

Wetlands Applications Decision Report

Decisions Taken
12/18/2017 to 12/24/2017

Reviewed
MAT
1/2/18

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

2017-02166

GAGLIANO, TODD

NEWINGTON PISCATAQUA RIVER

Requested Action:

Impact approximately 144 square feet (38 linear feet) of tidal wetlands for installation of rip rap revetment for shoreline stabilization.

Conservation Commission/Staff Comments:

9-19-17 - No historic properties affected per DHR.

APPROVE PERMIT

Impact approximately 144 square feet (38 linear feet) of tidal wetlands for installation of rip rap revetment for shoreline stabilization.

With Conditions:

1. All work shall be in accordance with plans by Civilworks New England dated August 29, 2017, and revised through December 4, 2017 as received by the NH Department of Environmental Services (NHDES) on December 4, 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. 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.
4. Work shall be done during low tide conditions and in the dry only.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Construction equipment shall work from upland locations only. Construction equipment shall not be located within wetlands or surface waters.
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. 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.
11. All work shall be done from the top of the bank only.
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. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
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.

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With Findings:

1. This is a major impact project per administrative rule Env-Wt 303.02(a), projects in tidal wetlands.
 2. The need for the proposed impacts has been demonstrated by the applicant per administrative rule Env-Wt 302.01. The existing concrete seawall is damaged and cracking and the previous rip rap wall has subsided. The applicant has demonstrated the need to stabilize the area and minimize further damage.
 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per administrative rule Env-Wt 302.03. The rip rap will be installed in front of the existing concrete seawall and over the existing subsided rip rap. The rip rap will match and blend into the rip rap walls of the abutting properties without extending out further than necessary to withstand the tidal power of the Piscataqua River.
 4. The applicant has demonstrated by plan and example that each factor listed in administrative rule Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
 5. NH Natural Heritage Bureau (NHB) has record of sensitive species within the project area, but NHB does not expect impacts to the species by the project.
 6. Compensatory mitigation is not required for this project, pursuant to administrative rule Env-Wt 303.03(c)(2)c., as the project involves only riprap or other bank stabilization to protect existing infrastructure.
 7. The Newington Conservation Commission signed the NHDES application waiving it's right to intervene per RSA 482-A:11, believes the application and submitted plans accurately represent the proposed project, and has no objection to permitting the project.
 8. NHDES conducted a field inspection of the project site on December 21, 2017, and found that the site conditions are accurately represented in the file.
 9. In accordance with RSA 428-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 tidal resource, as identified under RSA 482-A:1.
- Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2017-02715

BOULDERS SHORE LLC

ALTON LAKE WINNIPESAUKEE

Requested Action:

Remove a 5 foot x 31 foot 10 inch seasonal pier, construct a 6 foot x 28 foot crib pier and a 6 foot x 36 foot crib pier accessed by 6 foot x 12 foot wharf, break part and remove 4 boulders, install a permanent boatlift, a 14 foot x 30 foot seasonal canopy, a seasonal boatlift, 3 foot wide seasonal stairs, and two seasonal personal watercraft lifts on an average of 161 feet of frontage along Lake Winnepesaukee in Alton.

Conservation Commission/Staff Comments:

9/11/17 Con. Com. requests that action be suspended until they can conduct a site investigation and issue comments.
9/18/17 Con. Com. has no objections to issuance of the permit.

APPROVE PERMIT

Remove a 5 foot x 31 foot 10 inch seasonal pier, construct a 6 foot x 28 foot crib pier and a 6 foot x 36 foot crib pier accessed by 6 foot x 12 foot wharf, break part and remove 4 boulders, install a permanent boatlift, a 14 foot x 30 foot seasonal canopy, a seasonal boatlift, 3 foot wide seasonal stairs, and two seasonal personal watercraft lifts on an average of 161 feet of frontage along Lake Winnepesaukee in Alton.

With Conditions:

1. All work shall be in accordance with revised plans by dated November 27, 2017, as received by DES on November 29, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the

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applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.

3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.

5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

6. All dredged material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.

7. 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.

8. 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.

9. Cribs shall not exceed 6 feet long by 6 feet wide, and shall be of sufficient height to support the docking structure above normal full lake level (Elev. 504.32).

10. Crib material shall be timber, concrete, or other non-toxic material, and of such size and spacing as necessary to completely contain the ballast.

11. The minimum clear spacing between cribs shall be 12 feet.

12. No portion of the docking structures shall extend more than 36 feet from the shoreline at full lake elevation (Elev. 504.32).

13. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

14. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a permanent docking facility providing 3 slips.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The applicant has an average of 161 feet of shoreline frontage along Lake Winnepesaukee.

6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.

7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2017-02786

CONCORD, CITY OF

CONCORD Unnamed Stream

Requested Action:

Amend permit to read; Dredge and fill 835 square feet of emergent marsh for construction of Phase 1 of the Merrimack River Greenway Trail, and temporarily impact 1,280 square feet to install Shoreland restoration plantings. Phase 1 includes construction of a 160-foot long by 10-foot wide multiuse trail and a 100-foot long by 12-foot wide raised wooden boardwalk with a 16-foot wide observation platform.

Conservation Commission/Staff Comments:

9/14/17 Per DHR, some portions of the trail exhibit archeological sensitivity.

APPROVE AMENDMENT

Amend permit to read; Dredge and fill 835 square feet of emergent marsh for construction of Phase 1 of the Merrimack River Greenway Trail, and temporarily impact 1,280 square feet to install Shoreland restoration plantings. Phase 1 includes

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construction of a 160-foot long by 10-foot wide multiuse trail and a 100-foot long by 12-foot wide raised wooden boardwalk with a 16-foot wide observation platform.

With Conditions:

1. All work shall be in accordance with plans by VHB titled Wetland Permitting Plan dated September 2017 as received by NHDES on September 14, 2017, and the Shoreland Permitting Plan dated December 2017 as received by NHDES on December 13, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
3. Planting restoration shall be completed in accordance with and the Shoreland Permitting Plan dated December 2017.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
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 utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site. Any slope stabilizing materials must be free from plastic or other non-biodegradable materials that create a mesh that can impact wildlife. Coco matting and other natural fibers are acceptable. The product should be equivalent to American Green (NAG style C12BN 100% biodegradable coconut fiber mat or equal as reviewed and approved by the project designer.
8. Mature tree removal shall be limited to red maple and quaking aspen as they are not the preferred perching or nesting species for bald eagle.
9. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction.
10. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
11. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
12. Temporary erosion and sediment control products must be promptly removed from the project site once project areas have been stabilized.
13. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur.
14. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.
15. 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.
16. The permittee's contractor shall maintain appropriate hazardous material spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
18. Planting areas 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.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
20. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.

With Findings:

1. This is a Minor impact project per Administrative Rule 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.03(f).
2. The proposed project includes Phase 1 of a multi-phased project for construction of the proposed Merrimack River Greenway Trail. Phase I construction includes the 160-foot paved multiuse trail and a 100-foot long raised 12' wide boardwalk with a 16-foot wide observation platform. The City plans to eventually extend the Phase 1 project north to Loudon Road. Alternative alignments for Phase 2 were studied and presented to NHDES. A separate application for the construction of Phase 2 is planned to be submitted. The impacts associated with future phases of the project will be considered cumulative.
3. The portion of the Merrimack River Greenway Trail project is proposed for public use as part of a continuous non-motorized multi-use trail connecting Salem, NH to Lebanon, NH along a single 114-mile contiguous trail. The proposed

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- trail would be ADA accessible and is intended for recreational use, nature and wildlife observation and education.
4. The boardwalk will be constructed using top-down methods to minimize impact to the emergent wetland along the Merrimack River and will use conventional wood decking and rails that are acceptable by NHDES for dock construction. The location of the path within the larger MRGT is reportedly limited within this portion of the trail as the alignment is constrained by an unnamed stream, the Merrimack River, the landfill and Old Turnpike Road. The existing stream crossing will be utilized.
 5. The project phase includes construction of a 160 foot long by 10 foot wide multiuse trail and a 100 foot long by 12 wide raised wooden boardwalk with a 16-foot wide observation platform
 6. The height of the boardwalk over wetland areas would be approximately 4 feet. The boardwalk is proposed at approximate elevation 230 feet which is approximately 1 foot lower than the 100-year base flood elevation. The agent indicates the ice elevation is typically at or below 228 feet which is approximately 3 feet lower than the 100-year base flood elevation. The boardwalk is proposed to extend toward a cove of the Merrimack River that experiences minimal current, and therefore was not expected to impede the flow of ice or floodwaters.
 7. The proposed project will use an existing stream crossing to carry the multi-use path over the unnamed perennial stream located within the project area. The unnamed perennial stream is a Tier 2 stream with a watershed of 428.8 acres, no alterations are proposed for the existing culvert.
 8. The New Hampshire Natural Heritage Bureau NHB Datacheck Results Letter dated July 31, 2017 identified the Bald Eagle, Northern Black Racer, Northern Leopard Frog, Brook Floater Mussel, Sora and the Wood Turtle in the vicinity of the project area. The New Hampshire Fish & Game (NHFG) does not expect impacts to the endangered Brook Floater Mussel. Impacts to the bald eagle are not expected if mature tree removal is limited to red maple and quaking aspen as they are not the preferred perching or nesting species for bald eagle. Impacts to Sora are not expected. Impacts to northern black racer as they are associated with other resource area types although use of welded plastic erosion control netting should be avoided. The NHFG expects impacts to northern leopard frogs to be minimal. The NHFG responded in an email dated August 4, 2017 that there are no concerns regarding impacts to the wood turtle.
 9. Any proposed extension of the Merrimack River Greenway Trail will require further review from NHFG. NHFG recommends that future phases of the 10 foot wide paved trail be located out of the floodplain and riverine wetlands to avoid potential impacts to the above listed species and significant fragmentation of the existing riparian wildlife corridor. The tree removal and avoidance of welded plastic erosion control recommendations have been included as conditions of the permit.
 10. The United States Department of Interior Fish and Wildlife Service identified the Northern long-eared bat, Karner blue butterfly, small whorled pogonia in the geographical area. There are no critical habitats located within the project area per letter dated July 26, 2017. The USFWS was consulted and concurred that impacts to the Karner blue butterfly and small whorled pogonia are not anticipated per email dated August 3, 2017.
 11. The New Hampshire Division of Historical Resources has reviewed the proposed project and determined there is no potential to cause effects. A revised response was provided for the 250' LWCF funding. The remaining portions of the trail exhibit areas of archeological sensitivity per letter dated July 24, 2017.
 12. The Upper Merrimack River Local Advisory Committee (UMRLAC) has reviewed the proposed project with comments dated October 20, 2017. The asphalt path portion is proposed outside of NHDES jurisdiction. The property Owner has signed the permit application. The applicant has attempted to address concerns with ice flow and debris through proposed boardwalk elevation and location of boardwalk within a protected area of the river. Fill in floodplain is reviewed per the Army Corps of Engineers Programmatic General Permit. The permit conditions require invasive plant species management, minimum planting survivability rates, and avoidance of erosion control products containing plastic netting. The agent has provided response to the UMRLAC.
 13. A permit amendment request was submitted to NHDES on December 13, 2017 to include 1,260 square feet of temporary impacts to allow for installation of Shoreland restoration plantings per the Shoreland Permitting Plan prepared by VHB dated September 2017 (plotted December 6, 2017).

2017-03180

PANAGIOTAKOS, JOHN

FREEDOM OSSISPEE LAKE

Requested Action:

Impact 1370 square feet of bank along 28 linear feet of shoreline to construct a 500 square foot perched beach enclosed by 4 foot wide stone wall on an average of 108 feet of frontage along Ossipee Lake in Freedom.

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APPROVE PERMIT

Impact 1370 square feet of bank along 28 linear feet of shoreline to construct a 500 square foot perched beach enclosed by 4 foot wide stone wall on an average of 108 feet of frontage along Ossipee Lake in Freedom.

With Conditions:

1. All work shall be in accordance with plans by McConkey Construction dated October 22, 2017, and revised through December 13, 2017 as received by the NH Department of Environmental Services (DES) on December 14, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer 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. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. 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.
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. The stone border placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 407.25). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
10. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
11. Any future beach replenishment shall require a new permit.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
14. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.04(f), construction of a beach for a single family residence impacting more than 900 square feet of jurisdiction, but using not more than 20% of the frontage, and not more than 10 cubic yards of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2017-01185

RIZZO FAMILY TRUST

MOULTONBOROUGH KANASATKA LAKE

Requested Action:

Permanently remove two 4 foot x 20 foot seasonal piers and install a 6 foot x 30 foot seasonal pier on 100 feet of frontage along Lake Kanasatka in Moultonborough.

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APPROVE PERMIT

Permanently remove two 4 foot x 20 foot seasonal piers and install a 6 foot x 30 foot seasonal pier on 100 feet of frontage along Lake Kanasatka in Moultonborough.

With Conditions:

1. All work shall be in accordance with revised plans by Joe Rizzo as received by DES on December 1, 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.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All portions of the two pre-existing 4 foot x 20 foot seasonal piers shall be removed from the areas subject to RSA 482-A prior to the installation of the 6 foot x 30 foot pier.
8. 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.
9. 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.
10. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation (Elev. 515).
11. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a 2 slip seasonal pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 100 feet of shoreline frontage along Lake Kanasatka.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

EXPEDITED MINIMUM

2017-02780

EXETER RIVER MHP COOPERATIVE

EXETER

Requested Action:

Fill 1,637 square feet of an emergent wetland created as a result of over-excavation within an abandoned gravel pit.

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APPROVE PERMIT

Fill 1,637 square feet of an emergent wetland created as a result of over-excavation within an abandoned gravel pit.

With Conditions:

1. All work shall be in accordance with the 'Gravel Pit Restoration Plan' by Jones & Beach Engineers, Inc. dated 8/3/16 and revised through 7/27/17 as received by the NH Department of Environmental Services (NHDES) on September 14, 2017
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
4. Work shall be done during low flow and in the dry only.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. 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.
8. 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.
9. 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.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

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 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. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Exeter Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

2017-02839

DONIGAN, JACOB

FREMONT Unnamed Wetland

Requested Action:

Impact 2,096 square feet of forested wetland to construct an access road to buildable upland for the construction of a cellular phone tower.

Conservation Commission/Staff Comments:

9/20/17 No historic properties affected per DHR.

12/18/2017 to 12/24/2017

APPROVE PERMIT

Impact 2,096 square feet of forested wetland to construct an access road to buildable upland for the construction of a cellular phone tower.

With Conditions:

1. All work shall be in accordance with plans by NB+C Engineering Services, Inc. dated 11/04/16 and revised through 07/24/17 as received by the NH Department of Environmental Services (NHDES) on September 20, 2017.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
4. Work shall be done during low flow and in the dry only.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. 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.
8. 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.
9. 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.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

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 for access to buildable upland; 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 applicant requested a waiver of Env-Wt 304.04(a) as the applicant was unable to obtain written concurrence from the abutter identified as Fremont Tax Map 3 Block 169 Block 49.
6. NHDES hereby grants the waiver of Env-Wt 304.04(a) in accordance with Env-Wt 204.04(a) as granting the request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety; or an impact on abutting properties that is more significant than that which would result from complying with the rule. Furthermore, granting the request is consistent with the intent and purpose of the rule being waived. Strict compliance with the rule will provide no benefit to the public.
7. No comments were submitted from the NH Fish and Game Dept., Nongame and Endangered Wildlife Program or the NH Natural Heritage Bureau.
8. The Fremont Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
9. The NH Division of Historical Resources found "No Historic Properties Affected."

2017-02872

BARNSTEAD, TOWN OF

BARNSTEAD Unnamed Stream

12/18/2017 to 12/24/2017

Requested Action:

Dredge and fill a total 280 square feet (110 square feet permanent, 170 square feet temporary, 28 linear feet) of wetland and surface waters to extend an existing 18 inch HDPE culvert by 8 feet from each the inlet and the outlet and new headwalls installed.

APPROVE PERMIT

Dredge and fill a total 280 square feet (110 square feet permanent, 170 square feet temporary, 28 linear feet) of wetland and surface waters to extend an existing 18 inch HDPE culvert by 8 feet from each the inlet and the outlet and new headwalls installed.

With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC dated August 1, 2017, and revised through October 22, 2017 as received by the NH Department of Environmental Services (DES) on December 8, 2017.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
4. Work shall be done during low flow.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
9. 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 the natural and a 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 is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has provided evidence that the existing 18 inch culvert needs to be extended to allow for stabilization of the roadway side slopes.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant is extending an existing adequately sized culvert in the same general location and gradient as the existing culvert.

12/18/2017 to 12/24/2017

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The NH Natural Heritage Bureau (NHB) has record of sensitive species within the project vicinity, but NHB does not expect impacts to the sensitive species by the project.
6. This project qualifies as a Tier 1 Stream Crossing and the applicant has designed the stream crossing in accordance with Env-Wt 904.02 and Env-Wt 903.01(e)(3). The applicant has demonstrated that the proposed crossing has been designed to accommodate the 100-year frequency flood without restriction and will not obstruct aquatic species passage.
7. The Strafford Conservation Commission signed the NHDES application waiving it's right to intervene per RSA 482-A:11, believes the application and submitted plans accurately represent the proposed project, and has no objection to permitting the project.

2017-03019

MAROIS, JENNIFER/MARC

HAMPTON MEADOW POND

Requested Action:

Impact 683 square feet within the previously-developed 100-foot tidal buffer zone to install a fence, raze the existing single-family dwelling , and construct a new single-family dwelling within the same footprint.

APPROVE PERMIT

Impact 683 square feet within the previously-developed 100-foot tidal buffer zone to install a fence, raze the existing single-family dwelling , and construct a new single-family dwelling within the same footprint.

With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (NHDES) on November 20, 2017.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the NHDES and the Hampton Conservation Commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. 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.
5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. No more impervious surfaces within the protected shoreland shall be increased unless additional approval is obtained from NHDES.
8. Erosion control products shall be installed per manufacturers recommended specifications.
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.
2. The impacts are necessary to redevelop the site; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts are occurring with the previously-developed 100-tidal buffer zone. The properties surrounding the lot are also developed. Therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHEG Nongame and Endangered Wildlife Program or the Natural Heritage

12/18/2017 to 12/24/2017

Bureau.

6. The Hampton Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

2017-03157

SOPHINOS, GEORGE

RYE TIDAL MARSH

Requested Action:

Impact 1,614 square feet within the previously-developed 100-foot tidal buffer zone to include 637 square feet of permanent impact and 977 square feet of permanent impact for construction of an open porch, pervious patio, add landscaped areas.

APPROVE PERMIT

Impact 1,614 square feet within the previously-developed 100-foot tidal buffer zone to include 637 square feet of permanent impact and 977 square feet of permanent impact for construction of an open porch, pervious patio, add landscaped areas.

With Conditions:

1. All work shall be in accordance with plans by MSC a division of T.F. Moran, Inc. dated July 25, 2017 and revised 11/21/17 as received by the NH Department of Environmental Services (NHDES) on November 30, 2017.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the NHDES and the Rye Conservation Commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. 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.
5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. No more impervious surfaces within the protected shoreland shall be increased unless additional approval is obtained from NHDES.
8. Erosion control products shall be installed per manufacturers recommended specifications.
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.
2. The impacts are necessary to construct the proposed structures; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts are occurring with the previously-developed 100-tidal buffer zone. The properties surrounding the lot are also developed. Therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) and (c) Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with Env-Wt 304.04(a) the applicant received written concurrence from the abutter whose property is within 20-feet of the proposed impacts.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
7. The Rye Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

PERMIT BY NOTIFICATION

2017-03488

BARRELL, JOSEPH

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Repair in-kind 35 foot x 1 foot x 5 foot retaining wall; 4 foot x 4 foot landing; and 4 foot wide stairs on frontage along lake Winnepesaukee in Moultonborough.

PBN IS COMPLETE

Repair in-kind 35 foot x 1 foot x 5 foot retaining wall; 4 foot x 4 foot landing; and 4 foot wide stairs on frontage along lake Winnepesaukee in Moultonborough.

With Findings:

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

2017-03584

BLANTON BELKNAP COUNTY REALTY TRUST

ALTON LAKE WINNIPESAUKEE

Requested Action:

Replace 106 linear feet of 4 log ties with 1 32 feet of stone wall on frontage along Lake Winnepesaukee in Alton.

PBN DISQUALIFIED

Replace 106 linear feet of 4 log ties with 1 32 feet of stone wall on frontage along Lake Winnepesaukee in Alton.

FORESTRY NOTIFICATION

2017-03613

UNH WOODLANDS OFFICE / KINGMAN FARM

DURHAM Unnamed Stream

COMPLETE NOTIFICATION

DURHAM; MAP#14; LOT(S)# 34-OUNH, 39-OUNH

2017-03615 **BROOKS, WILLIAM/KATHLEEN**

GREENFIELD Unnamed Stream

COMPLETE NOTIFICATION
GREENFIELD; MAP# R3; LOT#30; UNIT 157

2017-03620 **BROOKS, WILLIAM/KATHLEEN**

PETERBOROUGH Unnamed Stream

COMPLETE NOTIFICATION
PETERBOROUGH; MAP# R11; LOT# 56; UNIT# 78

2017-03623 **YMCA CAMP CONISTON**

CROYDON Unnamed Stream

COMPLETE NOTIFICATION
CROYDON; MAP# 8; LOT(S)# 366, 585

2017-03624 **GARFIELD, JOHN/SYTHIA**

SPRINGFIELD Unnamed Stream

COMPLETE NOTIFICATION
SPRINGFIELD; MAP# 19; LOT(S)# 507, 169

2017-03638 **FORESTS AND LANDS, NH DNCR**

GORHAM Unnamed Stream

COMPLETE NOTIFICATION
GORHAM; MAP# R6; LOT# 26

2017-03639 POWELL REV TRUST, ANDREW

DANBURY Unnamed Stream

COMPLETE NOTIFICATION
DANBURY; MAP# 406; LOT# 234

2017-03641 LEADBEATER, ERICK

WARNER Unnamed Stream

COMPLETE NOTIFICATION
WARNER; MAP# 6; LOT# 50

2017-03643 CITY OF CONCORD

CONCORD

COMPLETE NOTIFICATION
CONCORD; MAP# 39; LOT# Z20

2017-03646 AARONS LEDGE INC

SPRINGFIELD Unnamed Stream

COMPLETE NOTIFICATION
SPRINGFIELD; MAP# 47; LOT# 713-385

2017-03650 USDA WHITE MOUNTAIN NATIONAL FOREST

EASTON Unnamed Stream

COMPLETE NOTIFICATION
EASTON; WHITE MOUNTAIN NATIONAL FOREST; US TRACTS 29A, 159, 159III, 569EH, 975

2017-03652 USDA WHITE MOUNTAIN NATIONAL FOREST

LANDAFF Unnamed Stream

COMPLETE NOTIFICATION
LANDAFF; WHITE MOUNTAIN NATIONAL FOREST; US TRACTS 25A, 29A, 961

2017-03653 USDA WHITE MOUNTAIN NATIONAL FOREST

EASTON

COMPLETE NOTIFICATION
EASTON; WHITE MOUNTAIN NATIONAL FOREST; US TRACTS 29A, 159, 507C

2017-03654 USDA WHITE MOUNTAIN NATIONAL FOREST

EASTON Unnamed Stream

COMPLETE NOTIFICATION
EASTON; WHITE MOUNTAIN NATIONAL FOREST; INDIGO TIMBER SALE

2017-03655 USDA WHITE MOUNTAIN NATIONAL FOREST

BENTON Unnamed Stream

COMPLETE NOTIFICATION
BENTON; WHITE MOUNTAIN NATIONAL FOREST; PEMIGEWASSET RANGER DISTRICT

2017-03656 **USDA WHITE MOUNTAIN NATIONAL FOREST**

WOODSTOCK Unnamed Stream

COMPLETE NOTIFICATION
WOODSTOCK; WHITE MOUNTAIN NATIONAL FOREST; PEMIGEWASSET RANGER DISTRICT

TRAILS NOTIFICATION

2017-03627 **BLISS LANE REALTY TRUST**

LYME Unnamed Stream

COMPLETE NOTIFICATION
Add a short connector trail between existing trails. Replace 3 culverts and install 2 new culverts on an existing woods road.
LYME; MAP# 422; LOT# 1
DORCHESTER; MAP# 13; LOT# 740.2

2017-03628 **BEAR HILL CONSERVANCY TRUST, DAVID ROBY**

HANOVER Unnamed Stream

COMPLETE NOTIFICATION
Replace washed-out snowmobile bridge over Tinkhamtown Brook. New bridge will utilize pre-existing abutments.

LAKES-SEASONAL DOCK NOTIFICATION

2017-03614 **MYVY LLC**

12/18/2017 to 12/24/2017

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Install a seasonal pier not to exceed 6 feet x 40 feet on frontage along Lake Winnepesaukee in Moultonborough.

COMPLETE NOTIFICATION

Install a seasonal pier not to exceed 6 feet x 40 feet on frontage along Lake Winnepesaukee in Moultonborough.

2017-03617

STRANG, DEAN

LACONIA LAKE WINNIPESAUKEE

Requested Action:

Disqualifies as the installation of a seasonal pier 4 feet x 24 feet on frontage along Lake Winnepesaukee in Laconia.

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN

Disqualifies as the installation of a seasonal pier 4 feet x 24 feet on frontage along Lake Winnepesaukee in Laconia.

ROADWAY MAINTENANCE NOTIFICATION

2017-03619

BEDFORD, TOWN OF

BEDFORD Unnamed Wetland

EMERGENCY AUTHORIZATION

2017-03302

BROOKFIELD RENEWABLE POWER INC

GORHAM ANDROSCOGGIN RIVER

Requested Action:

Emergency Authorization to repair and replace an armored section of bank immediately downstream of the powerhouse sluiceway.

CONFIRM EMERGENCY AUTHORIZATION

Emergency Authorization to repair and replace an armored section of bank immediately downstream of the powerhouse sluiceway.

2017-03409

GREEN ACRE WOODLANDS INC

GROTON

Requested Action:

Emergency Authorization to salvage and remove logging truck bridge and materials, washed out in flood event of 10/29/2017.

CONFIRM EMERGENCY AUTHORIZATION

Confirm Emergency Authorization to salvage and remove logging truck bridge and materials, washed out in flood event of 10/29/2017.

With Findings:

1. This project is classified as a Minimum Impact Project per Rule Env-Wt 303.04(o), as the project proposes to restore the stream and remove a washed out bridge crossing.
2. The project was necessary to remove a logging truck bridge and materials, washed out in flood event of 10/29/2017, and restore the banks to a stable condition.
3. Emergency authorization for this work was issued by DES Wetlands Bureau staff on November 17, 2017.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2017-03456

WHITE, DANIEL

LINCOLN PEMIGEWASSET RIVER - EAST BRANCH

Requested Action:

Emergency authorization to remove flood debris and re-stabilize river bank. Approximately 100 linear feet of work along the stream is proposed.

CONFIRM EMERGENCY AUTHORIZATION

Confirm Emergency Authorization to remove flood debris and re-stabilize 100 linear feet of river bank.

With Findings:

1. This project is classified as a Minor Project per Rule Env-Wt 303.03(l), as bank impacts are less than 200 linear feet.
2. The project was necessary to remove flood debris and re-stabilize 100 linear feet of river bank adjacent to a residential home.
3. Emergency authorization for this work was issued by NHDES Wetlands Bureau staff on November 22, 2017.
4. Review of the additional information submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

12/18/2017 to 12/24/2017

2017-03459

LANDRY, DAN

BERLIN BEAN BROOK

Requested Action:

Emergency Authorization to remove accumulated sediment and debris and stabilize the bank along two sections of Bean Brook impacting 250 linear feet and 100 linear feet.

CONFIRM EMERGENCY AUTHORIZATION

Confirm Emergency Authorization to remove accumulated sediment and debris and stabilize the bank along two sections of Bean Brook impacting 250 linear feet and 100 linear feet.

With Findings:

1. This project is classified as a Minimum Project per Rule Env-Wt 303.04(o), as impact were necessary to restore the natural flow of Bean Brook and stabilize the banks.
2. The project was necessary to remove accumulated sediment and debris and stabilize the bank along two sections of Bean Brook impacting 250 linear feet and 100 linear feet, as a result of the October 29, 2017 floods.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on November 22, 2017.
4. Review of the additional information submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

SHORELAND PERMIT

2016-00570

SCHEMPF, JOHN/KARIN

BARRINGTON AYER'S POND

Requested Action:

Request permit name change. Impact 2,500 sq. ft. in order to redevelop an existing lakefront parcel that previously had a cottage and is being replaced with a new cottage of similar size.

APPROVE NAME CHANGE

Impact 2,500 sq. ft. in order to redevelop an existing lakefront parcel that previously had a cottage and is being replaced with a new cottage of similar size.

With Conditions:

1. All work shall be in accordance with plans by Brown Engineering and Surveying LLC dated March 2, 2016 and received by the NH Department of Environmental Services (DES) on March 7, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
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. No more than 15% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

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applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

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-Ws 1700 or successor rules 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).

With Findings:

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

2017-02812

C-SIDE CRESCENT LAKE TRUST

ACWORTH CRESCENT LAKE

Requested Action:

Impact 700 square feet of protected shoreland in order to retain the placement of a structure, reconfigure it's location, and install a porch

APPROVE PERMIT

Impact 700 square feet of protected shoreland in order to retain the placement of a structure, reconfigure it's location, and install a porch.

With Conditions:

1. All work shall be in accordance with plans by Patrick T. Dombroski dated as revised through December 8, 2017 and received by the NH Department of Environmental Services (NHDES) on December 11, 2017.
2. The proposed structure shall not be retained or 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 23.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,600 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. No native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
12. 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.
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

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

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

15. This permit shall not 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.

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

With Findings:

1. Comments were received from an abutter noting that this project as originally proposed was denied by the zoning board and an existing structure on the property is located partially on an abutting property.
2. A revised plan was received stamped by a licensed surveyor showing a revised scope of work which does not include any work on abutting lots or shared rights of way.
3. Shoreland permits do not exempt any project from any applicable local approval that may be required and do not transfer any property right.
4. This project is in compliance with RSA 483-B and therefore shall be approved.

2017-03346

CHESTER, CHARLES/LAEL

MOULTONBOROUGH SQUAM LAKE

Requested Action:

Impact 13,000 square feet of protected shoreland in order to reconstruct the residence, remove a portion of the driveway, install a new septic system, construct a new walkway and install a new patio.

APPROVE PERMIT

Impact 13,000 square feet of protected shoreland in order to reconstruct the residence, remove a portion of the driveway, install a new septic system, construct a new walkway and install a new patio.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated October 19, 2017, revised December 18, 2017 and received by the NH Department of Environmental Services (NHDES) on December 18, 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. No additional bedrooms shall be constructed until the project is approved by the NHDES Subsurface Systems Bureau.
4. 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.
5. 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.
6. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
7. At the completion of the project, the Permittee shall provide documentation, including photos, showing that all restoration plantings have occurred, to the NHDES Wetlands Bureau.
8. Following planting, all planting areas within the waterfront buffer shall be allowed to revert back to a natural state. The regeneration of ground cover shall not be suppressed by the use of bark mulch or other materials; hay mulch may be used temporarily to establish vegetation.
9. 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

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property.

10. 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.

11. Native vegetation within an area of at least 5,465 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).

12. No native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).

13. 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).

14. No impacts to natural ground cover outside of the limits of the approved temporary disturbance area shall occur within the waterfront buffer.

15. Cleared areas within the waterfront buffer legally developed prior to July 1, 2008 may be maintained but not enlarged.

16. 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.

17. 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.

18. 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.

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

20. 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.

21. 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).

22. 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.

23. 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.

2017-03463

ROCKEFELLER, TERRY KAY

MEREDITH WAUKEWAN LAKE

Requested Action:

Impact 8,500 square feet (SF) of protected shoreland in order to replace existing residence with a new residence; construct driveway, patio, walkway; install new septic system.

APPROVE PERMIT

Impact 8,500 square feet (SF) of protected shoreland in order to replace existing residence with a new residence; construct driveway, patio, walkway; install new septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated November 9, 2017 and received by the NH Department of Environmental Services (NHDES) on November 27, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

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additional approval is obtained from NHDES.

5. Native vegetation within an area of at least 1,775 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03464

DOWNING, JOSEPH/MARY

BARRINGTON LONG POND

Requested Action:

Impact 2,120 sq. ft. of protected shoreland in order to install a new driveway and septic system.

APPROVE PERMIT

Impact 2,120 sq. ft. of protected shoreland in order to install a new driveway and septic system.

With Conditions:

1. All work shall be in accordance with plans by Highland Soil Services received by the NH Department of Environmental Services (NHDES) on November 27, 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. No additional bedrooms shall be constructed until the project is approved by the NHDES Subsurface Systems Bureau.
4. 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.
5. 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.
6. No more than 12.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction

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regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

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

2017-03466

112 EDGEWATER REVOCABLE TRUST OF 2017

GILFORD LAKE WINNIPESAUKEE

Requested Action:

Impact 2,315 square feet (SF) of protected shoreland in order to provide sewer and water service lines to the existing garage. The proposed sewer line and existing septic infrastructure was previously approved under CA1999018387 and operational as of 8/6/1999. Additional PBNs have been previously filed to permit impacts associated with cottage improvements. There are no new proposed impervious areas associated with this application.

APPROVE PERMIT

Impact 2,315 square feet (SF) of protected shoreland in order to provide sewer and water service lines to the existing garage. The proposed sewer line and existing septic infrastructure was previously approved under CA1999018387 and operational as of 8/6/1999. Additional PBNs have been previously filed to permit impacts associated with cottage improvements. There are no new proposed impervious areas associated with this application.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated November 16, 2017 and received by the NH Department of Environmental Services (NHDES) on November 27, 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 27.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 2,808 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 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.

2017-03491

GENTES, JANE/STEVEN

NEW DURHAM SHAW'S POND

12/18/2017 to 12/24/2017

Requested Action:

Impact 6,314 square feet (SF) of protected shoreland in order to remove an existing structure and rebuild a new primary structure with a new septic system, and reconfigure the existing driveway.

APPROVE PERMIT

Impact 6,314 square feet (SF) of protected shoreland in order to remove an existing structure and rebuild a new primary structure with a new septic system, and reconfigure the existing driveway.

With Conditions:

1. All work shall be in accordance with plans by Peter Cooperdock dated November 15, 2017 and received by the NH Department of Environmental Services (DES) on November 29, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 21.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 1,706 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 proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
12. 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.

2017-03573

TOWLE FARM COMMUNITY CORPORATION

EAST WAKEFIELD PROVINCE LAKE

Requested Action:

Retain 123 square feet of protected shoreland impact in order to repair and improve stormwater drainage along Towle Farm Road.

APPROVE AFTER THE FACT

Retain 123 square feet of protected shoreland impact in order to repair and improve stormwater drainage along Towle Farm Road.

12/18/2017 to 12/24/2017

With Conditions:

1. All work shall be in accordance with the As-Built Drainage Plan by The University of New Hampshire - Stormwater Center dated October 12, 2017 as received by the NH Department of Environmental Services (NHDES) on December 11, 2017.
3. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
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. No more than 64.5% of the project area within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from 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. 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. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit does not authorize or approve of any impact that might occur in areas subject to RSA 482-A, including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and N.H. Code Admin. Rules Env-Wt 100 - 900 and obtaining any permit that may be required by RSA 482-A prior to construction, excavation, or fill in any area that is subject to RSA 482-A jurisdiction.

With Findings:

1. The applicant has demonstrated that this private road infrastructure improvement project will improve stormwater drainage from Towle Farm Road to Bonnyman Road and then to Province Lake.
2. The project is being conducted in cooperation with the Towle Farm Community Corporation, Province Lake Association, Acton Wakefield Watersheds Alliance, UNH Stormwater Center, and the NHDES Watershed Assistance Section.
3. The project received approval previously under NHDES Shoreland Permit by Notification (PBN) #2017-01825.
4. Design changes occurred during construction that were beyond the approval in NHDES PBN #2017-01825.
5. The applicant has demonstrated that the project with design changes meet the minimum requirements of RSA 483-B, the Shoreland Water Quality Protection Act.