

CDR 1/21/20  
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## Wetlands Applications Decision Report

Decisions Taken  
01/13/2020 to 01/19/2020

### DISCLAIMER:

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

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

### APPEAL:

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

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

**MAJOR IMPACT PROJECT**

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2019-03181

**WALL, KRISTINE**

**HAMPTON HAMPTON SALT MARSH CONSERVATION AREA**

Requested Action:

Impact a total of 179 square feet within the previously-developed 100-foot tidal buffer zone and 100-foot prime wetland buffer to construct a shed and convert the existing driveway from pavement to pervious pavers.

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APPROVE PERMIT

Impact a total of 179 square feet within the previously-developed 100-foot tidal buffer zone and 100-foot prime wetland buffer to construct a shed and convert the existing driveway from pavement to pervious pavers.

With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on December 19, 2019.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the NHDES and the Hampton Conservation Commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require 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. 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. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
8. No more than 44.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
9. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
13. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
15. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A and RSA 483-B jurisdiction.
16. The pervious driveway shall be constructed and maintained so that it can effectively absorb and infiltrate water.
17. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and confirming the driveway effectively absorbs water, including photographs, shall be submitted to NHDES within 60 days of the completion of construction.

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 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 their project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Administrative Rule Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Administrative Rule Env-Wt 302.04(a)&(c), Requirements for Application Evaluation, has been considered in the design of the project.
4. Impervious surfaces on the property has been reduce from 50.0% to 44.3% with the replacement of the paved driveway with a pervious paver driveway.
5. The applicant satisfactorily addressed Administrative Rule Env-Wt 703.01(b).
6. The project as approved and constructed in adherence to install erosion controls offsets impacts from any increased runoff created by the development.
7. The applicant received written concurrence from the abutter identified on Hampton Tax Map 289 Lot 10 pursuant to New Hampshire Administrative Rule Env-Wt 304.04(a) for impacts within 20-feet of their property.
8. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB19-3032. NHB stated, "It was determined that, although there was a NHB record [...] present in the vicinity, we do not expect that it will be impacted by the proposed project."
9. A letter dated October 25, 2019 from the Hampton Conservation Commission states, "[t]he Conservation Commission does not oppose the granting of this NHDES Standard Dredge and Fill permit with the request that the Commission be notified at the beginning and end of the project. The Conservation Commission willingly waives the 20-day prime wetlands permit period (pursuant to Env-Wt 704.01)."
10. 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.
11. 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.

2019-03242

EVERSOURCE ENERGY

**ANTRIM NORTH BRANCH RIVER**

Requested Action:

Dredge and fill 50 square feet within the bank of Franklin Pierce Lake (impacting 10 linear feet) and 400 square feet within palustrine scrub-shrub and palustrine emergent wetlands to replace 18 utility structures within the L163 transmission line right-of-way. Temporarily impact 116,489 square feet within the bed and bank of Franklin Pierce Lake (7,485 square feet) as well as palustrine forested, palustrine scrub-shrub and palustrine emergent wetlands, for construction access.

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APPROVE PERMIT

Dredge and fill 50 square feet within the bank of Franklin Pierce Lake (impacting 10 linear feet) and 400 square feet within palustrine scrub-shrub and palustrine emergent wetlands to replace 18 utility structures within the L163 transmission line right-of-way. Temporarily impact 116,489 square feet within the bed and bank of Franklin Pierce Lake (7,485 square feet) as well as palustrine forested, palustrine scrub-shrub and palustrine emergent wetlands, for construction access.

With Conditions:

1. All work shall be in accordance with the plan set titled, "L163 & X104 Transmission Lines 2020 Structure Replacement Project" (Sheets 1 to 10) by GZA GeoEnvironmental, Inc. dated January 8, 2020 and Franklin Pierce Lake Details (Sheets 1 to 3) dated January 3, 2020, as received by NHDES January 9, 2020.
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
3. The permittee shall coordinate with the NH Division of Historical Resources to complete the NHDHR project review

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process.

4. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program (Attn: Seta Detzel) and the local conservation commission in writing of the date on which work under this permit is expected to start.
5. 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.
6. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Program within 60 days of final site stabilization.
7. Work shall be done during low flow and in the dry only.
8. The project shall be conducted during frozen and/or dry ground conditions to the extent possible.
9. Extreme precautions shall be taken within riparian areas to prevent unnecessary disturbance of vegetation during construction.
10. There shall be no impacts to streams. No machinery shall enter the water.
11. Prior to the installation of construction mats, the mats shall be inspected for and cleaned of all vegetative matter.
12. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Erosion and siltation control products shall be installed per manufacturer's recommended specifications.
14. 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.
15. 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.
16. Any fill used shall be clean sand, gravel, rock, or other suitable material.
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
18. 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.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
20. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
21. 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.
22. 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.
23. Areas of temporary impact shall be regraded to original contours following completion of work.
24. Mulch used within the wetland restoration areas shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
25. 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.
26. 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 REnv-Wq 1700.
27. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
28. 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.
29. The permittee shall control invasive plant species by measures agreed upon by the NHDES Wetlands Program if any such species is found in the stabilization areas during construction or during the early stages of vegetative establishment.

#### With Findings:

1. This is a Major Impact Project per Administrative Rule Env-Wt 303.02(c), 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 project extends for approximately 6.3 miles between the Stoddard-Antrim town line to the west, and the Antrim-Hillsborough town line to the east.
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. The majority of the project consists of temporary impacts within the existing, maintained right-of-way; work will take place under frozen and/or dry conditions to the extent possible; all stream crossings will be spanned; and existing structures will be cut at ground level to minimize wetland disturbance. Access routes through the right-of-way have been designed to minimize impacts to jurisdictional areas

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where practicable, however, in multiple locations, denials of private access have precluded the selection of the least impacting access route.

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. 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 palustrine, lacustrine and riverine resources, as identified under RSA 482-A:1.
6. No comments from the Antrim Conservation Commission on this application have been received by NHDES.
7. The applicant has addressed comments on the application by the Contoocook and North Branch Rivers Local Advisory Committee (CNBRLAC).
8. The NH Natural Heritage Bureau (NHB) Datacheck Results Letter for the project (NHB File ID NHB19-1164) has determined that although there is a NHB record present in the vicinity of the project, it is not anticipated to be impacted by the project.
9. The US Environmental Protection Agency (EPA) has determined that the project is eligible as proposed for the NH Programmatic General Permit (NH PGP).
10. In accordance with New Hampshire Division of Historical Resources (NHDHR) recommendations, potential impacts to historical resources will be minimized by conducting a Phase I-B survey and coordinating results and further action with NHDHR.
11. 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.

**MINOR IMPACT PROJECT**

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2014-02992

GLENCLIFF HOME / NH DHHS

**BENTON SLIDE BROOK**

Requested Action:

Request permit time extension to dredge and fill 16,948 square feet of an existing impoundment on Slide Brook. Work in jurisdiction includes maintenance dredging of the pond, stabilization of the pond embankments, and repairs to the existing dam.

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**APPROVE TIME EXTENSION**

Dredge and fill 16,948 square feet of an existing impoundment on Slide Brook. Work in jurisdiction includes maintenance dredging of the pond, stabilization of the pond embankments, and repairs to the existing dam.

With Conditions:

1. All work shall be in accordance with plans by Quantum Construction Consultants, LLC. entitled Slide Brook Dame: Glenciff Home (Sheets WIP1 and WIP2) dated 10/08/2014 as received by the Department on January 22, 2015.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and to assure no water quality violations occur.
4. Temporary impacts shall be restored to pre-construction conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
6. Prior to commencing work located within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low

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flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

- 9. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
- 10. Temporary cofferdams shall be entirely removed immediately following construction.
- 11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
- 13. 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.
- 14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
- 15. The permittee shall use best management practice to minimize the likelihood of introducing invasive plants, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*), into new areas.
- 16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 17. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 18. 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.
- 19. 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.
- 20. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

- 1. 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.

2019-01209

**WHIPPLE ROBERTS AND JACKLEEN ROBERTS LIVING TRUST**

**TAMWORTH Unnamed Stream**

Requested Action:

Retain 1,505 SF of impacts within the bed and bank of an unnamed intermittent stream (Tier 1, impacting 91 LF) to install a 34 inch rise, 54 inch span and 64 foot long elliptical culvert, and 235 SF within the bed and bank of another unnamed intermittent stream (Tier 1, impacting 25 LF) to construct a roadway for a nine-lot residential subdivision. Restore 1,250 SF within the bed and bank of an unnamed perennial stream (Tier 1, impacting 116 LF) previously-impacted without a permit.

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Conservation Commission/Staff Comments:

No ConComm response as of 6/10/2019.

**APPROVE AFTER THE FACT**

Retain 1,505 SF of impacts within the bed and bank of an unnamed intermittent stream (Tier 1, impacting 91 LF) to install a 34 inch rise, 54 inch span and 64 foot long elliptical culvert, and 235 SF within the bed and bank of another unnamed intermittent stream (Tier 1, impacting 25 LF) to construct a roadway for a nine-lot residential subdivision. Restore 1,250 SF within the bed and bank of an unnamed perennial stream (Tier 1, impacting 116 LF) previously-impacted without a permit.

With Conditions:

- 1. All work shall be in accordance with plans by HEB Engineers, Inc. dated September 13, 2019 and revised on December 19, 2019, received by the NHDES on December 20, 2019.
- 2. Per Rule Env-Wt 304.09(c), there shall be no further wetlands impact for lot development on any subdivision approval.
- 3. This permit is contingent on review and approval by the NHDES Wetlands Bureau, of the following site-specific plans: detailed dewatering and sediment control plans; detailed erosion control plans; and pollution control methods for pumps, fuel

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stations, and equipment storage. These plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.

4. Not less than five (5) state business days prior to starting work authorized by this permit, the permittee 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.
5. Work within the streams, inclusive of work associated with installation of a temporary cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events. All in-stream work shall be conducted 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.
6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. 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. Erosion control products shall be installed per manufacturers recommended specifications.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
10. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation should be replanted with seedlings of like native species and seeded with a conservation mix and mulched within three (3) days of the completion of the disturbance.
11. No machinery shall enter the water.
12. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
13. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
15. 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.
16. The turbidity controls shall be entirely removed within 2 days after work within the controls is completed and water has returned to normal clarity.
17. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Common Reed. The contractor responsible for work shall appropriately address invasive species in accordance with the NH Department of Transportation Best Management Practices for the Control of Invasive and Noxious Plant Species (2018).
18. 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. Restoration shall not be considered successful if sites are invaded by nuisance 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.
19. Only native plant species shall be used to revegetate the riverbank.
20. A Certified Wetlands Scientist or Qualified Professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Program within 60 days of final site stabilization.

With Findings:

1. This is a Minor Project per NH Administrative Rules Env-Wt 303.03(l), altering the course of or disturbing between 50 and 200 LF of an intermittent or perennial non-tidal stream or river channel or its banks
2. The project will construct a roadway for a nine-lot residential subdivision on the property.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03 as they will only impact the stream beds and banks to the degree necessary. Previously-installed culvert installed for a perennial stream crossing will be removed, the stream bed and bank restored, and the stream will be crossed using a fully-spanning bridge. In addition, a proposed twin culvert was replaced with an elliptical culvert at the request of NH Department of Fish & Game (DF&G).
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has addressed the stream crossing rules of Chapter Env-Wt 900.
6. Neither the Town of Tamworth Conservation Commission nor any abutters provided comments on the project.

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7. In a review letter dated February 27, 2019, the NH Natural Heritage Bureau (NHB) stated that there are records of sensitive species in the vicinity of the proposed project. NHHNB referred the agent to the NHDF&G for resolution of potential impacts. NHDF&G requested verification that no vernal pools exist on the property. This verification was provided by the agent on October 25, 2019. NHDF&G concerns regarding voiding double culverts and use of wildlife-friendly vegetative matting were incorporated into the design. An on-site survey was conducted in order to verify that the sensitive plant species present in the vicinity of the proposed project was not present on the property, resolving this issue.

8. The NH Division of Historical Resources reviewed the project on June 6, 2019, finding that they were unable to comment on historic properties are affected, due to the after-the-fact nature of the project.

2019-01624

USDA FOREST SERVICE

### BENTON LONG POND

#### Requested Action:

Dredge and fill 3,480 square feet (SF) within the bed and banks of Long Pond (impacting 43 linear feet (LF)) and 682 SF within the bed and bank of Whitcher Brook (Tier 3, impacting 18 LF) to repair the Long Pond Dam, including replacement of the existing pond drain outlet and slide gate. In addition, temporarily impact 1,338 SF within the bed and bank of Long Pond and Whitcher Brook (impacting 68 LF) for the placement of siltation controls during the project.

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#### APPROVE PERMIT

Dredge and fill 3,480 square feet (SF) within the bed and banks of Long Pond (impacting 43 linear feet (LF)) and 682 SF within the bed and bank of Whitcher Brook (Tier 3, impacting 18 LF) to repair the Long Pond Dam, including replacement of the existing pond drain outlet and slide gate. In addition, temporarily impact 1,338 SF within the bed and bank of Long Pond and Whitcher Brook (impacting 68 LF) for the placement of siltation controls during the project.

#### With Conditions:

1. All work shall be in accordance with plans by Fuss & O'Neill dated August 2, 2018 and revised on January 15, 2020, received electronically by the NHDES on January 15, 2020.
2. Not less than five (5) state business days prior to starting work authorized by this permit, the permittee 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. Work within the lake and river, inclusive of work associated with installation of a cofferdam or turbidity curtain, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events. All in-stream work shall be conducted 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.
4. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
5. 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. Erosion control products shall be installed per manufacturers recommended specifications.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation should be replanted with seedlings of like native species and seeded with a conservation mix and mulched within three (3) days of the completion of the disturbance.
9. No machinery shall enter the water.
10. 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.
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

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staged and refueled in upland areas only.

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. The turbidity controls shall be entirely removed within 2 days after work within the controls is completed and water has returned to normal clarity.
15. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Common Reed. The contractor responsible for work shall appropriately address invasive species in accordance with the NH Department of Transportation Best Management Practices for Roadside Invasive Plants (2008).
16. 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. Restoration shall not be considered successful if sites are invaded by nuisance 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.
17. Only native plant species shall be used to revegetate the riverbank.
18. A Certified Wetlands Scientist or Qualified Professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Bureau within 60 days of final site stabilization.

With Findings:

1. This is a Minor Project per NH Administrative Rule Env-Wt 303.03(h)(1), as the project impacts more than 3,000 SF but less than 20,000 SF of wetlands and Env-Wt 303.03(k) and (l), as the project impacts between 50 and 200 LF of the lake and the stream.
2. The project proposes to repair cracking, leakage, and spalling in the concrete structure that contains the pond drain outlet pipe and slide gate. In addition, repairs to the Bay Wall vertical and horizontal cracks and leakage and surface sealing of the retaining walls on the downstream side of the Ogee spillway where some seepage is observed.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03 as they will only impact the lake and river channel and their banks to the degree necessary.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Town of Benton Conservation Commission, the abutters, and the public provided no comments regarding the project.
6. In a review dated October 25, 2016, the NH Division of Historical Resources program stated that the project will have "no adverse effect" upon historical resources.
7. NH Department of Fish and Game (DFG) has identified Whitcher Brook as a predictive coldwater fishery.
8. In a review letter dated July 10, 2019, the NH Natural Heritage Bureau (NHB) identified recorded occurrences of sensitive species in the vicinity of the proposed project. Subsequent email communications between the agent and NHB and NH Department of Fish and Game resolved project timing issues.

2019-02463

**STEPHEN S LAWRENCE REVOCABLE TRUST**

**DOVER PISCATAQUA RIVER**

Requested Action:

Impact 191 square feet of previously developed upland tidal buffer zone to stabilize approximately 56 linear feet along an eroding shoreline with embedded boulder toe-protection and native plantings. In addition, temporarily impact 443 square feet landward of the highest observable tide line for construction access and boulder placement, plus 45 square feet of permanent impact landward of the highest observable tide line for planting installation. Additionally, the project includes 14 square feet of temporary impact to tidal wetlands for in-kind replacement of six existing 4x4-inch docking structure posts (to be done by hand) and 10 square feet of permanent impact landward of the highest observable tide line to install a new anchoring pad and granite steps to access the existing docking structure.

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01/13/2020 to 01/19/2020

Inspection Date 09/30/2019 by STEFANIE M GIALLONGO

#### APPROVE PERMIT

Impact 191 square feet of previously developed upland tidal buffer zone to stabilize approximately 56 linear feet along an eroding shoreline with embedded boulder toe-protection and native plantings. In addition, temporarily impact 443 square feet landward of the highest observable tide line for construction access and boulder placement, plus 45 square feet of permanent impact landward of the highest observable tide line for planting installation.

Additionally, the project includes 14 square feet of temporary impact to tidal wetlands for in-kind replacement of six existing 4x4-inch docking structure posts (to be done by hand) and 10 square feet of permanent impact landward of the highest observable tide line to install a new anchoring pad and granite steps to access the existing docking structure.

#### With Conditions:

1. All work shall be in accordance with plans by Berry Surveying & Engineering dated August 07, 2019, revised through December 16, 2019, last received by the New Hampshire Department of Environmental Services (NHDES) on December 17, 2019.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program (Stefanie.Giallongo@des.nh.gov) and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. In accordance with the approved plan and narratives, the single course of 2-3 foot boulders shall be embedded 12-18-inches, and the top height of the boulders shall not exceed the height of the existing wall.
4. Prior to construction, offset stakes shall be set temporarily in the tidal wetland area to ensure that the placement of the boulder toe protection maintains the existing toe of slope and will not encroach further into the tidal wetland area.
5. In accordance with the approved plan and narratives, replacement of the existing docking posts shall be done by hand.
6. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur.
7. Prior to construction, the permittee shall notify the NHDES Wetlands Bureau (Stefanie.Giallongo@des.nh.gov) of the certified wetlands scientist or qualified professional, as applicable, who will be responsible for monitoring and ensuring that the project is constructed in accordance with the approved plans. The permittee shall re-notify the NHDES Wetlands Bureau if the identity of the individual changes during the project.
8. 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 Wetlands Bureau within 60 days of the completion of construction.
9. The NHDES Wetlands Bureau may require subsequent monitoring and/or corrective measures if the project area is deemed inadequately stabilized or not constructed in accordance with the approved plans and narratives.
10. Work shall be conducted during low tide only. No machinery shall be operated in surface waters.
11. All work shall take place from the upland and no equipment shall be operated from within tidal wetland areas.
12. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. 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.
15. All temporary work areas shall be restored to original condition following completion of construction.
16. Any further work in jurisdiction, as specified in RSA 482-A, on this property will require a new application and approval by the NHDES Wetlands Bureau.
17. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and New Hampshire Administrative Rule Chapter Env-Wq 1400 during and after construction.
18. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
19. Appropriate siltation, erosion and turbidity controls to protect from the occurrence of sedimentation during tidal cycles 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.
20. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
21. 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).
22. Erosion control products shall be installed per manufacturers recommended specifications.
23. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or

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wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

24. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
25. 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.
26. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

With Findings:

1. This is a Minor Project per New Hampshire Administrative Rule Env-Wt 303.03(b) and (k), as it will disturb between 50 and 200 linear feet of shoreline within 50 feet of a salt marsh.
2. 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 New Hampshire Administrative Rule Env-Wt 302.03.
3. The applicant has designed the replacement shoreline stabilization measure with a combination of bioengineering planted with native species and boulders embedded at the toe of the slope.
4. Work will be done at low tide and from the upland.
5. In accordance with New Hampshire Administrative Rule Env-Wt 303.02(c)(2)d., compensatory mitigation is not required.
6. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
7. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB19-2284) stated that "although there was a NHB record [...] in the vicinity, we do not expect that it will be impacted by the proposed project."
8. No comments of concern were received by NHDES from abutters or local governing organizations.
9. Signed authorization was obtained from the abutting land owners, to which this project will have jurisdictional impacts within 20 feet of the shared property boundary.
10. NHDES staff conducted field inspections of the subject site on September 30 and October 25, 2019.

2019-02654

DARTMOUTH COLLEGE

**HANOVER Unnamed Wetland**

Requested Action:

Dredge and fill 9,997 square feet within palustrine forested wetlands to construct an access road and supporting infrastructure for a new groundwater remediation system to remove contaminated groundwater.

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APPROVE PERMIT

Dredge and fill 9,723 square feet within palustrine forested wetlands to construct an access road and supporting infrastructure for a new groundwater remediation system to remove contaminated groundwater.

With Conditions:

1. All work shall be in accordance with the plan set titled, "Dartmouth College Rennie Farm Off-Site Groundwater Remediation Project" by GZA GeoEnvironmental, Inc. dated July 2019, as revised January 2020 and received by NHDES on January 9, 2020.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
3. Following the completion of the Rennie Farm Off-Site Remediation Project implemented by Dartmouth College on this property, wetland impacts shall be restored. The roadway fills, culverts and geotextile fabric shall be removed and the wetland shall be restored to reflect the Existing Conditions Plan of this permit. All restoration activities shall have a valid Wetlands Permit pursuant to RSA 482-A.
4. This permit is not valid and effective until it has been recorded with the Grafton 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 NHDES Wetlands Program by certified mail, return receipt requested.
5. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program (Attn: Seta Detzel) and the local conservation commission in writing of the date on which work under this permit is expected to start.
6. Prior to construction, all wetland and surface water boundaries adjacent to construction areas shall be clearly marked to

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prevent unintentional encroachment on adjacent wetlands and surface waters.

7. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Program within 60 days of final site stabilization.

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. Erosion and siltation control products shall be installed per manufacturer's recommended specifications.

10. 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.

11. 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.

12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.

13. 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. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.

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

16. Filter fabric shall be installed under the riprap.

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

18. 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.

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

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

21. 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.

22. 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.

23. 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.

24. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for the Control of Invasive and Noxious Plant Species (2018).

25. 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.

26. The permittee shall control invasive plant species by measures agreed upon by the NHDES Wetlands Program if any such species is found in the stabilization areas during construction or during the early stages of vegetative establishment.

#### With Findings:

1. This is a Minor Impact Project per Administrative Rule Env-Wt 303.02(h), for projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).

2. A temporary easement on Hanover Tax Map 16 / Lot 7 has been granted to Dartmouth College to construct the project.

3. Wetland impacts consist of 450 linear feet of fill for a new roadway and installation of five equalizer culverts to maintain hydrologic connectivity within the wetland.

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 Rule Env-Wt 302.03. The purpose of the project is to capture a delineated 1,4 dioxane plume and recover the contamination, which cannot be accomplished from an alternate location; the access road has been designed for a 10 foot width and utilizes uplands where practicable; above-ground cables are utilized where practicable to avoid wetland dredging; impacts to Hewes Brook and tributaries have been avoided; the applicant has reduced the scope of the project to maintain the natural drainage pattern to the extent practicable; and the permit has been conditioned for the removal and restoration of the wetland impacts when the remediation project is complete.

5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a), Requirements for

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Application Evaluation, has been considered in the design of the project.

6. No comments from the Hanover Conservation Commission on this application were received by NHDES.
7. 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 palustrine resource, as identified under RSA 482-A:1.
8. The NH Natural Heritage Bureau (NHB) Datacheck Results Letter (File ID NHB19-0593) has determined that there are currently no recorded occurrences for sensitive species near the project area.
9. Compensatory mitigation shall not be required in accordance with Rule Env-Wt 302.03(c)(2)(b), for projects that impact less than 10,000 square feet of wetlands but otherwise qualify as minor impact in accordance with Rule Env-Wt 303.03.

2019-03393

NHDES DAM BUREAU

#### HARRISVILLE HOWE RESERVOIR

##### Requested Action:

Dredge and fill 488 square feet within the shoreline (impacting 40 linear feet) of Howe Reservoir and within the bank of a perennial stream (impacting 24 linear feet) to stabilize the shoreline and right embankment of Howe Reservoir Dam. Temporarily impact 836 square feet within the perennial stream bank (30 linear feet) for staging and erosion and siltation control.

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##### APPROVE PERMIT

Dredge and fill 488 square feet within the shoreline (impacting 40 linear feet) of Howe Reservoir and within the bank of a perennial stream (impacting 24 linear feet) to stabilize the shoreline and right embankment of Howe Reservoir Dam. Temporarily impact 836 square feet within the perennial stream bank (30 linear feet) for staging and erosion and siltation control.

##### With Conditions:

1. All work shall be in accordance with plans by NHDES Dam Bureau, dated October 2019, and revised through January 2020, as received by the NH Department of Environmental Services (NHDES) on October 25, 2019, December 18, 2019, and January 10, 2020.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program 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. 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. 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 before such equipment is moved to the site.
7. There shall be no impacts to the stream bed.
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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. 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.
11. Erosion control products shall be installed per manufacturers recommended specifications.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge and fill area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
13. 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.
14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

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15. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
17. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
18. Any fill used shall be clean sand, gravel, rock, or other suitable material.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
20. Areas of temporary wetland impact shall be regraded to original contours following completion of work.

With Findings:

1. This is a Minor Impact Project per Administrative Rule Env-Wt 303.03(I), as this project disturbs less than 200 linear feet of a perennial non-tidal stream bank and does not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. 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 proposed project aims to improve dam safety by addressing erosion and leakage of Howe Reservoir Dam, a High Hazard Dam owned by the NHDES Dam Bureau. The proposed project completely avoids impacts to the bed of the perennial stream that outlets the impoundment.
3. 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.
4. The project proposes shoreline and stream bank impacts in order to address leakage and erosion and improve dam safety by constructing a concrete retaining wall on the north end of the dam, installing concrete block along a portion of the upstream shoreline of the impoundment, and placing rip-rap in a section of the downstream right embankment.
5. The New Hampshire Natural Heritage Bureau (NHB) has reviewed the proposed project (NHB19-2974) and determined that there are no recorded occurrences of sensitive species near the project area, per the letter dated September 16, 2019.
6. No comments were received by NHDES from abutters.
7. The Harrisville Conservation Commission has not provided comments to NHDES regarding this Wetland Application.
8. On September 6, 2019 a pre-application meeting was held with NHDES and Dam Bureau staff.
9. On December 13, 2019 a Request for More Information letter (RFMI) was issued for the Wetland Permit Application.
10. On December 18, 2019 the RFMI response was received by NHDES, and on January 10, 2020 additional clarification on the project was received by NHDES.
11. Pursuant to RSA 310-A:79 (III), this project was delineated by an employee of the state of New Hampshire while engaged within this state in the practice of the profession of wetland science for the government.

2019-03708

CAROLINA COTTAGE TRUST

BRISTOL NEWFOUND LAKE

Requested Action:

Construct 6 foot x 26 foot piling pier accessed by a 4 foot x 26 foot piling pier and install two 3-pile ice clusters and two tie-off piles on an average of 155 feet of shoreline frontage along Newfound Lake in Bristol.

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APPROVE PERMIT

Construct 6 foot x 26 foot piling pier accessed by a 4 foot x 26 foot piling pier and install two 3-pile ice clusters and two tie-off piles on an average of 155 feet of shoreline frontage along Newfound Lake in Bristol.

With Conditions:

1. All work shall be in accordance with plans by Advantage NH Lakes dated November 13, 2019 and as received by the NH Department of Environmental Services (NHDES) on November 27, 2019.
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.

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4. 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.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
9. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
10. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
11. No portion of the piers shall extend more than 52 feet from the shoreline at full lake elevation (Elevation 504.32).
12. 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.
13. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of any docking system that provides for 3 slips.
2. 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.
3. 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.
4. The applicant has an average of 155 feet of shoreline frontage along Newfound Lake.
5. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
7. Applicant has provided the Department with evidence that there is insufficient water depth to provide boat slips along the standard pier length as required by Env-Wt 402.03(b)(2).
8. The Department has accepted the evidence of the physical hardship and approved the construction of a permanent pier beyond that permissible under Env-Wt 402.03(a)(1).

**MINIMUM IMPACT PROJECT**

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2019-03715

OCHLIS, ADAM  
TAPPER, EVE

**NEWBURY SUNAPEE LAKE**

Requested Action:

Replace an existing 8 foot x 20 foot seasonal pier, in-kind, remove an existing 8 foot x 10 foot concrete hinge pad and install a 4 foot x 8 foot concrete hinge pad and a single seasonal boatlift on an average of 79 feet of shoreline frontage along Sunapee Lake in Newbury.

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**APPROVE PERMIT**

Replace an existing 8 foot x 20 foot seasonal pier, in-kind, remove an existing 8 foot x 10 foot concrete hinge pad and install a 4 foot x 8 foot concrete hinge pad and a single seasonal boatlift on an average of 79 feet of shoreline frontage along Sunapee Lake in Newbury.

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With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated October 24, 2019 and received by the NH Department of Environmental Services (NHDES) on December 2, 2019.
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 NHDES Wetlands Program by certified mail, return receipt requested.
3. The repairs shall maintain the size, location, and configuration of the pre-existing structures
4. 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.
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. 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. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
10. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
11. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
12. The proposed anchoring pad shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
13. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
14. 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.
15. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

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 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.
3. 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.
4. This application was filed and deemed complete prior to December 15, 2019, and therefore, was reviewed for compliance with Administrative Rules Chapters Env-Wt 100 - 900 in effect on the date of filing.

2019-03873

LORING, LORAINÉ

JEFFERSON

Requested Action:

Retain a total of 1,292 square feet, including 1,260 square feet permanent and 32 square feet temporary, of fill in a wet meadow wetland to construct a shared driveway to serve two single family dwellings and provide access to fields for mowing/haying and field maintenance.

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APPROVE AFTER THE FACT

Retain a total of 1,292 square feet, including 1,260 square feet permanent and 32 square feet temporary, of fill in a wet meadow wetland to construct a shared driveway to serve two single family dwellings and provide access to fields for

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mowing/haying and field maintenance.

**With Conditions:**

1. All work shall be in accordance with plans by Sterling Septic Design & Excavating dated December 31, 2018 as received by the NH Department of Environmental Services (NHDES) on December 13, 2019.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.

**With Findings:**

1. This is a Minimum Impact Project per New Hampshire Administrative Rule Env-Wt 303.04 (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows.
2. 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 New Hampshire Administrative Rule Env-Wt 302.03. The applicant has demonstrated that a shared driveway is the alternative with the least impact to wetlands.
3. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. The Natural Heritage Bureau (NHB) report submitted with the application dated August 18, 2018 (NHB18-2479) stated that NHB currently have no recorded occurrences for sensitive species near this project vicinity. Follow up correspondence dated December 12, 2019 between the applicant and NHB confirmed there are still no recorded occurrences for sensitive species near this project.
5. The Jefferson Conservation Commission signed the NHDES application waiving its right to intervene, believes that the application and submitted plans accurately represent the proposed project, and has no objection to permitting the proposed work.

**X-EXPEDITED MINIMUM**

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**2019-03705**

**DAVIES, DANA/STUART**

**TUFTONBORO LAKE WINNIPESAUKEE**

**Requested Action:**

Remove an unauthorized ice cluster and repair an existing 1,415 square foot boathouse with associated docking and single three pile ice cluster, in-kind, on an average of 158 feet of shoreline frontage along Lake Winnepesaukee in Tuftonboro.

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**APPROVE PERMIT**

Remove an unauthorized ice cluster and repair an existing 1,415 square foot boathouse with associated docking and single three pile ice cluster, in-kind, on an average of 158 feet of shoreline frontage along Lake Winnepesaukee in Tuftonboro.

**With Conditions:**

1. All work shall be in accordance with revised plans by Advantage NH Lakes revision dated January 6, 2020 and received by the NH Department of Environmental Services (NHDES) on January 10, 2020.
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 NHDES Wetlands Program by certified mail, return receipt requested.
3. The unauthorized ice protection cluster shall be completely removed prior to any work authorized under this permit.
4. The repairs shall maintain the size, location, and configuration of the pre-existing structures
5. 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-WWq 1400 during and after construction.
6. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.

7. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. 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. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
11. Only those structures shown on the approved plans shall be repaired along this frontage.
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. 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.
14. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

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 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.
3. 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.
4. This application was filed and deemed complete prior to December 15, 2019, and therefore, was reviewed for compliance with Administrative Rules Chapters Env-Wt 100 - 900 in effect on the date of filing.

2019-03706

**SQUAM POINT LODGE CONDO ASSN**

**ASHLAND LITTLE SQUAM LAKE**

Requested Action:

Impact 85 square feet of bank in order to repair 64 linear feet of existing retaining wall, in kind, on 399 linear feet of shoreline frontage along Little Squam Lake in Ashland.

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APPROVE PERMIT

Impact 85 square feet of bank in order to repair 64 linear feet of existing retaining wall, in kind, on 399 linear feet of shoreline frontage along Little Squam Lake in Ashland.

With Conditions:

1. All work shall be in accordance with revised plans by Advantage NH Lake revision dated January 6, 2020 and received by NHDES on January 13, 2020.
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. Replacement of existing retaining wall shall be performed "in the dry" during drawdown of waters, and shall result in no change in height, length, location, or configuration.
5. Any work requiring deployment of a cofferdam shall be designed and supervised by a professional engineer.
6. The proposed 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.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. 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.

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

10. 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. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

12. 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.

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

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

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of an existing retaining wall that results in no change in height, length, location, or configuration.

2. 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.

3. 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.

4. This application was filed and deemed complete prior to December 15, 2019, and therefore, was reviewed for compliance with Administrative Rules Chapters Env-Wt 100 - 900 in effect on the date of filing.

**X-PERMIT BY NOTIFICATION**

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2019-03748

VICTORY MARVIN 2012 REAL, VICTORY MARVIN 2012 REAL

**ALTON LAKE WINNIPESAUKEE**

**Requested Action:**

Repair an existing breakwater and 4 foot x 31 foot attached to a 4 foot x 25 foot cantilevered pier, in kind, on an average of 263 feet of frontage along Lake Winnepesaukee in Alton and in accordance with plans by Watermark Marine Construction dated January 4, 2020 and received by NH Department of Environmental Services (NHDES) on January 9, 2020.

\*\*\*\*\*

**PBN IS COMPLETE**

Repair an existing breakwater, and 4 foot x 31 foot and 4 foot x 25 foot cantilevered pier, in kind, on an average of 263 feet of frontage along Lake Winnepesaukee in Alton and in accordance with plans by Watermark Marine Construction dated January 4, 2020 and received by NH Department of Environmental Services (NHDES) on January 9, 2020.

**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 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.

3. 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.

**SHORELAND STANDARD**

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**2018-03752**

**HILARY JOHNSTON TRUST**

**MOULTONBOROUGH LAKE WINNIPESAUKEE**

**Requested Action:**

The applicant requested the permit be amended to reconfigure the footprint of the proposed primary structure and other landscaping changes. The department will also correct the permit description to reflect the correct square feet of impact area permitted.

\*\*\*\*\*

**APPROVE AMENDMENT**

Impact 19,900 square feet of protected shoreland in order to remove the existing primary structure, construct a new primary structure, reconfigure the driveway, install a new septic system, and other landscaping improvements.

**With Conditions:**

1. All work shall be in accordance with plans by Ames Associates, dated December 12, 2019 and received by the NH Department of Environmental Services (NHDES) on December 20, 2019.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 4,545 square feet within the Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
14. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2019-03075**

**BOURQUE, JAMES**

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**NEWTON COUNTRY POND**

Requested Action:

Impact 1,540 square feet of protected shoreland in order to construct a primary structure with a pervious driveway and install a septic tank.

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APPROVE PERMIT

Impact 1,540 square feet of protected shoreland in order to construct a primary structure with a pervious driveway and install a septic tank.

With Conditions:

1. All work shall be in accordance with plans by V.W. Dingman Consulting dated March 13, 2019 and revised on January 9, 2020 as received by the NH Department of Environmental Services (NHDES) on January 10, 2020.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 12.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. 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.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03501

**BIRD, GREGORY**

**BARNSTEAD SUNCOOK LAKES**

Requested Action:

Impact 9,183 square feet of protected shoreland in order to construct a garage, pervious driveway and upgrade existing septic system.

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**APPROVE PERMIT**

Impact 9,183 square feet of protected shoreland in order construct a garage, pervious driveway and upgrade existing septic system.

With Conditions:

1. All work shall be in accordance with plans by Fieldstone Land Consultants, PLLC., dated October 30, 2019 and received by the NH Department of Environmental Services (NHDES) on October 31, 2019.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
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.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03550

**ARCIDIACONO, BARBARA**

**DERRY BEAVER LAKE**

Requested Action:

Applicant requests an after the fact approval to retain 456 square feet of impacts to protected shoreland in order to reconstruct a reconfigured deck onto the primary structure.

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**APPROVE AFTER THE FACT**

Retain 456 square feet of impacts to protected shoreland associated within protected shoreland in order to reconstruct and reconfigured deck onto the primary structure.

With Conditions:

1. Structures shall be maintained as depicted on plans received by the NH Department of Environmental Services (NHDES) on November 5, 2019.

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2. No more than 7.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
3. Native vegetation within an area of at least 55 square feet 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).
4. Any remaining 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.
5. This permit shall not be interpreted as acceptance or approval of any impact that occurred within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
6. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the other structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03598

KOZSAN, STEVE

**LACONIA LAKE WINNIPESAUKEE**

Requested Action:

Impact 2,768 square feet of protected shoreland in order to rebuild retaining walls, construct a patio, a patio with fire pit, and walkway, and landscaping with stormwater management.

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APPROVE PERMIT

Impact 2,768 square feet of protected shoreland in order to rebuild retaining walls, construct a patio, a patio with fire pit, and walkway, and landscaping with stormwater management.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscape Co. Inc. dated October 18, 2019 and revised on January 7, 2020 as received by the NH Department of Environmental Services (NHDES) on January 10, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 25.1% 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 546 square feet 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. The proposed stormwater retention basin shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed stormwater retention basin shall be submitted to the Department within 30 days of the completion of construction.
11. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction

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

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.

2019-03659

KING, CHRISTOPHER/LIZA

### WAKEFIELD GREAT EAST LAKE

#### Requested Action:

Impact 18,433 square feet of protected shoreland in order to remove non-conforming primary structure with a screened porch and 2 sets of steps to construct a more nearly conforming primary structure with screened porch, 3 sets of steps, and stormwater management, a detached garage with a porch and stormwater management, a driveway with parking areas, landscaping, and installation of a septic system portions.

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#### APPROVE PERMIT

Impact 18,433 square feet of protected shoreland in order to remove non-conforming primary structure with a screened porch and 2 sets of steps to construct a more nearly conforming primary structure with screened porch, 3 sets of steps, and stormwater management, a detached garage with a porch and stormwater management, a driveway with parking areas, landscaping, and installation of a septic system portions.

#### With Conditions:

1. All work shall be in accordance with plans by Terrain Planning & Design, LLC dated September 3, 2019 and revised on January 7, 2020 as received by the NH Department of Environmental Services (NHDES) on January 7, 2020.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 26.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,504 square feet 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. The proposed infiltration trenches shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed infiltration trenches 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.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and

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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.

2019-03733

SOPP, EDWIN

**EAST WAKEFIELD PINE RIVER POND**

Requested Action:

Impact 3,977 square feet of protected shoreland in order to demolish the nonconforming primary structure to construct an enlarged nonconforming primary structure with stormwater management, construct a retaining wall, and install a septic system.

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APPROVE PERMIT

Impact 3,977 square feet of protected shoreland in order to demolish the nonconforming primary structure to construct an enlarged nonconforming primary structure with stormwater management, construct a retaining wall, and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by Jacob Marc McConkey dated November 11, 2019 and received by the NH Department of Environmental Services (NHDES) on December 4, 2019.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 23.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,995 square feet 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. The proposed drip line trenching shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed drip line trenching 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.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or

grandfathered.

2019-03828

YMCA CAMP BELKNAP

**TUFTONBORO LAKE WINNIPESAUKEE**

Requested Action:

Applicant requests an after the fact approval to retain 4,083 square feet of impacts to protected shoreland associated with 3 tent platforms, 2 privy locations, and walkways.

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APPROVE AFTER THE FACT

Applicant requests an after the fact approval to retain 4,083 square feet of impacts to protected shoreland associated with 3 tent platforms, 2 privy locations, and walkways.

With Conditions:

1. Structures on this property shall be maintained as depicted on the plans by White Mountain Survey & Engineering, Inc. dated December 3, 2019 and revised on January 7, 2020 as received by the NH Department of Environmental Services (NHDES) on January 7, 2020.
2. No more than 1.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
3. Native vegetation within an area of at least 106,602 square feet 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).
4. Any remaining 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.
5. This permit shall not be interpreted as acceptance or approval of any impact that occurred within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
6. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the other structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
7. Any further alteration of areas on this property that are within the jurisdiction of DES will require a new application and further permitting by the Bureau.

2019-03939

SOLHEID, LEANDER/SHERLYN

**MEREDITH LAKE WINNIPESAUKEE**

Requested Action:

Impact 2,175 square feet of protected shoreland in order to construct a pervious patio with steps and 2 pervious walkways with steps and rebuild a patio in kind with pervious materials with a temporary access to the work area.

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Impact 2,175 square feet of protected shoreland in order to construct a pervious patio with steps and 2 pervious walkways with steps and rebuild a patio in kind with pervious materials with a temporary access to the work area.

01/13/2020 to 01/19/2020

With Conditions:

1. All work shall be in accordance with plans by Stephens Landscaping Professionals, LLC dated November 7, 2019 and received by the NH Department of Environmental Services (NHDES) on December 16, 2019.
2. Orange construction fencing shall be installed at the limits of the temporary impact areas 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 25.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 3,950 square feet 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. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
14. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03942

KERRIGAN, ED

LEBANON MASCOMA RIVER

Requested Action:

Impact 48,182 square feet of protected shoreland in order to construct a 12,175 square foot four story mixed use planned development, which includes 26 residential units and a 4,600 square feet of commercial space. The project includes, a basement level parking garage, a new upper and lower parking lot, drive access, curbing, retaining walls, sidewalk, water and sanitary sewer services, storm drainage treatment and collection system and associated utility work.

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APPROVE PERMIT

Impact 48,182 square feet of protected shoreland in order to construct a 12,175 square foot four story mixed use planned development, which includes 26 residential units and a 4,600 square feet of commercial space. The project includes, a basement level parking garage, a new upper and lower parking lot, drive access, curbing, retaining walls, sidewalk, water and sanitary sewer services, storm drainage treatment and collection system and associated utility work.

With Conditions:

1. All work shall be in accordance with plans by Engineering Ventures PC dated October 3, 2019 and received by the NH Department of Environmental Services (DES) on December 16, 2019.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans

01/13/2020 to 01/19/2020

- 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 61% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
  4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
  5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
  8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
  9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
  10. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
  11. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
  12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
  13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
  14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The 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.

2019-03946

LAUSTEN, MARK

**NEWBURY TODD LAKE**

Requested Action:

Impact 3,730 square feet of protected shoreland in order to install a septic system.

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APPROVE PERMIT

Impact 3,730 square feet of protected shoreland in order to install a septic system.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs dated December 2019 and received by the NH Department of Environmental Services (NHDES) on December 16, 2019.
2. This permit is contingent on approval 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 area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 1,178 square feet 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.

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- 8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
- 9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
- 13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03957

MOCERA, JAMES

**BELMONT SILVER LAKE**

Requested Action:

Retain 46 square feet of impact associated with the construction of a deck.

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APPROVE AFTER THE FACT

Retain 46 square feet of impact associated with the construction of a deck.

With Conditions:

- 1. Structures on this property shall be maintained as depicted on plans received by the NH Department of Environmental Services (NHDES) on December 17, 2019.
- 2. Any further alteration of areas on this property that are within the jurisdiction of NHDES will require a new application and further permitting by the Bureau.
- 3. All future development activities on this property shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400.

2019-03961

PERIN, RANDY/VICTOR

**ALLENSTOWN SUNCOOK RIVER**

Requested Action:

Impact 8,200 square feet of protected shoreland in order to construct an additional primary structure storage building with stormwater management, reconfigure pavement areas, and install a septic system.

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APPROVE PERMIT

Impact 8,200 square feet of protected shoreland in order to construct an additional primary structure storage building with stormwater management, reconfigure pavement areas, and install a septic system.

01/13/2020 to 01/19/2020

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated September 30, 2019 and received by the NH Department of Environmental Services (NHDES) on December 19, 2019.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 56.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 8,155 square feet 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. The proposed roof drains, catch basins with connecting pipes, and underground storage chambers system shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed roof drains, catch basins with connecting pipes, and underground storage chambers system shall be submitted to the Department within 30 days of the completion of construction.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03971

COLDEWEY, BETSY/WILLIAM

LACONIA WINNISQUAM LAKE

Requested Action:

Impact 1,747 square feet of protected shoreland in order to convert walkways to pervious materials.

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APPROVE PERMIT

Impact 1,747 square feet of protected shoreland in order to convert walkways to pervious materials.

01/13/2020 to 01/19/2020

With Conditions:

1. All work shall be in accordance with plans by Fieldstone Land Consultants, PLLC dated December 11, 2019 and revised on January 15, 2020 as received by the NH Department of Environmental Services (NHDES) on January 15, 2020.
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 16.8% 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 4,391 square feet 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.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03977

HAPPY MOOSE LLC

**CENTER HARBOR SQUAM LAKE**

Requested Action:

Impact 15,400 square feet of protected shoreland in order to construct a primary structure with detached garage, associated septic system, and driveway.

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**APPROVE PERMIT**

Impact 15,400 square feet of protected shoreland in order to construct a primary structure with detached garage, associated septic system, and driveway.

With Conditions:

1. All work shall be in accordance with plans by Wilcox & Barton Inc. dated December 20, 2019 and received by the NH Department of Environmental Services (DES) on December 23, 2019.
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.

01/13/2020 to 01/19/2020

4. No more than 7.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 9,970 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.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

2019-04005

LAMOND, ADAM  
TOWNE, RICHARD

**SANDOWN ANGLE POND**

Requested Action:

Impact 4,923 square feet of protected shoreland in order to demolish and re-build the primary structure and associated septic system, and driveway.

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APPROVE PERMIT

Impact 4,923 square feet of protected shoreland in order to demolish and re-build the primary structure and associated septic system, and driveway.

With Conditions:

1. All work shall be in accordance with plans by Civil Construction Management, Inc. dated December 24, 2019 and received by the NH Department of Environmental Services (DES) on January 2, 2020.
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 29.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.

01/13/2020 to 01/19/2020

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

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

13. This permit shall not 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.

2020-00001

FLUHARTY, JANE/TIMOTHY

**RINDGE MONOMONAC LAKE**

Requested Action:

Impact 12,398 square feet of protected shoreland in order to replace existing primary structure with a new 4 bedroom structure, with associated garage, septic and driveway.

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**APPROVE PERMIT**

Impact 12,398 square feet of protected shoreland in order to replace existing primary structure with a new 4 bedroom structure, with associated garage, septic and driveway.

With Conditions:

1. All work shall be in accordance with plans by Monadnock Septic Design LLC dated December 19, 2019 and received by the NH Department of Environmental Services (DES) on January 2, 2019.
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 23.8% 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 5,071 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 (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not preclude 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.

2020-00012

CUTLER FAMILY REAL PROPERTIES LLC

**SALEM ARLINGTON LAKE**

Requested Action:

Impact 6,500 square feet of protected shoreland in order to construct a new 3 bedroom house with associated driveway and well.

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APPROVE PERMIT

Impact 6,500 square feet of protected shoreland in order to construct a new 3 bedroom house with associated driveway and well.

With Conditions:

1. All work shall be in accordance with plans by Meisner Brem Corporation dated December 20, 2019 and received by the NH Department of Environmental Services (DES) on January 3, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 13% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 3,500 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).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. 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.

**FORESTRY SPN**

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2020-00006

**OLSON, KIRKE**

**HENNIKER Unnamed Stream**

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COMPLETE NOTIFICATION

HENNIKER, TAX MAP# 1, LOT# 54B

2020-00011

**SWETT, ROBERT & NANCY**

**CONWAY Unnamed Stream**

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COMPLETE NOTIFICATION  
CONWAY, TAX MAP# 240, LOT(S)# 28, 29

**2020-00027                      GREENE, WILLIAM**

**NORTHUMBERLAND   Unnamed Stream**

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COMPLETE NOTIFICATION  
NORTHUMBERLAND, TAX MAP# 258, LOT(S)# 1, 2, 12

**2020-00059                      GREAT RIVER HYDRO LLC**

**LITTLETON   Unnamed Stream**

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COMPLETE NOTIFICATION  
LITTLETON, TAX MAP# 14, LOT# 16

**2020-00061                      GREAT RIVER HYDRO LLC**

**DALTON   Unnamed Stream**

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COMPLETE NOTIFICATION  
DALTON, TAX MAP# 402, LOT# 1

**2020-00063                      BAYROOT LLC**

**SHELBURNE   Unnamed Stream**

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COMPLETE NOTIFICATION  
SHELBURNE, TAX MAP# 8, LOT# 25

**2020-00064 PATENAUDE, BEVERLY**

**HENNIKER Unnamed Stream**

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COMPLETE NOTIFICATION  
HENNIKER; TAX MAP# 1; LOT# 729

**2020-00078 WHELDEN, LYNNE**

**NEW DURHAM Unnamed Stream**

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COMPLETE NOTIFICATION  
NEW DURHAM; TAX MAP# 245; LOT# 15

**2020-00086 ESTEL, CLAUDIA  
TAYLOR, GRANT**

**ACWORTH Unnamed Stream**

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COMPLETE NOTIFICATION  
ACWORTH; TAX MAP# 34; LOT# 392

**2020-00096 VANHAM TRUST**

**LYNDEBOROUGH Unnamed Stream**

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COMPLETE NOTIFICATION  
LYNDEBOROUGH; TAX MAP# 226; LOT# 16

**2020-00099 JUKOSKY, ANTHONY/SUSAN**

**GRAFTON Unnamed Stream**

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COMPLETE NOTIFICATION  
GRAFTON, TAX MAP# 6, LOT(S)# 1058, 1059

**TRAILS SPN**

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**2020-00092**                      **MOODY, REGINALD**

**TUFTONBORO Unnamed Stream**

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COMPLETE NOTIFICATION  
Bridge installation.

**RR1: CULVERT REPLACEMENT OR REPAIR**

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**2020-00071**                      **SCHUTT, BRIAN**

**GREENLAND Unnamed Stream**

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COMPLETE REGISTRATION  
In-kind replacement of a 24" inch diameter culvert.

