Wetlands Applications Decision Report

11/1/17
Approves
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Decisions Taken
10/23/2017 to 10/29/2017

DISCLAIMER:

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

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

APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or atappeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

MAJOR IMPACT PROJECT
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2016-02989 **SIERRA HOMES INC**

HOOKSETT MERRIMACK RIVER

Requested Action:

Construct two dock facilities each consisting of two 6 foot x 22 foot piers connected by a 6 foot x 20 foot walkway in a "U" shaped configuration accessed by a 6 foot x 20 foot walkway anchored to a 4 foot x 7 foot concrete pad, and one "L" shaped facility consisting of a 6 foot x 24 foot seasonal wharf accessed by a 6 foot x 24 foot pier anchored by a 7 foot x 4 foot concrete anchor pad, replant 900 feet of disturbed frontage, and stabilize 500 linear feet of erosional areas along the frontage with a combination of coir logs and replanting, on an average of 3818 feet of shoreline frontage along the Merrimack River, in Hooksett.

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Conservation Commission/Staff Comments:
10/21/2016 Per DHR, no historic properties affected.
11/21/2016 Con. Com. would like to see the impacts of a single community dock versus the proposed five individual docks. The Con. Com. wants assurances that the least impacting alternative will not impact year round eagle habitat along that section of the Merrimack. Other comments included in the letter to file.
3/22/2017 The Con. Com. has agreed that the individual docks will have the least impact to the shore line as oppsed to a community docking structure.

APPROVE PERMIT
Construct two dock facilities each consisting of two 6 foot x 22 foot piers connected by a 6 foot x 20 foot walkway in a "U" shaped configuration accessed by a 6 foot x 20 foot walkway anchored to a 4 foot x 7 foot concrete pad, and one "L" shaped facility consisting of a 6 foot x 24 foot seasonal wharf accessed by a 6 foot x 24 foot pier anchored by a 7 foot x 4 foot concrete anchor pad, replant 900 feet of disturbed frontage, and stabilize 500 linear feet of erosional areas along the frontage with a combination of coir logs and replanting, on an average of 3818 feet of shoreline frontage along the Merrimack River, in Hooksett.

With Conditions:
1. All work shall be in accordance with plans by McCourt Engineering Associates dated September 6, 2017, as received by DES on September 29, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
12. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
13. No portion of the piers shall extend more than 42 feet from the shoreline from the ordinary high water mark.
14. All seasonal structures shall be removed for the non-boating season.
15. The concrete pads shall not exceed 7 feet in width.
16. The shoreline bank restoration shall only occur in those areas as noted on the approved plans. No other areas may be impacted without prior approval of NHDES.
17. The proposed plantings and restoration shall be completed prior to the installation of the docking structures.
18. A subsequent monitoring report shall be submitted to DES on October 1, 2018, to document the success of the restoration and outline a schedule for remedial actions if necessary. Such reports shall be submitted to DES with photographs demonstrating the conditions on the restoration site, include any necessary remedial actions, and contain a schedule for completing the remedial actions and conducting follow up inspections.
19. Remedial actions may include, but are not limited to replanting, relocation of plantings, removal of invasive species, altering the soil composition or depths, deconsolidation of soils due to compaction, altering the elevation of the wetland surface, or changing the hydraulic regime.
20. Monitoring reports shall be submitted for 2 consecutive years following the planting of the vegetation.

With Findings:
1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 3,818 feet of frontage along the Merrimack River.
3. Only 900 linear feet of the frontage may be used for the permitting of docking structures since the remainder of the frontage is a conservation easement.
4. A maximum of 13 slips may be permitted on the 900 feet of available frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 11 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
6. Eversource Energy submitted a letter on dated November 25, 2016, indicating the applicant meets the criteria of Eversource Energy's Management Plan developed in accordance with their FERC licensing requirements for impacts along this area of the Merrimack River.
7. The local conservation commission submitted a letter received by NHDES on November 21, 2016, with several concerns. The local conservation commission submitted a second letter received by NHDES on March 22, 2017. This second letter did not have concerns with individual docks.
-Send to Governor and Executive Council-

2017-02058 **NH DEPT OF TRANSPORTATION**

PETERBOROUGH CONTOOCOOK RIVER

Requested Action:

Place scour protection along 106 linear feet of river around the pier to protect the bridge impacting 6,669 sq. ft. (4578 sq. ft. temporary) of riverine wetlands. NHDOT project 27287-3

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Conservation Commission/Staff Comments:
Cons. Comm. - no comments
LAC - no comments

APPROVE PERMIT
Place scour protection along 106 linear feet of river around the pier to protect the bridge impacting 6,669 sq. ft. (4578 sq. ft. temporary) of riverine wetlands. NHDOT project 27287-3

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 13, 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.

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.

2017-02062 NH DEPT OF TRANSPORTATION

CORNISH BLOW-ME-DOWN-BROOK

Requested Action:

Replace rip rap along the slopes where it has been previously scoured away along 128 linear feet of brook and banks in front of the abutments and wing walls impacting 3,947 sq. ft. (2,211 sq. ft. temporary) of riverine and palustrine wetlands. NHDOT project 27287-5

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APPROVE PERMIT
Replace rip rap along the slopes where it has been previously scoured away along 128 linear feet of brook and banks in front of the abutments and wing walls impacting 3,947 sq. ft. (2,211 sq. ft. temporary) of riverine and palustrine wetlands. NHDOT project 27287-5

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 13, 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.

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.

2017-02064 **NH DEPT OF TRANSPORTATION**

PLAINFIELD BLOODS BROOK

Requested Action:

Place scour protection to protect the bridge along 118 linear feet of river and banks in front of the abutments and two wing walls impacting 2,248 sq. ft. (1,511 sq. ft. temporary) or riverine wetlands. NHDOT project 27287-4

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APPROVE PERMIT
Place scour protection to protect the bridge along 118 linear feet of river and banks in front of the abutments and two wing walls impacting 2,248 sq. ft. (1,511 sq. ft. temporary) or riverine wetlands. NHDOT project 27287-4

With Conditions:
1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated 12/16 and 4/17, as received by the Department on July 13, 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.

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.

2017-02402 EVERSOURCE ENERGY

TILTON PEMIGEWASSET RIVER

Requested Action:

Dredge and fill 263,961 square feet of scrub-shrub and emergent wetlands to reconstruct 138 utility poles, construct 2 new utility poles, perform maintenance work on 18 utility poles, and installation of a permanent access work pad and access way for 1 utility structure located within the L176 Transmission Line ROW.

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APPROVE PERMIT
Dredge and fill 263,961 square feet of scrub-shrub and emergent wetlands to reconstruct 138 utility poles, construct 2 new utility poles, perform maintenance work on 18 utility poles, and installation of a permanent access work pad and access way for 1 utility structure located within the L176 Transmission Line ROW. Compensatory mitigation for permanent and US Army Corps of Engineers impacts consists of a one-time payment of $48,296.39 dollars into the Aquatic Resource Mitigation Fund ("ARM") and a contribution to the Belmont conservation project named Sanborn Family Trust for a conservation easement to be held by the Five Rivers Conservation Trust.

With Conditions:
1. All work shall be in accordance with plans by GZA GeoEnvironmental, Inc. for Eversource Energy, L176 Transmission Line Rebuild in Franklin, Tilton, Belmont, & Laconia, New Hampshire dated August 4, 2017 as received by the Department on August 10, 2017.
2. This permit is not valid until the applicant obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The permittee shall submit a copy of each recorded easement to the NHDES Wetlands Program prior to construction.
3. This approval is not valid until DES receives a one-time payment of $48,296.39 to the DES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to DES. If DES does not receive payment within 120 days of the date of this approval letter, DES will deny the application.
4. An in-lieu fee payment in the amount of $42,495.80 shall be provided to the Sanborn Family Trust Conservation project in Belmont upon notification that the project has full funding and can be completed by April 30, 2018. The Sanborn Family Trust project includes the acquisition of two parcels (Tax Map 120, Lots 15 and 20) located adjacent to the Tioga River Wildlife and Conservation Area. If the parcel cannot be conserved through a conservation easement held by the Five Rivers Conservation Trust, the payment shall be provided to the NHDES ARM Fund to be disbursed in the Pemigewasset-Winnipesaukee River watershed.
5. A copy of the payment to the Town of Belmont for the Sanborn Family Trust acquisition shall be submitted to NHDES.
6. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
7. The applicant shall coordinate the tree removal operations schedule with the U.S. Fish & Wildlife Service.
8. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Program within 60 days of final site stabilization.
9. The project monitor shall direct the contractor to avoid potential impacts to vernal pools and areas containing very poorly drained soils as available for temporary access. Prior to daily construction, timber matting will be reviewed for turtles and snakes. Observed turtles and snakes will be moved off of construction access roads to limit and prevent mortality to snakes and turtles during construction.
10. Prior to construction, the applicant will confirm with N.H Fish & Game whether seasonal avoidance is required at Structure 102 or elsewhere within the project area.
11. At the conclusion of the project, a summary report of any rare species observations shall be provided to the NHFG Nongame Program.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
13. Work shall be done during low flow/ low water conditions.
14. 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.
15. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
16. 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.

17. The contractor responsible for completion of the work shall utilize techniques described in the Best Management Practices Manual for Utility Maintenance In and Adjacent to Wetlands and Waterbodies in New Hampshire (January 2010).
18. 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.
19. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site.
20. Stream crossings shall be installed per Typical Stream Crossing Detail, Plan Sheet 2 dated July 31, 2017.
21. Sediment and erosion control measures shall be removed following vegetative stabilization upon completion of construction.
22. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
23. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
24. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
25. 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.
26. Wetland temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
27. This approval includes the recordation of a conservation easement on approximately 100 acres on two parcels of land in Belmont (Tax Map 120, Lots 15 and 20).
28. Following permit issuance and prior to recording of the conservation easement deed, the natural resources existing on the conservation easement parcel shall not be removed, disturbed, or altered without prior written approval of DES and the easement holder.
29. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and all future property owners shall be subject to this easement.
30. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds for each lot that is subject to the easement. The permittee shall submit a copy of the recording from the County Registry of Deeds to the DES Wetlands Program.
31. The permittee/permittee's contractor shall notify the DES Wetlands Program when the easement monuments are placed, and coordinate an on-site review of their location prior to construction.
32. There shall be no placement of fill, construction of structures, or storage of vehicles or hazardous materials on the conservation parcel.
33. Activities in contravention of the conservation easement shall be deemed to be a violation of RSA 482-A, and shall be subject to enforcement under RSA 482-A.

With Findings:
1. This is a Major impact project per Administrative Rule Env-Wt 303.02(c), Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant is undertaking this project in order to enhance the regional efficiency, safety, and reliability of the electrical infrastructure. The existing infrastructure is approximately 40 years old and structures have multiple deficiencies.
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. Project impacts have been limited by utilizing the existing ROW, the project has avoided wetland conversion of forested wetlands. The applicant has analyzed alternative structure replacement locations and access routes in order to minimize wetland impacts to the extent practicable. Impacts were avoided in numerous cited located and structure and anchor locations were placed in uplands to the greatest extent practicable. The project will utilize existing access roads.
4. The majority of the project wetland impacts are temporary. Permanent impacts total 1,526 square feet for the installation of utility structures and permanent access. The project requires 262,435 square feet of temporary wetland impact for temporary access to structures. Temporary impact areas consist of installation of temporary matting. Disturbed wetland and upland areas will be graded and seeded with an appropriate seed mix as necessary.
5. The applicant's agent has performed wetland delineation, wetland classification, and a wetland function-value assessment of the project area. The project area includes 117 wetlands primarily consisting of scrub-shrub and emergent wetland. Vernal pool criteria was identified at 13 locations. No temporary or permanent impacts are proposed to any documented or potential vernal pools as a result of the project.
6. The Owner of Tax Map R15 Lot 5 has provided a written letter of authorization dated July 12, 2017 to access the property and construction of a 12-foot wide gravel access road and pad to access the utility structure labeled 3216-J4.
7. Stream crossings are proposed to be performed spanning bank to bank using the Typical Stream Crossing detail per plan sheet 2 dated July 31, 2017.

8. A Natural Heritage Bureau project review dated July 11, 2016 identified the bald eagle (Haliaeetus leucocephalus) and osprey (Pandion haliaetus). An osprey nest is known to occur within the L176 Transmission line ROW on Structure 102 of the J125 Transmission line. Due to the amount of time lapse between original data collection and the submittal of the wetland application a second NHB review was requested. The review dated August 2, 2017 indicated the osprey had been down-graded from Special Concern status and no-longer require review by NHFG. However two additional bird species and one mussel species were added to the records since the 2016 NHB file review. The results and associated project conditions were coordinated with NHFG. The NHFG project recommendations have been included as permit conditions.
9. The applicant has provided an overview of the project to the Pemigewasset Local Advisory Committee (LAC) on July 25, 2017. The LAC requested that mowing be reduced near the river. The applicant has limited vegetation removal to hand-cutting, and not mechanical mowing, on the eastern side of the river, west of Structure 15, and has agreed to initiate dialog between the LAC and the City of Franklin Public Works Department for mowing along the western side of the river.
10. The Belmont Conservation Commission signed the wetland permit application on August 9, 2017.
11. The US EPA has reviewed the proposed project and determined the project is eligible as proposed under the NH Programmatic General Permit (PGP) per review sheet dated September 12, 2017.
12. An in-lieu fee payment in the amount of $48,296.39 was contributed to the Aquatic Resource Mitigation (ARM) Fund, and a payment of $42,495.80 will be contributed to the Sanborn Family Trust Conservation project in Belmont. The total in-lieu fee is $90,792.19. The Sanborn Family Trust project includes the acquisition of two parcels (Tax Map 120, Lots 15 and 20) located adjacent to the Tioga River Wildlife and Conservation Area. A Conservation Easement Baseline Documentation Report was submitted with the permit application. If the conservation parcel cannot be completed by April 30, 2018, the remainder of the payment will be provided to the NHDES ARM Fund.

2017-02441 **TOWN OF PETERBOROUGH**

PETERBOROUGH NUBANUSIT BROOK

Requested Action:

Dredge and fill 115 square feet (SF) within the bank of Nubanusit Brook (tier 3; impacting 65 linear feet (LF)), plus 30 SF (10 LF) within the bank of the Contoocook River, for construction of a parking lot and pedestrian bridge using the current Depot Park location to provide additional access to downtown shops and businesses. In addition, temporarily impact 1,655 SF (60 LF) within the bed of Nubanusit Brook, plus 35 SF (10 LF) within the bed of the Contoocook River, for construction access and installation.

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Conservation Commission/Staff Comments:
5-26-17 - Additional information needed per DHR.
9-7-17 - No historic properties affected per DHR.

APPROVE PERMIT
Dredge and fill 115 square feet (SF) within the bank of Nubanusit Brook (tier 3; impacting 65 linear feet (LF)), plus 30 SF (10 LF) within the bank of the Contoocook River, for construction of a parking lot and pedestrian bridge using the current Depot Park location to provide additional access to downtown shops and businesses. In addition, temporarily impact 1,655 SF (60 LF) within the bed of Nubanusit Brook, plus 35 SF (10 LF) within the bed of the Contoocook River, for construction access and installation.

With Conditions:
1. All work shall be in accordance with plans by Hoyle, Tanner and Associates, Inc., dated July 25, 2017, and revised through October 11, 2017 and last received by NH Department of Environmental Services (DES) on October 13, 2017; plans by Ryan Associates Landscape Architecture and Planning, dated July 19, 2017 and revised through October 19, 2017 as received by DES on October 23, 2017; plus plans by OFICINAA as received by DES on October 23, 2017.
2. Prior to commencing work on areas located within surface waters, the permittee or permittee's contractors shall submit a final dewatering and diversion plan that includes all proposed cofferdams, diversion and dewatering strategies and estimated maximum flow to be diverted. This plan shall be stamped by a licensed Professional Engineer (PE).
3. This permit is not valid until signed authorization from any abutting land owner, whose property is located within 20 feet of, or will be utilized for, construction access and staging, is received by the DES Wetlands Bureau in accordance with New Hampshire Administrative Rule Env-Wt 304.04.

4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and New Hampshire Code of Administrative Rules Env-Wq 1400 during and after construction.
5. All in-stream work shall be conducted during low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or New Hampshire Code of Administrative Rules Env-Wq 1700.
6. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
7. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
8. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
9. 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.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
11. 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.
12. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
13. 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.
14. 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.
15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
16. 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).
17. Erosion control products shall be installed per manufacturers recommended specifications.
18. 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.
19. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
21. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
22. 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.
23. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
24. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3 -inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
25. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of native, non-invasive, vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
26. All work shall be done from the top of the bank only. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
27. Filter fabric shall be installed under the rip-rap.
28. Native material removed from the streambed during construction and installation shall be stockpiled separately and reused to emulate a natural channel bottom within temporary impact areas. Any new materials used must be as similar to the natural stream substrate as practicable and shall not include any angular rock.
29. Any fill used shall be clean sand, gravel, rock, or other suitable material.
30. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
31. 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.
32. Equipment shall be completely free of any aquatic plants and animals. Equipment washing/rinsing shall not take place in areas in subject to RSA 482-A jurisdiction.
33. The permittee or permittee's contractor shall properly construct, landscape, and monitor the project area, and shall take such remedial actions as may be necessary to create functioning riparian areas. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
34. Seed mix within the project area shall be appropriate to the area and shall be applied in accordance with manufacturers' specifications.
35. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the DES Wetlands Program. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each restoration site.
36. The permittee or permittee's contractor shall conduct a follow-up inspection in October or November following the first growing season to review the success of the construction area and schedule remedial actions if necessary.
37. Restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Program.
38. Restoration of temporary impact areas shall not be considered successful if sites are invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to DES that proposes measures to be taken to eradicate nuisance species during this same period.

With Findings:
1. This is a Major Impact Project per Administrative Rule Env-Wt 303.02 (p), as it proposes to replace a tier 3 stream crossing. The crossing is for pedestrian access only, built upon existing bridge abutments, to connect a proposed parking area with downtown shops and businesses.
2. The crossing has been designed to accommodate the 100 year flood elevation through incorporation of pre-cast concrete vertical extensions upon the existing abutments.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The City of Peterborough has a need for increased parking to support the local economy. The project will redevelop the current Depot Park with 60 parking spaces and improved stormwater management features.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. Impacts within the Protected Shoreland, per RSA 483-B and New Hampshire Code of Administrative Rules Env-Wq 1400, associated with this project, were permitted under and earlier DES Shoreland file: 2015-02699.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
7. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
8. No comments of concern were received by DES from abutters. This permit is contingent upon DES' receipt of signed authorization from abutters to which the project will be located within 20 feet of the property boundary, or whose property will be utilized for construction access or staging areas.
9. In correspondence dated August 28, 2017, the Contoocook and North Branch Rivers Local Advisory Committee submitted comments which "echo the Peterborough [Conservation Commission's] request" for mature vegetation to be replanted within the waterfront buffer. DES did not receive comment directly from the Peterborough Conservation Commission, though upon request, the applicant subsequently submitted a detailed planting plan to address these concerns.
10. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB17-0988) stated that there are no recorded occurrences for sensitive species near this project area.

MINOR IMPACT PROJECT
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2012-02713 **CARON, KIMBERLY/RANDALL**
BAILEY, PETER

GOFFSTOWN Unnamed Wetland

Requested Action:

Request permit time extension.

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APPROVE TIME EXTENSION
Dredge and fill 7,600 square feet of palustrine forested wetlands for construction of a shared driveway providing access to two (2) existing lots of record.

With Conditions:
1. All work shall be in accordance with plans by Benchmark Engineering, Inc., sheet 1 of 3 dated July 29, 2012 and sheets 2 and 3 of 3 dated July 28, 2012, as received by the DES on October 9, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.
4. Work shall be done during low flow conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culverts shall be laid at original grade.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

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

2017-01959 JONES, LAURIE

TUFTONBORO LAKE WINNIPESAUKEE

Requested Action:

Amend permit to reflect the correct the project location.

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Conservation Commission/Staff Comments:
7/14/17 Con. Com. has no objections to issuance of the permit.

APPROVE AMENDMENT
Amend permit to read: Repair a 44 foot breakwater located 7 feet from the shoreline, reduce the 4 foot wide cantilevered pier to 47 feet 1 inch in length, drive 2 tie off piling and install 2 seasonal personal watercraft lifts on an average of 80 feet of

frontage along Lake Winnipesaukee, on Sawyer Point, in Tuftonboro,

With Conditions:
1. All work shall be in accordance with revised plans by Winnipesaukee Marine Construction dated September 25, 2017, as received by DES on September 27, 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. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
5. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
6. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
8. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
9. No portion of the pier shall extend more than 46 feet from the shoreline at full lake elevation (Elev. 504.32).
10. All seasonal watercraft lifts shall be removed for the non-boating season.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(m) installation of new tie-off piles which do not, by their presence, add boat slips to an existing docking system.
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
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2017-01494 **NH DEPT OF TRANSPORTATION**

LISBON AMMONOOSUC RIVER

Requested Action:

Replace a patrol shed and garage with a new salt shed and patrol shed installing treatment swales impacting 286 sq. ft. of palustrine wetlands.

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Conservation Commission/Staff Comments:
LAC has no problem with the project.
Cons. Comm. no comments

APPROVE PERMIT
Replace a patrol shed and garage with a new salt shed and patrol shed installing treatment swales impacting 286 sq. ft. of palustrine wetlands.

With Conditions:
1. All work shall be in accordance with plans by NH Dept. of Administrative Services Bureau of Public Works Design and Construction and HEB Engineers, Inc. dated 06/30/2017 as received by the Department on Oct. 13, 2017.

2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
10. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
11. 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.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of swamp or wet meadow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. On July 31, 2017 the DES Wetlands Bureau requested information regarding documentation of the wetland delineation, photos of the wetlands to be impacted and for the applicant to address the 20 ft. setback rule.
6. On August 18, 2017 the DES received a partial response and on Sept. 8, 2017 agreed to a time extension for information submittal.
7. On Oct. 13, 2017 the DES received a revised set of plans and information from the project engineer indicating there will be no adverse impact to the abutters.
8. Based on the information received on Oct. 13, 2017 the DES waives rule Env-Wt 303.04.

EXPEDITED MINIMUM
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2017-02703 **TOWN OF BROOKLINE NH**

BROOKLINE NISSITISSIT RIVER

Requested Action:

Impact 1,225 square feet along 51 linear feet of bank of the Nissitissit River for the restoration of a washout area and creation of two (2) car-top boat launches for public, recreational access.

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APPROVE PERMIT
Impact 1,225 square feet along 51 linear feet of bank of the Nissitissit River for the restoration of a washout area and creation of two (2) car-top boat launches for public, recreational access.

With Conditions:
1. All work shall be in accordance with plans by Trout Unlimited, Inc. dated August 2017 as received by NH Department of Environmental Services (NHDES) on September 7, 2017.
2. It is illegal to harm, harass, or kill eastern hognose snakes and northern black racers in New Hampshire. All construction personnel must be made aware of the potential presence and protected status of this species
3. All observations of hognose snakes must be immediately reported to the NH Fish and Game Department (Michael Marchand 603-271-3016 or Brendan Clifford 603-271-0463). Attempt to take a photo to confirm any eastern hognose snake or black racer.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A . Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. 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.
12. 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).
13. Trees that are stabilizing slopes and banks of the stream shall not be disturbed.
14. 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.
15. All work shall be done from the top of the bank only.
16. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
18. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
19. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
21. Any fill used shall be clean sand, gravel, rock, or other suitable material.
22. Seed mix within the restoration area shall be a seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.
23. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
24. Avoid the use of welded plastic or 'biodegradable plastic' netting or thread in erosion control matting.
25. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
26. Bank stabilization shall not extend land into the stream/river channel.
27. Only native plant species shall be used to revegetate the riverbank.
28. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to NHDES within 60 days of final site stabilization.
29. The plantings shall have at least 75% successful establishment after two (2) growing seasons. If it does not, it shall be replanted and re-established in a manner satisfactory to NHDES.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t) Restoration of altered or degraded wetlands provided the project (1) Receives financial support and direct supervision of a New Hampshire state agency, the US Environmental Protection Agency, the US Army Corps of Engineers, the US Natural Resources Conservation Service, or the US Fish and Wildlife Service. A portion of this project is funded by the Aquatic Resource Mitigation fund through NHDES. Additionally, Trout Unlimited is providing oversight on the project.
2. The impacts are necessary to stabilize an eroding bank and provide public access for recreation; therefore, 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 application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB17-2444 identifying the following species in the vicinity of the project: Brook Floater (Alasmidonta varicosa), Blanding's Turtle (Emydoidea blandingii), Eastern Hognose Snake (Heterodon platirhinos), and Northern Black Racer (Coluber constrictor constrictor).
6. In response to the NHB letter, NH Fish and Game Nongame an Endangered Wildlife Program (NHFG) stated, "Based on the mussel survey conducted by Ethan Nadeau in the Nissitissit River on October 15, 2017, we do not expect impacts to the state endangered brook floater mussel. We do not expect impacts to Blanding's turtle as work is scheduled to be conducted this fall and most Blanding's turtle have returned to the wetlands and vernal pools where they will hibernate for the winter." NHFG also made recommendations, in summary, for the use of 'wildlife friendly' erosion control matting to avoid impacting the snakes , provided guidance for the education of the snakes that may be encountered on site to the contractor and to notify NHFG upon observing hogsnose snakes.
7. In response to the comments by NHFG, NHDES has conditioned the permit to include language for the requested erosion control and to contact NHFG in the event contractors encounter snakes.
8. The Brookline Conservation Commission (BCC) submitted a letter to NHDES dated October 21, 2017. In the letter the BCC states, "The [Brookline Conservation] Commission voted to waive Env-Wt 704.01 regarding permit issuance."
9. Based on the findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

2017-02848 **WARSCHAUER, JEFFREY/SHARON**

DOVER PISCATAQUA RIVER

Requested Action:

Impact a total of 24,595 square feet of previously developed upland tidal buffer zone to remove an existing dwelling and driveway and construct a new dwelling, driveway, and patio.

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APPROVE PERMIT
Impact a total of 24,595 square feet of previously developed upland tidal buffer zone to remove an existing dwelling and driveway and construct a new dwelling, driveway, and patio.

With Conditions:
1. All work shall be in accordance with plans by Jones and Beach Engineers, Inc. dated July 31, 2017, and revised through August 23, 2017 as received by the NH Department of Environmental Services (NHDES) on September 20, 2017.
2. All work shall be in accordance with NHDES Shoreland Permit #2017-02629.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
4. Any further alteration of areas on this property that are within the jurisdiction of the NHDES Wetlands/Shoreland Bureau will require further permitting by the Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction,

and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
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. 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(b), projects in previously developed uplands within 100 feet of the highest observable tide line which are not major or minor pursuant to administrative rule Env-Wt 303.02 or 303.03, respectively.
2. The need for the proposed impacts has been demonstrated by the applicant per administrative rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per administrative rule Env-Wt 302.03. All of the impacts occur landward of the highest observable tide line and within the previously developed upland tidal buffer zone.
4. The applicant has demonstrated by plan and example that each factor listed in administrative rule Env-Wt 302.04(b)(d) Requirements for Application Evaluation, has been considered in the design of the project.
5. The owner has obtained NHDES Shoreland Permit #2017-02629 for work within NHDES Shoreland jurisdiction.
6. The NH Natural Heritage Bureau ("NHB") has record of a sensitive species present within the vicinity of the project area, but NHB does not expect impacts to the species by the project.
7. The Dover Conservation Commission signed the NHDES application waiving its right to intervene, believes the application and plans accurately represent the project, and has no objection to permitting the proposed work.

2017-02885 **PETERSON, COREY**

GILMANTON Unnamed Stream

Requested Action:

Dredge and fill 16,000 square feet along 1,000 linear feet of an unnamed stream for installation of wood material additions to improve native brook trout habitat, improve water quality, and reduce stream velocities during high flow events.

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Conservation Commission/Staff Comments:
Con Com signed Min Exp application on September 13, 2017

APPROVE PERMIT
Dredge and fill 16,000 square feet along 1,000 linear feet of an unnamed stream for installation of wood material additions to improve native brook trout habitat, improve water quality, and reduce stream velocities during high flow events.

With Conditions:
1. All wood additions shall be installed in accordance with the Conservation Plan locations per plans prepared by the USDA-Natural Resources Conservation Service dated August 8, 2017 and methodology per Guidelines for Wood Additions to First and Second Order Streams received by NHDES on October 3, 2017.
2. All in-stream work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be

conducted in a manner so as to minimize the duration of construction in the watercourse.
3. Construction shall be inspected daily by a qualified biologist and/or forester to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
4. Precautions shall be taken to limit unnecessary removal of vegetation adjacent to the stream channel. No trees will be cut or removed from within the riparian area and if there is risk of disrupting canopy closure to prevent warming of the stream.
5. Felled trees on the floodplain shall be left in place.
6. Work shall be done during low flow conditions.
7. Wood will be added to the stream by hand. Trees will be felled with chainsaws. No other motorized equipment will be used within wetland jurisdiction.
9. All refueling of equipment (chainsaw) shall occur outside of surface waters or wetlands during construction.
10. If applicable, wetland areas that are temporarily disturbed shall be regraded and seeded with a wetland seed mix upon completing the stream restoration project.
11. The permittee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration project and schedule remedial actions if necessary. Photo documentation and a brief report shall be submitted to the DES Wetlands Bureau by December 1st of the year following completion of installation.
12. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:
1. This is a Minimum Impact project per Administrative Rule Env-Wt 303.04 (t); Restoration of altered or degraded wetlands provided the project; (1) Receives financial support and direct supervision of a New Hampshire state agency, the US Environmental Protection Agency, the US Army Corps of Engineers, the US Natural Resource Conservation Service, or the US Fish and Wildlife Service; (2) Shall not be used to perform restoration in cases where the applicant is subject to a restoration order; (3) Is not located in or adjacent to prime wetlands; and (4) Does not meet the criteria of Env-Wt 303.02(k).
2. The project is intended to improve native brook trout habitat by creating pools, to improve water quality by retaining nutrients, trapping sediment, and reducing stream velocities during high flow events. A plan for the project was developed by the Natural Resources Conservation Service, Belknap County Conservation District. Permit conditions require construction inspections and post-construction reports to confirm construction in accordance with proposed plans.
3. The proposed stream crossing and associated impacts (860 square feet) have been removed from the wetland permit application. The total proposed impacts have been confirmed with the applicant.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
4. The applicant indicates that natural occurrence of wood deposition are typically isolated and dependent on events such as old age, ice storm damage, insect and disease outbreaks. Logging on woodlots is typically on 10 year to 20 year cycles and often the woody debris is managed such as not to be placed in streams. The amount of woody material present has been reduced significantly as care is taken to avoid deposition when logging.
5. Trout habitat requires large woody materials in streams that alters the velocity of streams, creates deep pools and riffles, provides thermal protection, areas for aquatic organisms to hide or rest and distributes gravels for spawning sites. The accumulation of leaves, branches and other organic matter trapped by the larger woody materials allows the stream to retain nutrients that are utilized by macroinvertebrates which are important food sources for brook trout, turtles, etc. and the riparian habitat as a whole. The project seeks to increase the amount of woody debris on selected portions of the candidate stream and create additional habitat for aquatic organisms.
6. The New Hampshire Natural Heritage Bureau reviewed the proposed project and determined they currently have no recorded occurrences for sensitive species near the project area per letter dated August 11, 2017.
7. The proposed project area consists of an unnamed tributary. Wood additions will be performed along 1,000 linear feet x 16' wide average.
8. The stream or banks will not be disturbed other than to add wood materials to it. No trees will be cut or removed from riparian areas if there is a risk of disrupting canopy closure to prevent warming of the stream.
9. No trees will be taken that are currently stabilizing banks or slopes.
10. The Gilmanton Conservation Commission has signed the application on September 13, 2017.

2017-02888 **PETRUCELLI, JOHN**

EAST KINGSTON Unnamed Wetland

Requested Action:

Fill 1,500 square feet of wet meadow for machinery access to allow for the reconstruction of the existing barn.

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APPROVE PERMIT
Fill 1,500 square feet of wet meadow for machinery access to allow for the reconstruction of the existing barn.

With Conditions:
1. All work shall be in accordance with plans by Lavelle Associates dated 8/14/17 as received by the NH Department of Environmental Services (DES) on September 25, 2017.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous
department permit has placed restrictions on the property of the applicant.
2. The impacts are necessary to reconstruct the existing barn and provide access around the barn; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The East Kingston Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
6. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB17-2844 identifying the following in the vicinity of the proposed impacts: Two (2) natural communities; swamp white oak floodplain forest and temperate minor river floodplain system; and two (2) State-Endangered plant species: Acadian Quillwort (Isoetes acadiensis) and American featherfoil (Hottonia inflata).
7. In a response to the aforementioned NHB letter via email NHB stated, "NHB would not have concerns about fill within limited areas of wet meadow around the building," with recommendations that will be address as permit conditions.

2017-02891 **HILTON, CORIE/KEITH**

MADISON

Requested Action:

Dredge and fill 298 square feet (SF) of palustrine forested wetland to install a 24 inch diameter by 24 foot long culvert to construct a driveway to a single family residence.

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APPROVE PERMIT
Dredge and fill 298 square feet (SF) of palustrine forested wetland to install a 24 inch diameter by 24 foot long culvert to construct a driveway to a single family residence.

With Conditions:
1. All work shall be in accordance with plans by Thaddeus Thorne Surveys, Inc., dated August 10, 2017, as received by the NH Department of Environmental Services (DES) on September 25, 2017.
2. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Angular riprap shall not be used within the stream bed.
6. Work shall be done during periods of low flow or in the dry only.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. 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.
10. 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.
11. The channel at the culvert inlet and outlet must maintain a natural and consistent streambed elevation and not impede stream flow.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
14. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(z), as it involves the construction of a driveway to a single family residence.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01, as there are no alternative access points to this lot that avoid the wetland entirely.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03, as hydraulic connectivity within the wetland will be maintained and the narrowest band of the wetland will be affected.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In a review letter dated September 20, 2017, the NH Natural Heritage Bureau (NHB) stated that there was no record in the vicinity of the project.

2017-02904 **BKM REALTY HOLDINGS LLC**

CENTER HARBOR Unnamed Wetland

Requested Action:

Dredge and fill 450 square feet (SF) of palustrine forested wetland to install two 24 inch diameter by 24 foot long culverts to construct a driveway to a proposed 2-bedroom dwelling.

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APPROVE PERMIT
Dredge and fill 450 square feet (SF) of palustrine forested wetland to install two 24 inch diameter by 24 foot long culverts to construct a driveway to a proposed 2-bedroom dwelling.

With Conditions:
1. All work shall be in accordance with plans by BKM Realty Holdings, LLC dated July 12, 2017, as received by the NH Department of Environmental Services (DES) on September 26, 2017.
2. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Work shall be done during periods of low flow or in the dry only.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
9. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
10. The channel at the culvert inlet and outlet must maintain a natural and consistent streambed elevation and not impede stream flow.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
13. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(f), as the proposed wetland impacts are less than 3,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. While there is available upland access to the lot via Chester Lane, which would completely avoid the wetlands, extending the existing driveway on the property will result in less overall ground disturbance.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03, as hydraulic connectivity within the wetland will be maintained and the narrowest band of the wetland will be affected.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In a review letter dated June 30, 2017, the NH Natural Heritage Bureau (NHB) stated that although there was a record in the vicinity of the project, they do not expect that it will be impacted by the proposed project.
6. This project is not located within the 100-ft prime wetlands buffer of the Town of Center Harbor.

2017-02962 **TIN MOUNTAIN CONSERVATION CENTER**

CONWAY WHITE LOT BROOK

Requested Action:

Fill approximately 32,000 square feet (SF) within the bed and banks of White Lot Brook (tier 3, impacting approximately 2,000 linear feet) by incorporating trees/wood into the brook by hand (no equipment) to increase the percentage of wood coverage from 6 to 10 percent and improve native brook trout habitat.

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Conservation Commission/Staff Comments:
10-11-17 - No potential to cause effects per DHR.

APPROVE PERMIT
Fill approximately 32,000 square feet (SF) within the bed and banks of White Lot Brook (tier 3, impacting approximately 2,000 linear feet) by incorporating trees/wood into the brook by hand (no equipment) to increase the percentage of wood coverage from 6 to 10 percent and improve native brook trout habitat.

With Conditions:
1. All work shall be in accordance with plans by Field Geology Services and narrative by Richard Fortin of Tin Mountain Conservation Center as received by the NH Department of Environmental Services (DES) on October 02, 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. Work shall be done during low flow conditions.
4. Only hand tools shall be used.
5. Trees that are stabilizing slopes and banks shall be left intact.
6. All in-stream work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be conducted in a manner so as to minimize the duration of construction in the watercourse.
7. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:
1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project is receiving financial support and direct supervision from the US Natural Resources Conservation Service and proposes to restore degraded aquatic resources that benefit native brook trout.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01 as it will continue to improve native brook trout habitat by creating pools, slowing nutrient loss, and reducing stream velocity during high flow events.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03 as they will only be using hand tools and will be keeping trees that stabilize the banks intact. In addition, this project will continue to improve native brook trout habitat in the area.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Past wood addition treatments along White Lot Brook (DES Wetlands Files 2010-01230, 2011-00913, 2012-01051, 2013-01123, and 2013-01558) brought the percent of the stream surface with wood coverage to 6 percent. NH Fish & Game suggested 15% coverage of the stream surface with woody material is ideal. The goal of this project is to double the coverage from the past treatments.
6. No trees will be taken that are currently stabilizing banks or slopes.
7. In a review letter dated September 20, 2017, the NH Natural Heritage Bureau (NHB) stated that there was no record in the vicinity of the proposed project.

PERMIT BY NOTIFICATION
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2017-02901 **DUBLIN, PETER**

JAFFREY CONTOOCOOK LAKE

Requested Action:

Replenishment of an existing beach with no more than 10 cubic yards of new sand according to the plan drawing by Perter Dublin dated 10/16/2017 on frontage along Contoocook Lake in Jaffrey.

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PBN IS COMPLETE
Replenishment of an existing beach with no more than 10 cubic yards of new sand according to the plan drawing by Perter Dublin dated 10/16/2017 on frontage along Contoocook Lake in Jaffrey.

With Findings:
1. This project is 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.

2017-02976 **RICHARDS, ROBERT**

OSSIPEE OSSIPEE LAKE

Requested Action:

Replace in-kind 21 ft. X 1.5 ft. X 40 inch retaining wall according to plan drawings by Mark McConkey dated 10/02/2017 on frontage along Ossipee Lake in Center Ossipee.

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PBN IS COMPLETE
Replace in-kind 21 ft. X 1.5 ft. X 40 inch retaining wall according to plan drawings by Mark McConkey dated 10/02/2017 on frontage along Ossipee Lake in Center Ossipee.

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.

2017-02981 **3 HOPEWELL SHORES LLC**

WOLFEBORO LAKE WINNIPESAUKEE

Requested Action:

Replacement of 6 cantilevered poles in the rock breakwater with replacement of the 4 foot 1 inch and 4 foot 8 inch wide decking sections; reset in-kind of boulders on the western side of the breakwater; and repair in-kind of the 28 foot X 30 foot seasonal canvas canopy according to plan drawings by Watermark Marine Construction received by NHDES on October 4, 2017 on frontage along Lake Winnipesaukee in Wolfeboro, NH.

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PBN IS COMPLETE
Replacement of 6 cantilevered poles in the rock breakwater with replacement of the 4 foot 1 inch and 4 foot 8 inch wide decking sections; reset in-kind of boulders on the western side of the breakwater; and repair in-kind of the 28 foot X 30 foot seasonal canvas canopy according to plan drawings by Watermark Marine Construction received by NHDES on October 4, 2017 on frontage along Lake Winnipesaukee in Wolfeboro, NH.

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

2017-02987 **MCLOON REVOC TRUST, NORMAN & BERTHA**

ALTON LAKE WINNIPESAUKEE

Requested Action:

Repair in-kind the breakwater with the reset of the dislodged rocks; repair in-kind of the attached 60 foot X 4 foot crib dock; repair in-kind of the 44 foot X 7 foot crib dock according to the plan drawings by Watermark Marine Construction on frontage along Lake Winnipesaukee in Alton.

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Conservation Commission/Staff Comments:
10-9-17 - No historic properties affected per DHR.

PBN IS COMPLETE
Repair in-kind the breakwater with the reset of the dislodged rocks; repair in-kind of the attached 60 foot X 4 foot crib dock; repair in-kind of the 44 foot X 7 foot crib dock according to the plan drawings by Watermark Marine Construction on frontage along Lake Winnipesaukee in Alton.

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

2017-02988 **HANCOCK, LUCY**

WOLFEBORO LAKE WINNIPESAUKEE

Requested Action:

Repair in-kind the four cribs (11.5 ft. X 7.5 ft.; 7.5 ft. X 7.5 ft.; 9.0 ft. X 7.5 ft.; and 17.0 ft. X 7.5 ft.); repair in-kind the 36.25 ft. X 17 ft. X 11.0 ft. permanent canopy; and repair in-kind the 50 ft. X variable 22 ft. breakwater according to the plan drawings by Watermark Marine Construction dated 09/11/2017 on frontage along Lake Winnipesaukee in Wolfeboro.

****

Conservation Commission/Staff Comments:
10-9-17 - No historic properties affected per DHR.

PBN IS COMPLETE
Repair in-kind the four cribs (11.5 ft. X 7.5 ft.; 7.5 ft. X 7.5 ft.; 9.0 ft. X 7.5 ft.; and 17.0 ft. X 7.5 ft.); repair in-kind the 36.25 ft. X 17 ft. X 11.0 ft. permanent canopy; and repair in-kind the 50 ft. X variable 22 ft. breakwater according to the plan drawings by Watermark Marine Construction dated 09/11/2017 on frontage along Lake Winnipesaukee in Wolfeboro.

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

2017-03004 GRAVES, JAMES

MILTON MILTON POND

Requested Action:

Replacement in-kind of the 85 ft. X 28 in. X 12 in. retaining wall with imbedded 4 ft. wide steps according to plan drawings received by NHDES on 10/12/2017 on frontage along Milton Pond in Milton.

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PBN IS COMPLETE
Replacement in-kind of the 85 ft. X 28 in. X 12 in. retaining wall with imbedded 4 ft. wide steps according to plan drawings received by NHDES on 10/12/2017 on frontage along Milton Pond in Milton.

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 this wall is to be refaced such additional width shall not exceed 6 inches.

2017-03018 ROGERS, STEPHEN

ALTON BAY LAKE WINNIPESAUKEE

Requested Action:

Repair in-kind 22 ft. of 1ft. 6 in. X 4 ft retaining wall section above high lake elevation and the repair in-kind of the "W" dock with 3 piers (39 ft. 2 in. X 6 ft. 6 in.; 42 ft 5 in. X 12 ft.; 44 ft. X 8 in. X 11 ft. X 5 in.) with center crib in 19 ft. 2 in. slip opening with crib support under dockage according to plan drawings by Watermark Marine Construction dated 9/29/2017 on frontage along Lake Winnipesaukee in Alton.

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PBN IS COMPLETE
Repair in-kind 22 ft. of 1ft. 6 in. X 4 ft retaining wall section above high lake elevation and the repair in-kind of the "W" dock with 3 piers (39 ft. 2 in. X 6 ft. 6 in.; 42 ft 5 in. X 12 ft.; 44 ft. X 8 in. X 11 ft. X 5 in.) with center crib in 19 ft. 2 in. slip opening with crib support under dockage according to plan drawings by Watermark Marine Construction dated 9/29/2017 on frontage along Lake Winnipesaukee in Alton.

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

2017-03035 **DICKEY, GORDON/JOAN**

NEWBURY SUNAPEE LAKE

Requested Action:

Reconstruction in-kind of the 6 foot X 6 Foot crib at the end of the existing 24 foot shore through crib dock and the repair in-kind of 2 sections totaling 75 feet of 1 foot X 5 foot retaining wall according to plan drawings by received by NHDES on 10/18/2017 for frontage along Sunapee Lake in Newbury.

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PBN IS COMPLETE
Reconstruction in-kind of the 6 foot X 6 Foot crib at the end of the existing 24 foot shore through crib dock and the repair in-kind of 2 sections totaling 75 feet of 1 foot X 5 foot retaining wall according to plan drawings by received by NHDES on 10/18/2017 on frontage along Sunapee Lake in Newbury.

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

2017-03088 **HELLER, DIANE**

NEWBURY SUNAPEE LAKE

Requested Action:

Replace in-kind the 6 ft. X 12 ft. and the 8 ft. X 12 ft. wood frame cribs with filling with existing crib rock materials with resetting of the original 1918 30 ft. X 12.5 ft. X 12.5 ft. boathouse structure to its original location and the restoration of the 8 ft. X 30 ft. attached dock on the north side of the boathouse and the 6 ft. X 30 ft. attached dock to the south side of the boathouse according to plans by Diane Heller received by NHDES on 10/17/2017 on frontage along Lake Sunapee in Newbury.

****

PBN IS COMPLETE
Replace in-kind the 6 ft. X 12 ft. and the 8 ft. X 12 ft. wood frame cribs with filling with existing crib rock materials with resetting of the original 1918 30 ft. X 12.5 ft. X 12.5 ft. boathouse structure to its original location and the restoration of the 8 ft. X 30 ft. attached dock on the north side of the boathouse and the 6 ft. X 30 ft. attached dock to the south side of the boathouse according to plans by Diane Heller received by NHDES on 10/17/2017 on frontage along Lake Sunapee in Newbury.

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

2017-03098 **PARE, ERIC**

OSSIPEE OSSIPEE LAKE

Requested Action:

Refacing of six sections of existing timber retaining walls with a faux rock finish not to exceed 6 inches of additional width according to the plan drawings by Mark McConkey dated 10/01/2017 on frontage along Ossipee Lake in Ossipee.

****

PBN IS COMPLETE
Refacing of six sections of existing timber retaining walls with a faux rock finish not to exceed 6 inches of additional width according to the plan drawings by Mark McConkey dated 10/01/2017 on frontage along Ossipee Lake in Ossipee.

With Findings:
1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(c) for the refacing of the wall with the additional width not to exceed 6 inches.

2017-03100 **RICHARD, RAYMOND**

OSSIPEE OSSIPEE LAKE

Requested Action:

Replacement in-kind two sections of retaining wall (41 ft. and 12 ft.) X 2 ft. X matching variable face heights of 2.93 ft to 3.17 ft. according to plan drawings by Mark McConkey dated 10/7/2017 on frontage along Ossipee Lake in Ossipee.

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PBN IS COMPLETE
Replacement in-kind two sections of retaining wall (41 ft. and 12 ft.) X 2 ft. X matching variable face heights of 2.93 ft to 3.17 ft. according to plan drawings by Mark McConkey dated 10/7/2017 on frontage along Ossipee Lake in Ossipee.

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 this wall is to be refaced such additional width shall not exceed 6 inches.

2017-03105 **SLEEPY HOLLOW VILLAGE ASSOC.**

HEBRON NEWFOUND LAKE

Requested Action:

Replacement in-kind of 74 ft. X 18 in. wide X 22 in. to 36 in high retaining wall according to plans by Ben Workinger received by NHDES on 10/26/2017 on frontage along Newfound Lake in Hebron.

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PBN IS COMPLETE
Replacement in-kind of 74 ft. X 18 in. wide X 22 in. to 36 in high retaining wall according to plans by Ben Workinger received by NHDES on 10/26/2017 on frontage along Newfound Lake in Hebron.

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 this wall is to be refaced such additional width shall not exceed 6 inches.

2017-03122 **BAIRD, JAMES**
INNOVATIVE HOMES OF NEW ENGLAND

CLAREMONT SUGAR RIVER

Requested Action:

Installation of a dry hydrant on the Sugar River.

****

PBN IS COMPLETE
Installation of a dry hydrant on the Sugar River.

2017-03132 **YOUNG, PAUL**

GILFORD LAKE WINNIPESAUKEE

Requested Action:

Replace in-kind the 3-piling ice cluster protecting the north end of the wooden pier; replace in-kind the 2 fender pilings on the east side of the doc; and replace in-kind the 6 dock pilings according to the plan drawing by Winnipesaukee Marine Construction dated 10/10/2017 on frontage along Lake Winnipesaukee in Gilford.

****

PBN IS COMPLETE
Replace in-kind the 3-piling ice cluster protecting the north end of the wooden pier; replace in-kind the 2 fender pilings on the east side of the doc; and replace in-kind the 6 dock pilings according to the plan drawing by Winnipesaukee Marine Construction dated 10/10/2017 on frontage along Lake Winnipesaukee in Gilford.

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

FORESTRY NOTIFICATION
****

2017-03130 **NHDNCR, DIVISON OF PARKS & REC**

NORTHWOOD Unnamed Stream

****

COMPLETE NOTIFICATION
NORTHWOOD; TAX MAP(S)# 222/236/237; LOT(S)# 42/11/11

2017-03149 **CERNOTA, JEAN AND ARNOLD**

GREENFIELD Unnamed Stream

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COMPLETE NOTIFICATION
GREENFIELD; TAX MAP# R1; LOT# 9

2017-03150 **BRUCE & GLEN ALLEN IRREVOCABLE TRUST**

GOFFSTOWN Unnamed Stream

****

COMPLETE NOTIFICATION
GOFFSTOWN; TAX MAP# 4; LOT(S)# 1,2,3

2017-03163 **LOOMIS, CHRISTOPHER**

CLAREMONT Unnamed Stream

****

COMPLETE NOTIFICATION
CLAREMONT; TAX MAP# 181; LOT# 5

2017-03165 **CERNOTA, ARTHUR**

HANCOCK Unnamed Stream

****

COMPLETE NOTIFICATION
HANCOCK; TAX MAP# R9; LOT#75

2017-03171 **PISCATAQUOG LAND CONSERVANCY**

NEW BOSTON Unnamed Stream

****

COMPLETE NOTIFICATION
NEW BOSTON; TAX MAP# 2; LOT# 121

2017-03177 **TOWN OF CHARLESTOWN CONSERVATION COMMISSION**

CHARLESTOWN Unnamed Stream

****

COMPLETE NOTIFICATION
CHARLESTOWN; TAX MAP# 229; LOT# 21

2017-03183 **ADAMS, DORENE/JARVIS**

GREENFIELD Unnamed Stream

****

COMPLETE NOTIFICATION
GREENFIELD; TAX MAP# R4; LOT# 17-1

LAKES-SEASONAL DOCK NOTIFICATION
****

2017-03155 **REINHAGEN, GAIL/JAMES**
REINHAGEN, GAIL/JAMES

STARK SOUTH PONDS

Requested Action:

Installation of a seasonal pier not to exceed 20 ft. X 6 ft. on frontage along South Pond in Stark.

****

COMPLETE NOTIFICATION
Installation of a seasonal pier not to exceed 20 ft. X 6 ft. on frontage along South Pond in Stark.

2017-03188 **MORRIS, GARY**

WAKEFIELD PINE RIVER POND

Requested Action:

Installation of a seasonal pier not to exceed 4 ft. X 24 ft. on frontage along Pine River Pond in Wakefield.

****

PBN IS COMPLETE
Installation of a seasonal pier not to exceed 4 ft. X 24 ft. on frontage along Pine River Pond in Wakefield.

SHORELAND PERMIT
****

2011-00693 **MIDDLETON, AMY**

MILAN NAY POND

Requested Action:

Impact 20,227 square feet (SF) of protected shoreland in order to construct a new dwelling, driveway, retaining wall and septic system.

AMENDMENT DESCRIPTION: Increase the impervious area of the lot 16.8% to 26.5%, install a stormwater management system, and add rip-rap landward of the primary building setback.

****

APPROVE AMENDMENT
Impact 20,227 square feet (SF) of protected shoreland in order to construct a new dwelling, driveway, retaining wall and septic system.

AMENDMENT DESCRIPTION: Increase the impervious area of the lot 16.8% to 26.5%, install a stormwater management system, and add rip-rap landward of the primary building setback.

With Conditions:
1. All work shall be in accordance with as-built plans by York Land Services, LLC dated October 23, 2017 and received by the NH Department of Environmental Services (DES) on October 23, 2017.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 26.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 5,984 SFof the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
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. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2013-01927 **4 BARTS LLC**

HAMPSTEAD SUNSET LAKE

Requested Action:

Request permit name change to Kuhl Family Revocable Trust. Impact 3,976 sq ft in order to remove existing nonconforming structure and pavement within the waterfront buffer and rebuild a new structure beyond the primary building setback.

****

APPROVE NAME CHANGE
Impact 3,976 sq ft in order to remove existing nonconforming structure and pavement within the waterfront buffer and rebuild a new structure beyond the primary building setback.

With Conditions:
1. All work shall be in accordance with plans by James M. Lavelle dated August 8, 2012 and received by the NH Department of Environmental Services (DES) on July 29, 2013.
2. No more than 31% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation 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.
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-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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

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

2015-00594 **HK SUNAPEE COVE LLC**

SUNAPEE SUNAPEE LAKE

Requested Action:

Impact 32,178 sq ft in order to construct new wing to the existing Sunapee Cove Building, install pervious walkways and parking area, add an emergency fire access around the back of the proposed building, and incorporate a stormwater management that includes new vegetation plantings within the waterfront buffer. Project includes, relocating a gazebo into the waterfront buffer replacing a previously proposed sitting wall and patio area.

Amendment Description: Increase disturbance area by 1,100 square feet in order to redirect a pathway and expand a pervious patio.

****

APPROVE AMENDMENT
Impact 33,278 sq. ft. in order to construct new wing to the existing Sunapee Cove Building, install pervious walkways and parking area, add an emergency fire access around the back of the proposed building, and incorporate a stormwater management that includes new vegetation plantings within the waterfront buffer. Project includes, relocating a gazebo into the waterfront buffer replacing a previously proposed sitting wall and patio area.

AMENDMENT DESCRIPTION: Increase disturbance area by 1,100 square feet in order to redirect a pathway and expand a pervious patio.

With Conditions:
1. All work shall be in accordance with revised plans by CLD Consulting Engineers dated October 2017 and received by the NH Department of Environmental Services (DES) on October 26, 2017.
2. This permit shall not be effective until a purchase sales agreement for Tax map 104/Lot 87 has been met and it has been recorded with the Sullivan County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. No more than 37% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. At least 8,692 sq. ft. of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized. 9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The 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 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.

2017-02534 **VAN SICLEN REVOCABLE TRUST, JOHN**

NEWBURY SUNAPEE LAKE

Requested Action:

Impact 34,311 square feet of protected shoreland in order to replace an existing residential structure, construct a septic system, patios, pathway, stormwater management system, garage, and driveway.

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APPROVE PERMIT
Impact 34,311 square feet of protected shoreland in order to replace an existing residential structure, construct a septic system, patios, pathway, stormwater management system, garage, and driveway.

With Conditions:
1. All work shall be in accordance with plans by Horizons Engineering Inc. revised through October 2017 and received by the NH Department of Environmental Services (NHDES) on October 9, 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 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. Cleared areas within the waterfront buffer legally developed prior to July 1, 2008 may be maintained but not enlarged.
6. Prior to the occupancy of the residential structure the Permittee shall provide documentation, including photos, showing that all impacted area within the waterfront buffer have been restored through stabilization and planting, to the NHDES Wetlands Bureau.
7. All planting areas within the waterfront buffer shall be allowed to revert back to a natural state. The regeneration of ground cover shall not be suppressed by the use of bark mulch or other materials; hay mulch may be used temporarily to establish vegetation.
8. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
9. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.
10. Native vegetation within an area of at least 6,007 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
16. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
17. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
20. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
21. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02611 **MAGID, DEBORAH/HERBERT**

SUNAPEE SUNAPEE LAKE

Requested Action:

Impact 37,264 square feet of protected shoreland in order to remove a residential structure, construction of an addition on the existing primary structure, driveway modifications and construction, drainage features, landscaping, pervious walks, and pervious patio.

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APPROVE PERMIT
Impact 37,264 square feet of protected shoreland in order to remove a residential structure, construction of an addition on the existing primary structure, driveway modifications and construction, drainage features, landscaping, pervious walks, and pervious patio.

With Conditions:
1. All work shall be in accordance with plans by Horizons Engineering Inc. revised through October 2017 and received by the NH Department of Environmental Services (NHDES) on October 9, 2017.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 28.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Cleared areas within the waterfront buffer legally developed prior to July 1, 2008 may be maintained but not enlarged.
6. Prior to the occupancy of the residential structure the Permittee shall provide documentation, including photos, showing that all impacted area within the waterfront buffer and the woodland buffer restoration area have been restored through stabilization and planting, to the NHDES Wetlands Bureau.
7. All planting areas within the waterfront buffer and the woodland buffer shall be allowed to revert back to a natural state. The regeneration of ground cover shall not be suppressed by the use of bark mulch or other materials; hay mulch may be used temporarily to establish vegetation.
8. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
9. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.
10. Native vegetation within an area of at least 6,007 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
16. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
17. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

20. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
21. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02889 **PECKNOLD, E JEAN**

TILTON WINNISQUAM LAKE

Requested Action:

Impact 2,602 square feet (SF) of protected shoreland in order to remove the existing lean-to garage, portions of pavement and construct a new 2 car garage with entry way and pavement to the garage from the street.

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APPROVE PERMIT
Impact 2,602 square feet (SF) of protected shoreland in order to remove the existing lean-to garage, portions of pavement and construct a new 2 car garage with entry way and pavement to the garage from the street.

With Conditions:
1. All work shall be in accordance with plans by DMC Surveyors dated August 16, 2017 and received by the NH Department of Environmental Services (DES) on September 29, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 20.7% 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 556 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.

2017-02915 **HARDING, LINDA**

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

Impact 9,447 square feet of protected shoreland in order to construct a residential structure, accessory structure, additional driveway area, septic system and stairway. Relocate the existing shed.

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APPROVE PERMIT
Impact 9,447 square feet of protected shoreland in order to construct a residential structure, accessory structure, additional driveway area, septic system and stairway. Relocate the existing shed.

With Conditions:
1. All work shall be in accordance with plans by Advanced Land Survey Consultants dated July 10, 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. This permit shall not be interpreted as acceptance or approval of the proposed seasonal dock anchoring pad or 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. 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 16.6% 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 4,803 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. 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 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.

2017-02923 **GREENFIELD III, ARTHUR**

MOULTONBOROUGH SQUAM LAKE

Requested Action:

Impact 4,400 square feet (SF) of protected shoreland in order to install a new 5 bedroom septic system for 3 structures.

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APPROVE PERMIT
Impact 4,400 square feet (SF) of protected shoreland in order to install a new 5 bedroom septic system for 3 structures.

With Conditions:
1. All work shall be in accordance with plans by Land Tech dated July 2017 and received by the NH Department of Environmental Services (DES) on September 27, 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 7.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 4,600 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 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.