9/25/17
MAT
approved

# Wetlands Applications Decision Report

Decisions Taken
09/18/2017 to 09/25/2017

**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 atappeals@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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**2014-02201** **COVENTRY LOG HOMES INC**

**HAVERHILL Unnamed Wetland**

Requested Action:

Amend permit to relocate wetland impact WD-7 on Lot 109.52, dredge and fill 56,550 square feet of wetlands and an intermittent stream for an access road and driveways as part of a 7 lot residential subdivision. Work in jurisdiction includes retaining 26,755 square feet of wetlands impact; 10,265 of new wetlands impact and the restoration of 19,530 square feet of wetlands. Compensatory Mitigation for the wetlands impacts is in the form of a one time payment of $119,053.98 to the DES Aquatic Resource Mitigation (ARM) Fund.

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Inspection Date: 12/03/2015 by JEFF D BLECHARCZYK

APPROVE AMENDMENT
Amended permit to read: Dredge and fill 56,550 square feet of wetlands and an intermittent stream for an access road and driveways as part of a 7 lot residential subdivision. Work in jurisdiction includes retaining 26,755 square feet of wetlands impact; 10,265 of new wetlands impact and the restoration of 19,530 square feet of wetlands. Compensatory Mitigation for the wetlands impacts is in the form of a one time payment of $119,053.98 to the DES Aquatic Resource Mitigation (ARM) Fund. Relocate wetland impact WD-7 on Lot 109.52 only. No other changes to the permit and plans.

With Conditions:
1. Work associated with relocation of wetland impact WD-7 for driveway access to Lot 109.52 shall be done in accordance with plans by Headwaters Hydrology, PLLC, dated 08/28/2017, received by DES on 08/30/2017. All other work for the subdivision shall be done in accordance with the plans by Horizons Engineering Inc. entitled Coventry Log Homes Inc. (sheets 1; 3-6 of 6) as received by DES on August 11, 2014 and (sheet 2 of 6) as received by DES on November 24, 2014.
2. This approval is contingent on receipt by DES of a one time payment of $119,053.98 the DES Aquatic Resource Mitigation (ARM) Fund.
3. The total payment ($119,053.98.) shall be received by DES within 120 days of the date of the approval letter or the application shall be denied.
4. No wetland impacts shall occur prior to DES receiving the ARM fund payment.
5. This permit is contingent upon the restoration of 10,250 square feet of wetlands in accordance with the restoration plan as received by the Department on August 11, 2014 and approved under the Restoration Plan Approval dated December 23, 2014.
6. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
7. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and to assure no water quality violations occur.
8. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
9. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #8 of this approval.
10. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
11. 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.
12. 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.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or

wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. 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.
18. 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.
19. 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.
20. 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).
21. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:
1. This is a Major Project per Administrative Rule Env-Wt 303.02 (c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
4. The majority of the project was completed without a DES Wetlands Permit. The applicant has restored 9,280 square feet, will restore an additional 10,250 square feet of wetlands, proposes to retain 26,755 square feet of wetlands impact and proposes 10,265 of new wetlands impact.
5. A certified wetland scientist confirmed there are no vernal pools in the projects vicinity.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
7. The department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
8. The payment to the Aquatic Resource Mitigation (ARM) Fund shall be $119,053.98.
9. The Department decision is issued in letter form and upon receipt of the full ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
10. The payment shall be deposited in the DES ARM fund for the Middle Connecticut River watershed per RSA 482-A:29.
11. Payment into the DES ARM fund was made in full on 3/25/2015.
12. No work or impacts have commenced in the original location of wetland impact WD-7.
13. Proposed relocation of wetland impact WD-7 will be a direct exchange of square footage, 3,440 sq ft was originally approved and will be the same for the new location.
14. Proposed wetland impact for relocation of WD-7 are similar to the original impact area, seasonally saturated forested wetlands.

**2016-01525** **CHESHIRE COUNTY FISH & GAME**

**KEENE FERRY BROOK**

Requested Action:

Dredge and fill 1,870 square feet (SF) within the bed and banks of Ferry Brook (impacting 231 linear feet) in order to remove an existing culvert outlet structure and to restore a stream reach through an already-breached dam. In addition, temporarily impact 1,295 SF (50 linear feet) of Ferry Brook for construction access and implementation of the proposed plan to connect the restored reach with the existing up and downstream reaches.

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Conservation Commission/Staff Comments:
2/17/17 Per DHR, no historic properties affected.

APPROVE PERMIT
Dredge and fill 1,870 square feet (SF) within the bed and banks of Ferry Brook (impacting 231 linear feet) in order to remove an existing culvert outlet structure and to restore a stream reach through an already-breached dam. In addition, temporarily impact 1,295 SF (50 linear feet) of Ferry Brook for construction access and implementation of the proposed plan to connect the restored reach with the existing up and downstream reaches.

With Conditions:
1. All work shall be in accordance with plans by Right Angle Engineering dated August 21, 2017, and revised through September 14, 2017, last received by the NH Department of Environmental Services (DES) on September 15, 2017.
2. Not less than five state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start and who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the approved plans. The permittee shall re-notify the DES Wetlands Program if the identity of the individual changes during the project.
3. This permit is not valid unless a compliance with RSA 482 and New Hampshire Administrative Rules Env-Wr 100 et seq., NHDES Dam Bureau, is achieved.
4. All in-stream work shall be conducted during low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A and New Hampshire Administrative Rules Env-Wq 1700.
5. 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.
6. The permittee or permittee's contractor shall properly construct, landscape, and monitor the restoration area, and shall take such remedial actions as may be necessary to create a functioning stream, providing continuity between the up and downstream reaches, aquatic organism passage and riparian buffer plantings. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, and changing the hydraulic regime.
7. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the DES Wetlands Program within 60 days of final site stabilization. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each restoration site.
8. The permittee or permittee's contractor shall conduct a follow-up inspection in October or November following the first growing season to review the success of the restoration and schedule remedial actions if necessary.
9. Restoration of the riparian plantings shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional riparian area is replicated.
10. Native live plantings shall be installed by September 15th on previously stabilized banks. Dormant plantings shall be installed in the spring by June 1st or in the fall after September 15th and before October 30th.
11. Post project monitoring and subsequent reports shall include an assessment of sediment transport, channel migration and potential head-cutting of the channel upstream of the restored reach.
12. Restoration shall not be considered successful if minimum flow (i.e., connectivity) is not maintained during periods of low flow. The permittee shall submit a remediation plan to DES that proposes measures to be taken to restore minimum flows.
13. Restoration shall not be considered successful if excessive mobilization of sediment (such as upstream channel head cutting) is observed over the two year monitoring period. The permittee shall submit a remediation plan to DES that proposes measures to be taken to stop mobilization of excess sediment during this same period.
14. Restoration shall not be considered successful the project area is invaded by nuisance species such as knotweed, common reed or purple loosestrife during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to DES that proposes measures to be taken to eradicate nuisance species during this same period.
15. The permittee shall maintain the restored channel, in perpetuity, so that it remains free of large debris to prevent backwatering and resultant de-stabilization of the former impoundment area.
16. Only native plant species shall be used to revegetate the riverbank.
17. Seed mix within the restoration area shall be a wetland seed mix or slope stabilization mix, as appropriate, contain only native plant species and shall be applied in accordance with manufacturers' specifications.
18. Materials used to emulate a natural channel bottom must be consistent with the streambed materials identified in the reference reach, and shall be rounded stone in accordance with the approved plan.
19. Materials used to emulate a natural channel bottom must be well-graded, washed-in stone, in order to maintain aquatic organism passage during periods of low flow.
20. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
21. The permittee/permittee's contractor shall use only wildlife friendly erosion control netting, not to include materials comprised of welded plastic.

22. 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.
23. 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.
24. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
25. 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.
26. 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).
27. Erosion control products shall be installed per manufacturers recommended specifications.
28. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
29. 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.
30. 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.
31. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
32. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
33. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
34. 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.
35. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3 -inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
36. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
37. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
38. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
39. 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, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
40. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
41. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
42. 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.
43. 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).
44. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:
1. This is a Major Project per Administrative Rule Env-Wt 303.02(i), alteration of more than 200 linear feet of a perennial nontidal stream and its banks.
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 proposal has been designed to restore stream connectivity and aquatic organism passage in Ferry Brook, minimize cost to the land owner and to bring the structure out of NHDES Dam Bureau jurisdiction.
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 subject dam is identified by the NHDES Dam Bureau as dam number 126.13.
7. At the point of the dam, Ferry Brook receives a watershed drainage area of 2.77 square miles (1773 acres).
8. As a result of Tropical Storm Irene in 2011, the outlet structure of the dam was severely damaged; breaching the dam

and the impoundment was almost entirely drained.
9. Since that event, the area of the former impoundment has become densely vegetated and converted to an emergent and scrub-shrub wetland complex with a perennial stream (Ferry Brook).
10. In 2012, the NHDES Dam Bureau issued a Letter of Deficiency (LOD) to the owners of this dam mandating on-going debris removal and vegetation maintenance plus reconstruction or removal by November 2015.
11. On September 29, 2014 a pre-application meeting was held on-site with the applicant, the applicant's agent, DES Wetlands Bureau staff and DES Dam Bureau staff to discuss dam removal. Meeting notes can be found in the DES Wetlands file (2016-01525).
12. In correspondence dated June 22, 2016, the Keene Conservation Commission stated that they did not have any concerns with the overall proposal though they recommended that the plan include measures to support the restoration of a natural stream bed beyond the proposed riprap channel.
13. The final approved plan has addressed measures to restore a natural stream channel through the use of rounded stone (not angular riprap), channel geometry and composition to support aquatic organism passage during periods of low flow, limiting the extent the hard armor to the bed of the channel and implementation of a planting plan along the banks.
14. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB15-3065) identified three species which may be subject to adverse impacts as a result of the proposal (Northern Bog Violet, state-endangered; Spotted Turtle, state-threatened; and Wood Turtle, state species of concern).
15. In correspondence dated August 28, 2017, a New Hampshire Fish and Game (NHFG) Fish Habitat Biologist also expressed a recommendation to not use angular riprap in the proposed channel as well as the use of wildlife friendly erosion control matting, where applicable.
16. In correspondence dated October 07, 2017, the NHB stated that, after an assessment conducted by the applicant's agent, that there were no further concerns regarding potential impacts to the Northern Bog Violet.
17. In correspondence dated August 18, 2017, the NHFG Fisheries and Nongame and Endangered Wildlife Program stated that there were no further concerns regarding the potential impact to the turtles identified on the NHB report. Further, the stream had been surveyed in 2012 for wild Eastern Brook Trout and none were found.
18. On January 25, 2017, NHDES received a copy of the Request of Project Review by the New Hampshire Division of Historical Resources (DHR) which stated that there will be no historic properties affected by the project, as proposed.
19. There are three privately owned structures downstream of the dam. The first is a residence located approximately 250 feet downstream on Ferry Brook Road, the next is a residence located approximately 1,500 feet downstream and the third is a garage (same owners of the second residence) located approximately 1,570 feet downstream at the intersection of Ferry Brook Road and Sullivan Road.
20. There are two city-owned roadway crossings downstream of the dam. The first is approximately 310 feet downstream and a 10 foot span, the second is approximately 1,540 feet downstream and a 7 foot span.
21. In correspondence dated September 15, 2015, the applicant notified the City of Keene of the proposed dam removal and stream restoration plan, as well as the potential impact of increased flows to the two downstream structures.
22. As of the date of this permit issuance, no comment has been received by DES from the City of Keene regarding this proposal.
23. Under existing conditions, during the modeled 100-year frequency flood event, the two downstream structures overtop.
24. In correspondence dated December 16, 2016 and September 15, 2017, the applicant's agent stated that after hydraulic assessment, considering existing conditions of the dam relative to the restored stream channel, there is no significant increase in the frequency or magnitude of over-topping of the two downstream structures expected as a result of the dam removal.
25. The former impoundment area was assessed for the potential mobilization of sediment with consideration made to water quality impacts from erosion and sedimentation.
26. In correspondence dated August 21, 2017, received by DES on August 22, 2017, the applicant's agent stated that "The adjacent shooting range has not and does not discharge into the impoundment area. [...] There is not directed, untreated, runoff from the shooting range to the impoundment area. It is unlikely that any more remnants [of potential lead contaminants] are in the impoundment area than may be in a general forested area where hunting may have occurred."
27. In correspondence dated August 21, 2017, received by DES on August 22, 2017, the applicant's agent stated that "It is anticipated that there will be negligible, if any, mobile sediment as a result of the stream restoration/dam removal." The impoundment area is densely vegetated and therefore stable.
28. This permit is conditioned upon monitoring for mobile sediment.
29. The NHDES Dam Removal Guidance Document, De Minimis Sediment Calculator, utilized by the applicant's agent, yielded a predicted de minimis sediment volume of 26 cubic yards per year which could be expected in this watershed.
30. In correspondence dated August 21, 2017, received by DES on August 22, 2017, the applicant's agent stated that there is an automobile salvage yard approximately 4 miles upstream with no known history of causing contamination.
31. In correspondence dated August 21, 2017, received by DES on August 22, 2017, the applicant's agent stated that abutting landowners with shallow dug wells are not expected to experience adverse impacts to their water supply as a result of the proposed project.

32. The restored reach has been designed to emulate the up and down stream reaches in channel form and profile in order to accommodate aquatic organism passage during periods of low flow, to adequately convey high flows and to maintain the channel that has formed since the impoundment dewatered.
33. In correspondence dated September 19, 2017, the DES Watershed Management Bureau, Water Quality Planning Section expressed support of the project, as proposed, with the conditions imposed on this permit.
34. In correspondence dated September 19, 2017, the DES Dam Bureau stated that there were no further concerns and the project, as proposed, will result in a non-jurisdictional dam.
35. DES Staff conducted a field inspection of the proposed project on September 01, 2016 and February 01, 2017. Inspection reports can be found in the DES Wetlands file (2016-01525).
36. The Standard Wetlands Permit application was received by DES on May 31, 2016. The Request for More Information was sent by DES on August 12, 2016. Six time extensions were requested by applicant's agent and approved by DES while additional information was compiled and subsequent design modifications were made, each is documented in the DES Wetlands file (2016-01525).
37. 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.
38. No comments of concern were received by DES from abutters regarding the proposed project.
39. The project has been deemed self-mitigating as the applicant has incorporated natural channel design elements to accommodate aquatic organism passage and to maintain minimum flows, in accordance with DES standards and recommendations.

**2017-00361 MAINLY LITTLETON PIZZA LLC**

**LITTLETON DELLS BROOK**

Requested Action:

Dredge and fill 28,950 square feet within palustrine scrub-shrub and wet meadow wetlands, and within the bed and banks of Dell's Brook (tier 3, impacting 1,311 linear feet) to construct a commercial retail development. Mitigate wetland and stream impacts by relocating Dell's Brook away from the development area to re-create a sinuous, naturally designed stream channel that reconnects flow to the adjacent floodplain, and by making a one-time payment to the Aquatic Resource Mitigation (ARM) fund of $107,769.53 within the Middle Connecticut River watershed.

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Conservation Commission/Staff Comments:
1/24/17 Per DHR, no historic properties affected.

APPROVE PERMIT
Dredge and fill 28,950 square feet within palustrine scrub-shrub and wet meadow wetlands, and within the bed and banks of Dell's Brook (tier 3, impacting 1,311 linear feet) to construct a commercial retail development. Mitigate wetland and stream impacts by relocating Dell's Brook away from the development area to re-create a sinuous, naturally designed stream channel that reconnects flow to the adjacent floodplain, and by making a one-time payment to the Aquatic Resource Mitigation (ARM) fund of $107,769.53 within the Middle Connecticut River watershed.

With Conditions:
1. All work shall be in accordance with revised plans by Hoyle, Tanner and Associates, Inc. dated August 8, 2017, as received by the NH Department of Environmental Services (NHDES) on August 22, 2017.
2. This approval is not valid until NHDES receives a one-time payment of $107,769.53 to the NHDES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to NHDES. If NHDES does not receive payment within 120 days of the date of the approval letter, NHDES will deny the application.
3. This permit is not valid and effective until a plan restricting development activities in the stream creation areas has been recorded with the Grafton 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 NHDES Wetlands Program by certified mail.
4. Prior to construction, the applicant shall submit to the Federal Emergency Management Agency (FEMA), for review and approval, a Letter of Map Revision (LOMR) for relocating Dell's Brook and the associated mapped floodway.
5. This permit is contingent on review and approval, by the NHDES Wetlands Program, of final stream diversion/erosion

control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
7. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
8. Prior to starting any work authorized by this permit, the permittee shall place orange construction fencing at the limits of construction to prevent unintentional encroachment on wetlands.
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. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued in writing by NHDES in consultation with NH Fish & Game.
11. Appropriate siltation, erosion and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
12. 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.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site. Any slope stabilizing materials must be free from plastic or other non-biodegradable materials that create a mesh that can impact wildlife. Coco matting and other natural fibers are acceptable.
15. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
16. Erosion control products shall be installed per manufacturers recommended specifications.
17. Mulch used within the stream creation areas shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
18. 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, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
19. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
20. Native material removed from the streambed shall be stockpiled separately and reused to emulate a natural channel bottom within the newly created channel. Any new materials used for creation of the stream bed must be well-graded and similar to the natural stream substrate, and shall not include any angular rock. All materials shall be washed in after installation and prior to directing flow to the new channel to ensure stream flow remains on the surface.
21. Any fill used shall be clean sand, gravel, rock, or other suitable material.
22. 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).
23. 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.
24. The permittee shall control invasive plant species by measures agreed upon by the NHDES Wetlands Program if any such species is found in the stabilization areas during construction or during the early stages of vegetative establishment.
25. 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 NHDES Wetlands Program within 60 days of final site stabilization.
26. Subsequent monitoring reports, prepared by a qualified professional, shall be submitted to NHDES by the end of the calendar year for 5 consecutive years to document the success of the stream creation area and outline a schedule for remedial actions if necessary. The report should include a longitudinal profile of the stream restoration area and include cross sections of the wetland and stream restoration areas.
27. Restoration/creation of new stream banks shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional, stabile bank is replicated in a manner satisfactory to the NHDES Wetlands Program.
28. Only native plant species shall be used to revegetate the stream banks.

29. 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.
30. 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).
31. 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.
32. 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.
33. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
34. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

With Findings:
1. This project is a Major Project per Administrative Rule Env-Wt 303.02(c), as wetland impacts are greater than 20,000 square feet, and Rule Env-Wt 303.02(i), as impacts to the bed and banks of Dell's Brook are greater than 200 linear feet.
2. On April 6, 2017, NHDES issued a "Request for More Information" letter to address a number of issues and deficiencies noted in the technical review of the application.
3. On June 1, 2017, NHDES issued a mutually agreeable time extension to allow the applicant additional time to address technical review comments (due September 29, 2017).
4. The applicant provided NHDES with a complete response and revised plans on August 22, 2017.
5. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
8. In a letter dated January 17, 2017, the NH Division of Historic Resources (DHR) stated that "no historic properties affected" by the project.
9. In a letter dated July 6, 2017, the Ammonoosuc River Local Advisory Committee (LAC) provided comments and concerns regarding the proposal, which were addressed by the applicant's agent on August 22, 2017 in response to the NHDES request for additional information.
10. The applicant has reviewed on-site options for mitigation and the department has determined that the stream re-creation area is considered self-mitigating, and that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund for the proposed wetland impact areas.
11. The payment calculated for the proposed wetland loss equals $107,769.53.
12. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Rule Env-Wt 803.08(f).
13. The payment into the ARM fund shall be deposited in the NHDES fund for the Middle Connecticut River watershed per RSA 482-A:29.
14. In accordance with RSA 482-A:8, NHDES 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.

**2017-00490** **LEE CIRCLE DEVELOPMENT LLC**

**LEE OYSTER RIVER**

Requested Action:

Impact a total of 35,290 square feet of palustrine wetlands in four locations for the mixed-use redevelopment and expansion of an existing motor fuel facility. Compensatory Mitigation consists of a one-time contribution payment of $142,318.07 dollars to the Society for the Protection of New Hampshire Forests - Powder Major's Farm and Woodlands preservation project.

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Conservation Commission/Staff Comments:
02/16/17 Per DHR, additional information is needed in order to complete review.
3/10/17 as per DHR No Historical Properties Affected

APPROVE PERMIT
Impact a total of 35,290 square feet of palustrine wetlands in four locations for the mixed-use redevelopment and expansion of an existing motor fuel facility. Compensatory Mitigation consists of a one-time contribution payment of $142,318.07 dollars to the Society for the Protection of New Hampshire Forests - Powder Major's Farm and Woodlands preservation project.

With Conditions:
1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated January 16, 2017 and revised through August 25, 2017 as received by the NH Department of Environmental Services Land Resources Management Program (NHDES) on August 28, 2017.
2. This approval is not valid until a one-time contribution payment of $142,318.07 is remitted to the Society for the Protection of New Hampshire Forests (SPNHF) - Powder Major's Farm and Woodlands preservation project. The applicant shall remit the payment to SPNHF within 120 days of the date of this approval and provide NHDES with documentation that SPNHF receives the payment. If SPNHF does not receive payment within 120 days of the date of this approval letter, NHDES will deny the application.
3. The permittee shall schedule a pre-construction meeting with NHDES staff to occur at least 48 hours prior to the start of any work authorized by this permit to review the conditions of this wetlands permit and the Alteration of Terrain permit. The meeting will be held at the NHDES office and/or at the site and shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. This permit is contingent upon creation of turtle nesting habitat areas in accordance with plans by MHF Design Consultants, Inc. dated January 16, 2017 and revised through August 25, 2017 as received by the NHDES on August 28, 2017.
5. A qualified professional shall be on site to supervise construction of the turtle nesting habitat areas to ensure the areas are constructed in accordance with approved plans.
6. A post-construction report, prepared by a qualified professional, documenting status of the turtle nesting habitat areas, including photographs of all stages of construction from designated photo stations and an as-built plan shall be submitted to the NHDES and NH Fish and Game Department within 60 days of the completion of construction.
7. This permit is not valid unless an Alteration of Terrain permit is issued in accordance with RSA 485-A:17 and Env-Wq 1500 .
8. 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.
9. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
10. 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.
11. 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.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
13. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
14. 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).
15. The project engineer shall oversee installation of erosion controls and periodically verify that the controls are properly maintained during construction.
16. 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.
17. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
18. All dredged and excavated material and construction-related debris shall be placed outside of areas subject to RSA 482-A.
19. 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, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
20. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
21. Any fill used shall be clean sand, gravel, rock, or other suitable material.
22. Precautions shall be taken to prevent the import or transport of soil or seed stock containing nuisance, invasive plant species such as Purple Loosestrife (Lythrum salicaria), Knotweed (Fallopia japonica), or common reed (Phragmites australis). The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
23. Any invasive plant species found in the construction areas during construction shall be controlled by measures approved

by NHDES.
24. Siltation, erosion, and turbidity control management measures, practices and devices shall be in place prior to construction, shall be maintained during construction so as to reduce erosion and retain sediment on-site during and after construction and ensure continued effectiveness and remain in place until all disturbed surfaces are stabilized
25. Within three days following the last activity in or adjacent to wetland areas or where activities are suspended for more than three days, all soils exposed by construction activities shall be stabilized by seeding and mulching, or through erosion control blankets.

With Findings:
1. This is a major impact project per administrative rule Env-Wt 303.02(c), projects that involve alteration of non-tidal wetlands in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per administrative rule Env-Wt 302.01. The applicant has demonstrated the need to impact wetlands at this location to construct commercial buildings as part of the overall development of the site.
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 administrative rule Env-Wt 302.03. The applicant has reduced the wetland impacts by 5,210 square feet from the original proposal by including the use of retaining walls, moving the development closer to the roadway, the use of porous pavement to reduce the size of stormwater basins, and parking reductions.
4. Pursuant to administrative rule Env-Wt 302.03, the applicant has further mitigated for the impacts by a making a one-time contribution payment of $142,318.07 dollars to the Society for the Protection of New Hampshire Forests (SPNHF) - Powder Major's Farm and Woodlands preservation project. The preservation project is being undertaken by the SPNHF in conjunction with the towns of Lee, Madbury and Durham where the land lies. The project involves the purchase and preservation of 195 acres of woodland including 3/4 of a mile of the Oyster River, and the purchase of a 34 acre conservation easement of historic farm fields surrounding the current owner's residence. The conservation benefits of the project include water quality, wildlife habitat, historical significance, and recreational and educational opportunities.
5. The applicant's agent provided a functions and values assessment of the wetlands on the property as they relate to the proposed impacts. Based on the assessment, the wetlands on the property fall into four main categories of function and significance. The four categories are significant wetlands, wetlands of average value, wetlands of below average value, and wetlands of lowest value. The applicant designed the project to entirely avoid wetland impacts within significant wetlands and wetlands of average value. Two wetland impact areas are located within the category of wetlands of below average value, but these impacts are limited to hydrologically isolated areas. Two wetland impact areas are located within the category of wetlands of lowest value. These two wetland impact areas consists of a disturbed wetland remnant and a constructed stormwater basin and water quality swale that was previously permitted by NHDES under Wetlands Permit #1990-00645.
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. NH Natural Heritage Bureau (NHB) review of the project area finds one sensitive plant species and six sensitive vertebrate species present within the project vicinity. The applicant coordinated with NHB and it was determined that it's unlikely the sensitive plant species would be impacted by the proposed project. In addition, the applicant coordinated with NH Fish and Game Department to minimize impacts to the sensitive vertebrate species with the creation of turtle nesting habitat areas on the property.
8. The Lee Conservation Commission provided a letter to NHDES dated March 20, 2017 supporting the proposed project.
9. The Oyster River Local Advisory Committee (ORLAC) provided a letter to NHDES dated April 21, 2017 with concerns related snow removal and de-icing chemicals as it relates to nearby wetlands and the Oyster River. The applicant has addressed ORLAC's concerns by removing the snow storage areas proposed upslope of wetland areas and relocating the snow storage area to the porous pavement area. In the event that snow storage areas are exceeded, snow will be trucked off-site in accordance with NHDES regulations.
10. In accordance with RSA 428-A:8, NHDES 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 resource, as identified under RSA 482-A:1.

**2017-01248** **LOUDON, TOWN OF**

**LOUDON CLOUGH POND**

Requested Action:

Impact 2,300 square feet of bank along 87 linear feet of shoreline to construct 100 linear feet of stone retaining wall and 8 foot wide stone steps, and regrade and replenish an existing municipal beach on and average of 109 feet of frontage along Clough Pond in Loudon.

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APPROVE PERMIT
Impact 2,300 square feet of bank along 87 linear feet of shoreline to construct 100 linear feet of stone retaining wall and 8 foot wide stone steps, and regrade and replenish an existing municipal beach on and average of 109 feet of frontage along Clough Pond in Loudon.

With Conditions:
1. All work shall be in accordance with revised plans by Stan Prescott, LLC dated May 15, 2017, as received by DES on May 16, 2017.
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. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. 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.
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 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.
7. 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).
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of the normal highwater line. The normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 60 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
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 tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
13. 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.

With Findings:
1. This is a major impact project per Administrative Rule Env-Wt 303.02(o), construction of or replenishment of a public beach that utilizes more than 20 cubic yards of sand.
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. 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 Clough Pond, as identified under RSA 482-A:1.
6. The project as proposed has been designed with the intent to reduce to erosion of sand from the beach area into the adjacent pond. This is to be accomplished by reducing the slope of the sand surfaces.

**2017-01302 NH DEPT OF TRANSPORTATION**

**WALPOLE CONNECTICUT RIVER**

Requested Action:

Reconstruct and widen approximately 2.7 miles of NH 12 from Main St. in Walpole to Route 12A in Charlestown upgrading drainage and stormwater management along with utility relocation and guardrail installation impacting 422,659 sq. ft. (101,536 sq. ft. temporary) of riverine and palustrine wetlands.

Compensatory mitigation includes a one-time payment of $1,287,621.45 to the Aquatic Resource Mitigation Fund. NHDOT project #14747

Request a waiver of 120 day Aquatic Resource Mitigation Fund payment to be 240 days.

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Conservation Commission/Staff Comments:
LAC submitted concerns
Cons. Comms. - no comments

Inspection Date: 08/09/2017 by GINO E INFASCELLI

APPROVE PERMIT
Reconstruct and widen approximately 2.7 miles of NH 12 from Main St. in Walpole to Route 12A in Charlestown upgrading drainage and stormwater management along with utility relocation and guardrail installation impacting 422,659 sq. ft. (101,536 sq. ft. temporary) of riverine and palustrine wetlands.

Compensatory mitigation includes a one-time payment of $1,287,621.45 to the Aquatic Resource Mitigation Fund. NHDOT project #14747

Approve the rule waiver for Env-Wt 806.05(b) requiring payment to the ARM Fund be submitted within 120 days and allow an extension to 240 days as requested.

With Conditions:
1. All work shall be in accordance with:
a. Plans by NHDOT Bureau of Highway Design dated 5/4/2017 as received by the Department on May 9, 2017 and
b. Plans by NHDOT Bureau of Highway Design dated 08-2017 as received by the Department on Aug. 28, 2017.
2. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit.
3. It shall be the responsibility of the permittee to schedule and coordinate the pre-construction meeting providing at least 5-day notice to the NHDES Wetlands Bureau and / or other Land Resources Management Program staff, and the meeting shall be attended by the permittee, the contract administrator(s), wetlands scientist(s), erosion control monitor, and the contractor(s) responsible for performing the work.
4. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless specifically authorized.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Construction equipment shall not be located within surface waters.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
8. 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.
9. 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.
10. 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).
11. 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.
12. The retention of mature trees whether alive or dead shall occur along the river edge wherever possible to maintain the opportunity for eagle perches.
13. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Work shall be done during low flow.
16. Should invasive species be encountered during construction, the contractor will follow the appropriate procedures outlined in NHDOT's Best Management Practices for Roadside Invasive Plants, dated 2008 to ensure proper handling and disposal.
17. This permit is contingent on the issuance of and compliance with the Section 401 Water Quality certification.
18. Mitigation Project Monitoring plan to be submitted prior to construction in accordance with Env-Wt 803.04.
19. In accordance Env-Wt 803.04 plantings shall be monitored for no fewer than 5 growing seasons.
20. The mitigation areas shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional and stable embankment is replicated in a manner satisfactory to the DES Wetlands Bureau.
21. 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.
22. A copy of the final plan set is to be made available to the public via the NHDOT website.

With Findings:
1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) and (i) alteration of more than 20,000 sq. ft. of non-tidal wetlands and more that 200 linear feet of impacts to streams and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was presented and coordinated during nine different Natural Resource Agency meetings held between April 18, 2007 and April 19, 2017.
6. The NH Dept. of Transportation (NHDOT) is responsible for developing transportation systems in a manner that assures a consistent transportation network and meets the safety needs of the general public.
7. NHDOT's Selected Alternative meets the project purpose and represents a balance between impacts to environmental resources and safety of the general public.
8. No impacts to species noted by the NH Fish and Game Dept. (NHFG), the NH Natural Heritage Bureau and the US Fish and Wildlife Service is expected.
9. On May 9, 2017 an application was received by the NH Dept. of Environmental Services (DES) to: Reconstruct and widen approximately 2.7 miles of NH 12 from Main St. in Walpole to Route 12A in Charlestown upgrading drainage and stormwater management along with utility relocation and guardrail installation impacting 422,659 sq. ft. (101,536 sq. ft. temporary) of riverine and palustrine wetlands.
Compensatory mitigation proposed a one-time payment of $1,287,621.45 to the Aquatic Resource Mitigation Fund (ARM fund) and a rule waiver requesting the 120 day ARM fund payment to be 240 days.
10. The application submittal to DES includes fill areas to be loamed, seeded and planted with the intent to be self-mitigating and reduce the amount of payment into the ARM fund.
11. An inspection of the project area was conducted by NHDES on May 18, 2010. An inspection of the project, as submitted by the application, was conducted by NHDES on Aug. 9, 2017 and found:
a. A substantial amount of the areas to be filled for widening of the roadway were previously disturbed in a similar manner having rock fill at the toe of the slopes.
b. The roadway showed longitudinal cracks of the pavement in many places indicating shifting of soil.
c. There were areas that the shoulders and embankment sections that were currently sloughing into the river.
d. The areas of embankment that currently have vegetative cover between the roadway and natural resources is quite dense and diverse so it is anticipated the new embankment treatment of loaming, seeding and plantings of similar species should provide cover for animals using this as a travel corridor.
e. The road widening will improve safety by providing shoulders in locations that currently have none.
12. On August 28, 2017 the NHDES held a public hearing in accordance with RSA 482-A:8.
13. A substantial amount of the testimony noted concerns regarding water quality. The applicant testified that there will be approximately 2.3 acres of new pavement and 6.6 acres of pavement are to be treated. On this subject the DES Wetlands Bureau has conditioned the approval and is relying on the decision by the DES Water Management Bureau regarding the Section 401 Water Quality certification.
14. Testimony was also provided suggesting there may be other alternative designs including porous pavement and the

applicant's response indicated that one factor is cost, but there is also the concern of considerable additional maintenance.
15. At the Public Hearing the NHDOT provided a copy of the infiltration BMP details and landscaping plans.

Mitigation:
16. The department grants a waiver in accordance with Env-Wt 204.05 to waive rule Env-Wt 806.05(b), the requirement of the ARM Fund payment to be submitted within 120 days is extended to 240 days due to the process of awarding a construction contract and the waiver will not result in an adverse impact on the environment.
17. The applicant has reviewed on-site options for mitigation and the department has determined that a portion of this project that is not being mitigated is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund to compensate for the wetland areas not previously impacted by the existing roadway.
18. The payment calculated for the proposed wetland loss equals $1,287,621.45
19. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).

**2017-01675 DARTMOUTH COLLEGE/PINE PARK**

**HANOVER GIRL BROOK**

Requested Action:

Dredge and fill 224 square feet (SF) along the banks of Girl Brook (a tier 3 stream, impacting 56 linear feet) to construct a 34.5 foot long by 10 foot wide bank-spanning bridge for recreational use and maintenance access that will replace an existing trail ford and restore the stream to its natural condition. In addition, temporarily impact 250 SF (impacting approximately 15 linear feet) for restoration of the trail ford within the stream bed.

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Conservation Commission/Staff Comments:
6/9/17 Per Town of Hanover, the Con Com is providing written notice it intends to comment on the application filed by Tim McNamara on behalf of Dartmouth College for wetlands impacts for a new bridge over Girl Brook.
6/30/17 Con. Com. had a list of suggestions to amend the plans and application. Letter to file.

APPROVE PERMIT
Dredge and fill 224 square feet (SF) along the banks of Girl Brook (a tier 3 stream, impacting 56 linear feet) to construct a 34.5 foot long by 10 foot wide bank-spanning bridge for recreational use and maintenance access that will replace an existing trail ford and restore the stream to its natural condition. In addition, temporarily impact 250 SF (impacting approximately 15 linear feet) for restoration of the trail ford within the stream bed.

With Conditions:
1. All work shall be in accordance with plans by Pathways Consulting, LLC dated April 26, 2017, and revised through September 19, 2017, as received by the NH Department of Environmental Services (DES) on September 20, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and New Hampshire Administrative Rule Env-Wq 1400 during and after construction.
3. 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 New Hampshire Administrative Rule Env-Wq 1700.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
5. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
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. Erosion control products shall be installed per manufacturers recommended specifications during periods of low flow. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
8. Work shall be done during low flow and in the dry only.
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. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
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. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
13. 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.
14. 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.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
16. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
17. Trees that are stabilizing slopes and banks of the stream shall not be disturbed.
18. 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.
19. Per the agreement with the NH Natural Heritage Bureau (NHB) on May 30, 2017, the permittee/permittee's contractor shall take special precautions to avoid and protect any existing stands of Eastern waterleaf (Hydrophyllum virginianum), Appalachian barren-strawberry (Geum fragaroides), Mossy-cup oak (Quercus macrocarpa), and Greater lobelia (Lobelia siphilicata) within the project area by flagging prior to construction so crews can avoid them. Flags marking these stands shall be removed after construction is complete.
20. The applicant shall coordinate directly with the NH Natural Heritage Bureau (NHB) if any additional rare plants are found in the work area.
21. 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 or impacts to rare plant species 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.
22. Materials used to emulate a natural channel bottom must be consistent with the streambed materials identified in the reference reach (e.g. smooth, rounded river stone), and shall not include angular riprap or gravel unless specifically identified on the approved plans.
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 tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
24. The river banks and buffer plantings shall have at least 75% successful establishment after two (2) growing seasons. If it does not, it shall be replanted and re-established in a manner satisfactory to DES.

With Findings:
1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 903.01(g)(1) as it involves the construction of a new bridge over a tier 3 stream as defined by Env-Wt 904.04(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The construction of this bridge will restore the natural stream conditions by removing the existing ford while maintaining the crossing needed for recreational access and maintenance equipment.
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 as the proposed bridge will span the bank full channel.
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. 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.
8. In a review letter dated June 24, 2016, the NH Division of Historical Resources (DHR) stated that while no historic properties are expected to be affected by the proposed project.
6. In a letter dated June 28, 2017, and received by DES on June 30, 2017, the Town of Hanover Conservation Commission provided comments regarding the proposed project.
7. In a letter dated September 5, 2017, and received by DES on September 08, 2017, the agent (Milone and MacBroom, Inc.) submitted revised plans that addressed the Town of Hanover Conservation Commission comments and incorporated the suggested changes.
9. In a review letter dated June 16, 2016 and received by DES on June 12, 2017, the NH Natural Heritage Bureau (NHB) identified that records of Appalachian barren-strawberry (Geum fragarioides), great lobelia (Lobelia siphilitica), mossy-cup oak (Quercus macrocarpa), and eastern waterleaf (Hydrophyllum virginianum) were recorded in the vicinity of the project.
10. In a letter dated May 30, 2017, agreements between the NHB and the project agent at Milone and MacBroom, Inc.

regarding minimization of impact to rare and threatened species were outlined. A rare plant survey was completed in the project area in 2016 which indicated the presence of eastern waterleaf within the immediate project area. A map detailing the locations of eastern waterleaf stands at risk of impact was provided to DES by Milone & MacBroom, Inc. on September 08, 2017.
11. In an email dated September 14, 2017, and forwarded to NHDES on September 15, 2017, the NHB was informed that field surveys for rare plants eastern waterleaf (Hydrophyllum virginianum) and great lobelia (Lobelia siphilitica) were performed within the work area on June 10, June 26, and July 14, 2017. No great lobelia was observed in the immediate work area.
12. DES imposed conditions requiring that the applicant coordinate directly with the NH Natural Heritage Bureau (NHB) if any additional rare plants are found in the work area.

**2017-02074** **ANNAMARIE G VERMETTE REVOCABLE TRUST**

**GILFORD LAKE WINNIPESAUKEE**

Requested Action:

Fill 550 square feet to construct 40 linear feet of breakwater with a 6 ft gap at the shoreline, and repair two 6 ft. x 30 ft. piling piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration, two ice clusters, two tie-off piling, and a 14 ft. x 30 ft. seasonal canopy in-kind, install a permanent boatlift and maintain two personal watercraft lifts on an average of 150 feet of frontage along Lake Winnipesaukee, on Governor's Island in Gilford.

**********

Conservation Commission/Staff Comments:
7-26-17 - No historic properties affected per DHR.

APPROVE PERMIT
Fill 550 square feet to construct 40 linear feet of breakwater with a 6 ft gap at the shoreline, and repair two 6 ft. x 30 ft. piling piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration, two ice clusters, two tie-off piling, and a 14 ft. x 30 ft. seasonal canopy in-kind, install a permanent boatlift and maintain two personal watercraft lifts on an average of 150 feet of frontage along Lake Winnipesaukee, on Governor's Island in Gilford.

With Conditions:
1. All work shall be in accordance with plans by Watermark Marine Construction dated July 5, 2017, as received by DES on July 14, 2017.
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. 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. No portion of breakwater as measured at normal full lake (Elev. 504.32) shall extend more than 46 feet from normal full lake shoreline.
7. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
8. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
9. 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.
10. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
11. 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.
12. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
13. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
14. This permit does not allow dredging for any purpose.
15. 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.
16. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
17. 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 project is classified as a major project per Rule Env-Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.07, Breakwaters.
3. The applicant has an average of 150 feet of shoreline frontage along Lake Winnipesaukee.
4. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
5. The combined docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
6. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnipesaukee a public hearing under RSA 482-A:8 is not required.
-Send to Governor and Executive Council-

**MINOR IMPACT PROJECT**
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**2012-01824** **ROUTE 106 REALTY TRUST**

**BELMONT Unnamed Wetland**

Requested Action:

Request permit time extension. Dredge and fill 17,414 sq. ft. of emergent wetlands (man-made lawn area) for redevelopment of an existing commercial property to construct a new car dealership, car wash, associated parking and utilities. Compensatory mitigation for wetland impacts consists of a onetime payment of $61,006.79 dollars into the Aquatic Resource Mitigation Fund ("ARM").

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APPROVE TIME EXTENSION
Dredge and fill 17,414 sq. ft. of emergent wetlands (man-made lawn area) for redevelopment of an existing commercial property to construct a new car dealership, car wash, associated parking and utilities. Compensatory mitigation for wetland impacts consists of a onetime payment of $61,006.79 dollars into the Aquatic Resource Mitigation Fund ("ARM").

With Conditions:
1. All work shall be in accordance with plans by Rokeh Consulting, LLC dated August 2, 2012 as received by the NH Department of Environmental Services (DES) on September 25, 2012.
2. This permit is contingent on a onetime payment of $61,006.79 dollars into the Aquatic Resource Mitigation Fund ("ARM").
3. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
4. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
5. Appropriate siltation/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. 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.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. 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.
9. 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.
10. 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.
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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
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. All refueling of equipment shall occur outside of surface waters or wetlands.

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.

**2012-02008** **POWELL, MARGARET**

**EAST KINGSTON**

Requested Action:

Request permit time extension. Impact 604 sq. ft. in the embankments & flow channel of Great Brook to replace a failed 7-foot CMP culvert crossing with a 21 foot clear span concrete & steel I-beam bridge structure on abutments with rip-rap side slopes and new headwalls.
Remove a total of 5,442 sq. ft. of accumulated sediments and debris deposited by past storm/flood events to restore the stream bed and associated wetlands.

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Conservation Commission/Staff Comments:
No report or comments were received from the East Kingston Conservation Commission on this application.

APPROVE TIME EXTENSION
Impact 604 sq. ft. in the embankments & flow channel of Great Brook to replace a failed 7-foot CMP culvert crossing with a 21 foot clear span concrete & steel I-beam bridge structure on abutments with rip-rap side slopes and new headwalls.
Remove a total of 5,442 sq. ft. of accumulated sediments and debris deposited by past storm/flood events to restore the stream bed and associated wetlands.

With Conditions:
1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC dated 07/03/12, as received by the NH Department of Environmental Services (DES) on July 30, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. DES Wetlands Bureau Southeast Region staff and the East Kingston 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 only during low flow conditions.
6. Dredged material from the restoration areas shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
10. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a

cofferdam is fully effective, confined work can proceed without restriction.
11. 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.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
14. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands.

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.

**2017-02211 YMCA CAMP BELKNAP**

**TUFTONBORO LAKE WINNIPESAUKEE**

Requested Action:

Repair a 6 ft. x 60 ft. crib supporting a 7 ft. 8 in. x 79 ft. 9 in. pier and impact 462 square feet of bank and lakebed to replace and upgrade an existing concrete launch surface to be 12 ft. x 31 ft. on an average of 866 feet of frontage along Lake Winnipesaukee in Tuftonboro.

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Conservation Commission/Staff Comments:
9-19-17 - No historic properties affected per DHR.

APPROVE PERMIT
Repair a 6 ft. x 60 ft. crib supporting a 7 ft. 8 in. x 79 ft. 9 in. pier and impact 462 square feet of bank and lakebed to replace and upgrade an existing concrete launch surface to be 12 ft. x 31 ft. on an average of 866 feet of frontage along Lake Winnipesaukee in Tuftonboro.

With Conditions:
1. All work shall be in accordance with plans by Watermark Marine Construction dated June 21, 2017, as received by DES on July 26, 2017.
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 any work on the 8 ft. 9in. x 89 ft. 9 in. "waterski dock" located to the west of the proposed impact area.
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.
9. 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).
10. 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.
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 tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
12. 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.
13. 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.
14. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
15. 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.

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 extension of the concrete launch surface should reduce the environmental impacts associated with the facility by reducing the exposure of lake bed sediments to prop wash during the launching and recovery of watercraft.

**MINIMUM IMPACT PROJECT**
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**2017-00734** **SWANSON, GREG**

**MOULTONBOROUGH Unnamed Stream**

Requested Action:

Dredge and fill 2,270 square feet of palustrine forested wetland and Tier 1 stream to install a 51 inch wide x 20 foot long StormTech SC-740 Chamber, and associated fill to construct a 12 foot wide asphalt driveway for access to a buildable upland lot (Map 152 Lot 2.1).

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Conservation Commission/Staff Comments:
3/29/17 Con. Com. letter received 2/10/17 made the recommendation that "storm tech" not be installed as it may hinder the movement of aquatic animals within the wetland area.

APPROVE PERMIT
Dredge and fill 2,270 square feet of palustrine forested wetland and Tier 1 stream to install a 51 inch wide x 20 foot long StormTech SC-740 Chamber, and associated fill to construct a 12 foot wide asphalt driveway for access to a buildable upland lot (Map 152 Lot 2.1).

With Conditions:
1. All work shall be in accordance with plans prepared by Ramsdell Septic System Design for Greg Swanson titled Wetland Impact Plan prepared for Greg Swanson dated January 20, 2017 as received by the Department on March 20, 2017.
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. 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.

4. Work shall be done during low flow.
5. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place 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. 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 ft. of undisturbed vegetated buffer.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Adequate footings shall be constructed to maintain flow and organism passage through the culvert.
14. Filter fabric or geotextile shall be laid above the StormTech chamber to prevent soil migration through culvert perforations.
15. Culverts shall be laid at original grade or embedded to maintain hydraulic connection through the crossing.
16. The culvert structure shall be installed to maintain the alignment of the stream channel and shall not result in redirection of the stream channel.
17. Embankments adjacent to wetlands, culverts, and other stream crossings shall have appropriate slope protection, such as vegetated stabilization, rip-rap, or concrete or stone headwalls, where flowing water conditions exist.
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
19. Faulty equipment shall be repaired prior to entering jurisdictional areas.
20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. All refueling of equipment shall occur outside of surface waters or wetlands.
22. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
23. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

24. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

25. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #20 of this approval.

With Findings:
1. This is a Minimum impact per Administrative Rule Env-Wt 303.04(f), Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project is necessary for access to a residential lot (Map 152 Lot 2.1).
3. The contributing watershed to the proposed driveway crossing location is approximately 134 acres (Tier 1).
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. The proposed driveway was located at the narrowest portion of the wetland. An easement for access to Lot 2.1 and Lot 2.2 was identified through Lot 2. The applicant has confirmed that access through the existing easement would require more wetland impacts as the wetland crossing is roughly 200' feet instead of the proposed crossing length of 86' feet.
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 wetland impacts include installation of a 51" wide X 30" height X 20' length StormTech SC-740 Chamber, and associated access fill with 2:1 slopes to construct a 12' wide asphalt driveway.
7. The Conservation Commission recommends that 'storm tech not be installed as it may hinder the movement of aquatic animals within wetlands area per letter dated February 7, 2017. The proposed structure provides an open-bottom culvert with existing streambed materials to allow aquatic organism passage. The permit has been conditioned to maintain existing stream bed profile and not result in a perched culvert. The proposed structure meets Administrative Rule Env-Wt 904.02 for a Tier 1 crossing.
8. The NH Natural Heritage Bureau has reviewed the proposed project and determined there are no recorded occurrences

for sensitive species per letter dated January 9, 2017.

**2017-01522** **GAUDET, PAUL J/KATHLEEN B**

**TILTON**

Requested Action:

Dredge and fill 100 square feet (SF) of palustrine forested wetland for commercial lot development. All impacts are permanent.

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Inspection Date: 08/14/2017 by STEFANIE M GIALLONGO

APPROVE PERMIT
Dredge and fill 100 square feet (SF) of palustrine forested wetland for commercial lot development. All impacts are permanent.

With Conditions:
1. All work shall be in accordance with plans by T.F. Bernier, Inc. dated May 2017 as received by the NH Department of Environmental Services (DES) on May 31, 2017.
2. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. 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).
6. Erosion control products shall be installed per manufacturers recommended specifications.
7. 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.
8. 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.
9. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
10. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
11. 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.

With Findings:
1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps or wet meadows.
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. In correspondence dated August 29, 2017, the applicant's agent demonstrated that impacts to the wetland are necessary. Alternatives to the proposed plan, with potentially fewer impacts to wetlands, would require deviation from current Alteration of Terrain standards and best management practices, as well as extensive regrading of the site to adequately convey stormwater.
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. No comments of concern have been received by DES from abutters or local governing organizations.

7. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB17-0279) stated that "although there was a NHB record [...] resent in the vicinity, we do not expect that it will be impacted by the proposed project."
8. The site was inspected by DES Wetlands Bureau personnel on August 14, 2017.

**2017-01686 TRUSTEES OF DARTMOUTH COLLEGE**

**SEC COLL GRANT JOHNSON BROOK**

Requested Action:

Dredge and fill 865 square feet (SF) within the bed and banks of Johnson Brook (tier 2 perennial stream, impacting approximately 144 linear feet) to replace a failing 5 foot diameter by 25 foot long culvert with a 13 foot wide by 7.5 foot tall by 36 foot long metal pipe arch with stream simulation to reduce water velocity and allow for improved fish passage. In addition, temporarily impact an additional 200 SF (impacting approximately 42 linear feet) for turbidity controls and stream diversion.

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APPROVE PERMIT
Dredge and fill 865 square feet (SF) within the bed and banks of Johnson Brook (tier 2 perennial stream, impacting approximately 144 linear feet) to replace a failing 5 foot diameter by 25 foot long culvert with a 13 foot wide by 7.5 foot tall by 36 foot long metal pipe arch with stream simulation to reduce water velocity and allow for improved fish passage. In addition, temporarily impact an additional 200 SF (impacting approximately 42 linear feet) for turbidity controls and stream diversion.

With Conditions:
1. All work shall be in accordance with plans by United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS), dated July 28, 2017, and revised through September 07, 2017, as received by the NH Department of Environmental Services (DES) on September 11, 2017.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
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. Appropriate turbidity, siltation, and erosion controls shall be in place prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until the area is stabilized, suspended particles have settled, and water at the work site has returned to normal clarity. Temporary controls shall be removed once the area has been stabilized.
6. Turbidity and erosion control products shall be installed per manufacturers recommended specifications during periods of low flow. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
7. Work shall be done during low flow conditions, 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.
8. Construction shall be inspected daily by a licensed engineer or qualified professional to ensure that appropriate protective measures are properly implemented during construction, and that the structures are properly constructed as outlined in the plans and documents supporting this permit application.
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. 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 machinery shall enter the water.
12. 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.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
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. Any fill used shall be clean sand, gravel, rock, or other suitable material.
17. Native material removed from the streambed during culvert installation shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert, between wing walls, and beyond. If importing material is required, contractor shall find a well-graded material to match the material found upstream and downstream of the proposed construction. All stones shall be round, without fractures, and washed in with sand and fines.
18. Any voids in streambed simulation material (including at inlet and outlet ends) shall be filled with well-graded, rounded stones without fractures, and washed in with sand and fines to prevent subsurface flow.
19. The channel at the culvert inlet/outlet and the recreated stream channel bed must maintain a natural and consistent streambed elevation and not impede stream flow or aquatic organism passage.
20. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers exclusive of any invasive or nuisance species, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
21. 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.
22. 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.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t),as the as the project proposes to restore degraded wetland resources, specifically a perennial stream crossing that has been perched due to high velocity flows and poses a barrier to fish passage.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01 for roadway maintenance and will improve water passage at this location.
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 as it will improve habitat for aquatic organisms and allow for improved fish passage.
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 NH Fish & Game Department and the USDA Natural Resources Conservation Service helped to design, review, and financially support this restoration project.
6. The bridge designs meet the stream crossing rules of Env-Wt Chapter 900 and fully pass the 100 year storm events for the crossing.
7. In a letter dated June 07, 2017, the NH Natural Heritage Bureau (NHB) stated that while there was a record of a sensitive species in the vicinity of the project it would not be affected by the proposed project.

**2017-02063** **MILFORD, TOWN OF**

**MILFORD**

Requested Action:

Impact a total of 2,326 square feet (SF) along 221 linear feet (LF) to include 2,109SF of temporary impact along 190 LF and 217 SF of permanent impact along 31 LF within the bed and banks of Tucker Brook a perennial stream (Tier 2) to replace the existing, deteriorated twin 84-inch metal pipe-arch culverts beneath Mason Road with twin 60-inch reinforced concrete pipes for safe vehicular passage and maintain hydraulic capacity.

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Conservation Commission/Staff Comments:
7-17-17 - No historic properties affected per DHR.

APPROVE PERMIT
Impact a total of 2,326 square feet (SF) along 221 linear feet (LF) to include 2,109SF of temporary impact along 190 LF and 217 SF of permanent impact along 31 LF within the bed and banks of Tucker Brook a perennial stream (Tier 2) to replace the existing, deteriorated twin 84-inch metal pipe-arch culverts beneath Mason Road with twin 60-inch reinforced concrete pipes for safe vehicular passage and maintain hydraulic capacity.

With Conditions:
1. All work shall be in accordance with plans by GM2 Associates, Inc. dated 02/17, as received by DES on July 13, 2017.
2. 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.
3. 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.
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. 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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
9. Prior to commencing work on the culverts located within Tucker Brook, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
10. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
11. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A .
12. Trees that are stabilizing slopes and banks of the stream shall not be disturbed.
13. 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).
14. 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.
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. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
17. 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.
18. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
19. 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.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
21. Any fill used shall be clean sand, gravel, rock, or other suitable material.
22. 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.
23. 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).
24. The permittee/permittee's contractor shall regrade temporary impacts to pre-construction conditions and plant native species similar to those within the wetland prior to impact. The permittee shall implement corrective measure promptly if needed to ensure the plantings survive.
25. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.
26. Materials used to emulate a natural stream channel surface must be rounded, smooth stones similar to the natural

stream substrate and shall not include angular rip-rap.
27. Bank stabilization shall not extend land into the stream/river channel.
28. 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 minimum impact project per Administrative Rule Env-Wt 303.04(ah) Any project that includes any new stream crossing which qualifies as minimum impact under Env-Wt 903.01(e) and Env-Wt 904.06(c) & (d)
2. The impacts are necessary as the existing twin 84-inch metal pipe-arch culverts are failing; therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The project has been designed pursuant to Env-Wt 903.01(e) and Env_Wt 904.06 (c) & (d); 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(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Milford Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**2017-02127 THE GLEN**

**PITTSBURG CONNECTICUT RIVER**

Requested Action:

Dredge 7,579 square feet of palustrine forested wetland to construct a wildlife pond.

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APPROVE PERMIT
Dredge 7,579 square feet of palustrine forested wetland to construct a wildlife pond.

With Conditions:
1. All work shall be in accordance with plans by Beaver Brook Planning and Design, LLC dated May 20, 2017, as received by the NH Department of Environmental Services (DES) on July 20, 2017.
2. 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.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. There shall be no impacts to the stream bed or banks.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; 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.
6. 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.
7. 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).
8. Erosion control products shall be installed per manufacturers recommended specifications.
9. 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.
10. 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.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
12. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

13. 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.

With Findings:
1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(p), as wetland impacts are less than 20,000 square feet within poorly drained wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2017-02214 HOPPER, DOLORES/THOMAS**

**HOLDERNESS WHITE OAK POND**

Requested Action:

Impact 270 square feet of bank and lake bed along 49 linear feet of shoreline to repair 5.5 linear feet of stone retaining wall and reset 36 linear feet of rip-rap along an average of 109 feet of frontage along White Oak Pond in Holderness.

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APPROVE PERMIT
Impact 270 square feet of bank and lake bed along 49 linear feet of shoreline to repair 5.5 linear feet of stone retaining wall and reset 36 linear feet of rip-rap along an average of 109 feet of frontage along White Oak Pond in Holderness.

With Conditions:
1. All work shall be in accordance with plans by Ames Associates dated July 12 2017, as received by DES on July 26, 2017.
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.
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. 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).
8. 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.
9. 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.
10. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
11. 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.
12. 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.
13. 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 minimum impact project per Administrative Rule Env-Wt 303.04(x) maintenance, repair, or replacement of a non-docking structure such as a 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 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.

**2017-02241** **CANTERBURY WOODS GOLF LLC**

**CANTERBURY Unnamed Wetland**

Requested Action:

Dredge 19,283 square feet of forested wetland to expand an existing man-made pond to provide sufficient irrigation supply water for the Canterbury Woods Country Club golf course.

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Conservation Commission/Staff Comments:
9-19-17 - No historic properties affected per DHR.

APPROVE PERMIT
Dredge 19,283 square feet of forested wetland to expand an existing man-made pond to provide sufficient irrigation supply water for the Canterbury Woods Country Club golf course.

With Conditions:
1. All work shall be in accordance with plans by Promised Land Survey titled Irrigation Pond Exhibit, Map 237 Lot 007 for Canterbury Woods Country Club dated May 18, 2017 as received by the Department on July 28, 2016.
2. This permit is not valid unless compliance with RSA 485-A:17 and Env-Wq 1500 Alteration of Terrain is maintained.
3. Work shall be done during low flow/low water conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
5. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Extreme precautions shall be taken within riparian areas to limit unnecessary soil disturbance or removal of vegetation during construction. Areas cleared of vegetation shall be revegetated with native like species within three days of the completion of this project.
10. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Machinery shall not be located within surface waters, where practicable.
13. Machinery shall be staged and refueled in upland areas.
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.

With Findings:
1. This is a Minimum impact project per 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact, provided: (1) None of the wetlands have very poorly drained soil as defined in Env-Ws 1002.84; (2) There are no streams into or out of the proposed pond site; (3) The project is not located in prime wetlands; and (4) The project does not meet the requirements of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing pond has insufficient capacity to adequately irrigate the entire golf course. The past few years the pond has been unable to provide sufficient water during extended dry conditions.
3. The impacts to the wetland cannot be avoided because the southern side of the pond is bounded by the golf course access road and abutting property beyond, and the northern and eastern sides are close to abutting properties, the access drive, and the existing pump house. Locating another pond elsewhere on the property would require redundant irrigation infrastructure and would involve impacts in another location.
4. The wetland impacts have been minimized to the greatest extent practicable by locating the pond expansion adjacent to the existing pond which provides the maximum water storage capacity with the smallest pond footprint, and sizing to meet the golf course's irrigation needs during drier months.
5. The Canterbury Fire and Rescue has written a letter dated December 29, 2016 supporting the pond expansion in order to increase fire suppression efforts for the area. The proposed pond includes a dry hydrant installation.
6. The USEPA has reviewed the proposed project and determined the proposed pond is eligible as proposed per review letter dated September 12, 2017.
7. The Canterbury Conservation Commission reviewed the application and signed the application on August 14, 2017. The application was received by NHDES on July 28, 2017.
8. The New Hampshire Natural Heritage Bureau has reviewed the proposed project area and determined there are currently no recorded occurrences for sensitive species near the proposed project per letter dated June 12, 2017.
9. The applicant has submitted a Request for Project Review by the New Hampshire Division of Historical Resources. There are no historic properties affected per letter dated September 19, 2017.
10. The United States Department of the Interior Fish and Wildlife Service has reviewed the proposed project and determined there are no critical habitats within the proposed project area per letter dated July 24, 2017.

**EXPEDITED MINIMUM**
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**2012-02660** **HP SUNAPEE LLC**

**SUNAPEE Unnamed Stream**

Requested Action:

Request permit time extension. Dredge and fill 1,327 square feet and temporarily impact 220 square feet of an unnamed intermittent stream to remove sediment from an existing culvert and stabilize the channel up and downstream.

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APPROVE TIME EXTENSION
Dredge and fill 1,327 square feet and temporarily impact 220 square feet of an unnamed intermittent stream to remove sediment from an existing culvert and stabilize the channel up and downstream.

With Conditions:
1. All work shall be in accordance with plans by CLD Consulting Engineers, dated AUG 2012, as received by the Department on October 01, 2012.
2. The permittee shall notify the NH Department of Transportation of the proposed project prior to the commencement of construction.
3. Work shall be done during in the dry and during low flow conditions.

4. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the bank stabilization areas are constructed in accordance with the plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on stream and wetlands.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. 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).
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
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 during construction.
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 tack or netting and pinning on slopes steeper than 3:1.
15. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
16. A post-construction report documenting the status of the restored jurisdictional area, including photographs during and post construction shall be submitted to the Wetlands DES within sixty (60) days of the completion of construction.

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.

**2017-01401** **EBNER, BRENT**

**ATKINSON**

Requested Action:

Impact 1,810 square feet of forested wetland for the installation of a 24-inch CMP culvert for the construction of a driveway for access to a trailhead parking area for trails located on Town of Atkinson land and to a single family residential dwelling.

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APPROVE PERMIT
Impact 1,810 square feet of forested wetland for the installation of a 24-inch CMP culvert for the construction of a driveway for access to a trailhead parking area for trails located on Town of Atkinson land and to a single family residential dwelling.

With Conditions:
1. All work shall be in accordance with plans by Lavelle Associates dated 3/10/2017 as received by the NH Department of Environmental Services (NHDES) on May 18, 2017.
2. This permit is not valid unless a septic system construction approval pursuant to RSA 485-A:29-44 and Env-Wq 1000 is issued.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
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 shall be done during low flow and in the dry only.
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. 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).
8. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
9. The channel at the culvert inlet and outlet must maintain the natural and a consistent elevation with the surrounding substrate and not impede water flow.
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 or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. 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.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
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.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The impacts are necessary to construct a driveway to buildable uplands as well to provide access to trailhead parking for trails located on on Town of Atkinson property; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will occur at the narrowest portion of wetlands and utilize an existing woods road; 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(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Atkinson Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
7. The applicant requested a waiver of Env-Wt 304.04(a) as the applicant was unable to obtain written concurrence from the abutter identified as Hampstead Tax Map 15 Lot 35.
8. DES hereby grants the waiver of Env-Wt 304.04(a) in accordance with Env-Wt 204.04(a) as granting the request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety; or an impact on abutting properties that is more significant than that which would result from complying with the rule. Furthermore, granting the request is consistent with the intent and purpose of the rule being waived. Strict compliance with the rule will provide no benefit to the public.

**2017-02304** **PLYMOUTH, TOWN OF**

**PLYMOUTH Unnamed Stream**

Requested Action:

Dredge and fill 80 square feet (which includes 35 linear feet) of a perennial stream to replace Fox Pond's failing inlet and outlet pipes with 12 inch PVC pipes, construct associated headwalls, and a new emergency spillway.

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Conservation Commission/Staff Comments:
The Conservation Commission signed the application on July 27, 2017 waiving their right to intervene.

APPROVE PERMIT
Dredge and fill 80 square feet (which includes 35 linear feet) of a perennial stream to replace Fox Pond's failing inlet and outlet pipes with 12 inch PVC pipes, construct associated headwalls, and a new emergency spillway.

With Conditions:
1. All work shall be in accordance with plans by KVPartners, LLC dated June 2017, as received by DES on August 3, 2017.
2. This permit is not valid unless compliance with RSA 482 and Env-Wr 100 et seq is achieved.
3. 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.
4. All in-stream work shall be conducted during low flow conditions and 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.
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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Erosion control products shall be installed per manufacturers recommended specifications.
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. 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.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
12. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
13. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
14. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
15. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
16. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
17. Bank stabilization shall not extend land into the stream/river channel.

With Findings:
1. This is a minimum impact project per 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. The applicant has indicated that the condition of the existing inlet and outlet pipes are severely corroded and require replacement.
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 chosen alternative will minimize permanent impacts in the perennial stream by placing the new pipes in the same location as the current pipes.
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 NH Natural Heritage Bureau has no records of species or exemplary natural communities in or near the project area as per data check results letter dated June 14, 2017.
6. The Conservation Commission signed the application on July 27, 2017 waiving their right to intervene.
7. The addition of an emergency spillway will prevent any uncontrolled flow over the dam. There are no proposed impacts located within wetland jurisdiction associated with the overflow spillway construction.

**2017-02358** **MCSHARRY, AMANDA/JAMES**

**PORTSMOUTH LITTLE HARBOR**

Requested Action:

Impact a total of 1,166 square feet in the developed upland tidal buffer zone, including 975 square feet of temporary impact, and 181 square feet of permanent impact for construction of a second floor addition, driveway extension and installation of an infiltration trench.

**********

APPROVE PERMIT
Impact a total of 1,166 square feet in the developed upland tidal buffer zone, including 975 square feet of temporary impact, and 181 square feet of permanent impact for construction of a second floor addition, driveway extension and installation of an infiltration trench.

With Conditions:
1. All work shall be in accordance with plans by Ross Engineering dated 7/14/2017, as received by the NH Department of Environmental Services (DES) on 8/8/2017.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
3. This permit is contingent upon the execution of the planting plan, as amended by the species recommendations made to the applicant by the NH Natural Heritage Bureau ("NHB")in a communication dated 5/8/2017.
4. 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.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1.
6. 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).
7. Excavated materials shall be disposed of outside of areas subject to RSA 482-A jurisdiction

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (b) projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project involves upgrades to an existing residential lot, and includes stormwater infiltration, removal of invasive species and an extensive planting plan as coordinated with NH Natural Heritage Bureau ("NHB").
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposal represents modest changes to an existing dwelling almost entirely within the existing footprint; removal of invasive plants, and an extensive buffer enhancement planting plan.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau reported that, while there is a record of an occurrence of a species of concern in the project vicinity, it is not expected to be impacted by the project.
5. The Portsmouth Conservation Commission signed the expedited application.
6. The proposal complies with RSA 483-B, Shoreland Water Quality Protection Act.

**2017-02499** **KALHORI, ELAINE**

**WILTON Unnamed Wetland**

Requested Action:

Dredge and fill 16,465 square feet (SF) of palustrine emergent wetland to create a wildlife/agricultural pond. All impacts are permanent.

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Conservation Commission/Staff Comments:
9-19-17 - No historic properties affected per DHR.

APPROVE PERMIT
Dredge and fill 16,465 square feet (SF) of palustrine emergent wetland to create a wildlife/agricultural pond. All impacts are permanent.

With Conditions:
1. All work shall be in accordance with plans by Meridian Land Services Inc dated August 01, 2017 as received by the NH Department of Environmental Services (DES) on August 21, 2017.
2. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
3. Appropriate siltation, turbidity 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.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. 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.
6. 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).
7. Erosion control products shall be installed per manufacturers recommended specifications.
8. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
9. 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.
10. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3 -inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The permittee or permittee's contractor shall properly construct, landscape, and monitor the created pond, and shall take such remedial actions as may be necessary to create functioning wetland areas. 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.

12. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.
13. The pond creation area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Program.

With Findings:
1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04(p), alteration of less than 20,000 square feet (SF) to create a wildlife pond.
2. There are no very poorly drained soils that are being impacted.
3. There are no streams going into or out of the proposed pond site.
4. The project is not within 100 feet of a prime wetland.
5. The Natural Heritage Bureau (NHB) report (NHB17-2327) submitted with the application package, received by NHDES on August 21, 2017, stated that there are no recorded occurrences for sensitive species near this project area.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The project is part of a larger land management strategy to improve wildlife habitat and be an agricultural water source for ongoing tree farming.
8. 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.
9. In the application package received by NHDES the applicant's agent state that the project has avoided more significant wetlands nearby, the project is down gradient of the surrounding wetland complex and encompasses only a portion of the delineated wetland in the project area.
10. 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.
11. No comments of concern have been received by NHDES from abutters or local governing organizations.

**2017-02601** **NH DEPT OF TRANSPORTATION**

**GILFORD Unnamed Wetland**

Requested Action:

Install a new catch basin southerly of the existing catch basin and connect to the existing drainage structure adjacent to facilitate widening of NH Route 11.

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APPROVE PERMIT
Install a new catch basin southerly of the existing catch basin and connect to the existing drainage structure adjacent to facilitate widening of NH Route 11.

With Conditions:
1. All work shall be in accordance with plans by NH Dept of Transportation dated June 28, 2017, as received by the NH Department of Environmental Services (DES) on August 29, 2017.
2. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20 feet of the property line, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the DES Wetlands Program.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
4. 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.
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. Appropriate turbidity controls shall be used to prevent turbidity from entering the existing drainage structure and discharging into the stream channel on the northern side of the drainage structure and NH route 11.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
8. All work shall be conducted during low flow conditions and 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.
9. 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).
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.
11. Area of temporary impact shall be regraded to original contours following completion of work.
12. The permittee/permittee's contractor shall regrade temporary impacts to pre-construction conditions and plant native species similar to those within the wetland prior to impact. The permittee shall implement corrective measure promptly if needed to ensure the plantings survive.
13. Areas from which vegetation has been cleared to gain access to the site shall be replanted with similar native species.
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.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j), projects within the right-of-way of a public highway and do not exceed 3000 square feet of dredge and fill in wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for

Application Evaluation, has been considered in the design of the project.

**PERMIT BY NOTIFICATION**
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**2017-02619 WEBER, GERARD**

**NEW LONDON PLEASANT LAKE**

Requested Action:

Replenishment of existing beach with no more than 6 cubic yards of clean sand on frontage along Pleasant Lake in New London.

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PBN IS COMPLETE
Replenishment of existing beach with no more than 6 cubic yards of clean sand on frontage along Pleasant Lake in New London.

**2017-02620 PLANER, ROBERT/PAULA**

**SUNAPEE SUNAPEE LAKE**

Requested Action:

Replacement in-kind of the southeast boat house 10 ft. X 15 ft. crib; replacement in-kind of the 8 ft. X 30 ft. southern deck a portion of which is over the crib structure; and rebuilding in-kind of the 15 ft. northern stone wall supporting the boat house with the current materials according to plans by Paul Mason received by NHDES on 09/18/2017 on frontage along Sunapee Lake in Sunapee.

**********

PBN IS COMPLETE
Replacement in-kind of the southeast boat house 10 ft. X 15 ft. crib; replacement in-kind of the 8 ft. X 30 ft. southern deck a portion of which is over the crib structure; and rebuilding in-kind of the 15 ft. northern stone wall supporting the boat house with the current materials according to plans by Paul Mason received by NHDES on 09/18/2017 on frontage along Sunapee Lake in Sunapee.

**2017-02624 ROBINSON, LESLIE**

**MEREDITH LAKE WINNIPESAUKEE**

Requested Action:

Repair and replacement in-kind of existing permanent docks (9' x 39' and 10' x 39'), three ice cluster pilings, and three cribs (9' x 39', 10' x 39' and 8'10" x 8'9") according to plans by Watermark Marine Construction dated August 15, 2017 along frontage on Lake Winnipesaukee in Meredith.

**********

PBN IS COMPLETE
Repair and replacement in-kind of existing permanent docks (9' x 39' and 10' x 39'), three ice cluster pilings, and three cribs (9' x 39', 10' x 39' and 8'10" x 8'9") according to plans by Watermark Marine Construction dated August 15, 2017 along frontage on Lake Winnipesaukee in Meredith.

**2017-02763** **CAMPBELL, BRUCE**

**MILTON NORTHEAST POND**

Requested Action:

Replacement in-kind of existing retaining wall not to exceed 21 feet on frontage along Northeast Pond in Milton.

**********

PBN IS COMPLETE
Replacement in-kind of existing retaining wall not to exceed 21 feet on frontage along Northeast Pond in Milton.

**2017-02805** **CHAMPAGNE, RONALD**

**MOULTONBOROUGH LAKE WINNIPESAUKEE**

Requested Action:

Replace 2 tie off pilings and repair or replace in kind 8 supporting dock pilings according to plan drawings by Ambrose Marine dated 08/09/2017 on frontage along Lake Winnipesaukee in Moultonborough.

**********

PBN IS COMPLETE
Replace 2 tie off pilings and repair or replace in kind 8 supporting dock pilings according to plan drawings by Ambrose Marine dated 08/09/2017 on frontage along Lake Winnipesaukee in Moultonborough.

**FORESTRY NOTIFICATION**
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**2017-02764** **ONEIL REVOCABLE TRUST, ROBERT**

**SUTTON Unnamed Stream**

Requested Action:

Applicant requested to withdraw forestry application, as they state no wetland crossings are necessary.

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**2017-02810** **TAYLOR, BETHANY/DREW**

**GILMANTON Unnamed Stream**

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COMPLETE NOTIFICATION
GILMANTON; TAX MAP# 419; LOT(S)# 87,88

**2017-02816** **BOWER, ROBERT**

**SUTTON**

**********

COMPLETE NOTIFICATION
SUTTON; TAX MAP# 3; LOT# 12; sub#486

**2017-02818** **FITZGERALD, ROSS**

**ANTRIM Unnamed Stream**

**********

COMPLETE NOTIFICATION
ANTRIM; TAX MAP# 220; LOT(S)# 31,38,39

**2017-02820** **LANDRY, JOSEPH & GAYLE**

**SALISBURY**

**********

COMPLETE NOTIFICATION
SALISBURY; TAX MAP# 254; LOT# 2

**2017-02823** **KENISTON, RUSSELL**

**HAVERHILL Unnamed Stream**

**********

COMPLETE NOTIFICATION
HAVERHILL; TAX MAP# 405; LOT(S)# 5,5.1,5.2

**2017-02828** **YEATON, MICHAEL & MARJORIE**

**EPSOM Unnamed Stream**

**********

COMPLETE NOTIFICATION
EPSOM; TAX MAP# R6; LOT(S)# 3,4

**2017-02837** **ALAFAT, BARBARA**

**PLAINFIELD Unnamed Stream**

**********

COMPLETE NOTIFICATION
PLAINFIELD; TAX MAP# 214; LOT# 13

**2017-02842** **BARRY, JEFFERY**

**CONCORD Unnamed Stream**

**********

COMPLETE NOTIFICATION
CONCORD; TAX MAP# 118; BLOCK# I1; LOT# 20

**2017-02852** **THE CONSERVATION FUND**

**SUCCESS Unnamed Stream**

**********

COMPLETE NOTIFICATION
SUCCESS; TAX MAP# 1613; LOT# 10

**2017-02863** **DILLON INVESTMENTS, LLC**

**NEW DURHAM Unnamed Stream**

**********

COMPLETE NOTIFICATION
NEW DURHAM; TAX MAP(S)# 244/229; LOT(S)# 016/002,004

**2017-02865** **STEVENS FAMILY**

**BATH Unnamed Stream**

**********

COMPLETE NOTIFICATION
BATH; TAX MAP# 10; LOT(S)# 5,11

**TRAILS NOTIFICATION**
**********

**2017-02827** **STATE OF NH**

**PITTSBURG**

**********

COMPLETE NOTIFICATION
PITTSBURG; TAX MAP# E-8; LOT# 26

**GOLD DREDGE**
**********

**2017-02834** **MILLER, ANDREW**

**(ALL TOWNS)**

**********

APPROVE PERMIT
GOLD DREDGE

**LAKES-SEASONAL DOCK NOTIFICATION**
**********

**2017-02881** **GOLDTHWAITE, ROBERT**

**NORTHWOOD PLEASANT LAKE**

Requested Action:

Installation of a seasonal pier not to exceed 4 ft. X 30 ft. on frontage along Lake Pleasant in Northwood.

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COMPLETE NOTIFICATION
Installation of a seasonal pier not to exceed 4 ft. X 30 ft. on frontage along Lake Pleasant in Northwood.

**ROADWAY MAINTENANCE NOTIFICATION**
**********

**2017-02861** **SUGAR HILL, TOWN OF**

**SUGAR HILL Unnamed Stream**

**********

**2017-02862** **SUGAR HILL, TOWN OF**

**SUGAR HILL Unnamed Stream**

**********

**2017-02887** **MADBURY, TOWN OF**

**MADBURY Unnamed Wetland**

**********

**SHORELAND PERMIT**
**********

**2009-01913** **NADEAU, DANIEL**

**BARTLETT ELLIS RIVER**

Requested Action:

Request permit name change to Daly Riverside Cabin LLC.
Impact 2,000 sq ft for the purpose of constructing a new residential dwelling, associated accessory structure and installation of a new septic system.

**********

Conservation Commission/Staff Comments:
9/24/14 Per agent, client's address has changed.

APPROVE NAME CHANGE
Impact 2,000 sq ft for the purpose of constructing a new residential dwelling, associated accessory structure and installation of a new septic system.

With Conditions:
1. All work shall be in accordance with plans submitted by Daniel Nadeau dated June 15, 2009 and received by the Department of Environmental Services ("DES") on August 25, 2009 and October 26, 2009.
2. No more than 15.1% 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 impacts associated with this project shall operate in accordance with RSA 483-B:10.
4. No natrual ground cover within the waterfront buffer shall be disturbed except those neccessary for installing the proposed foundation.
5. The project as proposed will leave approximately 240 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
7. 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.
8. 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.
9. 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.
10. 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.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. 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.
14. Silt fencing must be removed once the area is stabilized.
15. This permit is contingent on approval by the DES Subsurface Systems Bureau.

With Findings:
This permit transfer is issued in accordance with NH Administrative Rule Env-Wq 1406.18.

**2017-00384** **BLONDEAU, RAYMOND**

**HAMPTON UNNAMED SALTMARSH**

Requested Action:

Impact 6,210 square feet of protected shoreland in order to replace existing structure and expand a section of asphalt.

**********

Conservation Commission/Staff Comments:
Rain garden was requested, thinging it would come in with a revised plan as proposed, but cane back as installed (based on an expired permit).

APPROVE PERMIT
Impact 6,210 square feet of protected shoreland in order to replace existing structure and expand a section of asphalt.

With Conditions:
1. All work except the rain garden area shall be in accordance with plans by Ambit Engineering dated January 4, 2017 and received by the NH Department of Environmental Services (NHDES) on February 3, 2017 and the rain garden shall be maintained in accordance with plans by Jones and Beach Engineers, Inc. dated July 7, 2009 and received by NHDES on September 1, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 97% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. The rain garden plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed, during which time any failed plantings shall immediately be replaced by the owner of the property with appropriate native species.
5. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the rain garden to the Department.
6. No native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
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-Wq 1700.
10. 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.
12. 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).
13. 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.
14. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2017-00877** **ROCKWELL J CLEBORNE TRUST**

**WOLFEBORO LAKE WINNIPESAUKEE**

Requested Action:

Applicant requests that the permit be amended to reduce the footprint of the primary structure, reconfigure the walkways and plantings, add an underground propane tank,

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APPROVE AMENDMENT
Impact 7,010 square feet of protected shoreland in order to rebuild an existing residential structure, replace all existing stone walkways and one existing stone patio, construct a rain garden, and install a dripline infiltration trench and propane tank.

With Conditions:
1. All work shall be in accordance with plans by Stoney Ridge Environmental LLC. dated August 10, 2017 and received by the NH Department of Environmental Services (NHDES) on August 29, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 25.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Within 90 days the completion of the framing of the proposed structure the Permittee shall provide documentation, including photos, showing that all restoration plantings within the Waterfront Buffer have occurred, to the NHDES Wetlands Bureau
6. Following planting, all planting areas within the restored Waterfront Buffer areas shall be allowed to revert back to a natural state. The regeneration of ground cover shall not be suppressed by the use of bark mulch or other materials.
7. All planting as shown on the approved plans shall be completed prior to the occupancy of the residential structure.
8. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
9. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.
10. Native vegetation within an area of at least 2,007 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).
11. 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.
12. 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.
13. 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.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. All permeable pavers shall be installed and maintained to effectively absorb and infiltrate stormwater.
16. 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.
17. 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).
18. 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.
19. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES 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:
Although an increase in impervious is proposed, the overall impact area and impact to unaltered area is reduced therefore a waiver of Env-Wq 1406.22(e)(1) is granted as per Env-Wq 1413.04.

**2017-02057** **THE DEBORAH H CUMMINGS TRUST**

**BRIDGEWATER NEWFOUND LAKE**

Requested Action:

Impact 5,806 square feet of protected shoreland in order to replace an existing residential structure and garage, install a new septic system, driveways, and stormwater management systems.

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Conservation Commission/Staff Comments:
9-19-17 - Additional information needed per DHR.
The pervious patio was granted as a rule waiver for accessory structures setback. An impervious deck would be allowed, replacing this footprint with a pervious patio that will act as a reservoir to infiltrate the foundation drain outlet was determined to qualify for the waiver.
The stormwater system was conditioned to be set 3' above SHWT in accordance with AOT specifications in order to ensure that treatment is provided and no surface water quality violations occur.

APPROVE PERMIT
Impact 5,806 square feet of protected shoreland in order to replace an existing residential structure and garage, install a new septic system, driveways, and stormwater management systems.

With Conditions:
1. All work shall be in accordance with plans by B.A. Barnard Ent. Inc. dated July 2017 and received by the NH Department of Environmental Services (NHDES) on September 12, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 24.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Prior to the occupancy of the residential structure the Permittee shall provide documentation, including photos, showing that all restoration plantings have occurred, to the NHDES Wetlands Bureau.
6. Following planting, all planting areas within the waterfront buffer shall be allowed to revert back to a natural state. The regeneration of ground cover shall not be suppressed by the use of bark mulch or other materials; hay mulch may be used temporarily to establish vegetation.
7. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
8. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.
9. Native vegetation within an area of at least 2,151 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).
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. 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.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

14. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
15. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
16. The bottom of all infiltration structures shall be located a minimum of three feet above the seasonal high water table
17. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
18. 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.
19. 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).
20. 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.
21. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2017-02243** **LACOURSIERE, EDWARD**

**MEREDITH WINNISQUAM LAKE**

Requested Action:

Impact 9,990 square feet of protected shoreland in order to construct an addition to the existing primary structure, widen the driveway, construct a detached garage, install an new septic system, install storm water management, restore unaltered area.

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APPROVE PERMIT
Impact 9,990 square feet of protected shoreland in order to construct an addition to the existing primary structure, widen the driveway, construct a detached garage, install an new septic system, install storm water management, restore unaltered area.

With Conditions:
1. All work shall be in accordance with plans by Ames Associates dated September 13, 2017 and received by the NH Department of Environmental Services (NHDES) on September 18, 2017.
2. Neither the new structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 29.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Prior to the occupancy of the residential structure the Permittee shall provide documentation, including photos, showing that all restoration plantings have occurred, to the NHDES Wetlands Bureau.
6. Following planting, all planted vegetation within the woodland buffer shall be retained in an unaltered state in order to comply with RSA 483-B:9, V(b)(2). The regeneration of ground cover in the planted area shall not be suppressed by the use of bark mulch or other materials; hay mulch may be used temporarily to establish vegetation.
7. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
8. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.

9. No native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. 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.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
15. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
16. 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.
17. 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).
18. 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.
19. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2017-02270 KUFTINEC, LISA/STEVEN**

**NORTHWOOD NORTHWOOD LAKE**

Requested Action:

Impact 3,374 square feet of protected shoreland in order to replace the existing primary structure and install a septic system and dripline infiltration trench.

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APPROVE PERMIT
Impact 3,374 square feet of protected shoreland in order to replace the existing primary structure and install a septic system and dripline infiltration trench.

With Conditions:
1. All work shall be in accordance with plans by Boudreau Land Surveying dated September 8, 2017 and received by the NH Department of Environmental Services (NHDES) on September 12, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 23.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 1,710 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. 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. 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.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
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. 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).
14. 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.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2017-02300** **SHARPE CALLAHAN, DEBORAH**

**ASHLAND LITTLE SQUAM LAKE**

Requested Action:

Impact 4,000 square feet of protected shoreland in order to reconstruct the existing residential structure in its current footprint, and reconstruct the foundation.

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APPROVE PERMIT
Impact 4,000 square feet of protected shoreland in order to reconstruct the existing residential structure in its current footprint, and reconstruct the foundation.

With Conditions:
1. All work shall be in accordance with plans by Ames Associates dated September 7, 2017 and received by the NH Department of Environmental Services (NHDES) on September 11, 2017.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 34.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 560 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 native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
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-Wq 1700.

10. 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.
12. 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).
13. 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.
14. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2017-02432** **AIRTIGHT II LLC**

**MANCHESTER PINE ISLAND POND & COHAS BROOK**

Requested Action:

Impact 13,532 square feet of protected shoreland in order to an addition to an existing structure, concrete patio, and walkway.

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APPROVE PERMIT
Impact 13,532 square feet of protected shoreland in order to an addition to an existing structure, concrete patio, and walkway.

With Conditions:
1. All work shall be in accordance with plans by TFMoran dated August 11, 2017 and received by the NH Department of Environmental Services (NHDES) on August 14, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 9.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 68,819 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).
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-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. 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.
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. 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 NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2017-02451 LAWSON, JAMES**

**MOULTONBOROUGH LAKE WINNIPESAUKEE**

Requested Action:

Impact 8,000 square feet of protected shoreland in order to replace existing primary structure, construct a new driveway, walkways, pervious patio, and relocate septic tank.

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Conservation Commission/Staff Comments:
Rules for showing all tree points were waived as all impacted areas within the waterfront buffer are shown in photos to not have any trees and plan notes no tree removal.

APPROVE PERMIT
Impact 8,000 square feet of protected shoreland in order to replace existing primary structure, construct a new driveway, walkways, pervious patio, and relocate septic tank.

With Conditions:
1. All work shall be in accordance with plans by Joanne K. Coppinger dated September 14, 2017 and received by the NH Department of Environmental Services (NHDES) on September 15, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,461 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. 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. 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.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
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 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).
13. 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.
14. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2017-02493** **HOONHOUT, JOE**

**GREENLAND WINNICUT RIVER**

Requested Action:

Impact 22,045 square feet (SF) of protected shoreland in order to relocate and renovate the existing house, install a septic system, and grade as necessary.

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APPROVE PERMIT
Impact 22,045 square feet (SF) of protected shoreland in order to relocate and renovate the existing house, install a septic system, and grade as necessary.

With Conditions:
1. All work shall be in accordance with plans by Jones and Beach Engineers, Inc. dated July 21, 2017 and received by the NH Department of Environmental Services (NHDES) on August 24, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least Click here to enter text. 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. 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. 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.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. 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).
12. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2017-02505** **DAVIS, ANN/JAMES**
**DAVIS SSMC GST TRUST**

**WOLFEBORO LAKE WINNIPESAUKEE**

Requested Action:

Impact 7, 652 square feet of protected shoreland in order to remove an existing cottage and replace with a new cottage in approximately the same location.

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Conservation Commission/Staff Comments:
Existing beach appears to be newly replenished, no permit on file. This beach is not shown in 2016-00416, did not check other related files.

APPROVE PERMIT
Impact 7, 652 square feet of protected shoreland in order to remove an existing cottage and replace with a new cottage in approximately the same location.

With Conditions:
1. All work shall be in accordance with plans by Norway Plains Associates, Inc. dated August, 2017 and received by the NH Department of Environmental Services (NHDES) on August 22, 2017.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 19.65% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 12,716.6 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. 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. 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.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. 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).
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 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.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2017-02567** **CIOFFI, MICHELLE/PHILLIP**

**ALTON LAKE WINNIPESAUKEE**

Requested Action:

Impact 7,133 square feet (SF) of protected shoreland in order to remove existing garage, 3 season porch/balcony, bulkhead, shed, and other minor structures. Construct a new garage and breezeway, porch/deck, and patio. Reconfigure the existing driveway; re-grading of site.

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APPROVE PERMIT
Impact 7,133 square feet (SF) of protected shoreland in order to remove existing garage, 3 season porch/balcony, bulkhead, shed, and other minor structures. Construct a new garage and breezeway, porch/deck, and patio. Reconfigure the existing driveway; re-grading of site.

With Conditions:
1. All work shall be in accordance with plans by White Mountain Survey and Engineering, Inc. dated August 23, 2017 and received by the NH Department of Environmental Services (NH DES) on August 25, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 17% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from the Department.
4. Native vegetation within an area of at least 3,029 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
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-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 be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands and surface waters. 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.
11. This permit shall not preclude Department from taking any enforcement or revocation action if Department later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2017-02581** **GODZYK, BRIAN/CYNTHIA**

**MEREDITH LAKE WINNIPESAUKEE**

Requested Action:

Impact 5,000 square feet (SF) of protected shoreland in order to replace the existing nonconforming residence located at 20.9 feet from the shoreline with a new residence located 27 feet from the shoreline. Remove an existing concrete pad, a retaining wall and spa within the Waterfront Buffer. Reconstruct the parking area as permeable, construct two permeable walkways and a permeable patio under the attached deck. Overall impervious surface of the lot will be reduced, impervious surface coverage within the Waterfront Buffer will be reduced, and there will be no increase of living space within the Waterfront Buffer.

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APPROVE PERMIT
Impact 5,000 square feet (SF) of protected shoreland in order to replace the existing nonconforming residence located at 20.9 feet from the shoreline with a new residence located 27 feet from the shoreline. Remove an existing concrete pad, a retaining wall and spa within the Waterfront Buffer. Reconstruct the parking area as permeable, construct two permeable walkways and a permeable patio under the attached deck. Overall impervious surface of the lot will be reduced, impervious surface coverage within the Waterfront Buffer will be reduced, and there will be no increase of living space within the Waterfront Buffer.

With Conditions:
1. All work shall be in accordance with plans by Ames Associates dated August 25, 2017 and received by the NH Department of Environmental Services (NH DES) on August 28, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NH DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 24.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from the Department.
5. Native vegetation within an area of at least 20 SF within the Natural Woodland Buffer located between 50 and 150 feet 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. 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. 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.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
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. This permit shall not preclude Department from taking any enforcement or revocation action if Department later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2017-02595** **THE A TO Z TRUST**

**RINDGE MONOMONAC LAKE**

Requested Action:

Impact 12,450 square feet (SF) of protected shoreland in order to repave driveway, add pervious pavers patio and parking areas, add stone retaining walls, flatten slope towards lake, add stone infiltration areas & landscape areas.

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APPROVE PERMIT
Impact 12,450 square feet (SF) of protected shoreland in order to repave driveway, add pervious pavers patio and parking areas, add stone retaining walls, flatten slope towards lake, add stone infiltration areas & landscape areas.

With Conditions:
1. All work shall be in accordance with plans by Brickstone Land Use Consultants, LLC dated August 23, 2017 and received by the NH Department of Environmental Services (DES) on August 29, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 35% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation 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-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
9. 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.
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. 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.
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.

**2017-02614** **BLAYLOCK, ELAINE**

**WAKEFIELD LOVELL LAKE**

Requested Action:

Impact 7,180 square feet (SF) in order to construct an addition and deck to the existing primary structure, and generator pad. Project includes the replacement of a failed septic system.

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APPROVE PERMIT
Impact 7,180 square feet (SF) in order to construct an addition and deck to the existing primary structure, and generator pad. Project includes the replacement of a failed septic system.

With Conditions:
1. All work shall be in accordance with plans by David A. Cluff dated August 24, 2017 and received by the NH Department of Environmental Services (NHDES) on August 30, 2017.
2. No additional bedrooms shall be constructed until the project is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 17.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 3,712 SF within the Natural Woodland Buffer located between 50 and 150 feet 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. 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. 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.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
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. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2017-02623** **GREEN FAMILY TRUST**

**STODDARD HIGHLAND LAKE**

Requested Action:

Impact 8,900 square feet (SF) of protected shoreland in order to expand the footprint and add a second floor to an existing house. Two sheds will be removed and a new septic system installed.

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APPROVE PERMIT
Impact 8,900 square feet (SF) of protected shoreland in order to expand the footprint and add a second floor to an existing house. Two sheds will be removed and a new septic system installed.

With Conditions:
1. All work shall be in accordance with plans by Forest Designs dated August 11, 2017 and received by the NH Department of Environmental Services (NHDES) on August 31, 2017.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 19% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 3,669 SF within the Natural Woodland Buffer located between 50 and 150 feet 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. 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. 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.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
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. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.