped upland tidal buffer zone and tidal surface water of the Piscataqua River to construct a commercial marine contractor facility in two phases shall be the only dock structure on this water frontage.
- 12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
- 13. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
- 14. Construction of the dock shall occur from a barge and crane to reduce impacts to the estuarine/riverine resource.

ADDITIONAL CONDITIONS

- 15. 1 ft. wide steel grate decking spaced 4 ft. apart shall be used in Phase 2 as depicted on plans by Tighe & Bond, Inc. dated June 26, 2014, as received by the Department on July 2, 2014 to minimize impacts to potential eel grass beds.
- 16. The temporary fixed pier shall be removed with the construction of Phase 2 pier.

With Findings:

- 1. The waiver of Rule Env-Wt 806.05 is granted. The ARM fund administrative fee shall be submitted within 30 days of notice and the remainder shall be submitted prior to construction and before March 31, 2015.
- 2. The payment calculated for the administrative fee for the wetland loss equals \$9,447.12.
- 6. The payment calculated for the proposed wetland loss (subtracting the administrative fee) equals \$94,471.26.
- 3. The Department decision is issued in letter form and upon receipt of the total ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
- 4. The payment into the ARM fund shall be deposited in the DES fund for the Salmon Falls-Piscataqua River watershed per RSA 482-A:29.

-Send to Governor and Executive Council-

2014-03334 KOONS, ELIZABETH/KEVIN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. seasonal walkway in a "U" configuration on an average of 165 feet of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:

12/4/14 Con. Com. investigated and has made recommendations.

APPROVE PERMIT:

Install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. seasonal walkway in a "U" configuration on an average of 165 feet of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by David Dolan dated November 1, 2014, as received by the NH Department of Environmental Services (DES) on November 25, 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 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. The seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 40 ft. from the shoreline at full lake elevation.
6. The concrete pads shall be located completely above and behind the natural undisturbed shoreline and full lake elevation of 504.326.
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. Pursuant to RSA 482-A:11, Administrative Provisions, V, a series of minor projects shall be considered in the aggregate if they abut or if they are a part of an overall scheme of development or are otherwise consistent parts of an eventual whole.
2. The Applicants are the owners of three contiguous properties identified as Lot 7, Lot 7-001, and Lot 7-002 on Moultonborough Tax Map 195.
3. The Applicants have filed three separate Wetland Applications seeking permits for docking structures on each of the lots. The Applications are identified as #2014-3337, #2014-3334, and #2014-3338 respectively.
4. The combined docking facilities will provide 9 boat slips on these contiguous frontages.
5. Pursuant to Rule Env-Wt 303.02, (d), proposals for docking facilities that provide 5 or more boat slips are considered major projects.
6. The need for the proposed impacts has been demonstrated by the Applicant per Env-Wt 302.01.
7. 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.
8. 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.
9. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
10. This lot has an average of 165 feet of shoreline frontage along Lake Winnepesaukee.
11. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
12. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
13. The construction of the proposed docking structures shall not result in the removal of trees, therefore addressing the local Conservation Commissions concerns.

-Send to Governor and Executive Council-

2014-03337 KOONS, ELIZABETH/KEVIN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration on an average of 227 feet of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:

12/4/14 Con. Com. has no objections.

APPROVE PERMIT:

Install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration on an average of 227 feet of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by David Dolan dated November 1, 2014, as received by the NH Department of Environmental Services (DES) on November 25, 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 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. The seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 40 ft. from the shoreline at full lake elevation.
6. The concrete pads shall be located completely above and behind the natural undisturbed shoreline and full lake elevation of 504.326.
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. Pursuant to RSA 482-A:11, Administrative Provisions, V, a series of minor projects shall be considered in the aggregate if they abut or if they are a part of an overall scheme of development or are otherwise consistent parts of an eventual whole.
2. The Applicants are the owners of three contiguous properties identified as Lot 7, Lot 7-001, and Lot 7-002 on Moultonborough Tax Map 195.
3. The Applicants have filed three separate Wetland Applications seeking permits for docking structures on each of the lots. The Applications are identified as #2014-3337, #2014-3334, and #2014-3338 respectively.
4. The combined docking facilities will provide 9 boat slips on these contiguous frontages.
5. Pursuant to Rule Env-Wt 303.02, (d), proposals for docking facilities that provide 5 or more boat slips are considered major projects.
6. The need for the proposed impacts has been demonstrated by the Applicant per Env-Wt 302.01.
7. 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.
8. 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.
9. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
10. The lot has an average of 227 feet of shoreline frontage along Lake Winnepesaukee.
11. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
12. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
13. The construction of the proposed docking structures shall not result in the removal of trees, therefore addressing the local Conservation Commissions concerns.

-Send to Governor and Executive Council-

2014-03338 KOONS, ELIZABETH/KEVIN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Install two 6 ft. x 40 ft. seasonal dock connected together in a "U" shaped configuration by a 6 ft. x 12 ft. seasonal walkway, anchored to two concrete pads, on an average of 158 feet of shoreline frontage, Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

12/4/14 Con. Com. has investigated and has made recommendations.

APPROVE PERMIT:

Install two 6 ft. x 40 ft. seasonal dock connected together in a "U" shaped configuration by a 6 ft. x 12 ft. seasonal walkway, anchored to two concrete pads, on an average of 158 feet of shoreline frontage, Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by David Dolan dated November 1, 2014, as received by the NH Department of Environmental Services (DES) on November 25, 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 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. The seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 40 ft. from the shoreline at full lake elevation.
6. The concrete pads shall be located completely above and behind the natural undisturbed shoreline and full lake elevation of 504.326.
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. Pursuant to RSA 482-A:11, Administrative Provisions, V, a series of minor projects shall be considered in the aggregate if they abut or if they are a part of an overall scheme of development or are otherwise consistent parts of an eventual whole.
2. The Applicants are the owners of three contiguous properties identified as Lot 7, Lot 7-001, and Lot 7-002 on Moultonborough Tax Map 195.
3. The Applicants have filed three separate Wetland Applications seeking permits for docking structures on each of the lots. The Applications are identified as #2014-3337, #2014-3334, and #2014-3338 respectively.
4. The combined docking facilities will provide 9 boat slips on these contiguous frontages.
5. Pursuant to Rule Env-Wt 303.02, (d), proposals for docking facilities that provide 5 or more boat slips are considered major projects.
6. The need for the proposed impacts has been demonstrated by the Applicant per Env-Wt 302.01.
7. 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.
8. 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.
9. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
10. The lot has an average of 158 feet of shoreline frontage along Lake Winnepesaukee.
11. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
12. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
13. The proposed project does not include the removal of trees, therefore addressing the local Conservation Commissions concerns.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

**2014-01934 NH DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMEN
NEW CASTLE Piscataqua River**

Requested Action:

Impact a total of 2,638 square feet within the 100-foot previously-developed upland tidal buffer zone to include 213 square feet of permanent impact to repair the existing seawall, 1,225 square feet of permanent impact to stabilize an eroding bank, and 1,200 square feet of temporary impact for the placement of rock access way at the footing of the existing seawall to enable the repair of the seawall in front of the Hayes Battery of Fort Stark on the Piscataqua River.

APPROVE AFTER THE FACT:

Impact a total of 2,638 square feet within the 100-foot previously-developed upland tidal buffer zone to include 213 square feet of permanent impact to repair the existing seawall, 1,225 square feet of permanent impact to stabilize an eroding bank, and 1,200 square feet of temporary impact for the placement of rock access way at the footing of the existing seawall to enable the repair of the seawall in front of the Hayes Battery of Fort Stark on the Piscataqua River.

With Conditions:

1. All work shall be in accordance with plans and materials received by the NH Department of Environmental Services (DES) on October 17, 2014.
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.

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 impacts were necessary to repair the existing seawall and stabilize the existing bank from further erosion; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 21, 2014. Field inspection determined that an Emergency Authorization could be issued to complete the remaining work as the completed work had been done in a manner DES would approve of.
6. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on July 21, 2014 in accordance with Env-Wt 503.01.
7. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.
8. No comments were received from the New Castle Conservation Commission.
9. No comments were submitted from the NHEG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

**2014-02743 UNITIL
HAMPTON Hampton Saltmarsh**

Requested Action:

Impact a total of 5,064 sq. ft. (58 sf permanent & 5,006 sf temporary construction impacts) in the previously disturbed tidal buffer zone for work associated with the relocation of Unutil's 3353 transmission line from its present location in the salt marsh to 30 ft. off the painted white line on NH Route 101 within the existing NH DOT right-of-way.

BMPs for the removal of existing poles from the marsh will include the use of helicopters aided by workers with hand tools.

Conservation Commission/Staff Comments:

8/29/14 Per DHR, no historic properties affected.

The Hampton Conservation Commission does not oppose the granting of this permit. The HCC waives having a prime wetlands public hearing as the project involves mostly temporary impacts and the old structures will be removed from the salt marsh.

Inspection Date: 12/19/2014 by Frank D Richardson

APPROVE PERMIT:

Impact a total of 5,064 sq. ft. (58 sf permanent & 5,006 sf temporary construction impacts) in the previously disturbed tidal buffer zone for work associated with the relocation of Unutil's 3353 transmission line from its present location in the salt marsh to 30 ft. off the painted white line on NH Route 101 within the existing NH DOT right-of-way.

BMPs for the removal of existing poles from the marsh will include the use of helicopters aided by workers with hand tools.

With Conditions:

1. All work shall be in accordance with plans by TF Moran, Inc. dated September 18, 2014, as received by the NH Department of Environmental Services (DES) on October 02, 2014.
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. 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, 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.
5. Work shall be done during periods of low tide.

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.
5. DES Staff conducted a field inspection of the proposed project on December 19, 2014. Field inspection determined the project as designed and permitted will have no adverse effect on the salt marsh.
6. A prime wetlands public hearing is waived per RSA 482-A:11 IV.(a) with the finding that the proposed project, either alone or in conjunction with other human activity, will not result in the significant net loss of any of the values set forth in RSA 482-A:1. In addition, the project meets the criteria for approval set forth in Env-Wt 703.01.

2014-02958

PROSTKOFF, MELVIN

NEWMARKET Lamprey River

Requested Action:

Impact a total of 2,124 sq. ft., 737 sq. ft. permanent impact and 1,387 sq. ft. of temporary impact, of previously developed upland tidal buffer zone to reconstruct an existing storage building within the same footprint.

APPROVE PERMIT:

Impact a total of 2,124 sq. ft., 737 sq. ft. permanent impact and 1,387 sq. ft. of temporary impact, of previously developed upland tidal buffer zone to reconstruct an existing storage building within the same footprint.

With Conditions:

1. All work shall be in accordance with plans by West Environmental, Inc. dated September 15, 2014, as received by the NH Department of Environmental Services (DES) on October 20, 2014.
2. No more than 8.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. No construction equipment or stockpiling of material shall be located between the erosion control (silt sock) and the resource located on the south side of the concrete apron. This area shall be marked to prevent construction activity within this area.
4. No fertilizer shall be applied to vegetation or soils located within 25 feet of the reference line (highest observable tide line) of the Lamprey River. Beyond 25 feet, only a low phosphate slow release nitrogen fertilizer may be used.
5. All work shall be in accordance with the Woodland Buffer and Natural Woodland Buffer requirements of RSA 483-B, the Shoreland Water Quality Protection Act.
6. There shall be no trees cut and only trimming of branches and shrubs as needed to complete the reconstruction.
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 further alteration of areas on this property that are within the jurisdiction of the DES Wetlands/Shoreland Bureau will require further permitting by the Bureau.
9. Prior to construction, the contractor shall ensure that the proposed location of the silt sock will adequately confine potential runoff from the project site and extend it laterally as needed along the south side of the project to minimize siltation toward the river.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. 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.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering jurisdictional areas.
14. 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.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b), projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing storage building is severely deteriorated and the applicant has demonstrated the need to reconstruct the building.
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. All of the impacts occur landward of the highest observable tide line and the storage building will be reconstructed within the same footprint as the existing building.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b)(d) Requirements for Application Evaluation, has been considered in the design of the project.
5. The NH Natural Heritage Bureau ("NHB") has record of sensitive species present within the vicinity of the project area. The applicant coordinated with NHB and they have no concerns with the proposal.
6. The Lamprey Rivers Advisory Committee provided comments on the project to DES in a letter dated November 10, 2014.
7. The Newmarket Conservation Commission provided comments on the project to DES in a letter dated December 3, 2014.

**2014-03355 R & S REALTY TRUST
ALTON Lake Winnepesaukee**

Requested Action:

Replace 67 linear feet of existing retaining wall that requires work in the water, but that results in no change in height, length, location, or configuration of the structure on approximately 100 ft. of frontage along Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

11/25/14 Con. Com. has no objection to a permit being granted.

APPROVE PERMIT:

Replace 67 linear feet of existing retaining wall that requires work in the water, but that results in no change in height, length, location, or configuration of the structure on approximately 100 ft. of frontage along Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated November 17, 2014, as received by the NH Department of Environmental Services (DES) on November 26, 2014.
2. The repairs shall maintain the size, location and configuration of the pre-existing structures.
3. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
5. 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.

**2014-03357 GRANDIN, DAVID/JULIE
NEW DURHAM Merrymeeting Lake**

Requested Action:

Repair approximately 50 linear ft. of existing retaining wall, construct 27 linear ft. of new retaining wall along the beach, and install a 30 sq. ft. stone apron on an average of 98 feet of shoreline frontage along Merrymeeting Lake, in New Durham.

Conservation Commission/Staff Comments:

12-24-14 No potential to cause effects per DHR.

APPROVE PERMIT:

Repair approximately 50 linear ft. of existing retaining wall, construct 27 linear ft. of new retaining wall along the beach, and install a 30 sq. ft. stone apron on an average of 98 feet of shoreline frontage along Merrymeeting Lake, in New Durham.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering dated October 16, 2014, as received by the NH Department of Environmental Services (DES) on November 26, 2014.
2. The repairs shall maintain the size, location and configuration of the pre-existing structures.
3. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

MINIMUM IMPACT PROJECT

2014-01622 MCCARTEN, SHEILA/WILLIAM
LANCASTER Unnamed Wetland

Requested Action:

Dredge and fill 8,907 square feet of wetlands for the construction of a pond for fire protection. Work in jurisdiction includes 660 square feet of temporary impacts for construction access.

APPROVE PERMIT:

Dredge and fill 8,907 square feet of wetlands for the construction of a pond for fire protection. Work in jurisdiction includes 660 square feet of temporary impacts for construction access.

With Conditions:

1. All work shall be in accordance with revised plans by Presby Construction, Inc. entitled Wetland Permit Pond (Sheets 1-3 of 3) dated January 28, 2014, revised 12/2/2014 as received by the Department on December 08, 2014.
2. Temporary impacts shall be restored to pre-construction conditions.
3. Appropriate erosion/siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
5. Precautions shall be taken to limit unnecessary removal of vegetation adjacent to the pond.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Machinery shall be staged and refueled in upland areas.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
10. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws

1700.

11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. 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.
13. 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.
14. 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.
15. 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 Env-Wt 303.04 (p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact, provided: (1) None of the wetlands have very poorly drained soil as defined in Env-Ws 1002.84;(2) There are no streams into or out of the proposed pond site; (3) The project is not located in prime wetlands; and(4) The project does not meet the requirements of Env-Wt 303.02(k).
2. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
3. Two-thirds of the pond will be constructed in upland areas.
4. Disturbed areas adjacent to the pond will be replanted with wetland vegetation. Areas outside the footprint of the pond shall remain undisturbed and will provide a diversity of species and vertical/horizontal structure.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.

2014-01970 HEATON, MICHAEL
CHESTER Exeter River

Requested Action:

Construct a 4 foot wide by 1,103 feet long raised conservation walkway supported by a total of 250 6 in. dia. posts with a minimum clearance over the wetland of 2 feet and with a minimum of 1/2 in. spacing between decking and oriented less than 20 degrees off a due East/West direction to maximize exposure to sunlight and minimize light attenuation under the walkway.
This walkway will be used for wildlife observation and is intended for foot traffic and/or electric powered vehicles only.

Conservation Commission/Staff Comments:

7/23/14 Per DHR, no historic properties affected. Minimal impacts.
The Chester Conservation Commission voted to recommend approval of the project. No comments were received from the Fremont Conservation Commission.

APPROVE PERMIT:

Construct a 4 foot wide by 1,103 feet long raised conservation walkway supported by a total of 250 6 in. dia. posts with a minimum clearance over the wetland of 2 feet and with a minimum of 1/2 in. spacing between decking and oriented less than 20 degrees off a due East/West direction to maximize exposure to sunlight and minimize light attenuation under the walkway.
This walkway will be used for wildlife observation and is intended for foot traffic and/or electric powered vehicles only.

With Conditions:

1. All work shall be in accordance with plans by BAG Land Consultants dated 7/12/2014 (last revised 11/03/14), as received by the NH Department of Environmental Services (DES) on November 04, 2014.

2. DES Wetlands Bureau Southeast Region staff and the Chester and Fremont Conservation Commissions shall be notified in writing prior to commencement of work and upon its completion.
3. Work shall be done during frozen ground winter conditions.
4. 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.
5. This permit does not allow dredging for any purpose.
6. There shall be no further alteration of wetlands for lot development or other construction activities.
7. 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.
8. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A prime wetlands public hearing for that portion of the walkway located in Fremont is waived per RSA 482-A:11 IV.(a) with the finding that the proposed project, either alone or in conjunction with other human activity, will not result in the significant net loss of any of the values set forth in RSA 482-A:1. In addition, the project meets the criteria for approval set forth in Env-Wt 703.01.

2014-02207 SOARES IV, ANTHONY
SUGAR HILL Unnamed Stream

Requested Action:

Dredge and fill 1,974 square feet of forested wetland and an intermittent stream for the construction of a driveway for a single family home. Work in jurisdiction includes the installation of one 5 foot culvert and two 15 inch culverts.

APPROVE PERMIT:

Dredge and fill 1,974 square feet of forested wetland and an intermittent stream for the construction of a driveway for a single family home. Work in jurisdiction includes the installation of one 5 foot culvert and two 15 inch culverts.

With Conditions:

1. All work shall be done in accordance with plans by Presby Construction, Inc. entitled Wetland Permit Drive Xing Layout as received by DES on August 11, 2014.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during periods of non-flow.
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.
5. There shall be no excavation or operation of construction equipment in flowing water.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. The culverts shall be laid at original stream grade.
8. Proper headwalls shall be constructed within seven days of culvert installation.

9. 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.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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).
16. 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 (ah) Any project that includes any new stream crossing which qualifies as minimum impact under Env-Wt 903.01(e).
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 proposed driveway is located at the only point along the access road that provides a safe sight distance for access to the town road.
5. The proposed culvert was designed to pass the 50 year storm event.
6. 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.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau or the Conservation Commission.

2014-02772 NH DEPT OF TRANSPORTATION
ALTON Lake Winnepesaukee

Requested Action:

Stabilize 16 linear ft. (160 sq. ft.)of embankment using stone.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Stabilize 16 linear ft. (160 sq. ft.)of embankment using stone. NHDOT project #2014-M315-7

With Conditions:

1. All work shall be in accordance with plans by NHDOT Highway Maintenance District 3 dated 8/18/2014, as received by the Department on Oct. 2, 2014.
2. 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. 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).
5. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
6. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), alteration of less than 50 linear ft. of shoreline.
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.

**2014-02818 NH DEPT OF TRANSPORTATION
BATH Ammonoosuc River**

Requested Action:

Remove the drop inlet and a 15 in. culvert and replace with a relocated 18 in. culvert outletting to an unnamed stream.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

River Comm. - no issues, project is needed

APPROVE PERMIT:

Remove the drop inlet and a 15 in. culvert and replace with a relocated 18 in. culvert outletting to an unnamed stream. NHDOT project #2014-M114-1402

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 1 dated 9/10/14 as received by the Department on Oct. 6, 2014.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
10. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Local River Advisory Committee noted the work needs to be done.

FORESTRY NOTIFICATION

2014-03482 BICKFORD, FRED
OSSIPEE Unnamed Stream

COMPLETE NOTIFICATION:
Ossipee, Tax Map #14, Lots #34.1 & #48

2014-03489 KELLOGG, KEITH/RUTHELLEN
HILL Unnamed Stream

COMPLETE NOTIFICATION:
Hill, Tax Map #R12, Lot #26

2014-03546 NYE, JOSEPH/MARY
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich, Tax Map #R4, Lots #9A & 30

2014-03558 ROCKY HEIGHTS LLC
WOODSTOCK Unnamed Stream

COMPLETE NOTIFICATION:
Woodstock, Tax Map #116, Lot #6

2015-00007 ROSENFELD, ROBERT
EASTON Unnamed Stream

COMPLETE NOTIFICATION:

Easton, Tax Map #5, Lot #6

**2015-00008 NH DRED
NORTHUMBERLAND Unnamed Stream**

COMPLETE NOTIFICATION:
Northumberland, Tax Map #247, Lot #7

EXPEDITED MINIMUM

**2014-02277 SOMERSWORTH, CITY OF
SOMERSWORTH Unnamed Wetland**

Requested Action:

Proposal to dredge and fill a total of 350 sq. ft. (170 sq. ft. permanent and 180 sq. ft. temporary) of wetland and surface waters for the removal of an existing 24" corrugated metal pipe culvert and replace with a new 30" x 50' long polyethylene pipe with stone outlet protection within the same general footprint under an existing roadway.

Conservation Commission/Staff Comments:

8/18/14 Con. Com. has no object to the issuance of this permit.

APPROVE PERMIT:

Dredge and fill a total of 350 sq. ft. (170 sq. ft. permanent and 180 sq. ft. temporary) of wetland and surface waters for the removal of an existing 24" corrugated metal pipe culvert and replace with a new 30" x 50' long polyethylene pipe with stone outlet protection within the same general footprint under an existing roadway.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers, Inc. dated November 2014, as received by the Department on November 10, 2014.
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. This permit is contingent upon receipt and DES approval of stream diversion/dewatering plan for work at the crossing.
4. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
5. 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.
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.
8. Any dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

11. 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.
12. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
13. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
14. No fill shall be done for lot development.
15. No fill shall take place in Atlantic white cedar swamps.
16. The headwall shall be constructed within seven days of culvert installation.
17. 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.
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
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 jurisdictional areas during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has provided evidence that the existing 24" pipe is deteriorated and needs to be replaced.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant is replacing the culvert in the same general location as the existing culvert and minimizing erosion with the reconstruction of the existing headwall and installing outlet protection.
4. The applicant received written concurrence from abutters for work on their property or within 20 ft. to the property lines in accordance with Env-Wt 304.04.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. The NH Natural Heritage Bureau has no record of sensitive species within the project vicinity.
7. 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 903.01(e)(3). The applicant has demonstrated that the proposed crossing has been designed to accommodate the 50-year frequency flood without restriction. The new 30 inch closed-bottom culvert will be embedded 6 inches to allow natural sediment to accumulate in the culvert bottom to accommodate aquatic life passage.
8. The Somersworth Conservation Commission signed the DES application.

2014-03521 GRANLUND, JOAN
NORTH HAMPTON Atlantic Ocean

Requested Action:

Temporary impact of 400 sq. ft. within the previously developed upland tidal buffer zone for the replacement of a failed drywell with a monolithic holding tank to be waterproofed prior to installation.

APPROVE PERMIT:

Temporary impact of 400 sq. ft. within the previously developed upland tidal buffer zone for the replacement of a failed drywell with a monolithic holding tank to be waterproofed prior to installation.

With Conditions:

1. All work shall be in accordance with plans by Micah Denner dated 9/15/2014, as received by the NH Department of Environmental Services (DES) on December 18, 2014.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Area shall be regraded to original contours following completion of work.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
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.

TRAILS NOTIFICATION

2014-03560 SWEENEY, MITCHELL
DALTON Unnamed Stream

COMPLETE NOTIFICATION:
Dalton Tax Map 412 Lot 32

LAKES-SEASONAL DOCK NOTIF

2014-03552 MIALE, MICHAEL
BARRINGTON Mendums Pond

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

PERMIT BY NOTIFICATION

2014-03493 HARMES, JACK
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Replace an existing concrete anchor pad in accordance with plans dated December 09, 2014.

PBN IS COMPLETE:

Replace an existing concrete anchor pad in accordance with plans dated December 09, 2014.

CSPA PERMIT W/WAIVER

2014-02499 GIRARD, DALE/ALLYN
PITTSBURG Back Lake

Requested Action:

Impact 1,620 sq ft in order to construct a garage within the waterfront buffer of a non-conforming lot.

APPROVE PERMIT:

Impact 1,620 sq ft in order to construct a garage within the waterfront buffer of a non-conforming lot.

With Conditions:

1. All work shall be in accordance with plans by Jules Rancourt dated August 12, 2014 and received by the NH Department of Environmental Services (DES) on September 8, 2014.
2. No more than 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. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The individual 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. 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.