

Wetlands Applications Decision Report

Decisions Taken
09/25/2017 to 10/01/2017

MAT
Approve
10/2/17

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

2012-01143

KNOWLES, JAMES

FARMINGTON BERRYS RIVER

Requested Action:

Request a time extension.

APPROVE TIME EXTENSION

Dredge and fill a total of 5,810 sq. ft. of wetlands and surface waters for construction of a driveway to access uplands to serve a single-family residence on 175 acres, including the following: Wetland Impact #1: 139 sq. ft. for driveway slope grading; Wetland Impact #2: 135 sq. ft. of fill for the driveway and installation of a 20' x 15" culvert; Wetland Impact #3: 662 sq. ft. of fill for the driveway and slope grading; Wetland Impact #4: 55 sq. ft. for driveway slope grading; Impact #5: 4 sq. ft. for driveway slope grading; Impact #6: 3,384 sq. ft. of fill for the driveway and installation of a 28' x 18" culvert; Impact #7 and #8: 251 sq. ft. for the construction of a 16' long x 12' wide span bridge over an intermittent stream; Impact #9 and #10: 53 sq. ft. for the construction of a 32' long x 12' wide span bridge over Berry's River; Impact #11: 248 sq. ft. of temporary impact to cross an intermittent stream during construction using timber mats; Impact #12: 879 sq. ft. of temporary impact to cross Berry's River during construction using timber mats and installation of a temporary steel deck bridge over stream.

Approve as mitigation wetland restoration of 3,750 sq. ft. of a former woods road crossing and restoration of 304 sq. ft. of a disturbed section of Berry's River bank.

With Conditions:

1. All work shall be in accordance with plans by MJS Engineering, PC dated March 28, 2012, as received by the NH Department of Environmental Services (DES) on May 14, 2012 and Construction Detail sheet D3 with Temporary Bridge Detail dated August 13, 2012, as received by the DES on August 17, 2012.
2. This permit is contingent upon wetland restoration of 3,750 sq. ft. of an existing woods road and 304 sq. ft. of bank restoration in accordance with plans by MJS Engineering, PC dated March 28, 2012, as received by the NH Department of Environmental Services (DES) on May 14, 2012.
3. A NH certified wetland scientist shall supervise the wetland and bank restoration activities to ensure that the restoration is accomplished in accordance with approved plans.
4. There shall be no substitutions made within the restoration area for the plant species specified on the approved plan for replanting purposes without prior written approval from DES.
5. The NH certified wetland scientist shall inspect the restoration area, and submit an initial monitoring report with photographs to DES within 30 days of the restoration, but in no case later than December 1 of the year following construction of the driveway. The initial monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report. Photographs should depict all stages of restoration sequencing.
6. A subsequent monitoring report shall be submitted to DES after the second growing season following construction/restoration by December 1 to document the success of the restoration and outline a schedule for remedial actions if necessary. Such reports shall be submitted to DES with photographs demonstrating the conditions on the restoration site, include any necessary remedial actions, and contain a schedule for completing the remedial actions and conducting follow up inspections.
7. Dredged material shall be placed out of the NHDES jurisdiction unless otherwise specified.
8. Unconfined work within the river and stream, exclusive of work associated with installation of a cofferdam, shall be done during low flow.
9. 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, unless other methods are specifically authorized by the DES Wetlands Bureau.
10. Temporary cofferdams shall be entirely removed immediately following construction.

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11. Construction equipment shall not be located within surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. 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.
14. 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.
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 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.
16. 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).
17. Appropriate storm water management and erosion control Best Management Practices (BMP) shall be implemented to ensure turbidity impacts are minimized and water quality standards are not violated. If the BMP conflicts with terms or conditions of this permit, the terms and conditions of this permit shall control.
18. The applicant/contractor shall limit unnecessary removal of vegetation within riparian areas during driveway construction and areas cleared of vegetation shall be re-vegetated as quickly as possible after construction to minimize erosion and restore wildlife habitat.
19. Land clearing in jurisdictional areas during construction is to be kept to a minimum to reduce impacts on wildlife habitat.
20. Standard precautions shall be taken not to import or transport soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
21. There shall be no further alteration of wetlands or surface waters without amendment of this permit.
22. Work shall be done at low flow.

With Findings:

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

2015-02877

NH DEPT OF TRANSPORTATION

SWANZEY ASHUELOT RIVER

Requested Action:

Request amendment to include a stone step on the river bank for canoe access impacting 50 sq. ft. (10 linear ft.) in an area previously permitted as temporary impacts.

Compensatory mitigation includes a one-time payment of \$2,450.40 to the Aquatic Resource Mitigation Fund. NHDOT project #23737

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

LAC letter of concern noting material to cover A-jacks, public access, bank restoration, causeway plan and species report.

APPROVE AMENDMENT

Repair and improve the riprap and scour protection of the Cresson Covered Bridge (136/143) and install a stone step in the river bank to provide improved canoe access impacting 13,712 sq. ft. (10,464 sq. ft. temporary) of riverine wetlands.

NHDOT project #23737

With Conditions:

1. All work shall be in accordance with:

(a) UNDATED plans by NHDOT Bureau of Highway Design, PE stamped on 9/11/15/as received by the NH Department of Environmental Services (DES) on Oct. 22, 2015 and

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- (b) Plans received on August 25, 2017 adding impact location "L" impacting 50 sq. ft. (10 linear feet) of bank.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless specifically authorized.
3. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
16. The impacts associated with the temporary work shall be restored immediately following construction.
17. The permittee shall provide for the safety of recreational users of the river during construction.
18. The permittee shall provide a plan to the file and the Local River Advisory Committee for restoration of the bank disturbed for access using similar vegetation.
19. A copy of the causeway design and construction sequence is to be submitted to the file and LAC prior to construction.
20. Reasonable access shall be maintained relative to navigability and ongoing river monitoring.

With Findings:

1. This is a major impact project per Administrative Rules Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream and Env-Wt 303.02(k), projects that has documented occurrences of state or federally listed endangered or threatened species.
2. The need for the proposed bank impact will provide safer access to the river.
3. The amended project requires mitigation for the 10 linear ft. of permanent impact to the river bank for constructing the stone step to allow better canoe access.

2016-01920

BRIGGS REALTY ASSOC OF DELAWARE

PORTSMOUTH PISCATAQUA RIVER

Requested Action:

Replace 1,199 square feet of revetment on the tidal shore of the Piscataqua River, and impact 330 square feet to construct a tidal dock.

Conservation Commission/Staff Comments:

9/8/16 As per DHR, no potential to cause effects.

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP

Replace 1,199 square feet of revetment on the tidal shore of the Piscataqua River, and impact 330 square feet to construct a tidal dock.

With Findings:

1. A Request For More Information letter dated September 19, 2016, addressed to the applicant or agent of record, clearly identified the requirement that the applicant must submit additional information to NHDES within 60 days of the request, in this case, by November 18, 2016.
2. On November 18, 2016 NHDES agreed to extend the time for the applicant's response by an additional 30 days, to December 15, 2016.
3. On December 15, 2016 NHDES agreed to extend the time for the applicant's response a second time, by an additional 90 days, to March 15, 2017.
4. To date, more than six months past the deadline of the 2nd extension, no response to the Request For More Information has been received from the applicant.
5. Pursuant to RSA 482-A:3, XIV(a) (2), if the requested additional information is not received by DES within 60 days of the request, or by the deadline date specified in agreed-to time extensions, DES shall deny the application.
6. DES did not receive the requested additional information within the 60 days or by the deadline specified in the extension thereof, and therefore the application has been denied.

MINOR IMPACT PROJECT

2012-01935

DUBLIN LAKE CLUB

DUBLIN Unnamed Wetland

Requested Action:

Request permit time extension.

APPROVE TIME EXTENSION

Impact a total of 5,222 square feet within wetlands jurisdiction to include the maintenance dredge of 3,395 square feet of an existing man-made drainage ditch, fill 2,127 square feet of wet meadow to install perforated drainage pipes, and replace an existing 8-inch clay pipe with a 12-inch HDPE pipe to improve fairway drainage at the Dublin Lake Club.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated June 1, 2012, as received by the Department on July 20, 2012.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require approval by the Bureau.
3. Work shall be done during seasonal low flow conditions.
4. 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.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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 20 feet of undisturbed vegetated buffer.
8. Culverts shall be laid at original grade.
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).

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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.

With Findings:

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

2015-00098

AMERIGAS PROPANE LP

CLAREMONT SUGAR RIVER

Requested Action:

Amend permit to dredge and fill 5,670 sq. ft. (including 5,070 sq. ft. temporary impact) of delineated wetland and shoreline for removal and stabilization of soils and sediment impacted by Manufactured Gas Plant (MGP) residual byproduct in the form of coal tar Non-Aqueous Phase Liquid (NAPL) under the EPA Comprehensive Environmental Recovery Compensation and Liability Act (CERLA) Case ID# NHN000105965. The project includes dredging and restoring an approximately 25-foot x 80-foot section of the Sugar River, a section of the river bank, and a small floodplain wetland area (~8,000 sq. ft.). Post-project modifications called for a revised plan to convey excess shallow groundwater seepage through a French-drain from above the in-situ stabilization (ISS) material towards an outlet just above the bank of the Sugar River. All impacts associated with this amendment are outside of the restore wetland areas.

APPROVE AMENDMENT

Amended Permit to Read: Dredge and fill 5,670 sq. ft. (including 5,070 sq. ft. temporary impact) of delineated wetland and shoreline for removal and stabilization of soils and sediment impacted by Manufactured Gas Plant (MGP) residual byproduct in the form of coal tar Non-Aqueous Phase Liquid (NAPL) under the EPA Comprehensive Environmental Recovery Compensation and Liability Act (CERLA) Case ID# NHN000105965. The project includes dredging and restoring an approximately 25-foot x 80-foot section of the Sugar River, a section of the river bank, and a small floodplain wetland area (~8,000 sq. ft.). Post-project modifications called for a revised plan to convey excess shallow groundwater seepage through a French-drain from above the in-situ stabilization (ISS) material towards an outlet just above the bank of the Sugar River. All impacts associated with this amendment are outside of the restore wetland areas.

With Conditions:

1. Work associated with the construction of the French-drain system shall be in accordance with plans by GEI Consultants for Amerigas dated August 2017, as received by the New Hampshire Department of Environmental Services (NHDES) on September 22, 2017.
2. The originally permitted work, including site remediation and wetland restoration, shall be done in accordance with plans by GEI Consultants for AmeriGas dated 08/05/2014, as received by the Department on January 15, 2015, and plans dated March 19, 2015 received by the Department on April 27, 2015.
3. This permit is contingent upon review and approval from the DES Waste Management Division.
4. This permit is contingent upon review and coordination with the DES Watershed Management Bureau's Water Quality Planning Section.
5. This permit is contingent on provision of a finalized landowner (City of Claremont) agreement submitted to NHDES Wetlands Bureau file #2015-0098 before the start of construction.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Work shall be done during low flow/ low water or drawdown conditions. A final dewatering plan shall be submitted to NHDES for review prior to implementation and start of work.
9. 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.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at

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the work site has returned to normal clarity.

11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
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 or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. 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.
19. Only native plant species appropriate to the area shall be planted.
20. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the project and restoration areas are constructed in accordance with the approved plans. 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.
21. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.
22. Wetland soils from areas vegetated with purple loosestrife (*Lythrum salicaria*) shall not be used in the wetland restoration site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
23. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the DES Wetlands Bureau if the species is found in the stabilization areas during the early stages of vegetative establishment.
24. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the pipeline right-of-way during this same period.
25. Wetland and bank restoration areas shall have at least 75% successful establishment of wetlands vegetation/bank after two (2) growing seasons, or shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a Minor impact project per Administrative Rule Env-Wt 303.03 (h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The amendment request was first presented to the NHDES Wetlands Bureau in June 2017.
3. Modification to the originally-approved site plan is necessary to facilitate drainage of unanticipated excess shallow groundwater seepage within the remediation area.
4. Impacts associated with this modification will not disturb the restored wetland area, per the amended plan received by NHDES on September 22, 2017.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project will be performed under the EPA Comprehensive Environmental Recovery Compensation and Liability Act (CERLA) Case ID# NHN000105965.
6. A Memorandum of Understanding had been signed by the SHPO, the EPA Regional Administrator, the Commissioner of the NHDES, and the City of Claremont.
7. 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.
8. The applicant has provided a waiver request per Env-Wt 204.03, to waive the delineation of wetland boundaries as required per Env-Wt 301.01(g).
9. The wetlands to be impacted consist of the bank of Sugar River and an associated local floodplain area.
10. The wetlands and bank were delineated by ecologists/scientist and restoration specialists but the plans are not stamped by a certified wetland scientist.
11. The delineators provided documentation of their experience.
12. The entire project is for restoration and site remediation.
13. The jurisdictional work includes a section of river bank work which would not be identified as part of a wetland

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delineation.

14. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 301.01.

15. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

16. The department has not received any abutter or public comments in objection to the proposed project.

17. The Natural Heritage Bureau review indicated the presence of a rare wildlife, plant, and/or natural community in the vicinity of the project area, although it is not expected to be impacted by the proposed project (letter dated 8/11/14).

18. This is a United States Environmental Protection Agency (EPA) required Removal Action under the Comprehensive Environmental Recovery Compensation and Liability Act (CERLA), case ID #NHN000105965.

19. The Applicant has obtained a Memorandum of Understanding for the project which has signed by SHPO, the EPA Regional Administrator, the Commissioner of the NHDES, and the City of Claremont (City Manager and Chair of the Historic District Commission).

2017-00702

CONCRETE PRODUCTS OF LONDONDERRY INC

NOTTINGHAM Unnamed Wetland

Requested Action:

Dredge and fill 9,650 square feet of disturbed wet meadow for access to a new processing building in an existing concrete products manufacturing facility.

Conservation Commission/Staff Comments:

5/26/17 Con. Com. detailed concerns in their letter to the NHDES.

APPROVE PERMIT

Dredge and fill 9,650 square feet of disturbed wet meadow for access to a new processing building in an existing concrete products manufacturing facility.

With Conditions:

1. All work shall be in accordance with revised plans by Gregsak Engineering Inc. dated 9/18/2017, as received by the NH Department of Environmental Services (DES) on 9/20/2017.
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. Any encounter with Blandings turtle, spotted turtle or northern black racer snake (see identification resources at <http://www.wildlife.state.nh.us/nongame/turtles.html> <http://www.wildlife.state.nh.us/nongame/documents/blandings-turtles-brochure.pdf> <http://www.wildlife.state.nh.us/wildlife/documents/black-racer-brochure.pdf>) shall be reported immediately to Kim Tuttle or Mike Marchand at NH Fish & Game Department ("NHFG"), (603-271-3016), for further instructions. The permittee shall follow the directions given by NHFG.
4. As an alternative to Condition 3., the wetlands impact area could be fenced off prior to June 1, if the construction in that area is not completed by that date, to prevent Blanding's or spotted turtles from laying eggs in that area.
5. There shall be no use of welded plastic or any other form of erosion control "netting" or products containing such on the site.
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. 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.
8. 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.
9. Work shall be done during low flow and in the dry only.

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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. Dredged materials shall be disposed of outside of areas subject to RSA 482-A jurisdiction
12. There shall be no dumping of snow in the rain garden area, per the request of the Conservation Commission.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in non-tidal wetlands or banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impact is necessary to provide vehicle access through a new manufacturing process building at an existing concrete products production facility.
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 impact is confined to a disturbed wet meadow area that was previously a horse paddock, while leaving undisturbed wetlands at the front of the property intact.
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. The permit has been conditioned to ensure protection of Blandings and spotted turtles, and the Northern black racer snake, according to NH Fish and Game Department's recommendations.
5. NHDES responded to the comments of the Nottingham Conservation Commission by field inspecting the site as requested, and by incorporating requested condition into the permit.

2017-02097

AMBROSE BROTHERS INC

SANDWICH MEADOW BROOK

Requested Action:

Dredge and fill 1,720 square feet within the bed and banks of Meadow Brook (Tier 2, impacting approximately 138 linear feet) to replace an existing undersized temporary culvert with a 10.3 foot by 7.4 foot arch culvert that is 25 feet long for permanent access to a gravel pit.

Conservation Commission/Staff Comments:

7-26-17 - No historic properties affected per DHR.

APPROVE PERMIT

Dredge and fill 1,720 square feet within the bed and banks of Meadow Brook (Tier 2, impacting approximately 138 linear feet) to replace an existing undersized temporary culvert with a 10.3 foot by 7.4 foot arch culvert that is 25 feet long for permanent access to a gravel pit.

With Conditions:

1. All work shall be in accordance with revised plans by Moser Engineering dated July 8, 2017, as received by the NH Department of Environmental Services (DES) on July 17, 2017.
2. This permit is contingent on review and approval, by the DES 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.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the 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. Stream work shall be done during low flow or dry conditions.
6. 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

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times of the year.

7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
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. Erosion control products shall be installed per manufacturers recommended specifications.
11. 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.
12. 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.
13. No construction equipment shall be operated in flowing water.
14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
15. 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.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
17. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
18. 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.
19. 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 project is classified as a Minor Project per NH Administrative Rule Env-Wt 903.01(f), as impacts are for a new Tier 2 stream crossing.
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(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The project proposes to replace an existing undersized temporary culvert (which was previously permitted by Wetland Permit #2012-00222) with a 10.3 foot by 7.4 foot arch culvert that is 25 feet long for permanent access to a gravel pit.
6. The applicant has addressed the stream crossing design criteria of Chapter Env-Wt 900.
7. Mitigation is not required per Rule Env-Wt 904.03(e)(1), as the project is considered self-mitigating given that the new arch culvert fully accommodates the bank full width and the 100-year storm event.
8. DES has not received any abutter or public comments in objection to the proposed project.

MINIMUM IMPACT PROJECT

2017-00980

SYLVAIN, MARY

DOVER

Requested Action:

Approve name change to: OKAD of Dover, LLC 321D Lafayette Road, Hampton, NH 03842 per request received 9/18/17.
Previous owner: Mary Sylvain.

09/25/2017 to 10/01/2017

APPROVE NAME CHANGE

Fill 2,850 square feet of emergent/scrub-shrub wetlands for commercial lot development.

With Conditions:

1. All work shall be in accordance with plans by TEC, Inc. and Seekamp Environmental Consulting, Inc. dated January 23, 2017, and revised through March 7, 2017 as received by the NH Department of Environmental Services (NHDES) on April 17, 2017 and June 27, 2017.
2. Any requirements by the UNH Stormwater Center's review of the proposal shall be adequately addressed by the permittee.
3. Any further alteration of areas such as wetlands, wetlands buffers or impervious surface on this property will require the permittee to meet and coordinate with the City of Dover Conservation Commission.
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. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. 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. 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.
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. 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), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per administrative 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 administrative rule Env-Wt 302.03. The applicant minimized impacts by incorporating retaining walls and avoiding the higher function and value wetlands on the property. Further, the applicant has demonstrated that the impacted wetland is within a previously disturbed sewer easement area and groundwater is likely intercepted upslope of the impacted area and follows the sewer pipe down-slope until it is forced to the surface.
4. The applicant is incorporating low impact development (LID) stormwater features into the design of the project that will be peer reviewed by the University of NH Stormwater Center.
5. While not required by NHDES, the applicant is providing wetland replication areas on the property as a mitigation requirement of the Conditional Use Permit by the City of Dover Planning Board.
6. The applicant has demonstrated by plan and example that each factor listed in administrative rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. NH Natural Heritage Bureau has no record of sensitive species within the project vicinity.
8. The Dover Conservation Commission unanimously voted to endorse the application with the condition that the requirements of the UNH Stormwater Center review letter be adequately addressed by the applicant and that if there are any increased impacts to wetlands, wetlands buffers or impervious surface, the applicant will have to return to the Conservation Commission. NHDES has conditioned the wetlands permit to address the Conservation Commission's concerns.

09/25/2017 to 10/01/2017

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.

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

09/25/2017 to 10/01/2017

there was a NHB record [...] resented 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.

2017-01720

MOHAMED, AHMED

THORNTON Unnamed Wetland

Requested Action:

Dredge and fill 850 square feet within palustrine forested wetlands to install two culverts for a driveway crossing.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP

Deny permit as untimely

With Findings:

1. A request for additional information letter dated July 14, 2017, addressed to the applicant, requested that the applicant provide additional information to DES to clarify the application within 60 days of the request, which was September 12, 2017.
2. Pursuant to RSA 482-A:3, XIV(a)(2), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

2017-02229

DAVIS, MICHAEL

ALBANY Unnamed Wetland

Requested Action:

Dredge and fill 1,430 square feet (SF) of palustrine forested wetland and install a 24 inch by 30 foot culvert in an unnamed intermittent stream impacting 270 SF (approximately 36 linear feet) to construct a driveway to a proposed single family residence.

APPROVE PERMIT

Dredge and fill 1,430 square feet (SF) of palustrine forested wetland and install a 24 inch by 30 foot culvert in an unnamed intermittent stream impacting 270 SF (approximately 36 linear feet) to construct a driveway to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated July 12, 2017, as received by the NH Department of Environmental Services (DES) on July 27, 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. 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. 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 periods of low flow or in the dry only.

09/25/2017 to 10/01/2017

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. 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.
9. 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.
10. The channel at the culvert inlet and outlet must maintain a natural and consistent streambed elevation and not impede stream flow.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. 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.
13. 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.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
15. 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 project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(z), as it involves the construction of a driveway to a single family residence.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01, as there are no alternative access points to this lot that avoid the wetland entirely.
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 hydraulic connectivity within the wetland will be maintained and the narrowest band of the wetland will be affected.
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. In a review letter dated July 12, 2017, the NH Natural Heritage Bureau (NHB) stated that there was no record in the vicinity of the project.
6. No comments from the Albany Conservation Commission were received regarding this project.
7. As of September 28, 2017, the Swift River Local Advisory Committee has not provided any comment on the proposed project.

2017-02457

HAMBROOK, ABIGAIL

SANDWICH Unnamed Wetland

Requested Action:

Dredge and fill 100 square feet within palustrine emergent wetland and install a 15 inch by 20 foot long culvert for a single family residential driveway.

APPROVE PERMIT

Dredge and fill 100 square feet within palustrine emergent wetland and install a 15 inch by 20 foot long culvert for a single family residential driveway.

With Conditions:

1. All work shall be in accordance with plans by Hambrook Land Surveying dated August 2007, as received by the NH Department of Environmental Services (DES) on August 17, 2017.

09/25/2017 to 10/01/2017

2. This permit is not valid unless a subdivision/septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or septic setback.
4. The deed that accompanies each of the lots in this subdivision shall contain condition #3 of this approval.
5. 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.
6. 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.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be done during low flow and in the dry only.
10. Proper headwalls shall be constructed within seven days of culvert installation.
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.
12. 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).
13. Erosion control products shall be installed per manufacturers recommended specifications.

With Findings:

1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(z), as the wetland impact is for a single family residential driveway.
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.

EXPEDITED MINIMUM

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.

09/25/2017 to 10/01/2017

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.

2017-02587

CHESTNUT HILL ROAD POND LLC

ROCHESTER HEATH BROOK

Requested Action:

Replace an existing Tier 2 crossing consisting of twin 18" culverts with a single 36.5' long x 5' wide x 3' high closed bottom box culvert with stream simulation, total wetlands impact 613 square feet, in an existing access road to an existing commercial facility.

APPROVE PERMIT

Replace an existing Tier 2 crossing consisting of twin 18" culverts with a single 36.5' long x 5' wide x 3' high closed bottom box culvert with stream simulation, total wetlands impact 613 square feet, in an existing access road to an existing commercial facility.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates dated April 2017, as received by the NH Department of Environmental Services (DES) on 8/28/2017.
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. 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. 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. 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).

09/25/2017 to 10/01/2017

7. Dredged 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 904.06, as a qualifying replacement Tier 2 stream crossing.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. This road crossing provides access to an existing commercial site and is in need of repair and upgrade.
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. This is a replacement crossing located in the same footprint as the existing crossing and roadway, and will improve stream flow and aquatic species 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. There were no species of concern reported by the NH Natural Heritage Bureau occurring in the project vicinity.
5. The applicant has demonstrated that the stream crossing design meets the criteria of Env-Wt 904 for approvable replacement Tier 2 stream crossings.
6. The Cocheco River LAC did not comment.
7. The Rochester Conservation Commission signed the expedited application.

2017-02642

DIVINO NH NOMINEE TRUST

RYE ATLANTIC OCEAN

Requested Action:

Regrade and remove 494 square feet of accumulated beach sand along the existing seawall to protect the property from ocean waves on a single-family residential lot with approximately 50 feet of frontage on the Atlantic Ocean.

Conservation Commission/Staff Comments:

9-6-17 - No historic properties affected per DHR.

APPROVE PERMIT

Regrade and remove 494 square feet of accumulated beach sand along the existing seawall to protect the property from ocean waves on a single-family residential lot with approximately 50 feet of frontage on the Atlantic Ocean.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated August 2017 and revised 8/12/17 as received by the NH Department of Environmental Services (NHDES) Wetlands Bureau on September 1, 2017.
2. NHDES Southeast Region staff shall be notified in writing prior to the commencement of work and upon its completion each time work is performed.
3. Any future work on this property that is within the jurisdiction of the NHDES as specified in RSA 482-A will require a new application and approval by NHDES.
4. Access to the work area shall be through the beach access right-of-way south of the subject location.
5. Work shall be done during low tide only.
6. Work authorized under this permit may be implemented annually.
7. Wood, seaweed, or other accumulated debris may be removed from the beach and disposed of outside of any area within DES Wetlands Bureau jurisdiction.
8. Any beach grass or sand dune vegetation impacted by trucks or the excavator traveling through the right-of-way area shall be restored or replaced immediately following the excavator leaving the beach.
9. A York Rake or similar device shall be used to regrade the beach contours to the original conditions and eliminate all the excavator tracks on the beach and ROW immediately upon completion of the project.
10. A post-construction report prepared by a Certified Wetland Scientist documenting the status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to NHDES within 60 days of the completion of construction. NHDES may require subsequent monitoring and corrective measures if NHDES deemed the area

inadequately stabilized or restored.

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.
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) and (c) 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 Rye 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 Rye Tax Map 5.5 Lot 52.
8. NHDES 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.

PERMIT BY NOTIFICATION

2017-02116

LOCKER, FRANK

DOVER PISCATAQUA RIVER

Requested Action:

Reconstruct a non-conforming tidal dock, total impact 484 square feet.

PBN DISQUALIFIED

Reconstruct a non-conforming tidal dock, total impact 484 square feet.

With Findings:

1. On August 3, 2017 a Notice of Incomplete Permit by Notification ("Notice") was sent to the applicant. In order to qualify for the Permit by Notification the applicant was requested to provide the following:
"[1. Non-conforming dock]. This dock is non-conforming in two ways: it is positioned over the imaginary extension seaward of the 20' abutter setback line toward the abutter; and the float appears to sit on the mud at low tide. Given that this is the situation, it is important to provide evidence to demonstrate that the structure is either grand-fathered, or had previous permitting, to make it a legal structure to qualify for repair under a PBN, per Env-Wt 303.04(v)(3). There is no discussion or documentation of the history of the dock included in the application. Please provide."
2. The applicant was further notified in the Notice that if the requested documentation could not be provided, the following would apply:
"[2. Full application.] If it cannot be demonstrated that the dock is either grand-fathered or permitted, then a full application would be required to be submitted to NHDES for the dock's reconstruction, and the dock location would need to be moved to meet the 20' abutter setback, unless the affected abutter provides a notarized letter of permission allowing the dock to be within 20' of the imaginary extension of the property line into the water per RSA 482-A, XII (c). The float would also have to be designed to rest on float stops to prevent it from resting on the substrate at low tide".
3. The Notice specified that a response must be received within 20 days of the date of the letter, or no later than August 23,

2017, or the application would be disqualified from the notification process and submission of a new application would be required.

4. As of this date, September 27, 2017, no response has been received from the applicant, therefore, pursuant to Env-Wt 506.02(g), the application is disqualified.

2017-02617

PETKAVICH, CHRISTINA/MICHAEL

HAMPSTEAD

Requested Action:

Replacement in-kind of approximately 65 ft. of existing retaining wall during the drawdown with 560 ft2 temporary impact for construction access according to plan drawings by Terrain Planning & Design LLC dated 9/18/2017 on frontage along Wash Pond in Hampstead.

PBN IS COMPLETE

Replacement in-kind of approximately 65 ft. of existing retaining wall during the drawdown with 560 ft2 temporary impact for construction access according to plan drawings by Terrain Planning & Design LLC dated 9/18/2017 on frontage along Wash Pond in Hampstead.

2017-02688

THE A TO Z TRUST

RINDGE MONOMONAC LAKE

Requested Action:

Repair or replace in-kind of approximately 85 ft. in two sections of an existing retaining wall according to plan drawings by Brickstone Land Use consultants, LLC dated 08/28/2017 on frontage along Monomonac Lake in Rindge.

PBN IS COMPLETE

Repair or replace in-kind of approximately 85 ft. in two sections of an existing retaining wall according to plan drawings by Brickstone Land Use consultants, LLC dated 08/28/2017 on frontage along Monomonac Lake in Rindge.
-Send to Governor and Executive Council-

2017-02712

PIKE-LIEBEL, DEBORAH

ALTON LAKE WINNIPESAUKEE

Requested Action:

The repair in-kind of approximately 18 ft. of stone retaining wall on frontage along Lake Winnepesaukee in Alton.

PBN IS COMPLETE

The repair in-kind of approximately 18 ft. of stone retaining wall on frontage along Lake Winnepesaukee in Alton.

09/25/2017 to 10/01/2017

With Findings:

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

FORESTRY NOTIFICATION

2017-02896 **WILLIS, PAUL**

EPPING Unnamed Stream

COMPLETE NOTIFICATION
EPPING; TAX MAP# 35; LOT(S)# 1-3,2

2017-02897 **MALONEY, WILLIAM**

DORCHESTER Unnamed Stream

COMPLETE NOTIFICATION
DORCHESTER; MAP# 15; LOT# 950-00

2017-02928 **MAGIE, PATRICIA/ROBERT**

HANCOCK Unnamed Stream

COMPLETE NOTIFICATION
HANCOCK; TAX MAP# R1; LOT(S)# 41, 42, 43

2017-02932 **DALOZ, CHARLES**

PETERBOROUGH Unnamed Stream

COMPLETE NOTIFICATION
PETERBOROUGH; TAX MAP#:R011; LOT# 016

2017-02934 ANNA MARY WALLACE REV. TRUST

PETERBOROUGH Unnamed Stream

COMPLETE NOTIFICATION
PETERBOROUGH; TAX MAP# R011; LOT# 15

2017-02935 EASTERN MATERIALS LLC

OSSIPEE Unnamed Stream

COMPLETE NOTIFICATION
OSSIPEE; TAX MAP(S)#243,244; LOT(S)# 1,2

GOLD DREDGE

2017-02919 WOODARD, MICHAEL

(ALL TOWNS) Unnamed Stream

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.

09/25/2017 to 10/01/2017

COMPLETE NOTIFICATION

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

2017-02894

RANALLI, MARK & AMY

SANBORNVILLE GREAT EAST LAKE

Requested Action:

Installation of a seasonal pier not to exceed 6 ft. X 40 ft. on frontage along Great East Lake in Sanbornville.

COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 6 ft. X 40 ft. on frontage along Great East Lake in Sanbornville.

ROADWAY MAINTENANCE NOTIFICATION

2017-02887

MADBURY, TOWN OF

MADBURY Unnamed Wetland

2017-02907

NH DEPT OF TRANSPORTATION DIST 4

HARRISVILLE Unnamed Stream

SHORELAND PERMIT

2017-00551

**CONWAY, PAUL
CONWAY, JODIE/PAUL**

TUFTONBORO MIRROR LAKE

Requested Action:

Impact 2,696 square feet (SF) in order to construct a new garage and driveway adjacent to the existing primary structure.
AMENDMENT DESCRIPTION: Impact an additional 1,500 SF in order to install a septic system.

09/25/2017 to 10/01/2017

APPROVE AMENDMENT

Impact 2,696 square feet (SF) in order to construct a new garage and driveway adjacent to the existing primary structure.
AMENDMENT DESCRIPTION: Impact an additional 1,500 SF in order to install a septic system.

With Conditions:

1. All work shall be in accordance with revised plans by Folsom Design Group dated August 16, 2017 and received by the NH Department of Environmental Services (DES) on February 24, 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 19.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 5,174 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. 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 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.

2017-01997

WALSH, SHAWN

GILFORD LAKE WINNIPESAUKEE

Requested Action:

Applicant requests that the permit be amended to include the abutting property that has been merged with the originally permitted lot, remove an additional structure on the new lot and relocate the footprint and configuration of proposed structures.

Conservation Commission/Staff Comments:

Rule on new impacts was waived due to staff error see e-mail chain in file.

APPROVE AMENDMENT

Impact 8,075 square feet of protected shoreland in order to remove two existing primary structures, landscaping and walkways and construct a new primary structure, driveway, and walkways.

With Conditions:

1. All work shall be in accordance with plans by Yerkes Surveying Consultants dated as revised through August 29, 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

09/25/2017 to 10/01/2017

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 16.56% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. 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).
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.

2017-02461

NORTHUMBERLAND, TOWN OF

NORTHUMBERLAND UPPER AMMONOOSUC RIVER

Requested Action:

Impact 42,181 square feet of protected shoreland in order to construct municipal water and sewer service around the perimeter of the Wausau Mill brownfield site including a pump station control structure and removal of existing pavement.

APPROVE PERMIT

Impact 42,181 square feet of protected shoreland in order to construct municipal water and sewer service around the perimeter of the Wausau Mill brownfield site including a pump station control structure and removal of existing pavement.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner, and Associates, Inc. dated August, 2017 and received by the NH Department of Environmental Services (NHDES) on September 20, 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 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.
4. 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).
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

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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.

2017-02511

AIREY, THOMAS

MILTON NORTHEAST POND

Requested Action:

Impact 3,643 square feet (SF) of protected shoreland in order to complete the construction of a house on an existing foundation, install a septic, and grade as necessary.

AMENDMENT DESCRIPTION: Impact an additional 442 SF in order add a patio and addition to the primary structure.

APPROVE AMENDMENT

Impact 3,643 square feet (SF) of protected shoreland in order to complete the construction of a house on an existing foundation, install a septic, and grade as necessary.

AMENDMENT DESCRIPTION: Impact an additional 442 SF in order add a patio and addition to the primary structure.

With Conditions:

1. All work shall be in accordance with revised plans by David A. Cluff dated September 26, 2017 and received by the NH Department of Environmental Services (DES) on September 29, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the 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 18.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 1,701 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 be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction

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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.

2017-02582

BISHOP, JULIE/KIRK

SUNAPEE SUNAPEE LAKE

Requested Action:

Impact 2,225 square feet of protected shoreland in order to construct an addition, sunroom and screen porch, and reconfigure the existing walkways and underground utilities.

Conservation Commission/Staff Comments:

Total square feet of impact on page 1 does not match section 10 or fee paid. Fee appears to closely match impact area on the plan so permit was approved and conditioned per the paid impacts.

APPROVE PERMIT

Impact 2,225 square feet of protected shoreland in order to construct an addition, sunroom and screen porch, and reconfigure the existing walkways and underground utilities.

With Conditions:

1. All work shall be in accordance with plans by Pennyroyal Hill Land Surveying and Forestry LLC dated August 25, 2017 and received by the NH Department of Environmental Services (NHDES) on August 28, 2017.
2. No additional bedrooms shall be constructed unless 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 14.94% 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 6,230 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.

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2017-02629

WARSCHAUER, JEFFREY/SHARON

DOVER PISCATAQUA RIVER

Requested Action:

Impact 10,629 square feet (SF) of shoreland protection in order to demolish the existing house and driveway, construct a new house, driveway, patio, and greenhouse.

APPROVE PERMIT

Impact 10,629 square feet (SF) of shoreland protection in order to demolish the existing house and driveway, construct a new house, driveway, patio, and greenhouse.

With Conditions:

1. All work shall be in accordance with plans by Jones and Beach dated August 23, 2017 and received by the NH Department of Environmental Services (DES) on August 31, 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 5.47% 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. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. This permit shall not 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.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02635

EDWARD B HEAPHY & MARTHA E HEAPHY REV LIVING TRUST

DOVER BELLAMY RIVER

Requested Action:

Applicant requests an after the fact approval to retain impacts to 6,750 square feet of protected shoreland in order to remove existing house, garage, sheds and driveway and impact the same 6,750 square feet of protected shoreland in order to construct a new primary structure, associated structures, and driveway.

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APPROVE PERMIT

Applicant requests an after the fact approval to retain impacts to 6,750 square feet of protected shoreland in order to remove existing house, garage, sheds and driveway and impact the same 6,750 square feet of protected shoreland in order to construct a new primary structure, associated structures, and driveway.

With Conditions:

1. All work shall be in accordance with plans by Civilworks New England dated August 21, 2017 and received by the NH Department of Environmental Services (NHDES) on August 31, 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 19.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
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. 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.
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, 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.
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.

2017-02645

SOUTHWORTH, MICHAEL

WOLFEBORO WENTWORTH LAKE

Requested Action:

Impact 2,305 square feet (SF) of the protected shoreland in order to remove and rebuild of an existing primary structure and decks. Project includes the removal of a tank, shed and portion of existing driveway.

APPROVE PERMIT

Impact 2,305 square feet (SF) of the protected shoreland in order to remove and rebuild of an existing primary structure and decks. Project includes the removal of a tank, shed and portion of existing driveway.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying and Engineering dated August 18, 2017 and received by the NH Department of Environmental Services (NH DES) on September 10, 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

09/25/2017 to 10/01/2017

areas in which impacts have not been approved.

3. No more than 38.3% 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 156 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 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.

2017-02650

WHITMAN REAL ESTATE HOLDING CO

PIERMONT ARMINGTON LAKE

Requested Action:

Impact 8,720 square feet of protected shoreland in order to replace four cabins and construct an amphitheater-style seating area.

APPROVE PERMIT

Impact 8,720 square feet of protected shoreland in order to replace four cabins and construct an amphitheater-style seating area.

With Conditions:

1. All work shall be in accordance with plans by Geolnsight dated August 29, 2017 and received by the NH Department of Environmental Services (NHDES) on September 1, 2017.
2. The proposed foundations 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 15.6% 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 38,572 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).

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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.

2017-02651

BRIDGES, FRANK & CAROL

MILTON NORTHEAST POND

Requested Action:

Impact 3,235 square feet (SF) of protected shoreland in order to lift an existing primary structure, move back 2 feet from the reference line, install a 4 foot frost wall, and add a deck to front of the house.

APPROVE PERMIT

Impact 3,235 square feet (SF) of protected shoreland in order to lift an existing primary structure, move back 2 feet from the reference line, install a 4 foot frost wall, and add a deck to front of the house.

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 (NH DES) 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 12.6% 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 1,783 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 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.

2017-02654

GIANNELLI, ANTHONY/LISA

WAKEFIELD BELLEAU LAKE

Requested Action:

Impact 3,808 square feet of protected shoreland in order to construct a driveway, gazebo, patio, and walkway.

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APPROVE PERMIT

Impact 3,808 square feet of protected shoreland in order to construct a driveway, gazebo, patio, and walkway.

With Conditions:

1. All work shall be in accordance with plans by Stoney Ridge Environmental LLC dated August 17, 2017 and received by the NH Department of Environmental Services (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 5.7% 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 5,696 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. 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.
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.

2017-02672

GRIMM, CURT

WOLFEBORO LAKE WINNIPESAUKEE

Requested Action:

Impact 3,595 square feet of protected shoreland in order to construct a primary structure, septic system, and walkway.

APPROVE PERMIT

Impact 3,595 square feet of protected shoreland in order to construct a primary structure, septic system, and walkway.

09/25/2017 to 10/01/2017

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates for the Natural Resources dated August 2, 2017 and received by the NH Department of Environmental Services (NHDES) on September 6, 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 13.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,651 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.

SHORELAND PBN

2017-02555

LONG, HEATHER/LAWRENCE

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Impact 7,454 square feet of protected shoreland in order to lift an existing house and deck a minimum of two feet, install a new septic system, construct a new garage and add to the driveway.

Conservation Commission/Staff Comments:

Did not require treepoints to be calculated as all impact areas were shown in photos to not include trees or native ground cover.

APPROVE PERMIT

Impact 7,454 square feet of protected shoreland in order to lift an existing house and deck a minimum of two feet, install a new septic system, construct a new garage and add to the driveway.

09/25/2017 to 10/01/2017

With Conditions:

1. All work shall be in accordance with plans by Carl Sherblom revised through September 22, 2017 and received by the NH Department of Environmental Services (NHDES) on September 25, 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 17.72% 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 7,972 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.

