Wetlands Bureau Decision Report

Decisions Taken
02/10/2014 to 02/16/2014

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

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

APPEAL:
I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:
   1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
   2) provide new evidence or information to support the requested action;
   3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
   4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:
   1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
   2) contain a detailed description of the land involved in the department's decision; and
   3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.
MAJOR IMPACT PROJECT

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2013-03167   SCHULTZ, ANNA
MEREDITH   Lake Winnipesaukee

Requested Action:
Install an additional 240 linear ft. of 6 ft. wide seasonal pier extending from an existing 4 ft. x 100 ft. seasonal pier through emergent wetlands to provide two boat slips on an average of 480 ft of frontage on Lake Winnipesaukee, in Meredith.

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Conservation Commission/Staff Comments:
No comments from local Con Com by Feb 11, 2014.

DENY PERMIT:
Install an additional 240 linear ft. of 6 ft. wide seasonal pier extending from an existing 4 ft. x 100 ft. seasonal pier through emergent wetlands to provide two boat slips on an average of 480 ft of frontage on Lake Winnipesaukee, in Meredith.

With Findings:
Standards for Approval

1. In accordance with RSA 482-A:1 Finding of Public Purpose, it is found to be for the public good and welfare of this state to protect and preserve its submerged lands under tidal and fresh waters and its wetlands, (both salt water and fresh-water), as herein defined, from despoliation and unregulated alteration, because such despoliation or unregulated alteration will adversely affect the value of such areas as sources of nutrients for finfish, crustacea, shellfish and wildlife of significant value, will damage or destroy habitats and reproduction areas for plants, fish and wildlife of importance, will eliminate, depreciate or obstruct the commerce, recreation and aesthetic enjoyment of the public, will be detrimental to adequate groundwater levels, will adversely affect stream channels and their ability to handle the runoff of waters, will disturb and reduce the natural ability of wetlands to absorb flood waters and silt, thus increasing general flood damage and the silting of open water channels, and will otherwise adversely affect the interests of the general public.

2. In accordance with Rule Env-Wt 302.01, (b), Statement of Purpose, the department shall place emphasis on preserving bogs and marshes with priority top be given based on the rarity of those environments and the difficulty in restoration of value and function for those environments.

3. In accordance with Rule Env-Wt 401.01, (b), Purpose, the purpose of Chapter Env-Wt 400 is to protect the public trust and other interests of the state of New Hampshire by among other thing avoiding impacts that would be deleterious to fish and wildlife habitat.

4. In accordance with Rule Env-Wt 302.03, Avoidance, Minimization, and Mitigation, all projects with permanent impacts to a state or federally listed endangered or threatened species or to its habitat or reproduction areas that will remain after avoidance and minimization measures have been addressed shall include a compensatory mitigation proposal in accordance with Env-Wt 800.

5. In accordance with Rule Env-Wt 302.04, Requirements for Application Evaluation, (a), (5) for any major project the applicant shall demonstrate by plan and example that the rarity of the wetland resource to be impacted has been considered in the project's design in assessing the impact of the proposed project to areas and environments under the department's jurisdiction.

6. In accordance with Rule Env-Wt 302.04, Requirements for Application Evaluation, (a), (7), for any major project, the applicant shall demonstrate by plan and example that the impact on plants, fish and wildlife including, but not limited to rare, special concern species, state and federally listed threatened and endangered species, species at the extremities of their ranges, and migratory fish and wildlife have been considered in the project's design in assessing the impact of the proposed project to areas and environments under the department's jurisdiction.

7. In accordance with Rule Env-Wt 302.04, Requirements for Application Evaluation, (a), (16), for any major project, the applicant shall demonstrate the cumulative impact that would result if all parties owning or abutting a portion of the affected wetland or wetland complex were also permitted alterations to the wetland proportional to the extent of their property rights.

8. In accordance with RSA 482-A:11, Administrative Provisions, II, decisions of the department or council under this chapter shall be consistent with the purposes of this chapter as set forth in RSA 482-A:1.

9. In accordance with RSA 482-A:11, Administrative Provisions, II, no permit to dredge or fill shall be granted if it shall infringe on
the property rights or unreasonably affect the value or enjoyment of property of abutting owners.

10. In accordance with RSA 482-A:3, Excavating and Dredging Permit; Certain Exemptions, XIII, (a), in non-tidal waters, all boat docking facilities shall be at least 20 feet from abutting property lines.

11. In accordance with RSA 482-A:3, XIII, (c), notwithstanding the provisions of subparagraph (a), in non-tidal waters, boat docking facilities may be located closer than 20 feet from an abutter's property line, if the owner of the boat docking facility obtains the written consent of the abutting property owner. Such consent shall be signed by all parties, notarized and filed with the dock application with the department of environmental services.

12. In accordance with RSA 482-A:3, Excavating and Dredging Permit; Certain Exemptions, XIII, (b), in non-tidal waters, any boat secured to a dock shall not extend beyond the extension of the abutter's property line.

13. In accordance with Rule Env-Wt 302.04, Requirements for Application Evaluation, (e), (2), the department shall not grant a permit if the requirements of Env-Wt 302.03 are not met or the applicant has failed to document consideration of factors as required in Rule Env-Wt 302.04 (a).

Findings of Fact

1. On December 24, 2013, the Wetlands Bureau received a Wetlands Permit Application requesting a permit to install an additional 240 linear ft. of 6 ft. wide seasonal pier extending from an existing 4 ft. x 100 ft. seasonal pier to provide two boat slips on through emergent wetlands adjacent to Lake Winnipesaukee, in Meredith.

2. The proposed project is classified as a major impact project pursuant to Env-Wt 303.02 (k) because the project impacts an area that has documented occurrences of state or federally listed Endangered or Threatened species.

3. File 2005-1992 contains documentation that the previous owner of the property dismantled a beaver dam that had crossed the frontage and removed wetland vegetation in an attempt to gain access to Lake Winnipesaukee.

4. The proposed dock addition will encroach approximately 200 feet beyond the imaginary extension of the property lines of both abutting properties.

5. The application did not include signed notarized letters from the affected abutters waiving the setback for the proposed docking system to the property lines as is required by RSA 482-A:3.XIII. (c). 6. The proposed location of the dock is in an area that was at one time designated as prime wetlands the Town of Meredith.

7. In answering question 7 of the application, the Applicant identifies the area of the proposed dock location as a "sensitive marsh location".

8. The New Hampshire Natural Heritage Bureau review conducted by the applicant indicated the location of the proposed dock would impact a State of New Hampshire threatened species, the Common Loon. This response stated that the Applicant should "Contact the NH Fish and Game Dept."

9. There is no information in the file indicating the Applicant contacted the NH Fish and Game Department prior to submitting the application as requested in the Natural Heritage Bureau response.

10. In a letter from the New Hampshire Loon Preservation Committee dated February 6, 2014, indicates the location of the breeding loons in this location has "annual breeding success 25% higher than the statewide average over the last decade."

11. A letter from the New Hampshire Loon Preservation Committee dated February 6, 2014, indicates the proposed dock will pass within a few meters of the location of Loon nesting sites utilized in 2012 and 2013. The Loon Preservation Committee letter states the proposed docking structure "would substantially increase the risk of nest failure at the known loon sites in the marsh, making it less likely the marsh will remain viable nesting habitat for loons."

12. The New Hampshire Fish and Game Department submitted comments to the file indicating concurrence with the New Hampshire Loon Preservation Committee findings. NH Fish and Game recommended that "the permit be denied as it posed an unreasonable risk to one of the most historically successful nesting territories on the lake."

13. The Applicant did not contact the Department of Environmental Services to discuss possible mitigation for impacts to the nearby loon nest prior to submitting the application. No mitigation proposal to off-set the requested impacts was submitted with the application.

Rulings in Support of Denial

1. The Applicant did not contact the Department to discuss mitigation or for the proposed docking structure which will impact nesting Common Loon nests in accordance with Rule Env-Wt 302.02(b), therefore pursuant to RSA 482-A:3, the application is denied.
2. The proposed docking structure will have a direct adverse impact on adjacent common loon nesting sites, therefore in accordance with RSA 482-A:1 and RSA 482-A:3,XIV, the application is denied.

3. The Applicant did not submit the required information pursuant to Env-Wt 302.04(a), (5), (7), and (16), therefore the application is denied pursuant to Rule Env-Wt 302.04, Requirements for Application Evaluation, (e), (2).

4. The Applicant has failed to submit signed notarized letters from the affected abutters agreeing to allow the piers to encroach upon the imaginary extension of the property lines, therefore the pier is prohibited by RSA 482-A:3, Excavating and Dredging Permit; Certain Exemptions, (XIII, (a) and (c).

5. The proposed docking structure will infringe on the rights of the abutters by crossing the imaginary extension of the property lines, therefore pursuant to RSA 482-A:11, the application is denied.

MINOR IMPACT PROJECT
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2013-02424 MANN, TIMOTHY
ALTON Lake Winnipesaukee

Requested Action:
Permanently remove a 4 ft. x 40 ft. seasonal pier, construct a 6 ft. x 45 ft. piling pier, drive two 3-piling ice clusters, drive two pilings to support a permanent boatlift, dredge 18 cu. yd. from 308 sq. ft. of lakebed and impact 2,609 sq. ft. along 59 linear ft. of shoreline to construct an 898 sq. ft. two slip dug-in boathouse on an average of 608 ft. of frontage along Lake Winnipesaukee.

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Conservation Commission/Staff Comments:
9/17/13 Con. Com. has no objections.

APPROVE PERMIT:
Permanently remove a 4 ft. x 40 ft. seasonal pier, construct a 6 ft. x 45 ft. piling pier, drive two 3-piling ice clusters, drive two pilings to support a permanent boatlift, dredge 18 cu. yd. from 308 sq. ft. of lakebed and impact 2,609 sq. ft. along 59 linear ft. of shoreline to construct an 898 sq. ft. two slip dug-in boathouse on an average of 608 ft. of frontage along Lake Winnipesaukee.

With Conditions:
1. All work related to the boathouse construction shall be completed in accordance with plans by Watermark Marine Construction dated August 30, 2013, as received by the NH Department of Environmental Services (DES) on September 6, 2013.
2. All work related to the removal of the seasonal pier shall be completed in accordance with plans by Watermark Marine Construction as revised December 4, 2013 and received by the NH Department of Environmental Services (DES) on December 10, 2013.
3. 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 prior to construction.
4. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. 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.
6. The boathouse shall be a single-story structure; ridgeline not to exceed 15 ft in height (Elev. 519.32) above normal high water (Elev. 504.32).
7. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
8. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
9. 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.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.  
12. The owner understands and accepts the risk that if there is deposition of sediment within the dug-in basin, to such an extent that a slip depth of 3 ft. as measured at normal high water cannot be maintained for at least 6 years, or the accumulation of sediment in the dug-in basin is shown to have an adverse impact on abutting frontages, the dug-in boathouse shall be subject to removal and the shoreline shall be restored to preconstruction conditions.
13. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
14. Cofferdams shall not be installed during periods of high water, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed in accordance with this approval.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), Dredge of not more than 20 cu. yd. of material 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 applicant has an average of 608 feet of shoreline frontage along Lake Winnipesaukee.
6. A maximum of 9 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. A professional engineer has submitted a report to the file which states that, after analysis of sand and gravel deposition and wave activity patterns, he has found that the proposed boathouse should not have a negative impact on littoral sediment transport or shoreline stability.

2013-02533 HANOVER, TOWN OF
HANOVER  Unnamed Wetland

Requested Action:
Dredge and fill 150 square feet of a perennial stream for the replacement of two stream crossings. Work in jurisdiction includes replacing two deteriorated 60" culverts with plastic HDPE 60" culverts.

APPROVE PERMIT:
Dredge and fill 150 square feet of a perennial stream for the replacement of two stream crossings. Work in jurisdiction includes replacing two deteriorated 60" culverts with plastic HDPE 60" culverts.

With Conditions:
1. All work shall be in accordance with plans by Donald Ware, as received by the NH Department of Environmental Services (DES) on January 27, 2014.
2. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
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 the water at the work site has returned to normal clarity.
4. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
5. No equipment shall enter the water.
6. Work shall be done during low flow.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with haybales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.
9. The culverts shall be laid at original (stream) grade.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. 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.
13. All refueling of equipment shall occur outside of surface waters or wetlands.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:
1. This is a minor project per Administrative Rule Env-Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has demonstrated that the existing culverts are deteriorated and need to be replaced.
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 submitted plans stamped by a NH Licensed Professional Engineer.
7. The existing crossing do not have a history of causing or contributing to flooding that damages the crossing or other infrastructure.
8. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
9. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

2013-02610  PILLOW, JAMES  
TUFTONBORO  Lake Winnipesaukee
Requested Action:
Correct permit to reflect the correct dock length.

Conservation Commission/Staff Comments:
9/30/13 Con. Com. has no objections. They did note a correction concerning the lot # so it was changed in the database.

APPROVE AMENDMENT:
Correct permit to read: Permanently remove a 4 ft. x 48 ft. seasonal pier, construct a 6 ft. x 38 ft. crib pier connected to a 6 ft. x 30 ft. crib pier by a 6 ft. x 12 ft. walkway, install 3 seasonal boatlifts in the slips provided, and install two seasonal PWC lifts along the shoreline on an average of 275 feet of shoreline frontage on Whortleberry Island, Lake Winnipesaukee, in Tuftonboro.

With Conditions:
1. All work shall be in accordance with plans by Watermark Marine Construction dated August 23, 2013, as received by the NH Department of Environmental Services (DES) on September 23, 2013.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. All portions of the pre-existing pier shall be permanently removed from the frontage prior to the construction or installation of any new structure.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration of the approved structures.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. This permit does not allow for maintenance dredging.
8. The dock shall not extend more than 38 ft lakeward at full lake elevation of 504.32.
9. The maximum size of cribs shall not exceed 6 feet long by 6 feet wide and of such height as necessary to support the docking structure above the water level.
10. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
11. The minimum clear spacing between cribs shall be 12 feet.
12. All seasonal watercraft lifts shall be removed from the lake for the non-boating season.
13. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a permanent docking system that that provides fewer than 5 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(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 275 feet of shoreline frontage along Lake Winnipesaukee.
6. A maximum of 4 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.
8. The applicant submitted information supporting the request for crib supported docking structure.
Requested Action:
Replace the existing, structurally deficient Teague Drive Bridge over the Spicket River with twin cell precast concrete box culverts with 16 foot openings for a total flow-through opening of 32 feet.

Conservation Commission/Staff Comments:
NHDOT Bridge # 095/175
12/6/13 Con. Com. voted to approve application and plans.

APPROVE PERMIT:
Replace the existing, structurally deficient Teague Drive Bridge over the Spicket River with twin cell precast concrete box culverts with 16 foot openings for a total flow-through opening of 32 feet.

With Conditions:
1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. dated November 2013, as received by the NH Department of Environmental Services (DES) on November 25, 2013.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. DES Wetlands Bureau Southeast Region staff and the Salem Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.
8. Unconfined work within the Spicket River, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Temporary cofferdams shall be entirely removed immediately following construction.
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 minor impact project per Administrative Rule Env-Wt 303.03(c)&(l).
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 Request for Alternative Design per Env-Wt 904.09 is approved with the finding that the proposed twin cell precast concrete box culverts each with 16 foot openings for a total flow-through opening of 32 feet is greater than required for hydraulic considerations and removes the constriction in the river caused the existing structurally deficient corrugated metal pipe arches having a total flow-through opening of 18 feet 8 inches. The new bridge will widen the waterway opening to nearly the average width of the
river upstream and downstream of the existing undersized culverts.

MINIMUM IMPACT PROJECT
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2013-03278  LACONIA AREA COMMUNITY LAND TRUST
LACONIA  Winnipesaukee River

Requested Action:
Perform 200 sq. ft. of work on the shoreline of the Winnipesaukee River to repair an existing stone retaining wall and install 3 culvert outfalls to discharge storm water as part of the redevelopment of an existing commercial/industrial site to a multi-family residential property with associated infrastructure.

Conservation Commission/Staff Comments:
No comment received from the Laconia Conservation Commission

APPROVE PERMIT:
Perform 200 sq. ft. of work on the shoreline of the Winnipesaukee River to repair an existing stone retaining wall and install 3 culvert outfalls to discharge storm water as part of the redevelopment of an existing commercial/industrial site to a multi-family residential property with associated infrastructure.

With Conditions:
1. All work shall be in accordance with plans by Northpoint Engineering, LLC dated May 2013, as received by the NH Department of Environmental Services (DES) on December 09, 2013.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
4. This permit is contingent on the approval and conditions of the NPDES permit.
5. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
6. Repair to the stone & mortar retaining wall shall maintain existing size, location and configuration.
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. Work shall be done during low flow.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or performing work adjacent to surface water.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. 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.
12. All refueling of equipment shall occur well away from surface waters.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), in-kind repair of existing retaining walls.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application
Evaluation, has been considered in the design of the project.

2013-03369  BAKER LIVING TRUST
ATKINSON  Island Pond

Requested Action:
Repair "in kind" approximately 118 linear feet of stone retaining wall and repair existing retaining wall supporting the existing boathouse, in the dry during draw down, with no change in dimensions or configuration, on Island Pond, Atkinson.

APPROVE PERMIT:
Repair "in kind" approximately 118 linear feet of stone retaining wall and repair existing retaining wall supporting the existing boathouse, in the dry during draw down, with no change in dimensions or configuration, on Island Pond, Atkinson.

With Conditions:
1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on February 10, 2014.
2. Repair shall maintain existing size, location and configuration.
3. Work shall be done during drawdown.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. 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.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

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

FORESTRY NOTIFICATION

2014-00357  CINO, RYAN
DUMMER  Unnamed Stream

COMPLETE NOTIFICATION:
Dummer, Tax Map #R21, Lot #77

2014-00358  WHITHAM, WALDEN
RICHMOND  Unnamed Stream

COMPLETE NOTIFICATION:
Richmond, Tax Map #412, Lot #017
2014-00373  BUREN, DAVID
PETERBOROUGH  Unnamed Stream

COMPLETE NOTIFICATION:
Peterbrough, Tax Map # R011, Lot # 010

2014-00390  YANKEE FOREST LLC
CAMBRIDGE  Unnamed Stream

COMPLETE NOTIFICATION:
Cambridge, Tax Map #1613, Lot #L-3

2014-00392  BAYROOT LLC
DIX GRANT  Unnamed Stream

COMPLETE NOTIFICATION:
Dix Grant, Tax Map #1626, Lot #32

2014-00393  FELTON FAMILY PROPERTY TRUST
CARROLL  Unnamed Stream

COMPLETE NOTIFICATION:
Carroll, Tax Map #407, Lot #54

2014-00395  LARY FAMILY TRUST
CANAAN  Unnamed Stream

COMPLETE NOTIFICATION:
Canaan, Tax Map #13, Lot #2

2014-00415  AMES, VICTORIA
SWANZEY  Unnamed Wetland

COMPLETE NOTIFICATION:
Swanzey, Tax Map# 31, Lot#s 20, 21, 22

2014-00429  BLUE MOUNTAIN FOREST
CROYDON  Beaver Brook

COMPLETE NOTIFICATION:
Croydon, Tax Map# 10, Lot# 1
EXPEDITED MINIMUM

2013-03164  NEWTON, JEFFERY/MYRA
MOULTONBOROUGH  Lake Winnipesaukee

Requested Action:
Construct a 275 sq. ft. perched beach in a area of an existing sloped beach with less than 3 cubic yards of sand, stabilize the adjacent shoreline to the north with 8 linear feet of rip rap located landward of the reference line and stabilize the adjacent shoreline to the south with 20 linear feet of rip rap located landward of the reference line, on Lake Winnipesaukee, Moultonborough.

Conservation Commission/Staff Comments:
11/22/13 Con. Com. has made recommendations. See information in the file.
11/22/13 No Historic properties affected.

APPROVE PERMIT:
Construct a 275 sq. ft. perched beach in a area of an existing sloped beach with less than 3 cubic yards of sand, stabilize the adjacent shoreline to the north with 8 linear feet of rip rap located landward of the reference line and stabilize the adjacent shoreline to the south with 20 linear feet of rip rap located landward of the reference line, on Lake Winnipesaukee, Moultonborough.

With Conditions:
1. All work shall be in accordance with plans by Ames Associates revision dated January 123, 2014, as received by the NH Department of Environmental Services (DES) on January 28, 2014.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Work shall be conducted in a manner that avoids discharges of sediments to fish spawning areas.
5. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
6. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
8. The steps installed for access to the water shall be located completely landward of the normal high water line.
9. No more than 3 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
13. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for
obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach.

GOLD DREDGE

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2014-00388  RUTKOWSKI III, WILLIAM
             (ALL TOWNS) Unnamed Stream

            Conservation Commission/Staff Comments:
            cc Bath Con Com

2014-00404  NEWLAND, WINSTON
             (ALL TOWNS) Unnamed Stream

            Conservation Commission/Staff Comments:
            cc Bath Con Com

2014-00412  LANE, PAUL
             (ALL TOWNS) Unnamed Stream

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

2014-00413  MCKINNON, BRETT
             (ALL TOWNS) Unnamed Stream

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

2014-00414  MCKINNON, ERIC
             (ALL TOWNS) Unnamed Stream

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

2014-00433  SPAULDING, JAMES
             (ALL TOWNS) Unnamed Stream

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

**2014-00435**  
**TARLING, MICHAEL**  
(ALL TOWNS) Unnamed Stream

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

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**TRAILS NOTIFICATION**

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**2014-00295**  
**NH DRED**  
**BERLIN** Unnamed Stream

COMPLETE NOTIFICATION:  
Trails, Berlin, Tax Map #407, Lot #10

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**LAKES-SEASONAL DOCK NOTIF**

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**2014-00371**  
**BELAIR, RICHARD**  
**TILTON** Winnisquam Lake

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

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**2014-00419**  
**NEHILEY, THOMAS**  
**MOULTONBOROUGH** Kanasatka Lake

Requested Action:  
Installation of a seasonal docking structure.  
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COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure.
PERMIT BY NOTIFICATION

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2014-00093  EICHOLTZ, RONALD/CHERYL
         GILFORD  Lake Winnipesaukee

Requested Action:
Repair "in kind" an existing boathouse and retaining wall on Lake Winnipesaukee in accordance with plans dated January 29, 2014.

Conservation Commission/Staff Comments:
Con Com signed PBN form

PBN IS COMPLETE:
Repair "in kind" an existing boathouse and retaining wall on Lake Winnipesaukee in accordance with plans dated January 29, 2014.

2014-00411  OBIEN, JOSEPH & JOAN
         WOLFEboro  Lake Winnipesaukee

Requested Action:
Repair existing 8 ft. x 35 ft. crib supported dock, repair deck along the shoreline, repair existing retaining wall "in the dry", on Lake Winnipesaukee, in accordance with plans dated January 30, 2014.

Conservation Commission/Staff Comments:
Con Com signed PBN form

PBN IS COMPLETE:
Repair existing 8 ft. x 35 ft. crib supported dock, repair deck along the shoreline, repair existing retaining wall "in the dry", on Lake Winnipesaukee, in accordance with plans dated January 30, 2014.

CSPA PERMIT

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2013-02245  HARBOR RIVERWALK TWO LLC
         MANCHESTER  Merrimack River

Requested Action:
Amendment Description: Add additional sq ft to the driveway in order to meet requirements for emergency vehicles. Impervious area will increase 1 percent.

APPROVE AMENDMENT:
Revised plans dated December 6, 2013 to increase the pavement at the request of the City Fire Department to facilitate emergency access to each building.
Impact 73,400 sq ft in order to construct 150 apartment units in three buildings.
With Conditions:
1. All work shall be in accordance with revised plans by TF Moran Inc. dated December 6, 2013 and received by the NH Department of Environmental Services (DES) on August 20, 2013.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. No more than 62% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
6. 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.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 12, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.
14. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2013-03317
WEBSBERY PILSBURY LAUFFER, DIANNE/RUSSELL
PILSBURY LAUFFER, DIANNE/RUSSELL

Requested Action:
Retain 672 sq. ft. detached 2-car garage.

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APPROVE AFTER THE FACT:
Retain 672 sq. ft. detached 2-car garage.

With Conditions:
1. Any further alteration of areas on this property that are within the jurisdiction of DES will require a new application and further permitting by the Bureau.
2. All work shall be maintained in accordance with plans by the applicant, received by the NH Department of Environmental Services (DES) on February 6, 2014.
3. No more than 13.13% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 3,790 sq. ft. of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
2014-00165  FATHERLAND FAMILY TRUST
RUMNEY  Stinson Lake

Requested Action:
Impact 9,320 sq. ft. to construct a new residence, septic system, gazebo, and path to waterfront.

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APPROVE PERMIT:
Impact 9,320 sq. ft. to construct a new residence, septic system, gazebo, and path to waterfront.

With Conditions:
1. All work shall be in accordance with plans by Ames Associates dated December 2, 2013 and received by the NH Department of Environmental Services (DES) on January 17, 2014.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 7.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 6,670 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2014-00195  CONSOLI, DAVID
WAKEFIELD  Belleau Lake

Requested Action:
Impact a total of 8,990 sq. ft. to construct a new house, driveway, parking, septic system, and well on a previously undeveloped lot.

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APPROVE PERMIT:
Impact a total of 8,990 sq. ft. to construct a new house, driveway, parking, septic system, and well on a previously undeveloped lot.

With Conditions:
1. All work shall be in accordance with plans by Land Technical Service Corp. dated January 18, 2014 and received by the NH Department of Environmental Services (DES) on January 22, 2014.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 3,010 sq. ft. of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2014-00200  CIANCI, ROBERTA/WILLIAM
NOTTINGHAM  Pawtuckaway Lake

Requested Action:
Impact 8,280 sq. ft. to construct a house with septic system and well, on a previously undeveloped lot.

APPROVE PERMIT:
Impact 8,280 sq. ft. to construct a house with septic system and well, on a previously undeveloped lot.

With Conditions:
1. All work shall be in accordance with plans by Blaisdell Survey, LLC dated January 3, 2014 and received by the NH Department of Environmental Services (DES) on January 22, 2014.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. 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.
4. At least 3,158 sq. ft. of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2014-00223  ALLINSON, DAVID/STEPHANIE
MILTON  Townhouse Pond

Requested Action:
Impact 6,736 sq. ft. in order to remove existing cottage, replace it with a new home, replace septic, and replace retaining walls.

APPROVE PERMIT:
Impact 6,736 sq. ft. in order to remove existing cottage, replace it with a new home, replace septic, and replace retaining walls.

With Conditions:
1. All work shall be in accordance with plans by Norway Plains Associates, Inc. dated October, 2013, and received by the NH Department of Environmental Services (DES) on January 23, 2014.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no impacts within wetlands, surface waters, or their banks, as required for replacement of the shoreline retaining wall, until a permit under RSA 482-A has been obtained.
4. No more than 18.2% 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 2,372 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 controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. 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-Wq 1700 or successor rules in Env-Wq 1700.

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

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

2014-00249

HOWELL, DAVID

ALTON Sunset Lake

Requested Action:
Impact 6,313 sq. ft. in order to raise the height of an existing house 4 feet, construct a new foundation, remove existing decks and a shed, construct a smaller deck, and install a retaining wall and a septic system.

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APPROVE PERMIT:
Impact 6,313 sq. ft. in order to raise the height of an existing house 4 feet, construct a new foundation, remove existing decks and a shed, construct a smaller deck, and install a retaining wall and a septic system.

With Conditions:
1. All work shall be in accordance with plans by DMC Surveyors dated December 10, 2013 and received by the NH Department of Environmental Services (DES) on January 24, 2014.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 27.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. 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. This permit does not allow for impacts to the bank or waterbody which require a permit from DES Wetlands Bureau. The Owner shall obtain any permit as may be required pursuant to RSA 482-A prior to impacting areas within the surface water or its banks.
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-Wq 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:
1. The existing non-conforming structure is located within the 50 ft primary building setback to Sunset Lake, and therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the SWQPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.
3. The project as proposed will reduce the impervious area within the protected shoreland by 398 sq. ft.
4. The applicant has proposed to install stormwater controls consisting of a 180 sq. ft. rain garden that will be capable of infiltrating stormwater from the residential dwelling.
6. The applicant has proposed to install a new Clean Solutions septic system.
7. The project as proposed will result in improved stormwater controls, a reduction in the amount of on-site impervious surface coverage and the replacement of a septic system, and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

2014-00281  SMITH, DANIEL/PAMELA
TUFTONBORO  Lake Winnipesaukee

Requested Action:
Impact 19,104 sq ft in order to construct a new 3 bedroom house, attached garage, septic, well and driveway.

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APPROVE PERMIT:
Impact 19,104 sq ft in order to construct a new 3 bedroom house, attached garage, septic, well and driveway.

With Conditions:
1. All work shall be in accordance with plans by T.F. Bernier, Inc. dated January 2014 and received by the NH Department of Environmental Services (DES) on January 28, 2014.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
4. No more than 13.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 5,848 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 controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2014-00300  ROSENBAUM, CAROL/JOEL
MOULTONBOROUGH  Lake Winnipesaukee

Requested Action:
Impact 4,165 sq. ft. to construct a new house and driveway, and install a septic system.

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APPROVE PERMIT:
Impact 4,165 sq. ft. to construct a new house and driveway, and install a septic system.

With Conditions:
1. All work shall be in accordance with plans by Ames Associates dated December 26, 2013 and received by the NH Department of Environmental Services (DES) on January 29, 2014.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 8.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

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

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

UTILITY NOTIFICATION

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2014-00401   PSNH
PETERBOROUGH  Unnamed Wetland

COMPLETE NOTIFICATION:
Replacement of utility pole & guy wire alongside Union St.

2014-00417   NEW ENGLAND POWER COMPANY, DBA NATIONAL GRID
WINCHESTER  Unnamed Wetland

COMPLETE NOTIFICATION:
Repair Structure 86 along the A1/B2 transmission line ROW.