

Wetlands Applications Decision Report

Decisions Taken
10/16/2017 to 10/22/2017

Approved
10-29-17
MAT

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-W/C 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

2017-01738

NH DEPT OF TRANSPORTATION

WAKEFIELD PROVINCE LAKE / SOUTH RIVER

Requested Action:

Replace twin 28 in. x 20 in. x 50 ft. culverts with twin 34 in. x 22 in. x 50 ft. culverts impacting 950 sq. ft. of riverine and lacustrine wetlands. NHDOT project M312-13

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

DENY PERMIT

Replace twin 28 in. x 20 in. x 50 ft. culverts with twin 34 in. x 22 in. x 50 ft. culverts impacting 950 sq. ft. of riverine and lacustrine wetlands. NHDOT project M312-13

With Findings:

Standard for Approval:

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This application is a Major Impact Project per NH Code of Administrative Rule Env-Wt 303.02(p), any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
3. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
4. In accordance with Env-Wt 302.02 Department Action. The criteria in this part shall be used to meet the purpose expressed by RSA 482-A:1 when determining whether to approve, approve with conditions, approve-in-part with conditions, or deny applications.
5. Pursuant to Rule Env-Wt 302.03, the applicant shall provide evidence which demonstrates that the potential impacts of the project proposal avoids and minimizes impacts to the maximum extent practicable.
6. According to Rule Env-Wt 302.04(a)(1-20), the applicant shall demonstrate by plan and example that many factors were considered in the project's design in assessing the impacts to areas and environments under the department's jurisdiction including that the alternative proposed is the one with the least impact to wetlands or surface waters on the site along with the type and classification of wetlands involved.
7. Pursuant to Env-Wt 302.04(e)(2), DES shall not grant a permit if the requirements of Env-Wt 302.03 are not met or the applicant has failed to document consideration of factors as required in Env-Wt 302.04 (a), (b), and (c).
8. Pursuant to Env-Wt 903.01, Classification of Stream Crossings and Stream Crossing Projects, a project shall be classified as a major impact project if the stream crossing is a new or replacement tier 3 crossing or any of the criteria for a major project specified in Env-Wt 303.02 are met, regardless of the tier classification of the stream crossing that is part of the project.
9. Pursuant to Env-Wt 904.04(a)(1) a tier 3 stream crossing shall be a crossing located on a watercourse where the contributing watershed is 640 acres or greater.
10. Pursuant to Env-Wt 903.03 the information required for a stream crossing application is listed and notes this is in addition to the information required by Env-Wt 501.02.
11. Pursuant to Env-Wt 904.05 new and replacement tier 3 stream crossings shall be designed and constructed in accordance with the NH Stream Crossing Guidelines, University of New Hampshire, May 2009.
12. Pursuant to Env-Wt 904.04(d) a tier 3 stream crossing shall be a span structure or an open-bottomed culvert with stream simulation, not a closed-bottom culvert or pipe arch.

Findings of Fact:

1. On June 16, 2017 the DES received a Standard Dredge and Fill Wetlands Permit Application 2017-01738 from the NH Dept. of Transportation to remove two failing twin 28" x 20" x 50' corrugated metal arch pipes and replacing them "in-kind"

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with two 28" x 20" x 50' polymer coated steel arch pipes at the same invert elevation impacting 875 sq. ft. of riverine and lacustrine wetlands. The application was signed on 2/23/2017 with an attached plan dated 2/10/17, revised 5/31/17.

2. On June 29, 2017 the DES received an amended plan to remove two failing twin 28" x 20" x 50' corrugated metal arch pipes and replacing them twin 34" x 22" x 50' concrete culverts.
3. The application package included a transferal memo stating that the project was minimum impact project per Env-Wt 303.04(f) (m).
4. The application package included responses to rule Env-Wt 302.04(a)(1-20), Requirements for Application Evaluation, noting there is a record for a threatened rare plant.
5. The application package included a statement that no alternatives plans were considered in response to rule Env-Wt 302.04(a)(2) which requires the applicant demonstrate by plan and example the alternative proposed is the one with the least impact to wetlands or surface water.
6. Per rule Env-Wt 303.04 a minimum impact project shall be any project that meets any of the following criteria and does not meet any of the criteria specified in Env-Wt 303.02 or Env-Wt 303.03.
7. Minimum impact project rule Env-Wt 303.04 (f) are projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
8. Minimum impact project rule Env-Wt 303.04 (m) are projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02.
9. Projects that meet Rule Env-Wt 303.02 (k) indicating documented occurrences of state or federally listed Endangered or Threatened species are major impact projects.
10. On September 18, 2017 the DES received an e-mail from the applicant in response to the DES concern that the application impacting South River was submitted as a minimum impact project instead of a major project. The email indicates the application did not address the stream rules as they are not applicable and is similar to files 2014-02596 and 2016-02945.
11. Application 2014-02596 was approved on Oct. 10, 2014 to replace twin 36 in. culverts with an 8.5 ft. (w) x 6 ft. (h) open bottom arch and headwalls temporarily impacting 1,100 sq. ft. (123 linear ft.) of bank and shoreline as a minor impact project per Administrative Rule Wt 303.03(k), alteration of between 50 and 200 linear feet of shoreline and banks of a pond or lake.
12. Application 2016-02945 was approved on Jan. 13, 2017 to install a concrete invert and place riprap at the outlet to rehabilitate a multi-plate arch(182/070) that has a span of 11 ft. x 7 ft. 7 in high x 76 ft. 3 in. long impacting 1,863 sq. ft. (1,787 sq. ft. temporary) of riverine and lacustrine wetlands as a major impact project per Administrative Rule Env-Wt 303.02(p), replacement of a tier 3 stream crossing.

Findings in Support of Denial:

1. The applicant has failed to document consideration of factors as required in Env-Wt 302.04 (a)(2).
2. The applicant cites a reason that the application is a minimum impact project claiming it meets rule Env-Wt 303.04 (f). DES determines this is inaccurate since the project plans and application shows it is not in a swamp or wet meadow.
3. The applicant cites a reason that the application is a minimum impact project as it meets rule Env-Wt 303.04(f). DES determines that the applicant has improperly categorized the project as this rule specifically excludes areas that have documented occurrences of state or federally listed Endangered or Threatened species and in this case the application package includes information noting there is a record for a threatened rare plant.
4. Minimum impact project Rule Env-Wt 303.04 (m) are projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02. DES determines that the applicant has improperly categorized the project as it does meet the criteria in Env-Wt 303.02 and in this case the application is a major impact project per Env-Wt 303.02(p), replacement of a tier 3 stream crossing.
5. The applicant has failed to submit the information required for a stream crossing application per rule Env-Wt 903.03.
6. The applicant has not designed stream crossing in accordance with the NH Stream Crossing Guidelines, University of New Hampshire, May 2009 as required per Env-Wt 904.05.
7. Pursuant to Env-Wt 904.04(d) a tier 3 stream crossing shall be a span structure or an open-bottomed culvert with stream simulation, not a closed-bottom culvert or pipe arch.
8. Rules PART Env-Wt 303 CLASSIFICATION OF PROJECTS notes:
Env-Wt 303.01 Assignment of Classification. Projects shall be classified according to the criteria of this part where the rules state:
Env-Wt 303.04 Minimum Impact Projects. A minimum impact project shall be any project that meets any of the following criteria and does not meet any of the criteria specified in Env-Wt 303.02 or Env-Wt 303.03.
9. DES determines that since this project meets two of the criteria listed as major impact projects specified in Env-Wt 303.02 it is classified as major, not minimum.

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ACWORTH BOWERS BROOK

Requested Action:

Replace the 11 ft. span bridge with a 27.5 ft. span, construct a stone weir downstream and place rip rap to protect the structure from scour impacting 4,064 sq. ft. (1,889 sq. ft. temporary) of riverine wetlands. NHDOT project #16301

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

LAC - no comments

APPROVE PERMIT

Replace the 11 ft. span bridge with a 27.5 ft. span, construct a stone weir downstream and place rip rap to protect the structure from scour impacting 4,064 sq. ft. (1,889 sq. ft. temporary) of riverine wetlands. NHDOT project #16301

With Conditions:

1. All work shall be in accordance with undated plans by NHDOT Bureau of Highway Design as received by the Department on July 7, 2017.
2. Preliminary plan sheets 8,9,10,11 and 12 of 12 shall be replaced with final plans and submitted to the file prior to construction.
3. Simulated Streambed Material Specifications shall be submitted prior to construction.
4. There shall be no disturbance within the banks to install the temporary pedestrian bridge.
5. 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.
6. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. 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.
8. 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.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Construction equipment shall not be located within surface waters.
11. 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.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
13. 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.
14. 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).
15. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
18. The impacts associated with the temporary work shall be restored immediately following construction.
19. Stream monitoring reports shall be submitted in accordance with Env-Wt 803.04.
20. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was coordinated through the Natural Resource Agency monthly meetings and discussed on March 19, 2014 and Nov. 19, 2014.
6. The project does not require further mitigation as this meets rule Env-Wt 904.04(1), a new tier 3 stream crossing that is self-mitigating.
7. The removal and replacement of the bridge is expected to construct an additional area of stream channel.
8. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
9. The DES has determined the applicant has met the purpose of the current stream rules relative to not causing damage upstream or downstream and not impeding aquatic organisms.
10. The design as submitted meets many of the criteria listed in rule Env-Wt 904.05 and is approved as an alternative design per rule Env-Wt 904.09.
11. On July 7, 2017 the DES requested a copy of the mail receipt showing notice to the Local River Advisory Committee.
12. On October 9, 2017 the applicant sent an email which indicates the Local River Advisory Committee received a copy of the application.

2017-02009

NH DEPT OF TRANSPORTATION

LEBANON MASCOMA RIVER

Requested Action:

Stabilize 371 linear feet of banks with riprap and place stone in river around the piers to protect from scour under three bridges impacting 27,365 sq. ft. (7,423 sq. ft. temporary) of riverine wetlands. NHDOT project 27287-1

Conservation Commission/Staff Comments:

7/13/2017 Cons. Comm. intervened.

8/14/2017 Cons. Comm. recommends approval with 7 conditions

APPROVE PERMIT

Stabilize 371 linear feet of banks with riprap and place stone in river around the piers to protect from scour under three bridges impacting 27,365 sq. ft. (7,423 sq. ft. temporary) of riverine wetlands. NHDOT project 27287-1

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated 4/17, as received by the Department on July 10, 2017.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
3. 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).
4. 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.
5. No machinery shall enter the water.
6. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
- 8.

Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008). 9. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site. 10. Navigable waterways shall remain open to the public.

11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.

13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

14. Wherever possible the stone shall be underlain with fabric, covered with humus and seeded to enhance a vegetated corridor for wildlife movement.

15. Conservation mix shall be used in reseeding and straw used instead of hay for mulching.

16. The project design shall include functional wildlife trails on both sides of the river.

17. Prior to construction the permittee shall submit plans with details and the location of the wildlife shelves as directed by the Stream Crossing Guidelines, the minutes of the May 17, 2017 Natural Resource Meeting and the Conservation Commission Report.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was coordinated through the Natural Resource Agency monthly meetings and discussed in on May 17, 2017.
6. Mitigation is not required per Rule Env-Wt 302.03(c)(2)(c) as the project only involves stabilization to protect existing infrastructure.
7. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine and palustrine resources, as identified under RSA 482-A:1.
8. On Aug. 14, 2017 the DES received a report from the Conservation Commission recommending approval with 7 conditions.
9. The permit approval includes conditions as recommended by the Conservation Commission.

2017-02022

NH DEPT OF TRANSPORTATION

HINSDALE ASHUELOT RIVER

Requested Action:

Place scour protection along 207 linear feet of bank and stream in front of the abutments and around the piers to protect bridge impacting 10,258 sq. ft. (6,950 sq. ft. temporary) of riverine wetlands. NHDOT project 27287-2

Conservation Commission/Staff Comments:

LAC 7/28/2017 no concern and concurs with DES request to replant with red maple

APPROVE PERMIT

Place scour protection along 207 linear feet of bank and stream in front of the abutments and around the piers to protect bridge impacting 10,258 sq. ft. (6,950 sq. ft. temporary) of riverine wetlands. NHDOT project 27287-2

10/16/2017 to 10/22/2017

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated 4/17, as received by the Department on July 11, 2017.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
3. 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).
4. 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.
5. No machinery shall enter the water.
6. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
8. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
9. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.
10. Navigable waterways shall remain open to the public.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
14. Replant red maples on the affected banks.
15. Stamped engineering plans are to be submitted to the file as required per rule Env-Wt 404.04(a) and shall include the specific information required per Env-Wt 404.04 (b) prior to any construction activity.
16. Plans showing existing and proposed contours are to be submitted to the file prior to any construction activity.
17. A copy of the causeway plan and construction sequence showing the method of maintaining connectivity and navigation shall be submitted to the file prior to any construction activity

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was coordinated through the Natural Resource Agency monthly meetings and discussed in on May 17, 2017.
6. Mitigation is not required per Rule Env-Wt 302.03(c)(2)(c) as the project only involves stabilization to protect existing infrastructure.
7. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine and palustrine resources, as identified under RSA 482-A:1.
8. On July 27, 2017 the DES received a report from the Ashuelot River Local Advisory Committee noting they have no concerns and concur with the DES Wetlands Bureau to replant red maples on the affected banks.

MINOR IMPACT PROJECT

GILFORD LAKE WINNIPESAUKEE

Requested Action:

Temporarily impact 1,812 square feet of bank and lakebed along 302 linear feet of shoreline in order to replace 301 feet 8 inches of concrete bulkhead within a commercial marina facility on Lake Winnepesaukee in Gilford.

APPROVE PERMIT

Temporarily impact 1,812 square feet of bank and lakebed along 302 linear feet of shoreline in order to replace 301 feet 8 inches of concrete bulkhead within a commercial marina facility on Lake Winnepesaukee in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated September 7, 2017, as received by DES on September 25, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. 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. 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. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
9. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j) repair or replacement of existing retaining walls that requires work in the water, but that results in no change in height, length, location, or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2017-02488

FLANDERS, KRISHNA

ALSTEAD Unnamed Stream

Requested Action:

Retain 80 square feet (SF) of permanent impact to a Tier 1 intermittent stream (impacting 20 linear feet) plus 40 SF of permanent impact to another Tier 1 intermittent stream (impacting 20 linear feet) for installation of 2 culverts (20 feet long by 4 feet in diameter and 20 feet long by 2 feet in diameter) in order to provide access to upland area for single family residence. In addition, temporarily impact 144 SF (48 linear feet) for construction access and installation.

APPROVE AFTER THE FACT

Retain 80 square feet (SF) of permanent impact to a Tier 1 intermittent stream (impacting 20 linear feet) plus 40 SF of permanent impact to another Tier 1 intermittent stream (impacting 20 linear feet) for installation of 2 culverts (20 feet long by 4 feet in diameter and 20 feet long by 2 feet in diameter) in order to provide access to upland area for single family residence. In addition, temporarily impact 144 SF (48 linear feet) for construction access and installation.

With Conditions:

1. All work shall be in accordance with plans by Krishna Flanders dated August 05, 2017 as received by the NH Department of Environmental Services (DES) on August 21, 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 New Hampshire Administrative Rule Env-Wq 1700.
4. The channel at the culvert inlet and outlet must maintain the natural and a consistent streambed elevation and not impede stream flow.

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04(z) as it proposes to Retain 80 square feet (SF) of permanent impact to a Tier 1 intermittent stream (impacting 20 linear feet) plus 40 SF of permanent impact to another Tier 1 intermittent stream (impacting 20 linear feet) for installation of 2 culverts (20 feet long by 4 feet in diameter and 20 feet long by 2 feet in diameter) in order to provide access to upland area for single family residence. In addition, temporarily impact 144 SF (48 linear feet) for construction access and installation.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Based on the topography of the land and location of streams, the crossings are necessary to access the single family residence.
3. The applicant has stated 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 driveway is located on an old skidder road where crossings are located at the narrowest, most accessible points. The streams have previously been impacted at the crossing locations by logging activity.
4. The combined watershed size of the streams equal 89.6 square acres according to USGS StreamStats report, making these both tier 1 stream crossings.
5. The installed culverts were discovered during a routine subsurface inspection. Permission to backfill the subsurface system was withheld, pending permitting requirements from the DES Wetlands Bureau.
6. In correspondence included in the application package, the culverts were installed during the summer of 2014.
7. Photos submitted by the applicant show that there is no perching of either culvert and normal stream hydrology has been maintained.
8. The Natural Heritage Bureau report submitted with the application package (NHB17-2307) stated that there are "no recorded occurrences for sensitive species near this project area".

EXPEDITED MINIMUM

2017-02909

HERITAGE HILL CONDOMINIUMS

PORTSMOUTH Unnamed Wetland

10/16/2017 to 10/22/2017

Requested Action:

Dredge and fill a total of 299 square feet, 17 square permanent and 282 square feet temporary, of wetlands to install a 18 inch x 25 foot culvert adjacent to an existing culvert associated with a combined sewer/stormwater separation project.

APPROVE PERMIT

Dredge and fill a total of 299 square feet, 17 square permanent and 282 square feet temporary, of wetlands to install a 18 inch x 25 foot culvert adjacent to an existing culvert associated with a combined sewer/stormwater separation project.

With Conditions:

1. All work shall be in accordance with plans by Greenman-Pederson, Inc., dated August 30, 2017 as received by the NH Department of Environmental Services (NHDES) on September 26, 2017.
2. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
3. 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. 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).
5. 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.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
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. 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 in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that wetland impact is necessary to install an additional culvert adjacent to an existing culvert under an existing roadway to alleviate an increase in stormwater associated with a combined sewer/stormwater separation project.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The NH Natural Heritage Bureau has no record of sensitive species present within the vicinity of the project area.
6. The Portsmouth Conservation Commission signed the DES application and has no objection to permitting the proposed work.

PERMIT BY NOTIFICATION

10/16/2017 to 10/22/2017

WAKEFIELD LOVELL LAKE

Requested Action:

The project as proposed to reconstruct an existing retaining wall; replace the existing steps and wooden walkway; remove old concrete in several sections; and repair existing rip-rap does not meet the criteria of the Permit by Notification process as the work will not be in-kind.

Inspection Date: 10/13/2017 by ROSEMARY E AURES

PBN DISQUALIFIED

The project as proposed to reconstruct an existing retaining wall; replace the existing steps and wooden walkway; remove old concrete in several sections; and repair existing rip-rap does not meet the criteria of the Permit by Notification process as the work will not be in-kind.

2017-02845

WOODS, CHRIS

LACONIA LAKE WINNIPESAUKEE

Requested Action:

Replace in-kind existing 20 ft. 3 inches X 30 ft. boathouse.; replace in-kind the existing 2 ft. X 30 ft. wooden decked dock along the exterior east side of the boathouse and the 4 ft. X 15 ft. wooden decking on the interior of the east side of the boathouse with their 6 supporting piers; replace in-kind the 3.5 ft. X 30 ft. wooden deck dock on the exterior of west side of the boathouse with its 6 supporting piers; replace in-kind the 5 ft. X 15 wooden deck along the interior back of the boathouse; and repair in-kind the two personal watercraft lifts along the shore on the anterior east side of the boathouse according to the plans by Terry Graham of Docks Unlimited received by NHDES on 10/16/2017. The repair or replacement in-kind of two sections of existing retaining wall totaling approximately 4 ft. X 86 ft. 6 inches according plan drawings by Terry Graham of Docks Unlimited received by NHDES on 09/20/2017.

PBN IS COMPLETE

Replace in-kind existing 20 ft. 3 inches X 30 ft. boathouse.; replace in-kind the existing 2 ft. X 30 ft. wooden decked dock along the exterior east side of the boathouse and the 4 ft. X 15 ft. wooden decking on the interior of the east side of the boathouse with their 6 supporting piers; replace in-kind the 3.5 ft. X 30 ft. wooden deck dock on the exterior of west side of the boathouse with its 6 supporting piers; replace in-kind the 5 ft. X 15 wooden deck along the interior back of the boathouse; and repair in-kind the two personal watercraft lifts along the shore on the anterior east side of the boathouse according to the plans by Terry Graham of Docks Unlimited received by NHDES on 10/16/2017. The repair or replacement in-kind of two sections of existing retaining wall totaling approximately 4 ft. X 86 ft. 6 inches according plan drawings by Terry Graham of Docks Unlimited received by NHDES on 09/20/2017.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
2. Under Env-Wt 303.04(c) (c) the repair or replacement of existing retaining walls shall be performed "in the dry" during drawdown of waters with no change in height, length, location, or configuration.

2017-02857

DUBE, JOAN/PETER

10/16/2017 to 10/22/2017

SUNAPEE SUNAPEE LAKE

Requested Action:

Replacement in-kind of the two 8 foot X 12 foot boathouse supporting wooden crib structures with the placement of the existing 22 foot 4 inch X 22 foot boathouse within the existing footprint; the replacement in-kind of the two 6 foot X 20 foot docks attached to the north and south sides of the boathouse; and replacement of approximately 84 feet of the retaining wall and return wall with imbedding of the existing granite steps according to the plan drawings received by NHDES on October 10, 2017 on frontage along Lake Sunapee in Sunapee.

PBN IS COMPLETE

Replacement in-kind of the two 8 foot X 12 foot boathouse supporting wooden crib structures with the placement of the existing 22 foot 4 inch X 22 foot boathouse within the existing footprint; the replacement in-kind of the two 6 foot X 20 foot docks attached to the north and south sides of the boathouse; and replacement of approximately 84 feet of the retaining wall and return wall with imbedding of the existing granite steps according to the plan drawings received by NHDES on October 10, 2017 on frontage along Lake Sunapee in Sunapee

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(c) for the repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration. If a wall is to be refaced such additional width shall not exceed 6 inches; and
2. per Rule 303.04(v), repair of existing structures with no change in size, location or configuration.

2017-03016

ROBERTS, JAMES & DONNA

ENFIELD CRYSTAL LAKE

Requested Action:

Replacement in-kind of the retaining wall with pre-cast blocks in 3 sections of approximately 61 feet, 52 feet, and 57 feet X 1.5 feet in height X 2 feet wide on frontage along Chrystal Lake in Enfield according to plan drawings by Roger Rodewald of Riverside Ecological Design, LLC dated 10/02/2017.

PBN IS COMPLETE

Replacement in-kind of the retaining wall with pre-cast blocks in 3 sections of approximately 61 feet, 52 feet, and 57 feet X 1.5 feet in height X 2 feet wide on frontage along Chrystal Lake in Enfield according to plan drawings by Roger Rodewald of Riverside Ecological Design, LLC dated 10/02/2017.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration. If a wall is to be refaced such additional width shall not exceed 6 inches.

2017-03031

LACROIX, ANN

LACONIA LAKE WINNIPESAUKEE

10/16/2017 to 10/22/2017

Requested Action:

Repair in-kind of the stone retaining wall on the two sides of the waterfront beach area not to exceed the existing 11 feet length X 2 feet wide X 3 feet high at the outer edge; with repair in-kind of the 6 foot wide stone steps imbedded in the retaining wall; and replenishment of the upper perched beach area with no more than 1.8 cubic yards of new sand according to plan drawings by Tom Lacroix dated September 30, 2017 and received by NHDES on October 10, 2017 on frontage along Lake Winnepesaukee in Laconia.

PBN IS COMPLETE

Repair in-kind of the stone retaining wall on the two sides of the waterfront beach area not to exceed the existing 11 feet length X 2 feet wide X 3 feet high at the outer edge; with repair in-kind of the 6 foot wide stone steps imbedded in the retaining wall; and replenishment of the upper perched beach area with no more than 1.8 cubic yards of new sand according to plan drawings by Tom Lacroix dated September 30, 2017 and received by NHDES on October 10, 2017 on frontage along Lake Winnepesaukee in Laconia.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt (c) for the repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.
2. This project is also classified as a minimum impact project per Rule Env-Wt 303.04(aa), for the replenishment of sand on an existing beach with no sand below the high water line; not to exceed 10 cubic yards of sand; and no more than one replenishment in any 6 year period.

2017-03041

SPENCER, UPSHUR

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

The project is disqualified for a Permit by Notification as the proposed project description and plan drawings show a reduction in the size of the cribbing structures, and therefore requires a Standard Wetlands Permit.

PBN DISQUALIFIED

The project is disqualified for a Permit by Notification as the proposed project description and plan drawings show a reduction in the size of the cribbing structures, and therefore requires a Standard Wetlands Permit.

With Findings:

This project is disqualified as a Permit by Notification as per Env-Wt 303.04(v), the proposed project as stated in the description and shown on the plan drawings is not an in-kind replacement of the existing boathouse cribbing supports.

2017-03051

JOHNSON, SCOTT/VIRGINIA

GILFORD LAKE WINNIPESAUKEE

Requested Action:

Repair in-kind of existing retaining wall not to exceed 78 linear feet X 2 feet width X 6.5 feet in height according to plan drawings by Folsom Design & Construction Management dated 9/28/2017 on frontage along Lake Winnepesaukee in Gilford.

10/16/2017 to 10/22/2017

PBN IS COMPLETE

Repair in-kind of existing retaining wall not to exceed 78 linear feet X 2 feet width X 6.5 feet in height according to plan drawings by Folsom Design & Construction Management dated 9/28/2017 on frontage along Lake Winnepesaukee in Gilford.

With Findings:

- 1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration. If a wall is to be refaced such additional width shall not exceed 6 inches.

FORESTRY NOTIFICATION

2017-03101 TOWN OF MASON, FORESTRY COMMITTEE

MASON Unnamed Stream

COMPLETE NOTIFICATION
MASON; TAX MAP# C; LOT(S)# 16, 17

2017-03102 HILDRETH, CHARLES

HOLLIS Unnamed Stream

COMPLETE NOTIFICATION
HOLLIS; TAX MAP# 17; LOT# 5

2017-03123 HIGGINSON, DANIEL

HENNIKER Unnamed Stream

COMPLETE NOTIFICATION
HENNIKER; TAX MAP# 1; LOT# 386D

2017-03126 FERNANDEZ, EDUARDO

CANAAN Unnamed Stream

COMPLETE NOTIFICATION
CANAAN; TAX MAP# 17; LOT# 59E

2017-03127

BOSCAWEN, TOWN OF

BOSCAWEN Unnamed Pond

COMPLETE NOTIFICATION
BOSCAWEN; TAX MAP# 83; LOT# 49

2017-03128

HOMESTEAD TRUST II

TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION
TAMWORTH; TAX MAP# 410; LOT# 44

2017-03129

SMITH, STUART

LYME Unnamed Stream

COMPLETE NOTIFICATION
LYME; TAX MAP# 408; LOT#1.02

LAKES-SEASONAL DOCK NOTIFICATION

2017-03060

MEISSNER, ROBERT

SALEM CAPTAIN POND

Requested Action:

Installation of a seasonal pier not to exceed 4 feet X 30 feet along frontage on Captain Pond in Salem.

COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 4 feet X 30 feet along frontage on Captain Pond in Salem.

2017-03075

PESANDO, JOHN/PATRICIA

NEW LONDON LITTLE SUNAPEE LAKE

Requested Action:

Installation of seasonal pier not to exceed 6 feet X 20 feet on frontage along Little Lake Sunapee in New London.

COMPLETE NOTIFICATION

Installation of seasonal pier not to exceed 6 feet X 20 feet on frontage along Little Lake Sunapee in New London.

2017-03080

JAB REALTY TRUST

SUNAPEE SUNAPEE LAKE

Requested Action:

Installation of seasonal pier not to exceed 6 feet X 20 feet on frontage along Lake Sunapee in Sunapee.

COMPLETE NOTIFICATION

Installation of seasonal pier not to exceed 6 feet X 20 feet on frontage along Lake Sunapee in Sunapee.

ROADWAY MAINTENANCE NOTIFICATION

2017-03111

AUBURN, TOWN OF

AUBURN Unnamed Wetland

UTILITY NOTIFICATION

2017-03091 TRANSCANADA

STRATFORD Unnamed Wetland

2017-03092 TRANSCANADA

STARK Unnamed Wetland

2017-03093 TRANSCANADA

DUMMER Unnamed Wetland

2017-03095 TRANSCANADA

MILAN Unnamed Wetland

2017-03096 TRANSCANADA

BERLIN Unnamed Wetland

EMERGENCY AUTHORIZATION

2016-03149 NASHUA WWTF

NASHUA SALMON BROOK

Requested Action:

10/16/2017 to 10/22/2017

Emergency authorization at the Nashua WWTF because of a sanitary sewer overflow resulting from a significant rain event on Friday, October 21, 2016. This caused erosion to the property and undermined the pavement resulting in the collapse of the parking lot and taking the net metering transformer with it.

CONFIRM EMERGENCY AUTHORIZATION

Removal of approximately 5,500 square feet of sediment from a forested wetland and stabilize a bank at the Nashua WWTF because of a sanitary sewer overflow resulting from a significant rain event on Friday, October 21, 2016.

With Conditions:

- 1. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.

With Findings:

- 1. This project is classified as a minor impact project per 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 project was necessary to remove sediment from a forested wetland and stabilize an eroded bank at the Nashua WWTF as a result of a significant rain event.
- 3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on November 28, 2016.
- 4. Review of the materials submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

SHORELAND PERMIT

2016-03341 TAULANE/SULLIVAN, JOHN/KATHRYN

MEREDITH WINNISQUAM LAKE

2017-00988 MURPHY, THOMAS

RYE ATLANTIC OCEAN

Requested Action:

Impact 10,000 square feet (SF) of protected shoreland in order to repave existing driveway to decrease the amount of impervious area on the lot and relocate 21' landward of the reference line. A stone wall is proposed at the front of the property.

AMENDMENT DESCRIPTION: Plans revised to replace an asphalt driveway with pervious pavers, add a stonewall to the front of the property, construct a screened building, badminton court, and bocce court. The total impervious area of the site will be reduced by 3.2%.

APPROVE AMENDMENT

Impact 10,000 square feet (SF) of protected shoreland in order to repave existing driveway to decrease the amount of impervious area on the lot and relocate 21' landward of the reference line. A stone wall is proposed at the front of the property.

AMENDMENT DESCRIPTION: Plans revised to replace an asphalt driveway with pervious pavers, add a stonewall to the

front of the property, construct a screened building, badminton court, and bocce court. The total impervious area of the site will be reduced by 3.2%.

With Conditions:

1. All work shall be in accordance with revised plans by Ross Engineering dated October 6, 2017 and received by the NH Department of Environmental Services (DES) on October 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 areas in which impacts have not been approved.
3. No more than 25.9% 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.

2017-02448

VAN SCHAICK, GILLIAN/JAMES

HEBRON NEWFOUND LAKE

Requested Action:

Impact 5,130 square feet of protected shoreland in order to replace an existing house, shuffleboard court, retaining walls, and shed, reconfigure the driveway, install a new septic system, remove pavers and stairs, and restore unaltered vegetation.

APPROVE PERMIT

Impact 5,130 square feet of protected shoreland in order to replace an existing house, shuffleboard court, retaining walls, and shed, reconfigure the driveway, install a new septic system, remove pavers and stairs, and restore unaltered vegetation.

Temporary Waiver Granted: Temporarily reduce the area of the Natural Woodland below that which is required per RSA 483-B:9, V, (b) for the purposes of constructing a conforming septic system. Post-construction restoration planting required.

With Conditions:

1. All work shall be in accordance with plans by B.A. Barnard Ent. Inc. revised through September 2017 and received by the NH Department of Environmental Services (NHDES) on September 26, 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 21.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.

10/16/2017 to 10/22/2017

5. Prior to the occupancy of the residential structure the Permittee shall provide documentation, including photos, showing that all restoration plantings have occurred, to the NHDES Wetlands Bureau.
6. Following planting, all planted vegetation within the woodland buffer shall be retained in an unaltered state in order to comply with RSA 483-B:9, V(b)(2). The regeneration of ground cover in the planted area shall not be suppressed by the use of bark mulch or other materials; hay mulch may be used temporarily to establish vegetation.
7. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
8. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.
9. Native vegetation within an area of at least 3,030 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
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 tack or netting and pinning on slopes steeper than 3:1.
16. 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).
17. 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.
18. 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.

2017-02470

DONALD J VERCAUTEREN TRUST

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Impact 5,534 square feet (SF) of protected shoreland in order to remove the existing house and foundation, excavate, pour a new foundation, construct a new primary structure. Project includes the construction patio, fire pit, and the relocation of a boardwalk.

AMENDMENT DESCRIPTION: Plans revised in order to relocate the primary structure 13 feet south and 15 feet further back from the reference line.

APPROVE AMENDMENT

Impact 5,534 square feet (SF) of protected shoreland in order to remove the existing house and foundation, excavate, pour a new foundation, construct a new primary structure. Project includes the construction patio, fire pit, and the relocation of a boardwalk.

AMENDMENT DESCRIPTION: Plans revised in order to relocate the primary structure 13 feet south and 15 feet further back from the reference line.

10/16/2017 to 10/22/2017

With Conditions:

1. All work shall be in accordance with revised plans by WM Evans Engineering dated September 24, 2017 and received by the NH Department of Environmental Services (DES) on October 2, 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 7.7% 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 6,978 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 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.

2017-02581

GODZYK, BRIAN/CYNTHIA

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

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

AMENDMENT DESCRIPTION: Expand living space over an existing deck on the lakeside of the primary structure with no encroachment closer to the water than the approved plan.

APPROVE AMENDMENT

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

AMENDMENT DESCRIPTION: Expand living space over an existing deck on the lakeside of the primary structure with no encroachment closer to the water than the approved plan.

With Conditions:

1. All work shall be in accordance with revised plans by Ames Associates dated October 12, 2017 and received by the NH Department of Environmental Services (NH DES) on October 13, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NH DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans

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prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.

4. No more than 24.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from the Department.

5. Native vegetation within an area of at least 20 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

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

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

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

10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

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

2017-02660

BRINDAMOUR, WILLIAM

GILFORD LAKE WINNIPESAUKEE

Requested Action:

Impact 3,857 square feet of protected shoreland in order to construct a cottage, well, and septic system on a vacant island lot.

APPROVE PERMIT

Impact 3,857 square feet of protected shoreland in order to construct a cottage, well, and septic system on a vacant island lot.

With Conditions:

1. All work shall be in accordance with plans by Varner Engineering, LLC revised through October 6, 2017 and received by the NH Department of Environmental Services (NHDES) on October 11, 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 12.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.

5. Native vegetation within an area of at least 1,603 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. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).

7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

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

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

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

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the

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growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

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

2017-02807

EUGENIA T KIRCHNER LIVING TRUST

MADISON SILVER LAKE

Requested Action:

Impact 8,100 square feet (SF) of protected shoreland in order to construct a residence and driveway on a vacant lot with no shoreline frontage, install a septic system and construct a small walkway.

APPROVE PERMIT

Impact 8,100 square feet (SF) of protected shoreland in order to construct a residence and driveway on a vacant lot with no shoreline frontage, install a septic system and construct a small walkway.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated August 28, 2017 and received by the NH Department of Environmental Services (DES) on September 18, 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 13% 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 2,215 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. 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 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.

2017-02809

SEWALL, JUDITH/STEVEN

10/16/2017 to 10/22/2017

EXETER EXETER RIVER

Requested Action:

Impact 1,945 square feet (SF) of protected shoreland in order to replace a nonconforming structure with a more nearly conforming structure of similar size, further from the reference line.

APPROVE PERMIT

Impact 1,945 square feet (SF) of protected shoreland in order to replace a nonconforming structure with a more nearly conforming structure of similar size, further from the reference line.

With Conditions:

1. All work shall be in accordance with plans by Millennium Engineering Inc. dated August 25, 2017 and received by the NH Department of Environmental Services (DES) on September 18, 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 14% 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 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.

2017-02813

STEVENS JR, HOLLY/LESLIE

MILAN CEDAR POND

Requested Action:

Impact 1,834 square feet (SF) of protected shoreland in order to repair an existing gravel driveway, construct new driveway (widen existing 1,344 SF), construct retaining walls, remove portion of existing driveway (150 SF) to allow for construction of the retaining wall.

APPROVE PERMIT

Impact 1,834 square feet (SF) of protected shoreland in order to repair an existing gravel driveway, construct new driveway (widen existing 1,344 SF), construct retaining walls, remove portion of existing driveway (150 SF) to allow for construction of the retaining wall.

With Conditions:

1. All work shall be in accordance with plans by North Country Septic Designs dated September 14, 2017 and received by the NH Department of Environmental Services (DES) on September 18, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans

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prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.

3. No more than 9% 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 2,781 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 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.

2017-02822

TOWN OF WEBSTER

WEBSTER BLACKWATER RIVER

Requested Action:

Impact 7,343 square feet of protected shoreland in order to install a solar array within a fenced area and clear trees.

Conservation Commission/Staff Comments:

9/21/17 Fee to be refunded as this is a public infrastructure project for the Town of Webster.

APPROVE PERMIT

Impact 7,343 square feet of protected shoreland in order to install a solar array within a fenced area and clear trees.

With Conditions:

1. All work shall be in accordance with plans by GeoInsight dated September 8, 2017 and received by the NH Department of Environmental Services (NHDES) on September 18, 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. 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.
4. No more than 1.5% 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 9,616 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

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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.

2017-02824

NH DEPT OF ENVIRONMENTAL SERVICES

EFFINGHAM OSSIPEE LAKE

Requested Action:

Impact 9,508 square feet (SF) of protected shoreland in order to construct a crest gate control dam 50 feet downstream of the existing Berry Bay spillway dam. The shoreland impact includes the footing for the dam and the staging areas on the northern bank of the river. The existing spillway will be removed following the new dam construction. A crest gate control building and LP pad will be constructed on the island.

APPROVE PERMIT

Impact 9,508 square feet (SF) of protected shoreland in order to construct a crest gate control dam 50 feet downstream of the existing Berry Bay spillway dam. The shoreland impact includes the footing for the dam and the staging areas on the northern bank of the river. The existing spillway will be removed following the new dam construction. A crest gate control building and LP pad will be constructed on the island.

With Conditions:

1. All work shall be in accordance with plans by Wright-Pierce dated August 18, 2011 and received by the NH Department of Environmental Services (DES) on September 18, 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 7.8% 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.
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 owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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2017-02830

RANCOURT, DARLENE/TAL

SPOFFORD SPOFFORD LAKE

Requested Action:

Impact 6,500 square feet (SF) of protected shoreland in order to demolish residence, concrete patio and detached garage. Construct a new residence located behind the primary building setback and a retaining wall located 25 feet from the reference line.

APPROVE PERMIT

Impact 6,500 square feet (SF) of protected shoreland in order to demolish residence, concrete patio and detached garage. Construct a new residence located behind the primary building setback and a retaining wall located 25 feet from the reference line.

With Conditions:

1. All work shall be in accordance with plans by Donald R. Scott dated September 15, 2017 and received by the NH Department of Environmental Services (DES) on September 19, 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 13% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 2,485 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. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02833

FILLMORE INDUSTRIES INC

LOUDON SOUCOOK RIVER

Requested Action:

Impact 368,853 square feet of protected shoreland in order to expand the excavation of an existing gravel pit.

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APPROVE PERMIT

Impact 368,853 square feet of protected shoreland in order to expand the excavation of an existing gravel pit.

With Conditions:

1. All work shall be in accordance with plans by Jeffrey L. Green dated September 18, 2017 and received by the NH Department of Environmental Services (NHDES) on September 19, 2017.
2. Orange construction fencing shall be installed at the limits of the impact area (altered grades) 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. 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.
4. In accordance with RSA 483-B:9 V. (d) (1) all work must comply with Alteration of Terrain regulations, this permit is contingent upon approval from the Alteration of Terrain Bureau.
5. No area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
6. Native vegetation within an area of at least 262,142 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).
7. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
8. No impacts to natural ground cover shall occur within the waterfront buffer.
9. 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.
10. 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.
11. 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.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. 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).
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02849

KADARAS, KENNETH

STRAFFORD BOW LAKE

Requested Action:

Impact 1,524 square feet (SF) of protected shoreland in order to expand the existing nonconforming primary structure and deck.

APPROVE PERMIT

Impact 1,524 square feet (SF) of protected shoreland in order to expand the existing nonconforming primary structure and deck.

10/16/2017 to 10/22/2017

With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (DES) 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 13.8% 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 proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02868

AUSTIN, BRIDGET/CHRISTOPHER

STODDARD HIGHLAND LAKE

Requested Action:

Impact 1,781 square feet (SF) of protected shoreland in order to construct a 16 ft. x 24 ft. shed with a bedroom and a 4 ft. wide deck or walkway. A water line and sewer line are proposed for the shed/bedroom. The project also proposes a new lawn area of approximately 27 ft. x 13 ft.

APPROVE PERMIT

Impact 1,781 square feet (SF) of protected shoreland in order to construct a 16 ft. x 24 ft. shed with a bedroom and a 4 ft. wide deck or walkway. The project includes, a water line and sewer line for the shed/bedroom and a new lawn area of approximately 27 ft. x 13 ft.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services Inc. dated September 5, 2017 and received by the NH Department of Environmental Services (DES) on September 21, 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 13% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 3,487 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.

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- 8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02871

SPRINGFIELD POINT NIRVANA LLC

WOLFEBORO LAKE WINNIPESAUKEE

Requested Action:

Impact 7,426 square feet of protected shoreland in order to construct a detached garage, reconfigure existing driveway with permeable pavers and landscaping.

APPROVE PERMIT

Impact 7,426 square feet of protected shoreland in order to construct a detached garage, reconfigure existing driveway with permeable pavers and landscaping.

With Conditions:

- 1. All work shall be in accordance with plans by Advantage NH Lakes dated September 16, 2017 and received by the NH Department of Environmental Services (NHDES) on September 21, 2017.
- 2. No additional bedrooms shall be constructed until the project is approved by the NHDES Subsurface Systems Bureau.
- 3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
- 4. No more than 20% 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 4,769 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
- 6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
- 7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
- 8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
- 9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 10. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
- 11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
- 14. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02874

SNIDER, CAROLYN A/JEFFREY M

10/16/2017 to 10/22/2017

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Impact 1,764 square feet (SF) of protected shoreland in order to remove existing sandy area; install pea gravel parking key, pervious front walkway, pervious patio, and a firepit.

APPROVE PERMIT

Impact 1,764 square feet (SF) of protected shoreland in order to remove existing sandy area; install pea gravel parking key, pervious front walkway, pervious patio, and a firepit.

With Conditions:

1. All work shall be in accordance with plans by Stephens Landscaping Professionals, LLC dated September 11, 2017 and received by the NH Department of Environmental Services (DES) on September 21, 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 20.8% 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 3,390 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. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
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.

2017-02878

FLYING CRUSHER LLC

HUDSON

Requested Action:

Impact 61,354 square feet of protected shoreland in order to construct a commercial building, stormwater management provisions, access and circulation and paved parking areas.

APPROVE PERMIT

Impact 61,354 square feet of protected shoreland in order to construct a commercial building, stormwater management provisions, access and circulation and paved parking areas.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates Inc dated July 20, 2017 and received by the NH Department of Environmental Services (NHDES) on September 21, 2017.

10/16/2017 to 10/22/2017

2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
4. 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.
5. No more than 37.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
6. Native vegetation within an area of at least 14,949 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).
7. No impacts to natural ground cover shall occur within the waterfront buffer.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02892

PHELPS, MICHAEL

TUFTONBORO LAKE WINNIPESAUKEE

Requested Action:

Impact 1,726 square feet (SF) of the protected shoreland in order to construct a 12 ft. x 17.5 ft. addition on an existing cottage.

APPROVE PERMIT

Impact 1,726 square feet (SF) of the protected shoreland in order to construct a 12 ft. x 17.5 ft. addition on an existing cottage.

With Conditions:

1. All work shall be in accordance with plans by David A. Cluff dated September 19, 2017 and received by the NH Department of Environmental Services (DES) on September 25, 2017.
2. No more than 5.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. 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.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

10/16/2017 to 10/22/2017

- 5. 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.
- 6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 7. 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).
- 8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

SHORELAND PBN

2017-02841

COMEAU, PAUL

HAMPSTEAD WASH POND

Requested Action:

Impact 400 square feet of protected shoreland in order to replace an existing retaining wall in kind.

APPROVE PERMIT

Impact 400 square feet of protected shoreland in order to replace an existing retaining wall in kind.

With Conditions:

- 1. All work shall be in accordance with plans by Lavelle Associates dated August 11, 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 38% 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 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.

