Wetlands Applications Decision Report

Decisions Taken
04/23/2018 to 04/29/2018

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) 271-8072 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

2016-01016 LYME, TOWN OF

LYME  HEWES BROOK

Requested Action:

Amend permit to replace the 33 foot precast concrete bridge with a 35 foot span engineered wood bridge to reduce cost, and include an additional 25 square feet (12 linear feet) of temporary bank impacts for a temporary bridge to maintain roadway traffic.

APPROVE AMENDMENT

Amend permit to read: Dredge and fill 250 square feet within the bed and banks of Hewes Brook (Tier 3, impacting 120 linear feet) to replace an existing 25 foot span bridge with a 35 foot span engineered wood bridge. In addition, temporarily impact 1,325 square feet (82 linear feet) for access and installation, and to install a temporary bridge that maintains roadway traffic during construction.

With Conditions:

1. All work shall be in accordance with revised plans by Right Angle Engineering, PLLC dated January 23, 2018, as received by the NH Department of Environmental Services (DES) on March 21, 2018.
2. The permittee or permittee's project manager shall consult with a NH Fish & Game, Fisheries Biologist, to obtain approval on the timing of construction.
3. 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.
4. Prior to commencing work on areas located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the work area from the surface waters.
5. All in-stream work, inclusive of work associated with the installation of a cofferdam, shall be conducted during low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
6. 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.
7. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
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. 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. Any native material removed from the streambed shall be stockpiled separately and reused to emulate a natural channel bottom within the new crossing, between wing walls, and beyond. Any new materials used must be as similar to the natural stream substrate as practicable and shall not include any angular rock.
11. Materials used to emulate a natural channel bottom must be consistent with the streambed materials identified in the reference reach, and shall not include angular riprap or gravel unless specifically identified on the approved plans.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. 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.
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 similar native species within three days of the completion of the disturbance.
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.

16. 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.

17. The permittee's contractor shall regrade temporary impacts to pre-construction conditions and revegetate all disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.

18. The permittee’s contractor shall conduct a follow-up inspection in October or November following the first growing season to review the success of the restoration and schedule remedial actions if necessary.

19. Riverbank stabilization 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.

20. 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.

21. 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.

22. 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.

23. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.


25. Erosion control products shall be installed per manufacturers recommended specifications.

26. No machinery shall enter the water.

27. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.

28. 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.

29. 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.

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

31. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

With Findings:

1. This is a Major Project per Administrative Rule Env-Wt 303.02(p), as it proposes to replace a Tier 3 stream crossing.

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 Alternative Design statement describes that the span of the existing bridge is 25 feet and the average bankfull channel width is 23 feet. A span of 32 feet is required to meet the NHDES Stream Crossing rules. Due to financial hardship, unique floodplain and geomorphic characteristics, the proposed structure will span 33 feet as measured perpendicular to the channel.

6. The submitted Tier 3 replacement Alternative Design meets the General Design Criteria to the maximum extent practicable per Env-Wt 904.09.

7. NHDES did not receive any comments of concern from abutters or local governing bodies.

8. Compensatory mitigation is not required per Rule Env-Wt 904.04(f)(1), as the project is self-mitigating.

9. An amendment request was received on March 21, 2018 to replace the 33 foot precast concrete bridge with a 35 foot span engineered wood bridge to reduce cost, and include an additional 25 square feet (12 linear feet) of temporary bank impacts for a temporary bridge to maintain roadway traffic.

2017-02227 ANTRIM, TOWN OF ANTRIM GREAT BROOK
Requested Action:

Dredge and fill 1,287 square feet (SF) within the bed and bank of Great Brook (impacting 122 linear feet) to replace an existing 14 foot by 22 foot aluminum box culvert with a 24 foot span precast concrete bridge. The project also includes activities to restore terrestrial wildlife passage within the bridge. In addition, temporarily impact 518 SF for construction access and installation.

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APPROVE PERMIT

Dredge and fill 1,287 square feet (SF) within the bed and bank of Great Brook (impacting 122 linear feet) to replace an existing 14 foot by 22 foot aluminum box culvert with a 24 foot span precast concrete bridge. The project also includes activities to restore terrestrial wildlife passage within the bridge. In addition, temporarily impact 518 SF for construction access and installation.

With Conditions:

1. All work shall be in accordance with plans by Quantum Construction Consultants, LLC dated July 17, 2017, revised through February 07, 2018, last received by the New Hampshire Department of Environmental Services (NHDES) on March 30, 2018.
2. This permit is not valid until the permittee or permittee’s contractors submit a final dewatering and diversion plan to DES for review and approval. The plan shall include 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), in accordance with New Hampshire Administrative Rule Env-Wt 303.04().
3. This permit is not valid until the Permanent Easement Deed(s), for access upon the abutting properties associated with construction and maintenance of the subject bridge, have been recorded with the Hillsborough County Registry of Deeds by the applicant.
4. 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.
5. All in-stream work shall be conducted during annual low flow conditions, during the months of May through September, 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. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
7. 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.
8. 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.
9. 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.
10. Prior to starting any work authorized by this permit, the permittee shall place perimeter fencing along the limits of the project to prevent unintentional disturbance and potential spread of existing non-native invasive species.
11. 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).
12. 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.
13. The permittee/permittee’s contractor shall use only biodegradable, wildlife-friendly, erosion control netting not to include materials comprised of welded plastic.
14. Native material removed from the streambed shall be stockpiled separately and reused to emulate a natural channel bottom within the channel, between wing walls, and beyond. Any new materials used must be as similar to the natural stream substrate as practicable and, except where shown on the approved plans, shall not include any angular rock.
15. The permittee or permittee’s contractor shall properly restore and stabilize the riverbanks, in accordance with the approved plans, and shall take such remedial actions as may be necessary to create functioning channel geometry. Remedial measures may include changing material gradation and depth or changing the elevation or configuration of the reconstructed banks.
16. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction,
and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

17. 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.

18. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

19. 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)

20. Erosion control products shall be installed per manufacturer’s recommended specifications.

21. 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.

22. 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.

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

24. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

25. 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.

26. 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.

27. 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.

28. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.

29. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.

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

31. 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.

32. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during and post-construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, no water quality violations occur and riverbank vegetation established successfully.

33. The permittee shall notify the DES Wetlands Program in writing of the certified wetlands scientist or qualified professional, as applicable, who will be responsible for monitoring and ensuring that the project area is constructed and restored in accordance with the approved plans. The permittee shall re-notify the DES Wetlands Program if the identity of the individual changes during the project.

34. A report prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional area, including photographs of all stages of construction, shall be submitted to the DES Wetlands Program within 60 days of the completion of construction.

With Findings:

1. This is a Major Project per Administrative Rule Env-Wt 303.02(p), as it proposes to replace a tier 3 stream crossing. The watershed drainage area at the point of the crossing is approximately 6,240 acres (9.75 square miles, per USGS Stream Stats).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing crossing is geomorphically, hydraulically and structurally deficient.

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 project will result in a geomorphic and hydraulic improvement.

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

5. In accordance with New Hampshire Administrative Rule Env-Wt 904.09, the applicant has requested approval for an Alternative Design based on the width of proposed crossing.

6. Bankfull width of Great Brook in the vicinity of the crossing is approximately 25 feet.

7. In accordance with New Hampshire Administrative Rule Env-Wt 904.05(a) and the UNH Stream Crossing Guidelines (2009), the replacement structure would require a hydraulic opening equal to approximately 30 feet wide. In the project narrative, received by NHDES on July 27, 2017, the applicant stated that because of existing physical constraints, it is not feasible to construct a structure of that width.

8. The proposed crossing has been designed in accordance with the New Hampshire Administrative Rules Env-Wt 904.01, General Design Considerations.

9. In accordance with New Hampshire Administrative Rule Env-Wt 904.04(f)(1), compensatory mitigation is not required as
the project, as proposed, has been deemed self-mitigating by the Department.
10. The low-chord elevation of the bridge is 703.16 feet. The 100-year flood elevation is 702.6 feet, resulting in 0.56 feet of freeboard during the 100-year flood frequency event.
11. Great Brook, in the location of the project, is a fourth-order stream.
12. In correspondence with NH Division of Historical Resource, it was determined that there will be no impact to historical resources as a result of this project, though if the limits of excavation expand then further assessment may be required.
13. The application package indicated the presence of invasive plant species within and around the project area. This permit is conditioned to prevent the import or export of invasive species.
14. Great Brook, in the location of the project, is a New Hampshire Fish and Game Department predicted cold-water fishery.
15. 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.
16. No comments of concern were received by NHDES from abutters or local governing organizations.
17. In correspondence dated March 30, 2018, signed Agreement(s) for Entry and Construction, plus Permanent Easement Deed(s) were obtained from abutting land owners to which the project will be located.
18. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB17-2128) stated that there are "no recorded occurrences for sensitive species near this project area".
19. This project is currently under technical review by the NHDES Shoreland Program (2017-02808).

2017-02562 COASTAL SCENE CONDOS

HAMPTON SALTMARSH

Requested Action:
Temporarily impact 5,610 square feet (sq. ft.) of previously-developed 100-foot tidal buffer zone and prime wetland buffer for the in-kind replacement of the existing wood timber retaining wall and pavement rehabilitation of the existing parking lot.
Remove 185 sq. ft. of common reed (Phragmites australis) with a combination of mechanical cutting and herbicide application.

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Inspection Date: 04/18/2018 by EBEN M LEWIS

APPROVE PERMIT
Temporarily impact 5,610 square feet (sq. ft.) of previously-developed 100-foot tidal buffer zone and prime wetland buffer for the in-kind replacement of the existing wood timber retaining wall and pavement rehabilitation of the existing parking lot.
Remove 185 sq. ft. of common reed (Phragmites australis) with a combination of mechanical cutting and herbicide application.

With Conditions:
1. All work shall be in accordance with the "Wetlands Permit Plan" by Ambit Engineering, Inc. dated July 2017 and revised through 4/19/18 as received by NHDES on April 19, 2018.
2. A permit from the NH Department of Agriculture Division of Pesticides must be obtained prior to applying herbicide. Application of herbicide must be consistent with herbicide label and carried out by a licensed applicator
3. 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.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
5. 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.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
7. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
8. 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.


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

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

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

13. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

14. The NH Department of Agriculture Division of Pesticides requires common reed (Phragmites australis) to be listed on the herbicide label as a target species for a specific application method.

15. Common reed shall be cut (not mowed) from the property. Cutting should be timed to coincide with tasseling (when flowers begin to develop at the top of stem - late July/early August).

16. Herbicide shall be applied via stem injection only in late summer (after tasseling). The selected herbicide must be approved for use in wetlands. Treatments will likely be required for at least two consecutive years, regardless of the method used.

17. 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 NHDES within 60 days of the completion of construction. NHDES may require subsequent monitoring and corrective measures if NHDES deemed the area inadequately restored.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.

2. The impacts are necessary for the in-kind replacement of the existing wooden retaining wall and repaving of the existing parking lot; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The impacts will occur within the previously-developed 100-foot upland tidal buffer zone and the lots adjacent to the property have been developed. The wooden retaining wall will be replaced in-kind. An area of common reed (Phragmites australis) will be removed from the property as conditioned by this permit; therefore, the applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, 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)&(c), Requirements for Application Evaluation, has been considered in the design of the project.

5. The applicant requested waivers of Env-Wt 304.04(a) as the applicant was unable to obtain written concurrence from abutters whose properties are within 20-feet of the proposed impacts.

6. NHDES hereby grants the waiver of Env-Wt 334.04(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. The agent satisfactorily addressed Env-Wt 703(b).

8. The project as approved and constructed in adherence to install erosion controls offsets impacts from any increased runoff created by the development.

9. Based on the inspection conducted on April 18, 2018 by NHDES personnel, the project involves negligible environmental impacts as the impacts occur within the previously-developed 100-foot upland tidal buffer zone, siltation fencing will be correctly installed prior to soil disturbance, and the plans accurately reflect site conditions. Therefore, the salt marsh complex will not be adversely impacted as a result of this project.

10. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

11. In a letter dated November 29, 2017, the Hampton Conservation Commission states, "The [Hampton] Conservation Commission does not oppose the granting of the NHDES Standard Dredge and Fill permit with the stipulation that a 3' solid fence be installed along the edge of the parking area adjacent to the salt marsh which will prevent snow from being pushed directly into the marsh. The Commission also requests to be notified at the beginning and end of the project. The Conservation Commission willing waives the additional 20-day prime wetland permit period," pursuant to Env-Wt 704.01.

12. The applicant has revised the plans to incorporate the requested 3-foot solid fence along the entire length of the replaced wooden retaining wall. NHDES has added a condition to the permit to ensure the Hampton Conservation Commission is notified when the project will begin and when the project is completed.

13. Common reed will be removed from the site in accordance with the NH Department of Transportation, "Best Management Practices for Roadside Invasive Plants 2008."
14. The NH Division of Historical Resources reviewed the site location and found "No Historic Properties Affected."
15. 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.
16. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.

2017-03606 PORTLAND PIPE LINE CORPORATION

LANCASTER Unnamed T

Requested Action:
Temporarily impact 37,461 square feet of palustrine scrub-shrub wetland and 174,167 square feet palustrine emergent wetland within the existing maintained pipeline right-of-way for temporary construction matting and temporary excavation of the pipeline to install buoyancy controls.

Conservation Commission/Staff Comments:
1-12-18 - No historic properties affected per DHR.

APPROVE PERMIT
Temporarily impact 37,461 square feet of palustrine scrub-shrub wetland and 174,167 square feet palustrine emergent wetland within the existing maintained pipeline right-of-way for temporary construction matting and temporary excavation of the pipeline to install buoyancy controls.

With Conditions:
1. All work shall be in accordance with plans by Stantec Consulting Services, Inc. dated April 10, 2018 as received by the NH Department of Environmental Services (NHDES) on April 12, 2018.
2. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20 feet of the property line, then prior to starting work the permittee shall, (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the NHDES Wetlands Program.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
4. Temporary impacts to vernal pools shall not occur between April 10 and June 10.
5. The project shall adhere to the construction sequence provided on revised drawing No. B-1787, PPLC Buoyancy Control Geotextile Bag Weight Installation Workspace Section, dated November 8, 2017, as revised March 30, 2018.
6. Gravel fills used for the geotextile bag weights shall be stored offsite and outside of wetlands jurisdiction.
7. The project shall be conducted during frozen and/or dry ground conditions to the extent possible, with construction matting to be used as needed.
8. The project shall occur within the existing maintained right-of-way, and no tree clearing is to occur outside of the existing cleared right of way.
9. Prior to construction, all wetland and surface water boundaries adjacent to construction areas shall be clearly marked to prevent unintentional encroachment on adjacent wetlands and surface waters.
10. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
11. Extreme precautions shall be taken within riparian areas to prevent unnecessary disturbance of vegetation during construction.
12. There shall be no impacts to stream beds or banks. No machinery shall enter the water.
13. Prior to the installation of constructions mats, the mats shall be inspected for and cleaned of all vegetative matter.
14. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoil shall be stockpiled separately from subsoil and shall be restored to pre-construction grades following backfill. Wetland topsoil shall be
excavated and stored with care so as to preserve root and seed stock.

15. Disturbed wetland soils under thawed ground conditions shall be seeded using the seed mix provided on revised drawing No. B-1748, PPLC Buoyancy Control Typical Erosion and Sediment Control Notes, dated November 13, 2017, as revised March 30, 2018.

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

17. 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 Rule Env-Wq 1700.

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.

21. Machinery shall be staged and refueled in upland areas only.

22. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

With Findings:

1. This is a Major Project per Administrative Rule Env-Wt 303.02(c), for projects involving alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.

2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01. The project will mitigate the effects of conveying less dense material through the pipeline.

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. No permanent impacts are proposed, and temporary impacts are limited to the existing maintained right-of-way; work will be conducted under frozen and/or dry ground conditions to the extent possible; construction matting will be used for all wetland and stream crossings; and wetland topsoil will be stockpiled separately from subsoils.

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

5. Compensatory mitigation shall not be required in accordance with Rule Env-Wt 302.03(d), for impacts that are not intended to remain after the project is completed, provided the areas are restored in accordance with provisions shown on the approved project plans.

6. The US Environmental Protection Agency (USEPA) New Hampshire Programmatic General Permit (PGP) Review for this application has confirmed the project's eligibility for the PGP on January 18, 2018, with the recommendation that no vernal pool work occur between April 10 and June 10.

7. Based on NHDES coordination with the U.S. Army Corps of Engineers and the USEPA, this project is considered pipeline maintenance and is therefore exempt from mitigation.

8. The New Hampshire Division of Historical Resources (NHDHR) Request for Project Review (RPR) has concluded that no historic properties will be affected by the project, per the RPR response dated December 19, 2017.

9. The New Hampshire Natural Heritage Bureau (NHB) has reviewed each of the three work locations for the proposed project. For NHB File ID NHB17-3365, per the letter dated November 17, 2017, NHB has found that although there was a record of a rare species or exemplary natural community present in the vicinity of the work site, it is not expected to be impacted. For NHB File IDs NHB17-3362 and NHB17-3364, per the letters dated November 17, 2017, NHB has identified occurrences of the State-Endangered chestnut sedge (Carex castanea) in the vicinity of the work sites.

10. The application includes email correspondence between NHB and the application agent from November 17-30, 2017, regarding avoidance of chestnut sedge at the two locations in NHB Files NHB17-3362 and NHB-17-3364. NHB has determined that there are no concerns at these two locations, provided the project meets the local site conditions and description of activities as provided in the above correspondence.

11. No comments were received on this application from the Lancaster Conservation Commission.

12. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of these freshwater wetland resources as identified under RSA 482-A:1.

2017-03636 PORTLAND PIPE LINE CORPORATION

JEFFERSON Unnamed Wetland
Requested Action:
Temporarily impact 33,840 square feet of palustrine emergent wetland within the existing maintained pipeline right-of-way for temporary construction matting and temporary excavation of the pipeline to install buoyancy controls.

Conservation Commission/Staff Comments:
1-12-18- No historic properties affected per DHR.

APPROVE PERMIT
Temporarily impact 33,840 square feet of palustrine emergent wetland within the existing maintained pipeline right-of-way for temporary construction matting and temporary excavation of the pipeline to install buoyancy controls.

With Conditions:
1. All work shall be in accordance with plans by Stantec Consulting Services, Inc. dated April 10, 2018 as received by the NH Department of Environmental Services (NHDES) on April 12, 2018.
2. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20 feet of the property line, then prior to starting work the permittee shall, (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the NHDES Wetlands Program.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
4. Temporary impacts to vernal pools shall not occur between April 10 and June 10.
5. The project shall adhere to the construction sequence provided on revised drawing No. B-1787, PPLC Buoyancy Control Geotextile Bag Weight Installation Workspace Section, dated November 8, 2017, as revised March 30, 2018.
6. Gravel fills used for the geotextile bag weights shall be stored offsite and outside of wetlands jurisdiction.
7. The project shall be conducted during frozen and/or dry ground conditions to the extent possible, with construction matting to be used as needed.
8. The project shall occur within the existing maintained right-of-way, and no tree clearing is to occur outside of the existing cleared right of way.
9. Prior to construction, all wetland and surface water boundaries adjacent to construction areas shall be clearly marked to prevent unintentional encroachment on wetlands and surface waters.
10. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
11. Extreme precautions shall be taken within riparian areas to prevent unnecessary disturbance of vegetation during construction.
12. There shall be no impacts to stream beds or banks. No machinery shall enter the water.
13. Prior to the installation of constructions mats, the mats shall be inspected for and cleaned of all vegetative matter.
14. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoil shall be stockpiled separately from subsoil and shall be restored to pre-construction grades following backfill. Wetland topsoil shall be excavated and stored with care so as to preserve root and seed stock.
15. Disturbed wetland soils under thawed ground conditions shall be seeded using the seed mix provided on revised drawing No. B-1748, PPLC Buoyancy Control Typical Erosion and Sediment Control Notes, dated November 13, 2017, as revised March 30, 2018.
16. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and NH Code of Administrative Rules Env-Wq 1400 during and after construction.
17. 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 Rule Env-Wq 1700.
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.
21. Machinery shall be staged and refueled in upland areas only.
22. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
With Findings:
1. This is a Major Project per Administrative Rule Env-Wt 303.02(c), for projects involving alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01. The project will mitigate the effects of conveying less dense material through the pipeline.
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. No permanent impacts are proposed, and temporary impacts are limited to the existing maintained right-of-way; work will be conducted under frozen and/or dry ground conditions to the extent possible; construction matting will be used for all wetland and stream crossings; and wetland topsoil will be stockpiled separately from subsoils.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. Compensatory mitigation shall not be required in accordance with Rule Env-Wt 302.03(d), for impacts that are not intended to remain after the project is completed, provided the areas are restored in accordance with provisions shown in the approved project plans.
6. The US Environmental Protection Agency (USEPA) New Hampshire Programmatic General Permit (PGP) Review for this application has confirmed the project's eligibility for the PGP on January 18, 2018, with the recommendation that no vernal pool work occur between April 10 and June 10.
7. Based on NHDES phone conversation with the U.S. Army Corps of Engineers and the USEPA, this project is considered pipeline maintenance and is therefore exempt from mitigation.
8. The New Hampshire Division of Historical Resources (NHDHR) Request for Project Review (RPR) findings identify a recorded site approximately half a mile west of the project area within the ROW and state that access must be from Route 116/Bailey Road, as proposed. The RPR concludes that no historic properties will be affected by the project, per the RPR response dated December 19, 2017.
9. The New Hampshire Natural Heritage Bureau (NHB) has reviewed the proposed project and determined that there are no recorded occurrences for sensitive species near the project area, per the letter dated November 6, 2017.
10. One vernal pool (resource ID# NH18_VPO1) has been identified within the work limits. As of May 2016, the vernal pool was located within equipment ruts and measured 6 feet long by 6 feet wide with a water depth of less than 6 inches. Although this pool will not specifically be restored following excavation for the buoyancy controls, no permanent impacts to the overall wetland in which it is located will occur. Temporary impacts will occur outside the amphibian breeding season and wetland vegetation, wetland soils and hydrology in the wetland will be restored following construction.
11. The Jefferson Conservation Commission (Commission) has reviewed the project and emailed the applicant comments on April 18, 2018. The Commission does not oppose issuance of a Wetlands permit, but has requested that during the project, due to the location within the Israel River Complex, that the applicant shares with the Commission findings of reptiles and amphibians and potential archaeological artifacts findings.
12. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of these freshwater wetland resources as identified under RSA 482-A:1.

2018-00406

ANDERTON, TERRY

HAMPTON FALLS HAMPTON MARSH

Requested Action:

Applicant requests the after-the-fact retention of 892 square feet (sq. ft.) of impact within the previously-disturbed 100-foot tidal buffer zone and prime wetland buffer for the construction of a shed and gazebo on a residential lot of 7.2 acres.

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Inspection Date: 04/25/2018 by EBEN M LEWIS
APPROVE AFTER THE FACT
After-the-fact retention of 892 square feet (sq. ft.) of impact within the previously-disturbed 100-foot tidal buffer zone and prime wetland buffer for the construction of a shed and gazebo on a residential lot of 7.2 acres.

With Conditions:
1. All work shall be in accordance with plans by Millennium Engineering, Inc. dated October 11, 2017 as received by the NH Department of Environmental Services (NHDES) on February 14, 2018.
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. 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).
6. No more than 5.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.

With Findings:
1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The impacts are necessary to retain a shed and gazebo constructed in the previously-developed 100-foot tidal buffer zone and prime wetland buffer; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will occur within the previously-developed 100-foot upland tidal buffer zone; therefore, the applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, 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)&(c), Requirements for Application Evaluation, has been considered in the design of the project.
5. The agent satisfactorily addressed Env-Wt 703(b).
6. The project as approved and constructed in adherence to install erosion controls offsets impacts from any increased runoff created by the development.
9. Based on the inspection conducted on April 24, 2018 by NHDES personnel, the plans accurately reflect on-site conditions and the project involves negligible environmental impacts as the impacts occur within the previously-developed 100-foot upland tidal buffer zone.
10. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
11. 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.
12. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.

2018-00467  LECLERC, JUDITH/RICHARD

HAMPTON  TIDAL BUFFER ZONE

Requested Action:
Impact a total of 1,888 square feet (sq. ft.) within the previously-developed 100-foot tidal buffer zone and prime wetland buffer to include 1,257 sq. ft. of temporary impact and 631 sq. ft. of permanent impact to construct a single-family dwelling.

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Inspection Date: 04/20/2018 by EBEN M LEWIS

APPROVE PERMIT
Impact a total of 1,888 square feet (sq. ft.) within the previously-developed 100-foot tidal buffer zone and prime wetland buffer to include 1,257 sq. ft. of temporary impact and 631 sq. ft. of permanent impact to construct a single-family dwelling.

With Conditions:
1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 9/20/17 and revised through 3/14/18 as received by the New Hampshire Department of Environmental Services (NHDES) Land Resources Management Program on March 19, 2018.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify 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 a new application and 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. 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. 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. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
12. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

With Findings:
1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The impacts are necessary to build a single-family dwelling; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will occur within the previously-developed 100-foot upland tidal buffer zone and the lots adjacent to the property have been developed; therefore, the applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, 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)&(c), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant received written concurrence from those abutters whose property are within 20-feet of the proposed impacts in accordance with Env-Wt 304.04(a).
6. The agent satisfactorily addressed Env-Wt 703(b).
7. The project as approved and constructed in adherence to install erosion controls offsets impacts from any increased runoff created by the development.
8. Based on the inspection conducted on April 26, 2018 by NHDES personnel, the project involves negligible environmental impacts as the impacts occur within the previously-developed 100-foot upland tidal buffer zone, siltation fencing will be correctly installed prior to soil disturbance. The salt marsh complex will not be adversely impacted as a result of this project. Inspection also found the proposed plans accurately reflect site conditions.
9. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau...
10. In a letter dated March 28, 2018, the Hampton Conservation Commission stated, "The Conservation Commission opposes granting of this NHDES Standard Dredge and Fill permit because they cannot support new construction in a high risk flood prone area. Sections of Island Path become submerged and can be inaccessible when tides are 10 ft. or greater. The NOAA tide predictions for 2018, show Hampton with over 46 tides above 10 ft. which does not account for storm events.
The Commission is also concerned that converting an existing vegetated and permeable area to a single family use will only increase stormwater runoff and escalate the known flooding issues."

11. In response to the Hampton Conservation Commission's concerns raised in the above-referenced letter, NHDES has no regulatory authority to prohibit development of the property relative to the lots likelihood of flooding as a result of sea level rise. NHDES has reviewed the site for impacts relative to RSA 483-B, The Shoreland Water Quality Protection Act, and issued Shoreland Impact Permit 2018-00458. This permit required a stormwater management system designed by a professional engineering in accordance with RSA 483-B:9, V(g)(1) to ensure drainage calculations on the property do not change from pre to post development.

12. 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.

13. 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 estuarine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2013-00915 34 TIGER TRAIL TRUST

MEREDITH LAKE WINNIPESAUKEE

Requested Action:
Request a permit time extension. Permanently remove the existing 6 ft. x 26 ft. seasonal dock, install two 6 ft. x 30 ft, piling docks connected together by a 4 ft. x 12 ft. walkway in a "U" shaped configuration, with a 14 ft. x 26 ft. seasonal canopy over the center slip, replace an existing 9 ft. x 11 ft. deck over the bank, on an average of 195 feet of shoreline frontage, Lake Winnipesaukee, Meredith.

Conservation Commission/Staff Comments:
Con Com did not sign Wet application

APPROVE TIME EXTENSION

Permanently remove the existing 6 ft. x 26 ft. seasonal dock, install two 6 ft. x 30 ft, piling docks connected together by a 4 ft. x 12 ft. walkway in a "U" shaped configuration, with a 14 ft. x 26 ft. seasonal canopy over the center slip, replace an existing 9 ft. x 11 ft. deck over the bank, on an average of 195 feet of shoreline frontage, Lake Winnipesaukee, Meredith.

With Conditions:
1. All work shall be in accordance with plans by Ames Associates dated May 22, 2013, as received by the NH Department of Environmental Services (DES) on May 24, 2013.
2. This permit shall not be effective until it has been recorded with the 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. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. This permit does not allow for maintenance dredging.
8. The dock shall not extend more than 30 ft lakeward at full lake elevation of 504.32.
9. The minimum clear spacing between piles shall be 12 feet.
10. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

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.

2016-02034  O'CONNER FAMILY TRUST, MATTHEW P. O'CONNER TRUST

RYE  ATLANTIC OCEAN

Requested Action:
Impact a total of 1,337 square feet (sq. ft.) within the previously-developed tidal buffer zone to include 515 sq. ft. of permanent impact and 822 sq. ft. of temporary impact for the construction of a fire pit ring, seawall, and two (2) shrub planting beds.

APPROVE AMENDMENT
Impact a total of 1,337 square feet (sq. ft.) within the previously-developed tidal buffer zone to include 515 sq. ft. of permanent impact and 822 sq. ft. of temporary impact for the construction of a fire pit ring, seawall, and two (2) shrub planting beds.

With Conditions:
1. All work shall be in accordance with the following plans:
a.) "Permit Plan" by Ambit Engineering, Inc. dated January 2017 and revised through 2/6/17 as received by the NH Department of Environmental Services (NHDES) on February 28, 2016; and,
b.) "Planting Plan" by Jacquelyn Nooney Landscape, Inc. dated 1-29-18 and revised 2-14-18 as received by NHDES on March 20, 2018.
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. Permission to use the right-of-way for access/egress to the site shall be granted by the Town of Rye Board of Selectmen prior to the commencement of work.
6. Access to the work area shall be through the beach access right-of-way north of the subject location.
7. Work shall be done during low tide only.
8. 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.
9. 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.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
11. No concrete is to be used anywhere in the construction of the stone riprap revetment. All stone shall be dry laid or placed stone underlain with filter fabric.
12. Any stone used in the construction or repair of a seawall or revetment shall be of suitable size and weight to assure that the structure is stable and will withstand ocean storm wave energy anticipated at this location.
13. Any beach grass or sand dune vegetation impacted by trucks or the excavator traveling through the right-of-way and work area shall be restored or replaced immediately following the excavator leaving the beach.
14. A York Rake or similar device shall be used to regrade the beach contours to the original conditions and eliminate all the excavator tracks on the beach and ROW immediately upon completion of the project.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a) Projects in any bank, flat, marsh, or swamp or in and adjacent to any waters of the state or within 100 feet of the highest observable tide line that do not meet any of the criteria of Env-Wt 303.02, Env-Wt 303.04 or Env-Wt 303.05.
2. The impacts are necessary to construct a new seawall; 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 303.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. 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.
7. In a letter dated March 4, 2017, the Rye Conservation Commission (RCC) states, "The RCC is satisfied that the planting of native shrubs, along with the addition of a new seawall, will provide filtration of any contaminants from the lawn before they can run off onto the beach."
8. On March 20, 2018, NHDES received a request to amend the existing permit to include the construction of a fire pit ring within the previously-developed 100-foot tidal buffer zone.
9. NHDES approves the amendment request as the request does not exceed the definition of a significant amendment in accordance with RSA 482-A:3 XIV.(e).

2017-02048 FREEDOM, TOWN OF

FREEDOM Unnamed Stream

Requested Action:
Dredge and fill a total of 1,335 square feet (SF) of stream and bank for the replacement of an existing 36 inch CMP culvert with a new 10 foot wide x 4 foot high x 38 feet long precast concrete box culvert with concrete headwalls and wingwalls.

APPROVE PERMIT
Dredge and fill a total of 1,335 square feet (SF) of stream and bank for the replacement of an existing 36 inch CMP culvert with a new 10 foot wide x 4 foot high x 38 feet long precast concrete box culvert with concrete headwalls and wingwalls.

With Conditions:
1. All work shall be in accordance with plans by CMA Engineers, Inc. dated October 2011, and revised through March 21, 2018 as received by the NH Department of Environmental Services (NHDES) on April 9, 2018.
2. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20 feet of the property line, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the NHDES Wetlands Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Temporary cofferdams shall be entirely removed immediately following construction.
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, in all
cases with a minimum of 20 feet of undisturbed vegetated buffer.

9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

10. 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.

11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. 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.

13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

14. Silt fencing must be removed once the area is stabilized.

15. 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).

16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.

17. 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.

18. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03(a), as the project qualifies under Env-Wt 903.01(f)(1)d. Under Env-Wt 904.06(d), the replacement crossing, classified as Tier 2 under Env-Wt 904.03(a) shall be repaired or rehabilitated providing the stream crossing will not adversely impact the stability of the stream banks or stream bed upstream or downstream of the crossing; and not cause an increase in the frequency of flooding or overtopping of banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that the existing culvert is undersized and the roadway has flooded during major rain 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 Env-Wt 302.03. The applicant is proposing a box culvert designed with natural streambed material in the culvert bottom to mimic a natural stream bed, minimizes the flooding of the existing roadway, and minimizes erosion and deposits of sediment to downstream locations.

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. Natural Heritage Bureau has no record of sensitive species within the vicinity of this project.

5. This project qualifies as a Tier 2 stream crossing and the applicant has designed the stream crossing in accordance with Env-Wt 904.03 which has a watershed of greater than 200 acres and less than 640 acres. The proposed box culvert has been designed with a culvert bottom to mimic a natural stream bed, will not adversely impact the stability of the stream banks or stream bed upstream or downstream of the crossing by installing inlet and outlet protection, and not cause an increase in the frequency of flooding or overtopping of banks by meeting the 100-year frequency flood.

6. Compensatory mitigation is not required per rule Env-Wt 904.03(e)(2), any Tier 2 stream crossing that is repaired or rehabilitated pursuant to Env-Wt 904.06.

7. The Freedom Conservation Commission did not submit comments to NHDES.

2017-02051 FREEDOM, TOWN OF

FREEDOM  COLD BROOK

Requested Action:

Dredge and fill a total of 820 square feet (SF) of stream and bank for the replacement of an existing 60 inch CMP culvert with a new 6 foot wide x 5 foot high x 43 feet long precast concrete box culvert with concrete headwalls and wingwalls.

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APPROVE PERMIT

Dredge and fill a total of 820 square feet (SF) of stream and bank for the replacement of an existing 60 inch CMP culvert with
A new 6 foot wide x 5 foot high x 43 feet long precast concrete box culvert with concrete headwalls and wingwalls.

With Conditions:
1. All work shall be in accordance with plans by CMA Engineers, Inc. dated October 2011, and revised through March 21, 2018 as received by the NH Department of Environmental Services (NHDES) on April 9, 2018.
2. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20 feet of the property line, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the NHDES Wetlands Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the NHDES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Temporary cofferdams shall be entirely removed immediately following construction.
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, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. 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.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
12. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. 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.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. Silt fencing must be removed once the area is stabilized.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. 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.
19. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:
1. This is a Minor Project per Administrative Rule Env-Wt 303.03(o), as the project qualifies under Env-Wt 903.01(f)(1)d. Under Env-Wt 904.06(d), the replacement crossing, classified as Tier 2 under Env-Wt 904.03(a) shall be repaired or rehabilitated providing the stream crossing will not adversely impact the stability of the stream banks or stream bed upstream or downstream of the crossing; and not cause an increase in the frequency of flooding or overtopping of banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that the existing culvert is undersized and the roadway has flooded during major rain 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 Env-Wt 302.03. The applicant is proposing a box culvert designed with natural streambed material in the culvert bottom to mimic a natural stream bed, minimizes the flooding of the existing roadway, and minimizes erosion and deposits of sediment to downstream locations.
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. Natural Heritage Bureau has no record of sensitive species within the vicinity of this project.
5. This project qualifies as a Tier 2 stream crossing and the applicant has designed the stream crossing in accordance with Env-Wt 904.03 which has a watershed of greater than 200 acres and less than 640 acres. The proposed box culvert has been designed with a culvert bottom to mimic a natural stream bed, will not adversely impact the stability of the stream banks or stream bed upstream or downstream of the crossing by installing inlet and outlet protection, and not cause an increase in the frequency of flooding or overtopping of banks by meeting the 100-year frequency flood.

Faulty equipment shall be repaired prior to entering jurisdictional areas.

All refueling of equipment shall occur outside of surface waters or wetlands.
6. Compensatory mitigation is not required per rule Env-Wt 904.03(e)(2), any Tier 2 stream crossing that is repaired or rehabilitated pursuant to Env-Wt 904.06.

7. The Freedom Conservation Commission did not submit comments to NHDES.

2017-02790 TOWN OF ENFIELD

ENFIELD CRYSTAL LAKE

Requested Action:

Dredge and fill 38 square feet (SF) within palustrine scrub-shrub wetlands, 80 SF within the bed and banks of an intermittent stream (tier 1, impacting 6 linear feet [LF]), and 1261 SF within the bank of Crystal Lake (impacting approximately 95 LF) to install or replace a total of 10 culverts inclusive of any associated regrading and installation of culvert outfall structures along the length of Crystal Lake Road in Enfield. In addition, temporarily impact 520 SF (impacting approximately 62 LF) for installation of headwalls, weirs, and erosion controls at the culvert inlet and outlet ends.

Conservation Commission/Staff Comments:

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

APPROVE PERMIT

Dredge and fill 38 square feet (SF) within palustrine scrub-shrub wetlands, 80 SF within the bed and banks of an intermittent stream (tier 1, impacting 6 linear feet [LF]), and 1261 SF within the bank of Crystal Lake (impacting approximately 95 LF) to install or replace a total of 10 culverts inclusive of any associated regrading and installation of culvert outfall structures along the length of Crystal Lake Road in Enfield. In addition, temporarily impact 520 SF (impacting approximately 62 LF) for installation of headwalls, weirs, and erosion controls at the culvert inlet and outlet ends.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering, Inc., dated September 13, 2017, and revised through March 07, 2018, last received by the NH Department of Environmental Services (NHDES) on March 30, 2018.
2. This permit is not valid until the applicant/owner 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. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and New Hampshire Administrative Rule Env-Wq 1400 during and after construction.
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 New Hampshire Administrative Rule Env-Wq 1700.
5. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
6. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
7. Work shall be done during drawdown or in the dry only. If a special drawdown outside of the annual drawdown of Crystal Lake is required for the purposes of repairing and installing these culverts, please contact the NHDES Dam Bureau prior to initiation of work.
8. 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.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the waters.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Work within the stream, inclusive of work associated with temporary diversion, shall be limited to periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather
conditions.

13. Turbidity and erosion control products (including cofferdams) shall be installed per manufacturer’s recommended specifications during periods of low flow. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.

14. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

15. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.

16. 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.

17. 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.


19. No machinery shall enter the water.

20. 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.

21. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

22. 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.

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

24. 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.

25. Rip rap areas along the structures footings, wing walls, and culvert outlets shall be well graded and voids shall be filled with gravel and smaller stones to create a smooth surface for wildlife to utilize.

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

27. 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 NHDES Wetlands Program.

28. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This project is classified as a Minor Project per NH Administrative Rule Env-Wt 303.03(k) as the project will disturb between 50 and 100 linear feet measured along the shoreline of a lake, and Env-Wt 303.03(h) as the impacts will involve the alteration of less than 20,000 square feet (SF) of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in the aggregate.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01 as the existing culverts are failing and the proposed drainage improvements are expected to prevent future flooding and road washout during storm 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 Env-Wt 302.03 as the work is proposed to take place in the dry during annual drawdown of Crystal Lake.

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

5. In a review letter dated July 20, 2017, and received by NHDES on July 05, 2017, the NH Division of Historical Resources (DHR) stated that no historic properties are expected to be affected by the proposed project.

6. In a review letter dated July 11, 2017, and received by NHDES on September 15, 2017, the NH Natural Heritage Bureau (NHB) stated that there was no record in the vicinity of the project.

7. In a review letter dated July 12, 2017, and received by NHDES on September 15, 2017, the US Fish and Wildlife Service stated that while Northern long-eared bats (Myotis septentrionalis) are present at the site, there are no critical habitats at this location.

8. On January 26, 2018, an extension agreement until March 06, 2018, was requested by the agent, Will Davis to allow for additional time to submit a response to the request for more information letter issued on December 36, 2018.

9. On February 27, 2018, an extension agreement until April 05, 2018, was signed and submitted by the agent, Will Davis to allow for additional time to submit a response to the request for more information letter issued on December 06, 2018.

10. In a response to a request for more information letter dated March 28, 2018, and received by NHDES on March 30, 2018, the applicant mentioned that in a telephone conversation on March 09, 2018, with NHDES Dam Bureau Staff, Mark Stevens,
"indicated that because this project is not anticipated to have any impact on Dam Bureau structures, nor have a significant impact on the water storage volume of Crystal Lake, the Dam Bureau has no opposition to the project with the bank stabilization section removed."

11. The following is a list of culvert dimensions that will be installed at each Station: STA 1+85: 18 inch diameter by 56 foot long HDPE culvert connected by a catch basin to a 18 inch diameter by 30 foot long HDPE culvert that spans the road; STA 7+25: 12 inch diameter by 35 foot long HDPE culvert; STA 18+25: 18 inch diameter by 32 foot long HDPE culvert; STA 23+10: 18 inch diameter by 29 foot long HDPE culvert; STA 24+10: 18 inch diameter by 37 foot long HDPE culvert; STA 27+35: Three 18 inch diameter by 30 foot long HDPE culverts to act as equalization pipes between the intermittent stream and the lake; STA 33+17: 15 inch diameter by 31 foot long HDPE culvert; STA 33+85: 15 inch diameter by 25 foot long HDPE culvert.

12. A Shoreland Permit by Notification (File #2018-00776) for this project was accepted on March 27, 2018.

13. As of April 24, 2018, no comments of concern have been received by NHDES from abutters or local governing organizations.

2017-03454

LOCICERO FAMILY REVOCABLE TRUST

ALTON  SUNSET LAKE

Requested Action:
The Applicant requests that the permit be amended to the remove the condition relative to public use of the structure.

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Conservation Commission/Staff Comments:
2-28-18 - No historic properties affected per DHR.

APPROVE AMENDMENT

Repair and upgrade an 8 foot wide boat ramp and approach, in-kind, on an average of 92 feet frontage along Sunset Lake in Alton.

With Conditions:
Amend the Project Specific Conditions to read:
1. All work shall be in accordance with plans by David M. Dolan Associates, P.C. dated November 16, 2017, and revised through March 19, 2018 as received by the NH Department of Environmental Services (DES) on March 20, 2018.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All 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. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
10. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
11. The permittee/permittee’s contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g) removal of no more than 20 cubic yards of rock, gravel, sand, mud, or other materials from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department’s jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
9. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
10. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. 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.
13. 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.
14. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
15. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation (Elevation 504.32).

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), for the construction of a 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.
5. The applicant has an average of 204 feet of shoreline frontage along Lake Winnipesaukee.
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.

2018-00344 PEACH, MELANIE/ROBERT

LACONIA WINNISQUAM LAKE

Requested Action:

Replace (3) 7 ft. 6 in. steps with (4) 4 ft. steps to the water, repair 30 linear feet of retaining wall between 2 sets of steps, pull existing retaining wall back to new 4 ft. wide steps adjacent to dug-in boat house on 166.5 ft. of frontage along Winnisquam Lake in Laconia.

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APPROVE PERMIT

Replace (3) 7 ft. 6 in. steps with (4) 4 ft. steps to the water, repair 30 linear feet of retaining wall between 2 sets of steps, pull existing retaining wall back to new 4 ft. wide steps adjacent to dug-in boat house on 166.5 ft. of frontage along Winnisquam Lake in Laconia.

With Conditions:

1. All work shall be in accordance with revised plans by DB Landscaping LLC dated January 17, 2018, as received by DES on February 7, 2018.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate 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 excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
8. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures.
depicted as “existing” on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.

9. The steps installed for access to the water shall be located completely landward of the reference line.

10. The retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.

11. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g) replacement of steps accessing the water with no more than 20 cubic yards of material removed.

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.

2018-00392 HAYNES, DOUGLAS/LAURICE

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

Repair and replace 205 linear feet (ft) of retaining wall, 2 stone pathways and a 124 ft x 8 ft irregular shaped permanent pier supported by a combination of piling and cribs, attached to a 24 ft x 55 ft single-slip, dug-in boathouse, and a 45 ft x 24 ft 2-slip dug-in boathouse, attached to a 24 ft x 12 ft crib dock on an average of 985 feet of shoreline frontage on Lake Winnipesaukee, in Meredith.

APPROVE PERMIT

Repair and replace 205 linear feet (ft) of retaining wall, 2 stone pathways and a 124 ft x 8 ft irregular shaped permanent pier supported by a combination of piling and cribs, attached to a 24 ft x 55 ft single-slip, dug-in boathouse, and a 45 ft x 24 ft 2-slip dug-in boathouse, attached to a 24 ft x 12 ft crib dock on an average of 985 feet of shoreline frontage on Lake Winnipesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Natt King Stoneworks, as received by DES on February 13, 2018.

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

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

4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

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

6. All 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. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

9. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as “existing” on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
10. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

12. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.

13. Only existing rocks that have fallen from the structure(s) shall be used for the repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.

14. The repairs shall maintain the size, location, and configuration of the pre-existing structures.

15. This permit does not allow dredging for any purpose.

16. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), repair of existing retaining walls that requires work in the water, but that result in no change in height, length, location, or configuration.

2. The repair and replacement of the existing dock is for in-kind only and will not increase the number of boat slips for this lot.

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

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. 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

MINIMUM IMPACT PROJECT

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2018-00160

LYNCH, JOHN

CENTER OSSIPEE  OSSIPEE LAKE

Requested Action:

Impact 610 square feet of bank along 26 linear feet of shoreline to construct a 576 square foot perched beach enclosed by an 8 inch wide timber wall on an average of 210 feet of frontage along Ossipee Lake in Center Ossipee.

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APPROVE PERMIT

Impact 610 square feet of bank along 26 linear feet of shoreline to construct a 576 square foot perched beach enclosed by an 8 inch wide timber wall on an average of 210 feet of frontage along Ossipee Lake in Center Ossipee.

With Conditions:

1. All work shall be in accordance with plans by John Lynch dated December 4, 2017 as revised and received by the NH Department of Environmental Services (DES) on April 4, 2018.

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. Per the direction of the NH Fish and Game, site work shall be conducted prior to June 1 to avoid impacts to a nearby waterfowl nesting.
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. All 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. Materials placed along the beach front for the purpose of retaining sand shall be placed above and landward of the normal high water line (Elevation 407.25). Rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
10. Any steps installed for access to the water shall be located completely landward of the normal high water line.
11. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
12. Any future beach replenishment shall require a new permit.
13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
15. 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 minimum impact project per Administrative Rule Env-Wt 303.04((d) for the construction of a beach.
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.

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2018-00355
HOURIHANE, PATRICK
DOVER BELLAMY RIVER

Requested Action:
Dredge and fill 2,698 square feet (SF) within the previously-developed upland tidal buffer zone to enhance native vegetation in the waterfront buffer, construct a stairway to a porous paver walkway and pool deck with an in-ground pool, attached garage, covered deck and an addition to the existing primary structure. In addition, temporarily impact 814 SF for construction access and implementation.

APPROVE PERMIT
Dredge and fill 2,698 square feet (SF) within the previously-developed upland tidal buffer zone to enhance native vegetation in the waterfront buffer, construct a stairway to a porous paver walkway and pool deck with an in-ground pool, attached garage, covered deck and an addition to the existing primary structure. In addition, temporarily impact 814 SF for construction access and implementation.

With Conditions:
1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated January 2018, and revised through April 19, 2018, last received by the NH Department of Environmental Services (NHDES) on April 23, 2018.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the NHDES Wetlands Bureau and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. Native vegetation within an area of at least 2,637 square feet 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).
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. 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.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of New Hampshire Code of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. 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).
8. To prevent the import or export of invasive plant species to and from the site, the permittee’s contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to or from the site.
9. Restoration of planting areas shall not be considered successful if sites are overrun by invasive species during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to NHDES that proposes measures to be taken to eradicate nuisance species during this same period.
10. Appropriate silting 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.
11. Erosion and silting controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
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 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.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with 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 New Hampshire Code of Administrative Rules 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 New Hampshire Code of Administrative Rules Env-Wt 303.02 or 303.03, respectively.
2. All impacts are to occur landward of the highest observable tide line and within the previously developed upland tidal buffer zone.
3. A NHDES Shoreland permit has been obtained for impacts landward of the tidal buffer zone within the Protected Shoreland (NHDES File #: 2018-00368).
4. A separate NHDES Wetlands Permit application was approved to construct a tidal docking structure consisting of a 4 ft. x 4 ft. access ramp within the developed upland tidal buffer zone to a 4 ft. x 50 ft. permanent pier to a 3 ft. x 40 ft. ramp connecting to a 10 ft. x 14 ft. float, providing one slip on 137 feet of frontage on the Bellamy River (2013-00392).
5. The need for the proposed impacts has been demonstrated by the applicant per administrative rule Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per administrative rule Env-Wt 302.03.
7. The project will result in an approximate 1.7% reduction of impervious surface and improve the quality of runoff from the site through installation of stormwater treatment (infiltration) practices.
8. In correspondence dated November 28, 2017, the applicant provided signed authorization for Ambit Engineering to represent them through the permitting process.
9. 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.
10. The New Hampshire 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 (NHB File ID: NHB17-3542).
11. In correspondence dated February 26, 2018, the City of Dover Conservation Commission reported a unanimous vote to endorse the NHDES Wetlands Permit application, with the condition that a 55 ft. by 10 ft. area of native vegetation be installed in the waterfront buffer.
12. In correspondence dated April 10, 2018, the applicant's agent requested a waiver from NHDES to New Hampshire Administrative Rule Env-Wt 304.04(a) Setback from Property Lines. The existing layout and constraints on the property preclude an alternate layout to increase the setback distance while still accomplishing the proposed work.
13. Reasonable attempt was made to obtain authorization from the abutting property owners and NHDES finds that granting this waiver will not result in an adverse effect to the environment or the natural resources of the state, public health or public safety; or have an impact on abutting properties that is more significant than that which would result from complying with the
rule.
14. No comments of concern were received by DES from abutters or local governing organizations.
15. The subject parcel is partially located in a flood hazard zone, as shown on Flood Insurance Rate Map (FIRM) panel 33017C0340D (effective May 17, 2005).

2018-00376  FEMINO FAMILY INVESTMENT TRUST

FREEDOM OSSIPEE LAKE

Requested Action:

Impact 337 square feet of bank along 21 linear feet of shoreline to construct a 192 square foot perched beach enclosed by a 1 foot wide concrete wall with 6 foot wide access stairs to the beach on an average of 371 feet frontage along Ossipee Lake in Freedom.

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APPROVE PERMIT

Impact 337 square feet of bank along 21 linear feet of shoreline to construct a 192 square foot perched beach enclosed by a 1 foot wide concrete wall with 6 foot wide access stairs to the beach on an average of 371 feet frontage along Ossipee Lake in Freedom.

With Conditions:

1. All work shall be in accordance with plans by Mark E. McConkey dated January 19, 2018 as received by the NH Department of Environmental Services (DES) on February 9, 2018.
2. Stone or other materials 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.
3. Any steps installed for access to the water shall be located completely landward of the normal high water line.
4. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
5. Any future beach replenishment shall require a new permit.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. 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.
8. 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.
9. Temporary access to the project area is limited to the area permitted under Shoreland Permit 2018-00342

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), for the construction of a beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

PERMIT BY NOTIFICATION

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2018-00888  LAKE RIDGE ON MEREDITH BAY ASSOCIATION

MEREDITH LAKE WINNIPESAUKEE
Requested Action:
Repair 10 existing 4 ft. x 30 ft. piling piers, 17 fender pilings, and 5 ice clusters in-kind on 252 feet of shoreline along Lake Winnipesaukee in Meredith.

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PBN IS COMPLETE
Repair/rebuild existing permanent 3 ft. 2 in. x 50 ft., 6 ft. 10 in. x 50, and 39 ft. x 3 ft. piling pier attached to 11 ft. 3 in. x 61 ft 8 in. partial crib and piling support, connected to 6 ft. x 52 ft. wharf covered by 32 ft. x 49 ft. seasonal canopy, install a seasonal boat lift and 2 PWC lifts, repair 12 ft. +/- of existing breakwater by resetting boulders, repair a mortar rock wall with previously fallen out rock and 16 ft. +/- existing rock wall during draw down "in-kind" on 298 linear feet of frontage on 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.
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.

2018-00953
112 EDGEWATER REVOCABLE TRUST OF 2017

GILFORD  LAKE WINNIPESAUKEE

Requested Action:
Repair/rebuild existing permanent 3 ft. 2 in. x 50 ft., 6 ft. 10 in. x 50, and 39 ft. x 3 ft. piling pier attached to 11 ft. 3 in. x 61 ft 8 in. partial crib and piling support, connected to 6 ft. x 52 ft. wharf covered by 32 ft. x 49 ft. seasonal canopy, install a seasonal boat lift and 2 PWC lifts, repair 12 ft. +/- of existing breakwater by resetting boulders, repair a mortar rock wall with previously fallen out rock and 16 ft. +/- existing rock wall during draw down "in-kind" on 298 linear feet of frontage on Lake Winnipesaukee in Gilford.

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2018-00965
MOORES POND ASSN INC

MADISON  MOORE'S POND
Requested Action:

Replenish an existing 1,000 square feet of beach with no more than 10 cubic yards of sand according to plans by Moores Pond Association dated April 20, 2018 and received by NHDES on April 20, 2018 on frontage along Moores Pond in Madison.

PBN IS COMPLETE

Replenish an existing 1,000 square feet of beach with no more than 10 cubic yards of sand according to plans by Moores Pond Association dated April 20, 2018 and received by NHDES on April 20, 2018 on frontage along Moores Pond in Madison.

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 not in a prime wetland 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.

2018-01061 SMITH, PETER

DURHAM OYSTER RIVER

Requested Action:

Repair in-kind an existing tidal docking structure including repairs to existing permanent piling pier, ramp and float.

PBN IS COMPLETE

Repair in-kind an existing tidal docking structure including repairs to existing permanent piling pier, ramp and float.

With Findings:

1. This project meets the criteria of NH Administrative Rule Env-VVt 506.01(a)(5), repair of an existing docking structure that meets the criteria in Env-Wt 303.04(v).

FORESTRY NOTIFICATION

2018-01116 ROY, ELIE

PIKE Unnamed Stream

Conservation Commission/Staff Comments:

4/23/18 Map submitted shows two crossings but the legend indicates three. Tried contacting via phone and email. Approved notification and sent memo w/ tyvek stating that the crossing is not permitted under this notification unless a follow up map showing its location is received. -RAD

4/27/18 Map received corrected map showing the third crossing.
2018-01120           JAMBARD, TOM
HOLLIS  Unnamed Stream

COMPLETE NOTIFICATION
PIKE; TAX MAP# 417; LOT# 67

2018-01161           AMAZEEN, CHRISTINE/PHILIP
NOTTINGHAM  Unnamed Stream

COMPLETE NOTIFICATION
HOLLIS; TAX MAP# 9; LOT# 62

2018-01188           GLENN, HILTON
OSSIPEE  Unnamed Stream

COMPLETE NOTIFICATION
OSSIPEE; TAX MAP# 231; LOT# 026

2018-01192           ROMANOWSKI, JOLANTA
HILL  Unnamed Stream

COMPLETE NOTIFICATION
HILL; TAX MAP# 8; LOT# 15
2018-01194    FREEDOM REALTY TRUST

FREEDOM  Unnamed Stream

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COMPLETE NOTIFICATION
FREEDOM; TAX MAP# 12; LOT# 13

GOLD DREDGE
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2018-01117    BOWER, ROBERT

(ALL TOWNS)  Unnamed Stream

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COMPLETE NOTIFICATION
GOLD DREDGE

2018-01168    MILLER, WILLIAM

(ALL TOWNS)  Unnamed Stream

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COMPLETE NOTIFICATION
GOLD DREDGE

2018-01169    SAWYER, JOHN

(ALL TOWNS)  Unnamed Stream

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COMPLETE NOTIFICATION
GOLD DREDGE

2018-01186    PHAIR, JEREMY

(ALL TOWNS)  Unnamed Stream
LAKES-SEASONAL DOCK NOTIFICATION
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2018-00996 HAMILTON-MENDEZ, LINDA
KINGSTON COUNTRY POND
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2018-01062 MOONEY, CURTIS
HEBRON NEWFOUND LAKE
Requested Action:
Installation of a seasonal pier not to exceed 4 ft. x 40 ft. on frontage along Newfound Lake in Hebron.

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COMPLETE NOTIFICATION
Installation of a seasonal pier not to exceed 4 ft. x 40 ft. on frontage along Newfound Lake in Hebron.

2018-01067 FULLBROOK, MARK/EMMA
WOODSVILLE UPPER MOUNTAIN LAKE
Requested Action:
Installation of a seasonal pier not to exceed 6 ft. x 18 ft. of frontage along Upper Mountain Lake in Woodsville, NH

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COMPLETE NOTIFICATION
Installation of a seasonal pier not to exceed 6 ft. x 18 ft. of frontage along Upper Mountain Lake in Woodsville, NH

2018-01069 PARQUONEY TRUST
HEBRON NEWFOUND LAKE

Requested Action:
Installation of a seasonal pier not to exceed 4 ft. x 24 ft. on frontage along Newfound Lake in Hebron, NH

COMPLETE NOTIFICATION
Installation of a seasonal pier not to exceed 4 ft. x 24 ft. on frontage along Newfound Lake in Hebron, NH

HILLSBORO GOULD POND

2018-01070 LUNDT, LAWRENCE/KRISTI

NEW LONDON PLEASANT LAKE

2018-01137 KENERSON, LAUREY

LEBANON MASCOMA LAKE

2018-01138 BLACK, CHARLES & NANCY
2018-01139
COUROUNIS, PAMELA/TIMOTHY
NEW DURHAM  MERRYMEETING LAKE

Requested Action:
Installation of a seasonal pier not to exceed 6 ft. x 30 ft. on frontage along Merrymeeting Lake in New Durham.

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COMPLETE NOTIFICATION
Installation of a seasonal pier not to exceed 6 ft. x 30 ft. on frontage along Merrymeeting Lake in New Durham.

2018-01140
MCNITT, NANCY/ROBERT B
WOLFEBORO  LAKE WINNIPESAUKEE

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ROADWAY MAINTENANCE NOTIFICATION

2018-01146
ALTON HIGHWAY DEPT, TOWN OF
ALTON  Unnamed Wetland

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2018-01151
ALTON HIGHWAY DEPT, TOWN OF
ALTON  Unnamed Stream

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2018-01153
TOWN OF BEDFORD
BEDFORD  Unnamed Wetland

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2018-01183
EMERALD LAKE VILLAGE DISTRICT
HILLSBORO  Unnamed Wetland
UTILITY NOTIFICATION

2018-01155 TENNESSEE GAS PIPELINE CO.
LONDONDERRY Unnamed Wetland

2018-01156 TENNESSEE GAS PIPELINE CO.
PELHAM Unnamed Wetland

EMERGENCY AUTHORIZATION

2018-00278 HALLOWELL, CLYDE
WINCHESTER ASHUEL OT RIVER

Requested Action:
Emergency Authorization to stabilize an eroded river bank to prevent further loss of land caused by flood flow and ice/debris jams in the Ashuelot River. Work will impact approximately 50 linear feet along the bank; including removal of fallen trees, retaining the root masses in place, re-grading from the slumped toe up to the top of bank using clean, course fill for temporary stabilization until the growing season, when vegetation can be re-established along the bank.

CONFIRM EMERGENCY AUTHORIZATION
Emergency Authorization to stabilize an eroded river bank to prevent further loss of land caused by flood flow and ice/debris jams in the Ashuelot River. Work will impact approximately 50 linear feet along the bank; including removal of fallen trees, retaining the root masses in place, re-grading from the slumped toe up to the top of bank using clean, course fill for temporary stabilization until the growing season, when vegetation can be re-established along the bank.

SHORELAND PERMIT

2013-01339 DI GIANDOMENICO, JAMES/LINDA
CONWAY SACO RIVER
Requested Action:

Request permit time extension. Impact 149,716 sq ft in order to construct a six unit Public Unit Development with associated structures.

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Inspection Date: 05/02/2014 by JEFF D BLECHARCZYK

TIME EXTENSION AGREEMENT
Impact 149,716 sq ft in order to construct a six unit Public Unit Development with associated structures.

With Conditions:
1. All work shall be in accordance with revised plans by Thaddeus Thorne Surveys Inc. dated October 27, 2014 and received by the NH Department of Environmental Services (DES) on November 10, 2014.
2. This permit is contingent on approval by the DES alteration of Terrain Bureau.
3. No more than 20.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 20,799 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).
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.

With Findings:
1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 483-B:5-b, VI and Env-Wq 1406.19.
2. This permit has been extended in accordance with RSA 483-B:5-b, VI and Env-Wq 1406.19.

2017-02808 TOWN OF ANTRIM

ANTRIM GREAT BROOK

Requested Action:

Impact 15,262 square feet of protected shoreland in order to replace deteriorated aluminum box culvert on West Street over Great Brook with a precast concrete butted deck beam bridge.

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APPROVE PERMIT
Impact 15,262 square feet of protected shoreland in order to replace deteriorated aluminum box culvert on West Street over Great Brook with a precast concrete butted deck beam bridge.
With Conditions:
1. All work shall be in accordance with plans by Quantum Construction Consultants dated as revised through February 7, 2018 and received by the NH Department of Environmental Services (NHDES) on March 30, 2018.
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. Within 90 days of the bridge re-opening the permittee shall provide documentation, including photos, showing that all cleared areas outside of the permanent easements have received restoration plantings in accordance with Env-Wq 1412, to the NHDES Wetlands Bureau.
4. 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.
5. 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 permittee.
6. At the completion of the 3 year monitoring period the permittee shall submit a report including photographs of the planted buffer to the Department.
7. Native vegetation within an area of at least 25% of 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).
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.
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters, and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2018-00380

HENNESSY, ROBERT
TUFTONBORO  LAKE WINNIPESAUKEE

Requested Action:
Impact 24,900 square feet (SF) of protected shoreland in order to construct a primary structure with an attached garage, install a septic system, and relocate the existing gravel driveway.

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Conservation Commission/Staff Comments:
2018-04-24: I contacted Kim Tuttle. She did not think that adding a condition on the permit to protect loons from disturbance was necessary.

APPROVE PERMIT
Impact 24,900 square feet (SF) of protected shoreland in order to construct a primary structure with an attached garage, install a septic system, and relocate the existing gravel driveway.
With Conditions:
1. All work shall be in accordance with revised plans by William J. McNair, dated April 10, 2018 and received by the NH Department of Environmental Services (NHDES) on April 23, 2018.
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 6.8% 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 10,285 SF within the 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-R:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetland jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2018-00629 ANDERSEN NH LLC

CHESTERFIELD SPOFFORD LAKE

Requested Action:
Impact 1,200 square feet (SF) of protected shoreland in order to remove pavement and install permeable pavers, dumpster pads, and bioretention areas.

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APPROVE PERMIT
Impact 1,200 square feet (SF) of protected shoreland in order to remove pavement and install permeable pavers, dumpster pads, and bioretention areas.

With Conditions:
1. All work shall be in accordance with revised plans by SVE associates, dated April 23, 2018, and received by the NH Department of Environmental Services (NHDES) on April 23, 2018.
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 53.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless
additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 2,030 SF within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. 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. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2018-00741 SHEEHAN, JOHN

HAVERHILL MOUNTAIN LAKE

Requested Action:
Impact 6,500 square feet (SF) of protected shoreland in order to construct a primary structure with associated potable water, septic system, driveway, and path to water.

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Conservation Commission/Staff Comments:

APPROVE PERMIT
Impact 6,500 square feet (SF) of protected shoreland in order to construct a primary structure with associated potable water, septic system, driveway, and path to water.

With Conditions:
1. All work shall be in accordance with revised plans by Sterling Septic Design & Excavating, dated March 29, 2018, and received by the NH Department of Environmental Services (NHDES) on April 20, 2018.
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 17.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 1960 SF within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project,
and remain in place until all disturbed surfaces are stabilized.

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

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

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

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.


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

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

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**2018-00798**

**THE ROBERT A BISHOP TRUST**

**TUFTONBORO LAKE WINNIPESAUKEE**

Requested Action:

Impact 6,412 square feet (SF) of protected shoreland in order to construct new primary structure and install water line and sewage disposal system.

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**APPROVE PERMIT**

Impact 6,412 square feet (SF) of protected shoreland in order to construct new primary structure and install water line and sewage disposal system.

With Conditions:

1. All work shall be in accordance with revised plans by White Mountain Survey and Engineering Inc., dated April 17, 2018 and received by the NH Department of Environmental Services (DES) on April 19, 2018.

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. 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 impacts to natural ground cover shall occur within the waterfront buffer.

6. No more than 25.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

7. Native vegetation within an area of at least 2,954 square feet 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).

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. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The proposed infiltration trench shall be installed and maintained to effectively absorb and infiltrate stormwater.

14. Photographs documenting the construction of the proposed infiltration trench shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.

15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.


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

15. This permit shall not preclude 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.

2018-00860  BRUMMER II, EDWARD

RINDGE CONTOOCOOK LAKE

Requested Action:

Impact 2,447 square feet (SF) of protected shoreland in order to replace a primary structure and install septic system.

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APPROVE PERMIT

Impact 2,447 square feet (SF) of protected shoreland in order to replace a primary structure and install septic system.

With Conditions:

1. All work shall be in accordance with revised plans by Monadnock Septic Design LLC., revision dated April 17, 2018 and received by the NH Department of Environmental Services (DES) on April 19, 2018.

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 36% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

5. Native vegetation within an area of at least 2,708 square feet 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 infiltration trench and rain garden shall be installed and maintained to effectively absorb and infiltrate stormwater.

11. Photographs documenting the construction of the proposed infiltration trench and rain garden shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The project as proposed will result in 36% of the portion of the lot within protected shorelands being covered by impervious surfaces and therefore subject to the requirements of RSA 483-B:9, V, (g), (1) and (3).

2. The Applicant has submitted drainage calculations showing that the proposed infiltration trenches will have the capacity needed to detain and infiltrate the peak flow rate based on the 10-year, 24-hour storm event as required per RSA 483-B:9, V, (g), (1).

3. The property include lands within the waterfront buffer and as a result the owner has submitted plans indicating the waterfront buffer meets the requirements of RSA 483-B:9, V, (a), (2)(D) in all segments of the waterfront buffer.

2018-00937 ALTA PLAZA TRUST

MOULTONBOROUGH SQUAM LAKE

Requested Action:

Impact 11,568 square feet (SF) of protected shoreland in order to construct a foundation under the existing primary structure, an addition also on a foundation, a shed, and an expanded driveway area.

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APPROVE PERMIT

Impact 11,568 square feet (SF) of protected shoreland in order to construct a foundation under the existing primary structure, an addition also on a foundation, a shed, and an expanded driveway area.

With Conditions:

1. All work shall be in accordance with revised plans by Hambrook Land Surveying revision dated April 25, 2018 and received by the NH Department of Environmental Services (DES) on April 26, 2018.

2. The proposed addition shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from 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 15.9% 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 7,271 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

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

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

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

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

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.


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

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

2018-00946  SCHOFIELD, MELANIE/ROBERT

MOULTONBOROUGH  LAKE WINNIPESAUKEE

Requested Action:
Impact 4,200 square feet (SF) of protected shoreland in order to construct an addition to an existing primary structure, install a patio and reconfigure the existing driveway.

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APPROVE PERMIT
Impact 4,200 square feet (SF) of protected shoreland in order to construct an addition to an existing primary structure, install a patio and reconfigure the existing driveway.

With Conditions:
1. All work shall be in accordance with plans by Ames Associates dated March 29, 2018 and received by the NH Department of Environmental Services (DES) on April 12, 2018.
2. The proposed addition shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from 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 12.3% 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 7,660 square feet 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. 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).
11. No impacts to natural ground cover shall occur within the waterfront buffer.
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.
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
15. This permit shall not preclude 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.
DURHAM   OYSTER RIVER

Requested Action:
Impact 2,560 square feet (SF) of protected shoreland in order to install an extension of sewer from the Town of Durham pump station up RTE 108 to a property located on Stone Quarry Drive.

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APPROVE PERMIT
Impact 2,560 square feet (SF) of protected shoreland in order to install an extension of sewer from the Town of Durham pump station up RTE 108 to a property located on Stone Quarry Drive.

With Conditions:
1. All work shall be in accordance with revised plans by Altus Engineering, Inc. revision dated April 25, 2018 and received by the NH Department of Environmental Services (DES) on April 26, 2018.
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. There shall be no equipment staging at Jackson’s Landing or in adjacent tidal areas as requested by the Natural Heritage Bureau.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, and the tidal-buffer zone. The NH Department of Transportation 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.

2018-01103

SVENDSEN, KRISTEN

NEW DURHAM   MERRYMEETING LAKE

Requested Action:
Impact 3,762 square feet (SF) of protected shoreland in order to construct a driveway, porch and deck with stairs toward the reference line.

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APPROVE PERMIT
Impact 3,762 square feet (SF) of protected shoreland in order to construct a driveway, porch and deck with stairs toward the reference line.
With Conditions:
1. All work shall be in accordance with plans by Michael Parson/Kristen Svendsen dated April 17, 2018 and received by the NH Department of Environmental Services (DES) on April 20, 2018.
2. No more than 12.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Native vegetation within an area of at least 2,500 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:3, V, (b), (2).
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
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.