

CDR 8/2/16 ✓

# Wetlands Bureau Decision Report

Decisions Taken  
07/25/2016 to 07/31/2016

## **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**

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**2015-02187                      HOOKSETT, TOWN OF**  
**HOOKSETT Merrimack River/brown Brook**

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

APPROVE AMENDMENT:

Dredge and fill 12,816 sq. ft. (includes 93 sq. ft. of permanent impacts and 12,433 sq. ft. of temporary impacts and 290 sq. ft. of restoration) of wet meadow wetlands, prime wetlands (Prime Wetland #20, 28 sq. ft.) and associated intermittent and perennial stream for upgrades to an existing trail and construction of additional trails on Town conservation parcels. Work in wetlands includes temporary construction impacts, access matting, installation of helical piles to support the elevated spanning boardwalks and replacement of an existing 18 culvert. Compensatory mitigation for the permanent prime wetland impacts consists of 290 sq. ft. of wetland restoration.

With Conditions:

1. All work shall be in accordance with plans by Stantec dated August 2015, as received by the NH Department of Environmental Services (DES) on August 19, 2015 and revised plan sheets 4,5,6 and 10 of 15 received by DES on September 11, 2015 and revised plan sheet 11 of 15 as received by DES on August 14, 2015, and revised wetland impact plans with amendment request narrative dated July 20, 2016.
2. This permit is contingent on approval by the current conservation easement holder, Society for the Protection of New Hampshire Forests, ("SPNHF"). Confirmation of approval from SPNHF shall be provided to DES prior to construction.
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 trail project must fully comply with the Permit by Rule requirements of NH Administrative Rule Env-Wq 1503.03(c) or (d) under the Alteration of Terrain Bureau.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access.
9. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
10. Any temporary wetland impact areas shall be regraded to original contours following completion of work and planted with a native (and native to site) wetland seed mix or plantings.
11. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after on full growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
12. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.
13. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
14. The boundaries of the prime wetland shall be clearly marked adjacent to all work areas with orange construction fencing prior to construction, shall be remain marked until construction is complete and the work area is fully stabilized.
15. 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.

16. 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.
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching with straw during the growing season, or if not within the growing season, by mulching with straw or coco matting (NO netting) and pinning on slopes steeper than 3:1.
19. 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 with straw.
20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching with straw and tack. Slopes steeper than 3:1 shall be stabilized by coco matting and pinning (NO netting).
21. 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).
22. 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.
23. 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.
24. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

Compensatory Mitigation:

25. This permit is contingent upon the restoration of 290 sq. ft. of wetlands in accordance with plans received by DES on September 1, 2015.
26. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
27. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
28. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
29. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
30. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
31. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
32. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
33. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

With Findings:

DES reaffirms findings 1 through 30 with additional findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f) Projects located in or adjacent to prime wetlands designated under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The impacts are needed for upgrades of an existing trail system and creation of new sections of trail.
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 proposed trail section within wetlands consists of elevated walkways, upgrades to existing crossings and spanning structures.
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 majority (12,433 sq. ft.) of the wetland impacts are temporary for construction access.
8. The applicant's agent indicated that 99.7 percent of the proposed wetland impacts are temporary.
9. The permanent wetland impacts of 39 square feet are for the helical boardwalk supports.
10. The boardwalks will have a minimum clearance of 18 inches to 22 inches (up to 20 inches where possible) from the bottom of the support stringers to the surface of the wetlands and will maintain 1/4 inch spacing between the decking for penetration of light and water to the underlying wetlands and for movement of wildlife.
11. The boardwalk will have a minimum of 18 inches of clearance in order to prevent the need for handrails on the entire structure which could impede movement of large mammals through the wetland system.
12. The boardwalks and crossing structures will have handrails on the sections that span streams and where the structure height exceeds safety limits.
13. The Hooksett Conservation Commission obtained \$50,000 dollars of funding from the NH Department of Economic Development ("DRED") to upgrade the existing trail and construct a portion of the trail system on the Town owned parcels.
14. The applicant's agent met with the department on July 14, 2015 to discuss the proposed project.
15. The applicant provided a complete Wetland Functions and Values Assessment Report.
16. The applicant met with the New Hampshire Fish and Game Department, Nongame and Endangered Wildlife program and modified the project to address their concerns (see file e-mail dated August 12, 2015).
17. The compensatory mitigation for the 39 square feet of permanent wetland impacts consists of 290 square feet of wetland restoration.
18. The wetland restoration will be conducted by hand.
19. The project also includes creation of 55 sq. ft. of wetlands to create 40 cubic feet of flood storage volume.
20. This is a public access/recreation project that is supported by the Town and the Conservation Commission.
21. The permit is contingent on approval by the conservation easement holder.
22. The permit is conditioned on monitoring by a qualified professional.
23. The department has not received any abutter or public comments in objection to the proposed project.
24. Effective September 11, 2009, RSA 482-A:11 IV.(a) was amended to require a public hearing only if deemed necessary by the department per RSA 482-A:8.
25. The department has determined that a hearing is not necessary based on findings #1 through #24.
26. Based on findings #1 through #25 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.
27. The applicant requested a waiver to Env-Wt 704.01 which requires the department to hold the permit for 20-calendar days after the department's decision.
28. The municipal conservation commission is the applicant for the project and town supports the project and waiver request.
29. The project funding from DRED requires a portion of the work be completed by December 31, 2015 or the town will forfeit \$50,000 dollars.
30. The department approves the waiver request in accordance with Administrative Rule Env-204.05(a); The department shall grant a waiver to a rule in Env-Wt 200 through Env-Wt 900 that will not extend the duration of a wetlands permit if:
  - (1) Granting a waiver will not result in:
    - a. An avoidable adverse impact on the environment or natural resources of the state, public health, or public safety;
    - b. An impact on abutting properties that is more significant than that which would result from complying with the rule; or
    - c. A statutory requirement being waived; and
  - (2) Any benefit to the public or the environment from complying with the rule is outweighed by the operational or economic costs to the applicant.
31. On July 20, 2016 DES received a proposed amendment request.
32. The applicant has requested to permanently impact an additional 50 sq. ft., remove the proposed 12' boardwalk crossing, and

relocate 40 cu. ft. of compensatory flood storage to Wetland Impact Area #2.

33. The Hooksett Conservation Commission is in favor of the proposed amendment to fill an additional 50 sq. ft. and eliminate the proposed boardwalk crossing.

**2015-02904                      ROSS, GARY/LINDA**  
**UNITY   Coon Brook**

Requested Action:

Request permit name change to: Gary A. & Linda S. Ross

Dredge and fill 8,935 sq. ft. (1,860 linear feet) to remove sediment and reconstruct stream channel (Coon Brook, Tier 2) in order to alleviate a submerged culvert and subsiding roadbed conditions and install a stone step pool to provide aquatic organism passage.

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Conservation Commission/Staff Comments:

1/20/16 - No historic properties affected per DHR.

APPROVE NAME CHANGE:

Request permit name and address change to:

Gary a. & Linda S. Ross; 26 St. John St.; Palmer, MA 01069

Dredge and fill 8,935 sq. ft. (1,860 linear feet) to remove sediment and reconstruct stream channel (Coon Brook, Tier 2) in order to alleviate a submerged culvert and subsiding roadbed conditions and install a stone step pool to provide aquatic organism passage.

With Conditions:

1. All work shall be in accordance with plans titled Stream Channel Restoration Plan, Tracy Bragdon property by Holden Engineering and Surveying, Inc. dated December 24, 2015, as received by the NH Department of Environmental Services (DES) on December 24, 2015 and with revised Sheets 2 and 4 of 7 dated January 18, 2016 as received by the DES on January 21, 2016 and with the Aquatic Organism Passage plan dated March 4, 2015 as received by the DES on March 11, 2016.
2. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.
3. Draw down removal of flash boards (Dam D240018) shall be performed in accordance with RSA 211:11. The owner shall provide written notification to the Executive Director 2 weeks prior to drawdown.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
5. There shall be no excavation or operation of construction equipment in flowing water.
6. Work within the stream, inclusive of work associated with temporary diversion, shall be limited to periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
7. No work within the stream channel shall proceed until the cofferdam or pipe diversion is fully effective, and water flow is controlled.
8. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. 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.
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. Native material removed from the stream channel during dredging operations shall be stockpiled separately and reused to emulate a natural channel bottom and banks within the channel. Any new materials used must be as similar to the natural stream substrate as practicable and shall not include any angular rock.
13. Temporary cofferdams shall be entirely removed immediately following construction.

14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
15. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
16. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
17. The final surface of the stream channel bed and aquatic organism passage shall be restored using natural round stone or existing streambed materials and shall not include angular rip-rap or crushed gravel.
18. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
19. The constructed stream channel slopes and disturbed project areas be stabilized by application of native wetland seed mix and installation of Alder live stakes. Slopes shall be temporarily stabilized by installation of jute matting until permanently stabilized by vegetation.
20. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
21. Faulty equipment shall be repaired prior to construction.
22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
23. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning.
24. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
25. A post-construction report documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.
26. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to assess the system and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
27. 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 permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02 (b).

**2016-00385                      CRUPI, CARL**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Remove one 4 ft. x 18 ft. seasonal pier, retain a permanent 18 ft. x 18 ft. deck over the water and a second 4 ft. x 18 ft. seasonal pier, install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 16 ft. seasonal walkway in a "U" configuration, accessed by 5 ft. wide steps 82 ft. west of the first structure on an average of 374 ft. of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

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Conservation Commission/Staff Comments:

2/22/16 Con. Com. comments are as follows: Indicate what will happen to current dock as there are too many boat slips for the frontage if both are maintained and the new docks will be on a point of land that has natural shrubs and some boulders near the shoreline. Indicate on the plans the type of stairs that will go to the docks and whether any of the brush will be removed or the banking disturbed to accommodate the new docks.

3/1/2016 - No historic properties affected per DHR.

07/14/2016 Con. Com. visited the site with the updated plans. The only concern is that there is no mention of the amount of shrubbery that will be removed from the new dock area.

**APPROVE PERMIT:**

Remove one 4 ft. x 18 ft. seasonal pier, retain a permanent 18 ft. x 18 ft. deck over the water and a second 4 ft. x 18 ft. seasonal pier, install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 16 ft. seasonal walkway in a "U" configuration, accessed by 5 ft. wide steps 82 ft. west of the first structure on an average of 374 ft. of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

**With Conditions:**

1. All work shall be in accordance with plans revision dated May 24, 2016, as received by DES on June 27, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
7. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
9. No portion of the new piers shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 504.32).
10. All seasonal structures shall be removed for the non-boating season.

**With Findings:**

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a docking facility providing 5 or more slips.
2. The applicant has an average of 374 feet of frontage along Lake Winnepesaukee.
3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. The proposal will remove one of the existing seasonal docks and impacts to the shoreline vegetation will be minimized to the area of the stairs in order to address the concerns of the local Conservation Commission.
6. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.

-Send to Governor and Executive Council-

**2016-00497 ELAINE A SARYNSKI REV TRUST  
GILFORD Lake Winnepesaukee**

**Requested Action:**

Dredge 15 cu. yd. of material from 400 sq. ft. of lakebed adjacent to an existing breakwater and docks, remove 4.5 cu. yd. of breakwater from 48 sq. ft. of lake bed to increase the gap at the shoreline to 10 ft., install a seasonal boatlift and two seasonal personal watercraft lifts adjacent to the docks, and impact 800 sq. ft. of bank along 30 ft. of shoreline to construct a 27 ft. x 20 ft. perched beach on an average of 239 feet of shoreline frontage along Lake Winnepesaukee, in Gilford.

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Conservation Commission/Staff Comments:

3/7/16 Con. Com. is placing a "hold" on this application based upon concerns that this application is based on a previously approved one where the work was not done. Intent was to do work based on an expired permit. The consensus was that the commission would like to see an application submitted based on its own proposal and not based upon an old expired permit.  
4/8/16 Con. Com. voted to approve the breakwater, boatslip and dock portion of the application but raised a query as to the proposed dug-in beach area. There are quite a number of trees proposed to be removed for this construction and the question was raised about meeting the state's point system for the trees proposed to be removed.

APPROVE PERMIT:

Dredge 15 cu. yd. of material from 400 sq. ft. of lakebed adjacent to an existing breakwater and docks, remove 4.5 cu. yd. of breakwater from 48 sq. ft. of lake bed to increase the gap at the shoreline to 10 ft., install a seasonal boatlift and two seasonal personal watercraft lifts adjacent to the docks, and impact 800 sq. ft. of bank along 30 ft. of shoreline to construct a 27 ft. x 20 ft. perched beach on an average of 239 feet of shoreline frontage along Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 17, 2016, and revised through June 29, 2016, as received by DES on July 1, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. 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. Temporary controls shall be removed once the area has been stabilized.
6. 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 water at the work site has returned to normal clarity.
7. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 504.32). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
10. The steps installed for access to the water shall be located completely landward of the normal high water line.
11. No more than 10 cu. yd. of sand shall be used and all sand shall be located above the normal high water line.
12. Any future beach replenishment shall require a new permit.
13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
14. 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 tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
15. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.
16. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
17. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), modification of a docking facility including a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.06,

Breakwaters.

3. The applicant has an average of 239 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 4 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. The plans submitted indicate the proposed beach construction will not result in a deficient tree point score in the affected segments of the Waterfront Buffer. This addresses the local Conservation Commission concerns submitted via letter dated April 06, 2016.
7. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.

-Send to Governor and Executive Council-

**2016-01433                      PSNH DBA EVERSOURCE**  
**BOW Merrimack River**

Requested Action:

Construction of two concrete weirs and two concrete berms to collect and monitor canal seepage flow. Filling of a rock depression with concrete to provide a level surface for sediment removal on the inlet side of the weir.

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Conservation Commission/Staff Comments:

5/26/16 - No adverse effects per DHR.

APPROVE PERMIT:

Fill 100 sq. ft. within the Merrimack River to install a new 16'x 2' diversion wall, a new 13' x 14" weir with a 3' long x 6" deep weir opening, a new 22' x 16" weir with a 3' long x 8" deep weir opening, an 8" x 53' diversion berm, and placement of mass concrete leveling pad downstream of the Garvins Falls Hydroelectric Station to collect and monitor seepage flows for dam safety.

With Conditions:

1. All work shall be in accordance with revised plans by Kleinschmidt for Public Service Company of New Hampshire (Eversource Energy), titled Garvins Falls Development Seepage Flow Monitoring Weirs dated April 21, 2016 as received by the department on May 20, 2016.
2. All construction activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
3. 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.
4. The qualified environmental consultant shall inspect the restoration areas, and submit an initial monitoring report with photographs to DES within 60 days of project completion. The initial monitoring report shall include, but not limited to, documentation of erosion control deployment, construction sequencing, and final restoration activities. Photographs should depict all stages of restoration sequencing.
5. Work shall be done during low flow and in the dry only.
6. All in-stream work shall be conducted in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. 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.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Use of netted erosion control fabrics shall be avoided within the project area.

11. Sediment filter socks shall be placed around work areas to contain any miscellaneous debris and to maintain water quality.
12. Sediment filter socks shall be removed upon project completion after concrete has cured and any necessary repairs are made.
13. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A . Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
14. Discharge from dewatering of disturbed work areas, uncured concrete, or bleed water 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, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet to a surface water.

With Findings:

1. This is a Minor impact project per Administrative Rule Env-Wt 303.03(c), Projects that involve dredge, fill, or construction of a permanent structure in a stream or marsh that do not meet the criteria of Env-Wt 303.02, except those projects in streams which meet the criteria of Env-Wt 303.04(g), (i), (j), (n), (x), (y), or (z).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant indicated the project is necessary for the continued safe and reliable operation of the canal and dam structures. Recent inspections by FERC and NHDES Dam Bureau have identified additional seepage flows from the canal that are currently not being directed to the existing weir. FERC required action to facilitate more complete collection and monitoring of canal seepage flows to evaluate future action levels associated with the dam safety.
3. The applicant has reviewed alternative designs and determined the proposed berm and weir configuration will be less impacting and will provide maximum seepage flow collection while minimizing the footprint of new structures.
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 proposed structures consist of a new 16'x2' diversion wall, a new 13' x 14" weir with a 3' long x 6" deep weir opening, a new 22' x 16" weir with a 3' long x 8" deep weir opening, and placement of mass concrete to top of weir adjacent to Weir 1 and 2 for silt clean-out and prevent seepage through rock seams.
6. The applicant has indicated that the proposed impervious area is proposed on existing impervious rock outcrop surfaces, thus there is no increase in impervious area for the site.
7. The NH Natural Heritage Bureau datacheck results indicated the presence of an acidic riverside seep natural community, the Sessile-fruited arrowhead (*Sagittaria rigida*), the American Eel (*Anguilla rostrata*), and the Bald eagle (*Haliaeetus leucocephalus*) in the project vicinity.
8. The NH Natural Heritage Bureau has indicated that impacts to the acidic riverside seep natural community and the Sessile-fruited arrowhead (*Sagittaria rigida*) are not anticipated as a result of this project.
9. The NH Fish & Game has reviewed the proposed project and determined that impacts to the American Eel (*Anguilla rostrata*), and the Bald eagle (*Haliaeetus leucocephalus*) are not anticipated by the proposed project. The NH Fish & Game has requested avoidance of erosion control fabrics with netting at the project location.
10. The USFWS IPaC Resources Report dated April 29, 2016 indicates there are no critical habitats, refuges, or fish hatcheries in this location.
11. The Upper Merrimack River Local Advisory Committee (UMRLAC) has reviewed the permit application and determined no additional comments on the application per email letter dated June 15, 2016.
12. The New Hampshire Division of Historical Resources has reviewed the proposed project and determined there will be No Adverse Effect to historical resources per letter dated May 18, 2016.

**2016-01817                      NH DEPT OF TRANSPORTATION**  
**WEARE   Piscataquog River**

Requested Action:

Replace 79 feet of retaining wall with 121 feet of "T" wall and replace an 18 in. x 18 in. box and unknown size culvert with a 36 in. x 66. 5 ft. culvert impacting 1,645 sq. ft. of bank and channel. NHDOT project #40882

Compensatory mitigation includes a one-time payment of \$15,840.00 to the Aquatic Resource Mitigation Fund.

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Conservation Commission/Staff Comments:

Cons. Comm. - no comment

LAC - recommends tree and brush clearing be minimized along with the grass pad at toe of wall

APPROVE PERMIT:

Replace 79 feet of retaining wall with 121 feet of "T" wall and replace an 18 in. x 18 in. box and unknown size culvert with a 36 in. x 66. 5 ft. culvert impacting 1,645 sq. ft. of bank and channel. NHDOT project #40882

Compensatory mitigation includes a one-time payment of \$15,840.00 to the Aquatic Resource Mitigation Fund.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 5 dated June 16, 2016, stamped and dated 7/19/16 (noting the scale as 1" = 10 ') and as received by the Department on July 19, 2016.
2. A copy of the above noted plans are to be provided to the Conservation Commission and to the Local River Advisory Committee by the applicant prior to construction.
3. Erosion control fabric with netting shall not be used and assured by the contract administrator.
4. Construction shall not occur during the turtle nesting season.
5. Work shall be done during low flow.
6. Proper headwalls shall be constructed within seven days of culvert installation.
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. This approval is not valid until DES receives a one-time payment of \$40,800.00 to the DES Aquatic Resource Mitigation (ARM) Fund.

The applicant shall remit payment to DES. If DES does not receive payment within 120 days of the date of this approval letter, DES will deny the application.

With Findings:

1. This is a major impact project per Administrative Rules Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3.
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. Comments from the Local Advisory Committee and NH Fish and Game Dept. are included as permit conditions.
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.
8. On July 13, 2016 the DES notified the applicant the plans submitted with the application were not readable.
9. On July 19, 2016 the DES received a plan at the scale noted and clearly printed enough to read the wetland impact table and discern that the new wall is to be constructed in a location behind the existing wall.

**MINOR IMPACT PROJECT**

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**2010-01095                      MESPELLI, PETER**  
**CAMPTON   Unnamed Stream**

Requested Action:

Request permit time extension.

Dredge and fill approximately 1042 sq. ft. (includes 1,000 sq. ft. of temporary impact) of stream bank and associated wetlands for temporary access and construction of a permanent 12 ft. span x 16 ft. run x 4 ft. minimum rise open bottom concrete box culvert/bridge for access to 5-lots (includes one "Woodlot" and one "General Common Land" lot) of a previously approved residential subdivision.

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APPROVE TIME EXTENSION:

Dredge and fill approximately 1042 sq. ft. (includes 1,000 sq. ft. of temporary impact) of stream bank and associated wetlands for temporary access and construction of a permanent 12 ft. span x 16 ft. run x 4 ft. minimum rise open bottom concrete box culvert/bridge for access to 5-lots (includes one "Woodlot" and one "General Common Land" lot) of a previously approved residential subdivision.

With Conditions:

1. All work shall be in accordance with narratives by Duffield Engineering & Consulting dated May 12, 2011 and narratives by Hinds Septic Design Services dated June 12, 2011, as received by the NH Department of Environmental Services (DES) on June 13, 2011 and revised plans by Hinds Septic Design Services revision date of July 15, 2011, as received by DES on July 29, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. 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.
7. 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.
8. 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.
9. The temporary access bridge shall not be installed until the commencement of bridge construction, during low flows and shall be

removed immediately at the end of bridge construction.

10. There shall be no excavation or operation of construction equipment in flowing water.
11. Construction equipment shall not enter the surface water and shall conduct work from the adjacent banks and upland areas.
12. Any temporary impacts to the stream, stream banks or wetlands shall be restored "in-kind".
13. Temporary bank and wetland impact restoration plantings shall have at least 75% success after one full growing seasons, or the areas shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
14. A qualified environmental professional shall monitor the project during construction to assure there are no water quality violations and the crossing is constructed in accordance with the approved plans and narratives.
15. A post-construction report documenting the status project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
16. 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.
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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
19. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
20. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
21. 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.
22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
23. 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).

With Findings:

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

**2012-01858                      J&L TERRA HOLDINGS, INC, JASON WHITE  
BARRINGTON Unnamed Wetland**

Requested Action:

Approve name change to add owner: Barrington Village Place, LLC, 7B Emery Lane, Stratham NH 03885 and J&L Terra Holdings, Inc., 79 Exeter Road, North Hampton, NH 03862.

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APPROVE NAME CHANGE:

Dredge and fill a total of 6,050 square feet of wetlands for construction of roadway crossings for a 64-lot subdivision on 117 acres with 48 acres of open space, including 2,410 square feet of impact and installation of twin 36" x 38' culverts; 2,100 square feet of impact and installation of twin 24" x 49' culverts; and 1,540 square feet of impact and installation of a 36" x 49' culvert.

With Conditions:

1. All work shall be in accordance with plans and materials by Beals Associates dated June 2012, as received by the NH Department of Environmental Services (DES) on 7/13/2012, and on 11/2/2012.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this

approval.

4. 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.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Pursuant to recommendations by NH Fish & Game Department ("NHFG") relative to protection of Blanding's turtles the following shall apply:
  - a. there shall be no cutting of trees or their canopies around the vernal pools on the property to protect the shade ability of the trees;
  - b. personnel working on the job site shall be made aware of the potential to encounter Blanding's and spotted turtles, particularly during May and June, and shall report any encounters to the NHFG Nongame and Endangered Wildlife Program.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. 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.
9. 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.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. 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.
12. Silt fencing must be removed once the area is stabilized.
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).

With Findings:

DES reaffirms findings #1-#5 and adds findings #6 and #7:

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 of non-tidal wetlands.
  2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant must cross wetlands to access buildable uplands.
  3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The project was redesigned so that the vernal pool noted on the property would be located in a designated open space area, not on a lot intended to be developed; wildlife corridor and buffer areas have also been set aside as open space, and the designated prime wetland on the property is also protected in the open space area.
  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. Recommendations of NH Fish & Game Department for protection of Blanding's turtles possibly located in the vicinity of the site have been incorporated into permit conditions.
  5. The Barrington Conservation Commission did not report.
- ADDITIONALS FINDINGS
6. The applicant has requested to add an owner, J&L Terra Holdings, Inc., as they will be constructing phase 3 of the project and Barrington Village Place, LLC still have jurisdictional work in other areas of the project.
  7. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2016-00496

MAYO, R MICHAEL & NANCY

MEREDITH Lake Winnepesaukee

Requested Action:

Permanently remove the existing non-conforming seasonal dock and construct a 6 ft. x 44 ft. piling pier on an average of 80 ft. of shoreline frontage along Lake Winnepesaukee, on Bear Island, in Meredith.

\*\*\*\*\*

**APPROVE PERMIT:**

Permanently remove the existing non-conforming seasonal dock and construct a 6 ft. x 44 ft. piling pier on an average of 80 ft. of shoreline frontage along Lake Winnepesaukee, on Bear Island, in Meredith.

**With Conditions:**

1. All work shall be in accordance with plans by R. Michael Mayo, revised through June 27, 2016, as received by DES on July 5, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
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 water at the work site has returned to normal clarity.
5. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
6. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
8. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
9. No portion of the pier shall extend more than 44 feet from the shoreline at full lake elevation (Elev. 504.32).

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a permanent docking structure providing 2 slips.
2. The property is located on an island in Lake Winnepesaukee and meets the criteria pursuant of Env-Wt 402.06(m), for a permanent docking structure.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
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 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 applicant has an average of 80 feet of shoreline frontage along Bear Island, on Lake Winnepesaukee.
7. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
8. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2016-00737  
HAMPTON**

**AG HAMPTON HOSPITALITY LLC**

**Requested Action:**

Dredge and fill 8,049 square feet of forested wetland for commercial development to include a 104-room hotel and 40,000 square foot corporate office space with several stormwater runoff treatment systems.

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**Conservation Commission/Staff Comments:**

6-8-16 Applicant requested 60-days to extend application review.

**APPROVE PERMIT:**

Dredge and fill 8,049 square feet of forested wetland for commercial development to include a 104-room hotel and 40,000 square

foot corporate office space with several stormwater runoff treatment systems.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering, Inc. dated March 2016 and revised through 6/21/16 as received by the NH Department of Environmental Services (DES) on June 27, 2016.
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the Hampton Conservation Commission in writing of the date on which work under this permit is expected to start.
4. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
5. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
6. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
7. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
8. 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. Temporary controls shall be removed once the area has been stabilized.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A .  
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11. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

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 impacts are necessary to develop the property; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. Although both isolated wetlands will be fully impacted, the areas will be constructed into stormwater treatment systems including a surface sand filter, a micropool-extended detention pond, and gravel wetlands. These structures will offer onsite stormwater mitigation similar to the functions of the existing low-value wetlands; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Hampton Conservation Commission "does not oppose the granting of this NHDES Stander Dredge and Fill permit because the applicant has agreed to provide local mitigation."
7. NH Division of Historical Resources found 'No Historic Properties Affect' as a result of the proposed impacts.
8. US Environmental Protection Agency finds the project is 'eligible as proposed' for the NH Programmatic General Permit.

**2016-00901**                      **GLENDALE YACHT CLUB**  
**GILFORD** Lake Winnepesaukee

Requested Action:

Dredge approximately 2 cu. yd. from 150 sq. ft. of lakebed, fill approximately 100 sq. ft. of lakebed in an area of culvert erosion and deposition with 3 cu. yd. of material and repair 42 linear ft. of retaining wall adjacent to a major docking system on 240 ft. of

frontage along Lake Winnepesaukee, in Gilford.

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Conservation Commission/Staff Comments:

04/11/2016 Con. Com. recommended approval of the application and plan.

APPROVE PERMIT:

Dredge approximately 2 cu. yd. from 150 sq. ft. of lakebed, fill approximately 100 sq. ft. of lakebed in an area of culvert erosion and deposition with 3 cu. yd. of material and repair 42 linear ft. of retaining wall adjacent to a major docking system on 240 ft. of frontage along Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction, revised through June 20, 2016, as received by DES on June 27, 2016.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
4. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
7. Work shall be done during low water conditions.
8. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
9. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g) removal of no more than 20 cubic yards of rock, gravel, sand, mud, or other materials from public waters.
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 proposed dredge and fill is to repair an area immediately adjacent to the outlet of a stormwater culvert.

2016-01204

STEVEN ROBERT PRUDHOMME LIVING TRUST

ALTON Lake Winnepesaukee

Requested Action:

Install two 6 ft. x 40 ft. seasonal piers connected by a 4 ft. x 12 ft. seasonal walkway in a "U" configuration, a 14 ft. x 28 ft. seasonal canopy over the center slip, and two 7 ft. x 3 ft. concrete anchor pads on an average of 201 ft. of shoreline frontage along Lake Winnepesaukee, in Alton.

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Conservation Commission/Staff Comments:

05/05/2016 Con. Com. requests a "hold" until they can investigate the property and issue a report.

05/18/2016 Con. Com. has no objections.

APPROVE PERMIT:

Install two 6 ft. x 40 ft. seasonal piers connected by a 4 ft. x 12 ft. seasonal walkway in a "U" configuration, a 14 ft. x 28 ft. seasonal canopy over the center slip, and two 7 ft. x 3 ft. concrete anchor pads on an average of 201 ft. of shoreline frontage along Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Advantage NH Lakes dated March 21, 2016, as received by DES on May 03, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. 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. Temporary controls shall be removed once the area has been stabilized.
6. 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 water at the work site has returned to normal clarity.
7. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
9. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
10. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 504.32).
11. All seasonal structures shall be removed for the non-boating season.
12. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking structure that provides 3 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 201 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

MINIMUM IMPACT PROJECT

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**2011-01815                      NH DRED**  
**STRATFORD Nash Stream**

Requested Action:

Request permit time extension.

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APPROVE TIME EXTENSION:

Impact 2,132 square feet of the bed and banks of Nash Stream, a perennial stream, for instream and riparian restoration to benefit native fish species using geomorphic restoration principles. Restoration techniques include logjams, boulder wood clusters, wood additions, rock deflectors, and porous rock weirs.

With Conditions:

1. All work shall be in accordance with plans by the NH Fish & Game Dept. and Field Geology Services, as received by DES on July 29, 2011.
2. Construction shall be inspected daily by a qualified biologist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
3. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
4. Work shall be done during low flow.
5. 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.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. All in-stream work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be conducted in a manner so as to minimize the duration of construction in the watercourse.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. 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.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Areas of temporary impact shall be restored to existing conditions following completion of work.
16. 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.
17. 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.
18. 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.
19. 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).
20. 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.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.

**FORESTRY NOTIFICATION**

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**2016-02100                    THOMSON, THOMAS**  
**WENTWORTH   Unnamed Stream**

Requested Action:  
Wentworth, Tax Map 4, Lot 5, Block 5  
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**2016-02107                    GLEN OAKES ASSOCIATES**  
**OSSIPEE   Unnamed Stream**

Requested Action:  
Ossipee, Tax Map 58, Lot 9  
\*\*\*\*\*

**2016-02111                    GLIDDEN, BRIAN**  
**FARMINGTON   Unnamed Stream**

Requested Action:  
Farmington, Tax Map R15, Lot 002  
\*\*\*\*\*

**2016-02112                    GREEN CROW CORP**  
**DANBURY   Unnamed Stream**

Requested Action:  
Danbury, Tax Map 415, Lot 001  
\*\*\*\*\*

**2016-02114                    GREEN ACRE WOODLANDS INC**  
**GROTON   Unnamed Stream**

Requested Action:  
Groton, Tax Map 9, Lot 1

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**2016-02137                    WHITTEMORE, BERT**  
**PEMBROKE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Pembroke Tax Map# 937, Lot# 16

**2016-02144                    SINNAMON, JOHN/LARENA**  
**DEERFIELD   Unnamed Stream**

Requested Action:  
Deerfield, Tax Map #418, Lot #1,1-1, and 1-2  
Deerfield, Tax Map #415, Lot 93 and 94  
\*\*\*\*\*

**2016-02146                    MATHES FAMILY LIMITED PARTNERSHIP**  
**DEERFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Deerfield, Tax Map #937, Lot #15-2 and 18-1

**2016-02155                    BASCOM MAPLE FARMS INC**  
**ACWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
ACWORTH, MAP #231, LOT #3

**2016-02158                    TOWN OF CHARLESTOWN**  
**CHARLESTOWN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Charlestown Tax Map #230, Lot #7  
Charlestown Tax Map #223, Lot #8/7

**2016-02161                    BEAUREGARD, BETTINA**  
**WESTMORELAND   Unnamed Stream**

COMPLETE NOTIFICATION:  
Westmoreland Map #R14, Lot #61

**2016-02164                    CHECKERBERRY FARM REALTY TRUST**  
**WOLFEBORO   Unnamed Stream**

COMPLETE NOTIFICATION:

Wolfeboro Tax Map #168 Lot #'s 1,2

**2016-02175                    MENARD, CATHERINE**  
**STRAFFORD   Unnamed Stream**

COMPLETE NOTIFICATION:

Strafford Map #7, Lot #4

**EXPEDITED MINIMUM**

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**2011-00805                    CRAIG, DAVID**  
**CENTER HARBOR   Unnamed Wetland**

Requested Action:

Request permit time extension.

\*\*\*\*\*

Conservation Commission/Staff Comments:

1. The conservation Commission signed the application waiving their right to intervene.

APPROVE TIME EXTENSION:

Dredge and fill 1,810 sq. ft. of swamp wetlands for construction of a fire pond and a driveway to one lot of a previously approved 8-lot residential subdivision with one remaining land lot identified as "Center Harbor Neck Woods".

With Conditions:

1. All work shall be in accordance with the subdivision plan by Mountain Mapping dated March 2009, as received by the NH Department of Environmental Services (DES) on May 13, 2011 and fire pond plan by Paul Maggi Architects, dated April 5, 2011 and driveway crossing plan by Ames Associates dated July 12, 2011 as received by DES on July 26, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback. Additional wetlands impacts for any future access required on the remaining land lot ("Remaining Land 64.7 AC+/-") may be considered by DES.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Grafton 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.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Work shall be done during low flow.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. 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.

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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic faulty equipment shall be repaired immediately.

17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

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.

**2011-02454 NH FISH & GAME DEPT  
ALTON Unnamed Stream Lake Winnepesaukee**

Requested Action:

Request permit time extension.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE TIME EXTENSION:

Amend permit to read: Repair an existing boat launch and a major docking system consisting of a 3 ft. x 28 ft. dock, a 3 ft. x 58 ft. dock, a 6 ft. x 50 ft. dock, a 11 ft. 6 in. x 59 ft. 6 in. dock connected to a 16 ft. x 125 ft. 6 in wharf along the shore, all piling supported, and permanently remove an unpermitted 3 ft. 6 in. x 27 ft. 9 in. permanent dock on the northern property line on an average of 315 ft. of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated October 19, 2011, as received by the NH Department of Environmental Services (DES) on October 19, 2011 and plans by NH Fish & Game dated May 13, 2016 as received by DES on May 16, 2016.
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. No repair work may be conducted until the unpermitted dock to the north is completely and permanently removed from the frontage.
4. The repairs shall maintain the size, location and configuration of the pre-existing structures.
5. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. 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.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
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. 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.

2015-02532

MC &amp; G INC

TILTON Winnepesaukee River

## Requested Action:

Proposal to conduct "in-kind" repairs to concrete piles (parge or coating) stone foundation and replace/reset (by hand) any dislodged stones on the bank adjacent to pile repair area and paint metal brackets and braces.

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## Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.  
10-20-15- No potential to cause effects per DHR.

## APPROVE AMENDMENT:

Dredge and fill 1,115 sq. ft. to conduct "in-kind" repairs to concrete piles (parge or coating) stone foundation and replace/reset (by hand) any dislodged stones on the bank adjacent to pile repair area and paint metal brackets and braces.

## With Conditions:

1. All work shall be in accordance with revised plans by and narratives submitted by James Cropsey as received by the NH Department of Environmental Services (DES) on July 8, 2016.
2. Work shall be done during annual drawdown and in the dry only.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. 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. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

- 11. No excavation shall be done in flowing water.
- 12. No construction equipment shall be operated in flowing water or bed of the adjacent river.
- 13. Access shall be gained through the building only (as noted in narratives) and all work shall be conducted by hand.
- 14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
- 15. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
- 16. The permittee's contractor shall maintain appropriate fuel/fluid spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
- 17. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

With Findings:

DES reaffirms findings 1 through 10 with additional findings:

- 1. This is a minimum impact project per 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 Env-Wt 302.01.
- 3. The repairs are needed for support of the building.
- 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 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.
- 6. The project received permit for pile and associated repair work in 2000 (Wetlands Bureau File #2000-01292).
- 7. Repairs are for man-made structure under an existing building.
- 8. All work will be conducted in the dry by hand.
- 9. Any changes to the piers will be minimal for re-coating of the piles, in-kind repairs to the stone foundation and hand replacement of dislodged stones in the adjacent bank.
- 10. Due to the short length of the drawdown the work may be staged to be complete a section over each of the next 5 consecutive annual drawdowns.
- 11. On July 8, 2016 DES received a proposed amendment request to extend the area of "in-kind" repair to replace dislodged stones along the river bank to preserve downstream piers/piles and prevent future riverbank deterioration.
- 12. The applicant has revised the proposed plan to replace boulders that were dislodged along an additional 43 lin. ft. of the riverbank and retain boulders that have rolled down the hardened river embankment.
- 13. The Tilton Conservation Commission has reviewed the revised plan to replace "in-kind" boulders along the riverbank according to the revised plan for Wetland Permit 2015-02532 and supports the proposal to ammend the original application to include the additional work.

**2016-01492                      DURHAM, TOWN OF**  
**DURHAM Tributary To Oyster River**

Requested Action:

Proposal to restore habitat for aquatic bio-density along a total of 1,100 linear feet of a tributary to the Oyster River by cutting trees/wood into the tributary.

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APPROVE PERMIT:

Restore habitat for aquatic bio-density along a total of 1,100 linear feet of a tributary to the Oyster River by cutting trees/wood into the tributary.

With Conditions:

1. All work shall be in accordance with plans by David Vincent Land Surveying Services dated January 15, 2013 and narrative by Trout Unlimited dated May 10, 2016, as received by the NH Department of Environmental Services (DES) on May 26, 2016.
2. The contractor performing the work shall avoid cutting down cavity trees to minimize impacts to cavity nesting bird species or wildlife.
3. Work shall be done during low flow conditions.
4. Construction shall be inspected daily by a qualified biologist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
5. All in-stream work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be conducted so as to minimize the duration of construction in the watercourse.
6. Trees that are stabilizing slopes and banks shall be left intact and not cut.
7. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of completion of construction.
8. 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.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. 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.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
13. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. 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.
15. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposes to restore degraded aquatic resources that benefit native brook trout.
2. The USDA Natural Resources Conservation Service is providing financial support and NH Fish and Game Department is providing technical assistance, field work, and continued monitoring of the restoration site for this aquatic bio-density improvement project.
3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
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 NH Natural Heritage Bureau (NHB) has record of sensitive species within the project area. The applicant has submitted documentation of coordination with both NHB and NH Fish and Game Department. Based on the coordination and documentation, NHB and NH Fish and Game Department do not expect impacts to the sensitive species from the project.
7. The Oyster River Local Advisory Committee (ORLAC) reviewed the application. In a letter to DES dated June 20, 2016, ORLAC supports the goals of the proposal, the implementation procedures, and the monitoring of the outcomes.
8. The Durham Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11, believes the application and submitted plans accurately reflect the proposed project; and has no objection to permitting the proposed work.

**2016-01734                      FOGG FAMILY REVOCABLE TRUST**  
**DERRY   Beaver Lake**

Requested Action:

Replace two 10 foot long steps landward of full lake elevation, "in kind" with no changes in dimensions, within a 10 foot ROW, on Beaver Lake, Derry.

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APPROVE PERMIT:

Replace two 10 foot long steps landward of full lake elevation, "in kind" with no changes in dimensions, within a 10 foot ROW, on Beaver Lake, Derry.

With Conditions:

1. All work shall be in accordance with plans as received by DES on June 16, 2016.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
4. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. 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. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A . Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
12. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
13. Work shall be done during low flow and in the dry only.
14. The repairs shall maintain the size, location, and configuration of the pre-existing structures.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), repair or replacement of a non-docking structure.
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.

**2016-01889                      SCHNEIDER, MICHAEL**  
**ALTON BAY   Lake Winnepesaukee**

Requested Action:

Repair "in kind" an existing a 7 ft. 8 in x 47 ft. pier angled to the east, supported by a 7 ft. 8 in x 37 ft. crib with a 10 ft. gap at the shore with six pilings in two ice clusters on the west side of the pier and four tie-off pilings on the east side of the pier, with a

permanent boatlift with a 11 ft. x 22 ft. canopy, on 210 ft. of shoreline frontage, Lake Winnepesaukee, Alton.

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Conservation Commission/Staff Comments:

Con Com signed Exp application

APPROVE PERMIT:

Repair "in kind" an existing a 7 ft. 8 in x 47 ft. pier angled to the east, supported by a 7 ft. 8 in x 37 ft. crib with a 10 ft. gap at the shore with six pilings in two ice clusters on the west side of the pier and four tie-off pilings on the east side of the pier, with a permanent boatlift with a 11 ft. x 22 ft. canopy, on 210 ft. of shoreline frontage, Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revised through July 28, 2016, as received by DES on July 28, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. 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. Temporary controls shall be removed once the area has been stabilized.
8. 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 water at the work site has returned to normal clarity.
9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A . Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
12. Only existing rocks that have fallen from the structure(s) shall be used for the repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.
13. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
14. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
15. This permit does not allow dredging for any purpose.
16. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates

With Findings:

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

**AGRICULTURE MINIMUM**

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**2016-01706                      ROBIE, TERRY**  
**PIERMONT   Unnamed Stream**

Requested Action:

Dredge and fill 1,005 square feet within an intermittent stream (impacting 65 linear feet) to install a 30" x 40' long culvert that will allow farm machinery to access adjacent field.

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APPROVE PERMIT:

Dredge and fill 1,005 square feet within an intermittent stream (impacting 65 linear feet) to install a 30" x 40' long culvert that will allow farm machinery to access adjacent field.

With Conditions:

1. All work shall be in accordance with plans by USDA Natural Resources Conservation Service dated August 25, 2015, as received by the NH Department of Environmental Services (DES) on July 8, 2016.
2. Any change in use to a non-agricultural purpose will require further permitting by the department per rule Env-Wt 303.04(u)(2).
3. The applicant shall record the permit at the registry if deeds prior to construction.
4. Work shall be done during low flow and in the dry only.
5. 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. Temporary controls shall be removed once the area has been stabilized.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

With Findings:

1. This project is classified as a Minimum Impact Project per Administrative Rule Env-Wt 303.04(u), maintenance or improvement of existing crop or pasture land for continued agricultural use.
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.

**GOLD DREDGE**

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**2016-02113                      VEST, BRANDON**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con. Com.

**2016-02119                      LANDRY, RAYMOND**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath ComCon

**2016-02166                    JANELLE, THOMAS**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
BATH CONCOM

**TRAILS NOTIFICATION**

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**2016-01966                    NH DRED**  
**BERLIN Unnamed Wetland**

COMPLETE NOTIFICATION:  
Stone crossing in wet soils. Tax Map 407, Lot 10

**2016-01995                    USFS WHITE MOUNTAIN NATIONAL FOREST**  
**CHATHAM Unnamed Wetland**

Requested Action:  
Relocate portions of the Mountain Pond Trail and install new "bog bridges" and/or simple boardwalks to mitigate long-term resource damage from failing bridge and boardwalk structures.  
\*\*\*\*\*

COMPLETE NOTIFICATION:  
Relocate portions of the Mountain Pond Trail and install new "bog bridges" and/or simple boardwalks to mitigate long-term resource damage from failing bridge and boardwalk structures.

**ROADWAY MAINTENANCE NOTIF**

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**2016-02125                    NH DEPARTMENT OF TRANSPORTATION DISTRICT 4**  
**KEENE Unnamed Stream**

COMPLETE NOTIFICATION:  
Remove 110 ft. of sediment deposited during a 2012 flood event.

**2016-02127                    NH DEPT OF TRANSPORTATION**  
**AUBURN Unnamed Wetland**

COMPLETE NOTIFICATION:

Replace 15" x 100' long pipe with 15" x 96' long pipe.

**2016-02128**                    **NH DEPT OF TRANSPORTATION**  
**AUBURN**   **Unnamed Wetland**

COMPLETE NOTIFICATION:

Replace 36" x 50' pipe with 36" x 48' pipe.

**2016-02129**                    **NH DEPT OF TRANSPORTATION**  
**AUBURN**   **Unnamed Wetland**

COMPLETE NOTIFICATION:

Replace 15" x 48' pipe.

**2016-02130**                    **NH DEPT OF TRANSPORTATION**  
**NORTHUMBERLAND**   **Unnamed Wetland**

COMPLETE NOTIFICATION:

15" culvert replacement with 8' extension.  
300' ditch maintenance.

**PERMIT BY NOTIFICATION**

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**2016-02091**                    **SMITH, NANCY**  
**HOOKSETT**   **Merrimack River**

With Findings:

1. No existing beach; applicant is proposing to add sand below the OHW of the Merrimack River.
2. Permission must be granted from PSNH to install structures in this section of the river (upstream of the Amoskeag Dam) in order to meet FERC licensing requirements.
3. Installation of the seasonal dock and anchoring pad, as proposed, does not meet the Minimum Standards of the Shoreland Water Quality Protection Act with respect to Maintenance of the Waterfront Buffer.

**2016-02096**                    **STONE GATE ACRES ASSOCIATION, STEVE SHUSTERMAN**  
**HEBRON**   **Newfound Lake**

Requested Action:

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

\*\*\*\*\*

**PBN IS COMPLETE:**

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

**CSPA PERMIT**

\*\*\*\*\*

**2016-00433                      MANCUSI, NORMAN  
HAMPSTEAD    Island Pond**

**Requested Action:**

Impact 9,144 sq. ft. within the Protected Shoreland to construct a new garage, add onto the existing garage, add onto the existing dwelling and enlarge the gravel driveway.

\*\*\*\*\*

**DENY PERMIT:**

Impact 9,144 sq. ft. within the Protected Shoreland to construct a new garage, add onto the existing garage, add onto the existing dwelling and enlarge the gravel driveway.

**With Findings:**

Standards for Approval

1. Pursuant to RSA 483-B:3, Consistency Required, "State and local permits shall be issued only when consistent with the policies of this chapter."
2. Pursuant to RSA 483-B:5-b, Permit Required; Exemption, V, (a) where DES requests any additional information reasonably required to complete its evaluation of an application the applicant submit such information within 120 days of the request or DES shall deny the application.
3. Pursuant to RSA 483-B:9,(V)(b)(2)(A), Maintenance of a Natural Woodland Buffer, "Within the natural woodland buffer of a given lot the vegetation, except lawn, within at least 25% of an area outside the waterfront buffer shall be maintained in an unaltered state or improved with natural vegetation."
4. Pursuant to RSA 483-B:9,(V)(g)(3), Impervious Surfaces, "If the impervious surface area will exceed 30 percent and the tree, sapling, shrub, and groundcover in the waterfront buffer does not meet the point score requirement of RSA 483-B:9, V(a)(2)(D) in any segment, then such segment shall be planted, as determined by rule of the department, with trees, saplings, shrubs, or groundcover in sufficient quantity, type, and location either to meet the minimum score or to provide at least an equivalent level of protection as provided by the minimum score and shall be maintained in accordance with RSA 483-B:9, V(a)."
5. In accordance with Rule Env-Wq 1406.09, Plans to be Submitted with All Shoreland Permit Applications, (g), plans submitted with applications shall include the dimensions and locations of all existing and proposed structures, impervious areas, disturbed areas, areas to remain in an unaltered state, and all other relevant features necessary to clearly define both existing conditions and the proposed project.
6. In accordance with Rule Env-Wq 1406.09, Plans to be Submitted with All Shoreland Permit Applications, (l), plans submitted with applications shall include any planting(s) proposed in the waterfront buffer, showing the proposed location(s) and Latin names or common names of proposed species.

**Findings of Fact**

1. The Applicant is the owner of a lot located within the protected shoreland of Island Pond, more specifically identified as lot 66 on Hampstead tax map 3.
2. On February 22, 2016 the Department of Environmental Services (DES) received an application to impact 9,144 sq. ft. in order to construct a new garage, add onto the existing garage, add onto the existing dwelling and enlarge the existing gravel driveway.

3. On March 16, 2016 DES issued a More Information Request Letter Agent for the Applicant requesting items which were missing from the submittal package and plans.4. The Letter requested that a delineation of the area within the natural woodland buffer in which vegetation would remain in an "unaltered state" be shown on the plans as required by Rule Env-Wq 1406.09.
5. The Letter requested plans for the implementation of a stormwater management system designed and certified by a professional engineer demonstrating that the post-development volume and peak flow rate based on the 10-year, 24-hour storm event, shall not exceed the pre-development condition.
6. The Letter requested plans showing the locations and species type of proposed native plantings in sufficient quantity, type and location either to meet the minimum score for each shoreline grid segment or provide at least an equivalent level of protection as offered by the minimum score in accordance with RSA 483-B:9, V(g)(3).
7. Proposed methods of erosion and siltation controls indicated graphically and labeled, or otherwise annotated as needed for clarity as required by Env-Wq 1406.098.
9. The Department received a response to the More Information Request on July 15, 2016. The plans submitted in response to the More Information Request failed to address all of the items.
10. The revised plan submitted did not include evidence that the existing tree and sapling point score for each segment in the waterfront currently meets the minimum requirement, nor did the applicant submit a planting plan that would ensure that each segment will meet the minimum point requirement as needed to comply with 483-B:9, V(g)(3).
11. The placement of erosion controls as shown on the revised plan would not appear to be appropriate to prevent stormwater from leaving the project area and entering the waterbody.
12. The revised plans submitted to the application show proposed grade lines but fail to show the limits of temporary disturbance being proposed as part of this project.

Rulings in Support of the Decision

1. The Applicant failed to provide the information request by DES in its Request for More Information Letter dated March 16, 2016. Therefore the application is denied in accordance with RSA 483-B:5-b, V, (a).
2. The failure to provide plans that show the limits of the areas to be impact by this project precludes the ability of DES to affirm that this project will meet or exceed the requirements of RSA 483-B. therefore RSA 483-B:3, Consistency Required, prohibits the approval of this application.
3. The Applicant has failed to provide information required by Rule Env-Wq 1406.09(1) to demonstrate that the project is consistent with the requirements for construction on lots resulting in greater than 30% impervious surface coverage as set down in RSA 483-B:9, V(g)(3). Therefore, pursuant to RSA 483-B:3, Consistency Required, the application for permit is denied.

**2016-00609                      605 STAGEVIEW LLC**  
**SANBORNTON   Hermit Lake**

Requested Action:

Impact 9,565 sq. ft. of protected shoreland in order to remove existing structure and rebuild a new structure in the same location and footprint with additional sq. ft. on the road side of structure. Project includes a new septic system, stormwater water treatment, and planting of vegetation.

\*\*\*\*\*

APPROVE PERMIT:

Impact 9,565 sq. ft. of protected shoreland in order to remove existing structure and rebuild a new structure in the same location and footprint with additional sq. ft. on the road side of structure. Project includes a new septic system, stormwater water treatment, and planting of vegetation.

With Conditions:

1. All work shall be in accordance with revised plans by Granite State Septic Design dated July 9, 2016 and received by the NH Department of Environmental Services (DES) on March 10, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
4. No more than 6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 11,031 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation 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.
8. 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.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. 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.

**2016-01571                      ZONAS, DENNIS**  
**GILMANTON Shellcamp Pond**

Requested Action:

Impact 2,500 sq. ft. within the Protected Shoreland to construct a new 1,203 sq. ft. residence and install a septic system on a vacant lot.

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APPROVE PERMIT:

Impact 2,500 sq. ft. within the Protected Shoreland to construct a new 1,203 sq. ft. residence and install a septic system on a vacant lot.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc. dated July 2014, as amended by the property owner on July 15, 2016, and received by the NH Department of Environmental Services (DES) on July 29, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the Waterfront Buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V(a)(2)(D)(iv).
4. No impacts to natural ground cover or native vegetation shall occur within the Waterfront Buffer.
5. Native vegetation within an area of at least 450 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V(b)(2).
6. No more than 15% of the area of the lot within the Protected Shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. 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.
8. 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.
9. Orange construction fencing shall be placed at the limits of the temporary impact areas as shown on the approved plan in order to prevent accidental encroachment into areas in which impacts have not been approved.

- 10. 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).
- 11. Any fill used shall be clean sand, gravel, rock or other suitable material.
- 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.
- 15. 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.
- 12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
- 13. 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.

**2016-01867                      BT-NEWYO LLC**  
**NASHUA    Nashua Canal**

Requested Action:

Impact 9,962 of protected shoreland in order to add fill on areas to be excavated during the expansion of the existing UPS facility.  
\*\*\*\*\*

APPROVE PERMIT:

Impact 9,962 of protected shoreland in order to add fill on areas to be excavated during the expansion of the existing UPS facility.

With Conditions:

- 1. All work shall be in accordance with plans by Pinkham & Greer Civil Engineers dated June 16, 2016 and received by the NH Department of Environmental Services (DES) on June 29, 2016.
- 2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
- 3. At least 5,456 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
- 4. 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 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.
- 6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
- 7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 9. 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).
- 10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2016-01874                      DENARDO, JUDY**  
**WINDHAM    Cobbett's Pond**

Requested Action:

Impact 7,500 sq. ft. of protected shorelands to raze the existing residence and construct a new residence, shed, and subsurface disposal system.

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APPROVE PERMIT:

Impact 7,500 sq. ft. of protected shorelands to raze the existing residence and construct a new residence, shed, and subsurface disposal system.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering Inc. dated April 20, 2016, as received by the NH Department of Environmental Services (DES) on June 30, 2016.
2. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. No more than 29% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
6. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
7. 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. Temporary controls shall be removed once the area has been stabilized.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit does not authorize or approve of any impact that might occur in areas subject to RSA 482-A, including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and N.H. Code Admin. Rules Env-Wt 100 - 900 and obtaining any permit that may be required by RSA 482-A prior to construction, excavation, or fill in any area that is subject to RSA 482-A jurisdiction.

**2016-01875                      SOARING GOOSE LLC**  
**BRADFORD   Warner River**

Requested Action:

Impact 2,260 sq. ft. of protected shoreland in order to an existing retaining wall and replace existing impervious storage area with additional building space.

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APPROVE PERMIT:

Impact 2,260 sq. ft. of protected shoreland in order to an existing retaining wall and replace existing impervious storage area with additional building space.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated April 2016 and received by the NH Department of Environmental Services (DES) on June 30, 2016.
2. No more than 15.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 36,662 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in

order to comply with RSA 483-B:9, V, (b), (2).

4. 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 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.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2016-01877

WITHROW, LEANNE

PELHAM Little Island Pond

Requested Action:

Impact 1,600 sq. ft. of protected shorelands to raze an existing non-conforming residence and construct a new residence further from the waterbody, with a driveway, and subsurface disposal system.

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APPROVE PERMIT:

Impact 1,600 sq. ft. of protected shorelands to raze an existing non-conforming residence and construct a new residence further from the waterbody, with a driveway, and subsurface disposal system.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering Inc. dated May 12, 2016, as received by the NH Department of Environmental Services (DES) on June 30, 2016.
2. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. No more than 28% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
6. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
7. 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. Temporary controls shall be removed once the area has been stabilized.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit does not authorize or approve of any impact that might occur in areas subject to RSA 482-A, including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and N.H. Code Admin. Rules Env-Wt 100 - 900 and obtaining any permit that may be required by RSA 482-A prior to construction, excavation, or fill in any area that is subject to RSA 482-A jurisdiction.

**2016-01884 ALTON, TOWN OF  
ALTON Lake Winnepesaukee**

Requested Action:

Impact approximately 12,431 sq. ft. of protected shoreland in order to realign Winni Ave., install 38 parking spaces, associated sidewalk and maintenance access to existing leach beds within Alton Town Park, west of Route 11.

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APPROVE PERMIT:

Impact approximately 12,431 sq. ft. of protected shoreland in order to realign Winni Ave., install 38 parking spaces, associated sidewalk and maintenance access to existing leach beds within Alton Town Park, west of Route 11.

With Conditions:

1. All work shall be in accordance with plans by Paul Zuzgo LLS and DOT, received by the NH Department of Environmental Services (DES) on July 1, 2016.
2. No more than 21.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation 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.
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. 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.

**2016-01887 CARLETON, STEPHEN  
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Impact 20,507 sq. ft. of protected shoreland in order to replace the existing home with a new home further from the reference line, revise the driveway, and construct a new septic system.

\*\*\*\*\*

APPROVE PERMIT:

Impact 20,507 sq. ft. of protected shoreland in order to replace the existing home with a new home further from the reference line, revise the driveway, and construct a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated May 31, 2016 and received by the NH Department of Environmental Services (DES) on July 1, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
4. No more than 15.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 7,525 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

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

**2016-01900                      CORBETT JR TRUST, EUGENE**  
**FREEDOM   Ossipee River**

**Requested Action:**

Impact 5,249 sq. ft. of protected shoreland in order to construct a carriage house and septic system.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 5,249 sq. ft. of protected shoreland in order to construct a carriage house and septic system.

**With Conditions:**

1. All work shall be in accordance with plans by White Mountain Survey & Engineering, Inc dated July 1, 2016 and received by the NH Department of Environmental Services (DES) on July 5, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
4. No more than 24% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 4,121 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation 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.
8. 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.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

