

Wetlands Applications Decision Report

Decisions Taken
04/20/2020 to 04/26/2020

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. 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.

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5/1/2020

PERMIT CATEGORY: MAJOR IMPACT PROJECT

2015-00590 OWNER:

OWNER: MARANGIELLO, DONATO

CITY: ALTON WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Request five year permit time extension to fill 760 sq. ft. of lakebed to construct 44 linear ft. of breakwater, in an "slight dogleg" configuration leaving a 6 ft. gap at the shoreline, construct a 6 ft. x 47 ft. cantilevered pier connected to a 6 ft. x 35 ft. piling pier by a 6 ft. 12 ft. walkway in a "U" configuration accessed by a 6 ft. x 6 ft. walkway, and drive 2 tie-off piles for the easterly slip on an average of 102 ft. of frontage on Rattlesnake Island, on Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

3/19/15 Con Com requests action be suspended action for 40 days or until receiving a written report.

4/13/15 Con. Com. has no objection.

7-7-15- No historic properties affected per DHR.

APPROVE TIME EXTENSION

Fill 760 sq. ft. of lakebed to construct 44 linear ft. of breakwater, in an "slight dogleg" configuration leaving a 6 ft. gap at the shoreline, construct a 6 ft. x 47 ft. cantilevered pier connected to a 6 ft. x 35 ft. piling pier by a 6 ft. 12 ft. walkway in a "U" configuration accessed by a 6 ft. x 6 ft. walkway, and drive 2 tie-off piles for the easterly slip on an average of 102 ft. of frontage on Rattlesnake Island, on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated January 23, 2015, as received by the Department on March 16, 2015.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. 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.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
7. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
8. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
9. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
10. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
11. The minimum spacing for pile bents shall be 12 feet as measured center pile to center pile.
12. All activities shall be in accordance with the Shoreland Water Quality Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

2018-03656 OWNER: THE GARABEDIAN FAMILY TRUST

CITY: WINDHAM WATERBODY: FLATROCK BROOK

Requested Action:

The proposed project is for 32-duplex style residential homes. The project is 114 acres in an area where it is accessed from Rockingham Road, in Windham. New roads for the residential development will total approximately 3,800 linear feet. Proposed total wetland impact of 8,354 square feet.

Conservation Commission/Staff Comments:

12-20-18 - Additional information needed per DHR.
04/10/19 per DHR No Historic Properties Affected.
Additional NHFG email corres. M.Doperalski rcvd on 4/20/20

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP

The proposed project is for 32-duplex style residential homes. The project is 114 acres in an area where it is accessed from Rockingham Road, in Windham. New roads for the residential development will total approximately 3,800 linear feet. Proposed total wetland impact of 8,354 square feet.

2019-00022 OWNER: AQUARION WATER COMPANY

CITY: HAMPTON WATERBODY: TIDE MILL CREEK

Requested Action:

Impact a total of 34,874 square feet (sq. ft.) of jurisdictional area to include 34,854 sq. ft. of temporary impact and 20 sq. ft. of permanent impact within the previously-developed 100-foot tidal buffer zone and 100-foot prime wetland buffer for the installation of new water main within the Route 101 right-of-way and retain 4,090 sq. ft. of temporary impact to the salt marsh/prime wetland to repair broken sections of the existing water main.

Inspection Date: 03/25/2019 by EBEN M LEWIS

APPROVE AMENDMENT

Impact a total of 34,874 square feet (sq. ft.) of jurisdictional area to include 34,854 sq. ft. of temporary impact and 20 sq. ft. of permanent impact within the previously-developed 100-foot tidal buffer zone and 100-foot prime wetland buffer for the installation of new water main within the Route 101 right-of-way and retain 4,090 sq. ft. of temporary impact to the salt marsh/prime wetland to repair broken sections of the existing water main.

With Conditions:

1. All work shall be in accordance with the following plans dated 12/31/2018 by Tighe & Bond:
 - a.) Plans as received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on January 4, 2019;

- b.) Plans revised through 3/22/2019 as received by NHDES on March 29, 2019; and,
- c.) Plans revised through 5/6/2019 as received by NHDES on March 13, 2020.
- 2. This permit is not valid until the permittee obtains construction easements on NHDOT property for work on NHDOT property. The permittee shall submit a copy of each recorded easement to the NHDES prior to construction.
- 3. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the NHDES and the Hampton Conservation Commission in writing of the date on which work under this permit is expected to start.
- 4. 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/erosion/turbidity controls are properly implemented, and no water quality violations occur. NHDES shall be notified immediately if any erosion/sedimentation/turbidity occurs within a jurisdictional area.
- 5. Directional drilling activities adjacent to or beneath Tide Mill Creek (including excavation the entry/exit pits) shall not occur from April 15 through the end of June without prior written approval from NH Fish & Game Dept., Marine Division.
- 6. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
- 7. 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.
- 8. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
- 9. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
- 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 staged and refueled in upland areas only.
- 13. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
- 14. 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. Any erosion control matting used shall be wildlife friendly. Temporary controls shall be removed once the area has been stabilized.
- 15. The soils for the directional drilling entry and trenching areas shall be removed with at least 18 inches of soil intact in blocks as large as practicable to be set aside, right side up, in a windrow to be protected from desiccation.
- 16. After the water main line has been installed in the trench, the blocks of soil & vegetation shall be placed back with exceptional care being taken to reestablish the same surface elevation as the surrounding marsh.
- 17. Discharge from dewatering of work areas associated with the directional drilling 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.
- 18. NHDES shall be notified immediately in the event of a break out as result of the directional drilling performed adjacent to and beneath Tide Mill Creek.
- 19. 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.
- 20. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 21. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and restored salt marsh area impacted as a result of the previous water main failure, including photographs, shall be submitted to the NHDES within 60 days of the completion of construction.
- 22. Upon review of the monitoring reports and subsequent field inspections, NHDES will determine whether additional remediation / restoration is required to assure the successful reestablishment of the salt marsh vegetation

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 project will abandon the existing cast iron water main originally installed in the early 1950s within the salt marsh. Over the years, numerous breaks, repairs, and maintenance has proven to be extremely difficult and costly.
- 3. The new location of the water main will improve operating efficiency, worker safety, and service reliability for the Hampton Beach area. All impacts occur within the previously-disturbed areas within the 100-foot tidal buffer zone and 100-foot prime wetland buffer; therefore, the applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a)&(c), Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The agent satisfactorily addressed Env-Wt 703.01(b).

- 6. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB18-3850 (the "NHB letter") identifying five (5) natural communities and five (5) vertebrate species of special concern in the vicinity of the project: Common Tern (*Sterna hirundo*), Purple Martin (*Progne subis*), Saltmarsh Sparrow (*Ammodramus caudacutus*); Seaside Sparrow (*Ammodramus maritimus*), and Willet (*Tringa semipalmata*).
- 7. In response to the natural communities noted in NHB letter, NHB provided recommendations in an email of January 24, 2019, stating, in summary "provided that the directional drilling beneath Tide Mill Creek the is the only section where work will not occur within the road shoulder and previously disturbed areas, NHB does not have concerns about this project [sic]."
- 8. In emails of February 15 and 20, 2019, the NH Fish and Game Dept. (NHFG) Nongame and Endangered Wildlife Program and NHFG Marine Fisheries Division has reviewed the NHB letter stated, "NHFG Marine Division and we [Nongame and Endangered Wildlife Program] would be comfortable with no work from April 15th through the end of June for the work in tidal wetlands and Tide Mill Creek (including excavation the entry/exit pits)."
- 9. A letter dated January 23, 2019 from the Hampton Conservation Commission states, "the [Hampton] 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 wetland permit period," pursuant to Env-Wt 704.01.
- 10. The NH Division of Historical Resources has reviewed the project site and found "No Historic Properties Affected."
- 11. Two water main breaks occurred outside the scope of the previous approval on May 30, 2019 and June 14, 2019 impacting 2,740 square feet within the salt marsh and 950 square feet within the 100-foot tidal buffer zone/100-foot prime wetland buffer, respectively.
- 12. Based on the findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.
- 13. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.

2019-03815 OWNER: BROUILLARD FAMILY REALTY TRUST

CITY: GILFORD WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Remove an existing 4 foot x 22 foot seasonal pier and install a 6 foot x 40 foot seasonal pier with a 7 foot x 3 foot anchoring pad east of an existing 68 linear foot breakwater with an existing 4 foot 9 inch x 47 foot crib supported pier and repair 72 linear feet of existing retaining wall, in-kind, on an average of 230 feet of frontage on Lockes Island along Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

- 12/12/19 per ConCom..."will review at next regularly scheduled mtg and may consider completing on-site inspection. Place a statutory "Hold" on application.."
- 12/23/19 per ConCom...meeting was cancelled 12/17/19 and rescheduled for 1/7/20.
- 01/13/2020 per ConCom... reviewed the application & plans...noted NH Nat. Heritage Bur. ltr. does not match...(see letter)... voted to recommend approval of the application as submitted.

APPROVE PERMIT

Remove an existing 4 foot x 22 foot seasonal pier and install a 6 foot x 40 foot seasonal pier with a 7 foot x 3 foot anchoring pad east of an existing 68 linear foot breakwater with an existing 4 foot 9 inch x 47 foot crib supported pier and repair 72 linear feet of existing retaining wall, in-kind, on an average of 230 feet of frontage on Lockes Island along Lake Winnepesaukee, Gilford.

With Conditions:

- 1. All work shall be in accordance with plans by Folsom Design & Construction Management dated November 30, 2019, and as received by NHDES on December 10, 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 Bureau by certified mail, return receipt requested.

- 3. No work is authorized to the pre-existing 68 foot breakwater or existing 4 foot 9 inch x 47 foot crib supported pier.
- 4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and NH Code of Administrative Rules Env-Wq 1400 during and after construction.
- 5. This permit does not authorize the removal of vegetation within the waterfront buffer.
- 6. As shown on the approved plan, the repair of the retaining wall shall result in no impacts of any kind outside of the immediate footprint of the retaining.
- 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. 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.
- 10. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
- 11. No portion of the seasonal pier shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 504.32).
- 12. All seasonal structures shall be removed for the non-boating season.
- 13. 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.
- 14. This permit shall not preclude the NHDES from initiating appropriate action if the 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 major impact project per Administrative Rule Env-Wt 303.02(d), construction of any dock adjacent to a breakwater.
- 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 NHDES' jurisdiction per Env-Wt 302.03.
- 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 applicant has an average of 230 feet of shoreline frontage along Lake Winnepesaukee.
- 5. A maximum of 4 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. The NHDES finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.
- 8. This application was received and determined to be administratively complete prior to December 15, 2019 and therefore, was reviewed for compliance with the previous version of the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900.

PERMIT CATEGORY: MINOR IMPACT PROJECT

2015-02247 OWNER:
OWNER: LEON, KAREN

CITY: PORTSMOUTH WATERBODY: PISCATAQUA RIVER/ BACK CHANNEL

Requested Action:

Applicant requests permit ownership change from Janice and Richard Henderson to the new owner of the subject property, Karen Leon.

APPROVE NAME CHANGE

Impact a total of 2,562 square feet, 1,150 square feet permanent impact and 1,412 square feet temporary impact, of previously developed upland tidal buffer zone to construct a detached garage, construct a porch to an existing dwelling, and construct a pervious paver driveway and walkway.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated January 2020, and revised through January 2, 2020, as received by the NH Department of Environmental Services (NHDES) on January 10, 2020.
2. No more than 20.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
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. Temporary work areas shall be regraded to original contours and stabilized following completion of work.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Erosion control products shall be installed per manufacturers recommended specifications.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 314.06(b).

2019-02917 OWNER: LAFLEUR, KEVIN

CITY: LACONIA WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

The applicant requests that the permit be amended to include three permanent boatlifts, 3 seasonal personal watercraft lifts, and a seasonal canopy.

APPROVE AMENDMENT

Amend permit to read: Permanently remove an existing 3 foot x 68 foot 2 inch seasonal pier and an 8 foot 9 inch x 8 foot deck over the water, construct a 6 foot x 60 foot piling pier and a 6 foot x 30 foot piling pier connected by a 6 foot x 12 foot walkway in an "h" configuration, drive 4 tie-off piling, and install 3 permanent boatlifts, 3 seasonal personal watercraft lifts, and a 14 foot x 30 foot seasonal canopy on an average of 187 feet of frontage along Lake Winnepesaukee, in Laconia.

With Conditions:

1. All work shall be in accordance with revised plans by Folsom Design & Construction Management dated September 5, 2019, revised February 26, 2020, and received by NHDES on March 6, 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. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
7. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
9. Piling bents shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
10. No portion of the pier shall extend more than 60 feet from the shoreline at full lake elevation (Elev. 504.32).
11. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
12. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a permanent piling pier providing 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 Env-Wt 302.03.
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 applicant has an average of 187 feet of navigable shoreline frontage along Lake Winnepesaukee in Laconia.
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. The applicant has provided Water depth data supporting the need for the approved 60 foot pier length.

2019-03476 OWNER: BARLAR REVOCABLE TRUST

CITY: NORTH HAMPTON WATERBODY: Unnamed Wetland

Requested Action:

Applicant requests to update ownership information following the purchase of the property.

APPROVE NAME CHANGE

Impact a total of 4,700 square feet of forested wetland to include 3,424 square feet of permanent impact and 1,276 square feet of temporary impact for the installation of three (3) 18-inch HDPE culverts in three (3) different impact locations for the construction a driveway for access to buildable uplands for the construction of a single-family residential dwelling.

With Conditions:

1. All work shall be in accordance with plans by Beals Associates, PLLC dated August 2019 as received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on October 31, 2019.
2. This permit is not valid unless a septic system construction approval is issued in accordance with RSA 485-A:29-44 and Env-Wq 1000.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
4. Work shall be done during seasonal low flow and in the dry only.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or septic setback.

6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. 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.
9. The culvert inlets and outlets must maintain the natural and a consistent elevation of the surrounding wetland and not impede water flow.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The 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(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The applicant requested a waiver of Env-Wt 304.04(a) as the applicant was unable to obtain written concurrence from the abutter identified as North Hampton Tax Map 9 Lot 20.
5. NHDES hereby grants the waiver of Env-Wt 304.04(a) in accordance with Env-Wt 204.05 as granting the request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety; or an impact on abutting properties that is more significant than that which would result from complying with the rule. Furthermore, granting the request is consistent with the intent and purpose of the rule being waived. Strict compliance with the rule will provide no benefit to the public.
6. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB19-2928 stating, "[w]e currently have no recorded occurrences for sensitive species near this project area."
7. In a letter from the North Hampton Conservation Commission (NHCC) dated November 18, 2019, the NHCC stated, "[t]he Commission has no objection to the application provided the following conditions are met: a. All work is to be conducted in accordance with NHDES guidelines and requirements to protect the wetlands; b. A certified survey of the property verifies the location of the wetlands and wetlands disturbances; and, c. A certified survey of the property verifies a contiguous acre of uplands to allow for a dwelling on the site that meets all required wetlands buffer and septic system setbacks that comply with North Hampton's Zoning Ordinance.
8. In response to the conditions submitted by the NHCC, NHDES finds the NHCC's conditions are addressed through this approval and conditions of this permit: a. this project meets the above-referenced NHDES rules and the permit has conditions that must be met; b. the approved plans satisfy this request; and c. the North Hampton's Zoning Ordinance are not NHDES' jurisdiction.
9. The NH Division of Historical Resources has review the project and determined "No Historic Properties Affected."
10. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02 (b).

2019-03535 OWNER: GARLAND, CHRISTOPHER

CITY: ALSTEAD WATERBODY: Unnamed Stream

Requested Action:

Dredge and fill 1,044 square feet (SF) within palustrine forested and scrub-shrub wetland and within the bed of an unnamed intermittent stream (tier 1, impacting 40 linear feet) for installation of a 24 inch diameter by 40 foot long culvert and

associated fill to construct a gravel pit access road. Temporarily impact 183 SF within palustrine forested and scrub-shrub wetland and the intermittent stream (8 linear feet) for erosion, sediment, and turbidity controls. In addition, restore 712 SF of previously impacted palustrine forested and scrub-shrub wetland and intermittent stream bed (40 linear feet) by removing an existing 24 inch diameter by 20 foot long culvert and associated road fill.

APPROVE PERMIT

Dredge and fill 1,044 square feet (SF) within palustrine forested and scrub-shrub wetland and within the bed of an unnamed intermittent stream (tier 1, impacting 40 linear feet) for installation of a 24 inch diameter by 40 foot long culvert and associated fill to construct a gravel pit access road. Temporarily impact 183 SF within palustrine forested and scrub-shrub wetland and the intermittent stream (8 linear feet) for erosion, sediment, and turbidity controls. In addition, restore 712 SF of previously impacted palustrine forested and scrub-shrub wetland and intermittent stream bed (40 linear feet) by removing an existing 24 inch diameter by 20 foot long culvert and associated road fill.

With Conditions:

1. All work shall be in accordance with plans by Aries Engineering, LLC, dated April 2020, as received by the NH Department of Environmental Services (NHDES) on April 17, 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. Approval of this project is contingent upon removal of an existing culvert and fill located immediately downstream of the proposed culvert, and restoration of the intermittent stream and adjacent wetlands to their original state.
4. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the restored jurisdictional area, including photographs, shall be submitted to the NHDES Wetlands Program within 60 days of the completion of construction. NHDES Wetlands Program may require subsequent monitoring and corrective measures if NHDES deemed the area inadequately stabilized or restored.
5. 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.
6. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
7. Work shall be done during low flow or in the dry only
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
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. 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. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
13. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
14. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
15. 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.
16. 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.
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. Any fill used shall be clean sand, gravel, rock, or other suitable material.
22. The permittee or permittee's contractor shall restore and stabilize the previously impacted wetland area to its original state by removing fill, regrading to original contours and seeding and mulching.
23. Wetland soils shall be stripped and segregated from subsoil during construction and shall be reused in the restoration

area.

24. Native material removed from the streambed during culvert installation shall be stockpiled separately and reused to emulate a natural channel bottom in the restoration area. Any new materials used must be as similar to the natural stream substrate as practicable and shall not include any angular rock.

25. The recreated stream channel bed must maintain a natural and consistent streambed elevation and not impede stream flow.

26. Seed mix within the wetland restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.

27. Mulch used within the wetland restoration area shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.

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

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03(l), as the project proposes to disturb less than 200 linear feet of an intermittent non-tidal stream and does not meet the criteria for minimum impact under Env-Wt 303.04(n).

2. This project was elevated to a Minor Project because of non-enforcement based restoration of 40 linear feet of an intermittent stream.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The subject lot contains an existing gravel pit, with an existing access road. The road frontage portion of the existing access road is not on the applicant's property and is to be decommissioned. The applicant has obtained an easement right-of-way along the road frontage to construct a new section of road that will connect with the remainder of the existing access road that falls on the applicant's property. Other potential access locations on the lot are hindered by existing wetlands, and by steep slopes. The project proposes to restore a jurisdictional area on the portion of road that is being decommissioned.

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

5. The Alstead Conservation Commission has not provided comments to NHDES regarding this Wetland Application.

6. The New Hampshire Natural Heritage Bureau (NHB) has reviewed the proposed project (NHB19-3812) and has determined that although there was a NHB record present in the vicinity, they do not expect it will be impacted by the proposed project, per the letter dated December 2, 2019.

7. NHDES received no comments from abutters.

8. The restoration work will occur on property that is not owned by the applicant. In a letter dated April 15, 2020, the owner of Tax Map 12 Lot 11 granted the applicant permission to perform the work.

9. A HydroCAD Drainage Report, dated March 10, 2020, indicated that the overall drainage area for the proposed tier 1 stream crossing is 78.34 acres.

10. The drainage report confirmed that the proposed tier 1 stream crossing is sized so as to accommodate the flows of a 50-year storm event without overtopping the road, meeting the tier 1 stream crossing requirements in Env-Wt 904.02.

2019-03816 OWNER: KASOK, STEPHANIE/STEVEN

CITY: GILFORD WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Restore native vegetation within 1,543 square feet of natural woodlands and throughout 2 waterfront buffer segments, impact 522 square feet of bank along 19 linear feet of shoreline to construct a 25 foot x 20 foot circular shaped perched beach with 4 foot wide seasonal wooden steps to the water, remove an existing 4 foot x 56 foot seasonal pier, install a 6 foot x 36 foot pile supported pier, 14 foot x 30 foot seasonal canopy, a single permanent boatlift, 5 tie-off pile, along an average of 122 feet of frontage on Lake Winnepesaukee in Gilford.

Conservation Commission/Staff Comments:

12/12/19 per ConCom....will review at next scheduled mtg...place statutory "Hold" on this ap.

12/23/19 per ConCom...meeting was cancelled 12/17/19 and rescheduled for 1/7/20.

01/13/2020 per ConCom...reviewed the application & plans. ...voted to recommend approval of the application as submitted.

APPROVE PERMIT

Restore native vegetation within 1,543 square feet of natural woodlands and throughout 2 waterfront buffer segments, impact 522 square feet of bank along 19 linear feet of shoreline to construct a 25 foot x 20 foot circular shaped perched beach with 4 foot wide seasonal wooden steps to the water, remove an existing 4 foot x 56 foot seasonal pier, install a 6 foot x 36 foot pile supported pier, 14 foot x 30 foot seasonal canopy, a single permanent boatlift, 5 tie-off pile, along an average of 122 feet of frontage on Lake Winnepesaukee in Gilford.

With Conditions:

1. All work shall be in accordance with revised plans by Folsom Design & Construction Management revision dated March 23, 2020 as received by the NH Department of Environmental Services (NHDES) on March 30, 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. All proposed restoration planting shall be completed in accordance with plans by Stoney Ridge Environmental dated February 26, 2020. All restoration plantings shall be completed prior to November 1, 2020.
4. Upon completion of the required replanting of the waterfront buffer, the entire restored surface areas of segment 2 and segment 3 as illustrated on the approved plans by Stoney Ridge Environmental dated February 26, 2020 shall be allowed to revert back to a natural state. The regeneration of ground cover shall not be suppressed by the use of bark mulch or other man-made materials, nor shall any portion of the restored areas be mowed, except for a pervious foot path no wider than 6 feet to access the proposed perched beach.
5. Upon completion of the required replanting of 1,543 square feet of natural woodlands within the Woodland Buffer located between 50 and 150 feet landward of the reference line, the restored Woodland Buffer areas shall be allowed to revert back to a natural state. The regeneration of ground cover shall not be suppressed by the use of bark mulch or other man-made materials. Native vegetation within an area of at least 3,660 SF within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall then be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
7. At the completion of the 3 year monitoring period the owner of the property shall submit a report including photographs of the planted buffers to the Department, after which time, the Department will conduct a follow up investigation to verify the success of the restored areas.
8. 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.
9. 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.
10. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
11. 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.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
13. 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.
14. 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).
15. 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.
16. No portion of the either pile supported pier shall extend more than 36 feet from the shoreline at full lake elevation (504.32).
17. No construction of the proposed pile supported pier shall begin until the existing 4 foot x 56 foot seasonal pier is removed from the frontage.
18. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
19. All seasonal structures shall be removed for the non-boating season.
20. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.
21. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks

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currently located along the normal high water line (Elevation 504.32). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.

22. The wooden steps installed in the area for access to the water shall be seasonal and removed during the non-boating season.

23. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.

24. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

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

26. 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)(3), construction of any docking system that exceeds the design and construction criteria discussed at Env-Wt 402.01 for minimum impact docks classified under Env-Wt 303.04

2. Applicant has provided the Department with evidence that the property has insufficient water depth as required by Env-Wt 402.03(b)(2).

3. The Department has accepted the evidence of the physical hardship and approved the extension of a seasonal pier beyond that permissible under Env-Wt 402.03(a)(1).

4. The applicant has an average of 122 feet of shoreline frontage along Lake Winnepesaukee in Gilford.

5. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.

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

7. RSA 483-B:6, Other Required Permits and Approvals, II requires that in applying for a permit, pursuant to RSA 482-AI, applicants shall demonstrate that the proposal meets or exceeds the development standards of RSA 483-B and that the department attach reasonable conditions, related to the purposes of RSA 483-B, to the permit to protect the public waters or the public health, safety, or welfare

8. The Department's review of the application found that excessive vegetation removal had occurred on the property identified as Lot 10 on Gilford Tax Map 221, resulting in violations of RSA 483-B:9, V, (a) and RSA 483-B:9, V, (b), (2).

9. The request that the owner of the property submit a restoration plan and the Project Specific Conditions requiring the restoration of 1,543 square feet of natural woodland within the woodland buffer and restoration of segments 2 and 3 of the waterfront buffer, as required to meet and exceed the minimum standards established in RSA 483-B:9, V, (b), (2) and RSA 483-B:9, V, (a), respectively are required of the Department pursuant to RSA 483-B:6, II and RSA 483-B:3, Consistency Required.

10. 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.

11. 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.

12. 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.

2019-03818 OWNER: DEFALCO, ROBERT & MARIE

CITY: GILFORD WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Install a 14 foot x 30 foot seasonal canopy, two seasonal personal watercraft lifts and a single permanent boatlift, repair an existing 5 foot x 49 foot and 4 foot x 40 foot piling pier and 152 linear feet of existing retaining wall, in-kind, on an average of 155 feet of frontage along Smith Cove, Lake Winnepesaukee in Gilford.

Conservation Commission/Staff Comments:

12/12/19 per ConCom...will review at next scheduled mtg and may consider on-site inspection...place a statutory "Hold" on ap.

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12/23/19 per ConCom...meeting was cancelled 12/17/19 and rescheduled for 1/7/20.
01/13/2020 per ConCom...reviewed application & plans...voted to recommend approval of the application as submitted.

APPROVE PERMIT

Install a 14 foot x 30 foot seasonal canopy, two seasonal personal watercraft lifts and a single permanent boatlift, repair an existing 5 foot x 49 foot and 4 foot x 40 foot piling pier and 152 linear feet of existing retaining wall, in-kind, on an average of 155 feet of frontage along Smith Cove, Lake Winnepesaukee in Gilford.

With Conditions:

1. All work shall be in accordance with revised plans by Folsom Design & Construction Management revision dated March 23, 2020, and as received by NHDES on March 30, 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 Bureau 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 NH Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Pursuant to RSA 483-B:9,V, (a)(2)(d)(v), this permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. As shown on the approved plan, the repair of the retaining wall shall result in no impacts of any kind outside of the immediate footprint of the retaining and only existing dislodged rocks shall be used.
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. 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 repaired along this frontage.
10. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
11. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.
12. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
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.
14. No work is authorized to the existing sandy area.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), repair or replacement of existing retaining wall that requires work in the water, but 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 NHDES' jurisdiction per Env-Wt 302.03.
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 proposed seasonal canopy and permanent boatlift are located within the 20 foot abutter setback.
5. In accordance with RSA 482-A:3(XIII)(C), boat docking facilities may be located closer than 20 feet from an abutter's property line in non-tidal waters and 20 feet in tidal waters, if the owner of the boat docking facility obtains the written consent of the abutting property owner.
6. The owner of the proposed boat docking facility has obtained and provided consent from the abutting property owner, and has therefore met the requirement of RSA 482-A:3(XIII)(C).
7. This application was received and determined to be administratively complete prior to December 15, 2019 and therefore, was reviewed for compliance with the previous version of the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900.

2019-03836 OWNER: DOLOMA INVESTMENTS OF PORTSMOUTH INC

CITY: NEWINGTON WATERBODY:

Requested Action:

Dredge and fill 1,620 square feet of palustrine forested wetland and 3,165 square feet of palustrine scrub-shrub wetland for access to buildable area and commercial lot development. In addition, temporarily impact 215 square feet of palustrine forested wetland during construction.

APPROVE PERMIT

Dredge and fill 1,620 square feet of palustrine forested wetland and 3,165 square feet of palustrine scrub-shrub wetland for access to buildable area and commercial lot development. In addition, temporarily impact 215 square feet of palustrine forested wetland during construction.

With Conditions:

1. All work shall be in accordance with plans titled "Proposed Hotel Development" dated November 04, 2019 and revised through March 06, 2020, last received by the New Hampshire Department of Environmental Services (NHDES) on March 23, 2020.
2. This permit is not valid unless an Alteration of Terrain (AoT) permit or other method of compliance with RSA 485-A:17 and New Hampshire Administrative Rule Env-Wq 1500 is achieved (NHDES AoT file: 20200327-048).
3. Prior to construction, all wetland and surface water boundaries adjacent to construction areas shall be clearly marked with orange construction fencing at the limits of construction to prevent unintentional encroachment on adjacent wetlands and surface waters.
4. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
5. Work shall be done during low flow/ low water conditions.
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 and matting before such equipment is moved to the site and prior to demobilization.
7. 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).
8. 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.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained at minimum along the limit of work during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and New Hampshire Administrative Rule Env-Wq 1700.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. 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.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a Minor impact project per New Hampshire Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in non-tidal wetlands.
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. Proposed impacts have been avoided and minimized by utilizing a previously-disturbed area of the site, impacting wetlands with marginal functions and values and constructing retaining walls to limit the extent of fill and encroachment onto

adjacent wetland areas.

4. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB19-3873) stated that there was a record of state-endangered plant species in the vicinity of the project.
6. Subsequent correspondence from NHB, dated March 05, 2020, indicated that, due to the existing degraded nature of the site, additional survey or assessment would not be requested.
7. No comments of concern were received by NHDES from abutters or local governing organizations.
8. In correspondence dated December 23, 2019, the NH Division of Historical Resources found that no historic properties would be affected by the project, as proposed.

2019-03896 OWNER: MONT VERNON, TOWN OF

CITY: MONT VERNON WATERBODY:

Requested Action:

Dredge and fill 7,695 square feet (SF) of palustrine emergent wetland (historically impacted by agricultural use) and 1,562 SF of palustrine forested wetland for lot development to create parking, sidewalks, and grading and drainage associated with the construction of a new municipal library.

APPROVE PERMIT

Dredge and fill 7,695 square feet (SF) of palustrine emergent wetland (historically impacted by agricultural use) and 1,562 SF of palustrine forested wetland for lot development to create parking, sidewalks, and grading and drainage associated with the construction of a new municipal library.

With Conditions:

1. All work shall be in accordance with plan sheets C-001, and C-004 through C-006 by Oak Consulting Group dated December 10, 2019, and plan sheet C-003, dated April 21, 2020, as received by the NH Department of Environmental Services (NHDES) on December 17, 2019 and April 22, 2020, respectively.
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. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
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. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
7. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
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. Prior to starting any work authorized by this permit, the permittee shall place orange construction fencing at the limits of construction to prevent unintentional encroachment on 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. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.

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

With Findings:

- 1. This is a Minor Project per Administrative Rule Env-Wt 303.03(h), for projects involving less than 20,000 square feet of alteration in the aggregate in non-tidal wetlands, non-tidal surface waters, or banks adjacent to non-tidal surface waters which exceed the criteria of Env-Wt 303.04(f).
- 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 majority of the proposed development is to be situated in uplands, between the western property line and a large wetland area to the east, with a lesser portion of the development falling with wetland jurisdiction. The majority of wetland impacts will occur within a historically and actively maintained agricultural field that does not have natural vegetation and has relatively low functional quality.
- 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 Mont Vernon Conservation Commission reviewed the proposed project and provided comments to NHDES in two letters dated January 9, 2020 and January 14, 2020. All comments in the letter dated January 9, 2020 were directed towards the Alteration of Terrain (AoT) Application, and the agent responded to each comment in the AoT Request for More Information response letter. Comments in the letter dated January 14, 2020 were directed towards the Wetland Permit Application, and the agent provided a letter to the Conservation Commission, dated March 27, 2020, addressing the comments.
- 5. The New Hampshire Natural Heritage Bureau (NHB) has reviewed the proposed project (NHB19-2236) and determined that there are no recorded occurrences of sensitive species near the project area, per the letter dated July 17, 2019.
- 6. NHDES has not received comments from abutters.

PERMIT CATEGORY: MINIMUM IMPACT PROJECT

2020-00164 OWNER: LAPP, DAVID

CITY: NEWBURY WATERBODY: SUNAPEE LAKE

Requested Action:

Repair an existing 7 foot 10 inch x 28 foot 2 inch dock supported by a 7 foot 10 inch x 8 foot crib and a 4 foot x 8 foot crib connected to a 3 foot 10 inch x 28 foot 2 inch dock supported by a 3 foot 10 inch x 8 foot crib and a 4 foot x 4 foot crib connected by a 9 foot x 8 foot 6 inch walkway and install a single seasonal personal watercraft lift and a single seasonal boatlift on 80 feet of frontage along Lake Sunapee in Newbury.

APPROVE PERMIT

Repair an existing 7 foot 10 inch x 28 foot 2 inch dock supported by a 7 foot 10 inch x 8 foot crib and a 4 foot x 8 foot crib connected to a 3 foot 10 inch x 28 foot 2 inch dock supported by a 3 foot 10 inch x 8 foot crib and a 4 foot x 4 foot crib connected by a 9 foot x 8 foot 6 inch walkway and install a single seasonal personal watercraft lift and a single seasonal boatlift on 80 feet of frontage along Lake Sunapee in Newbury.

With Conditions:

04/20/2020 to 04/26/2020

1. All work shall be in accordance with plans by Richard Green as received by the NH Department of Environmental Services (NHDES) on March 30, 2020 as required pursuant to Env-Wt 307.16.
2. This permit shall not be effective until it has been recorded in the Merrimack County Registry of Deeds and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
3. All repair work shall be restricted to the fall seasonal, specifically late September, turbidity curtains will be in place for the duration of the project, and all work shall be conducted by hand except for using a boat to haul away old materials as required by the NH Natural Heritage Bureau letter dated August 12, 2019.
4. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
5. Pursuant to RSA 483-B:9,V, (a)(2)(d)(v), this permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
6. Work shall be carried out in a time and manner such that there are no discharges in or to fish or shellfish spawning or nursery areas during spawning seasons as required pursuant to Env-Wt 307.04. 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 as required pursuant to Env-Wt 307.04. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
8. Water quality control measures capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment shall be selected and implemented as appropriate based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas as required pursuant to Env-Wt 307.03(c).
9. Water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508, shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction, and removed upon completion of work and the effective stabilization of disturbed surfaces as required pursuant to Env-Wt 307.03(c).
10. Work authorized shall be carried out in accordance with Env-Wt 307 such that appropriate turbidity controls are in place to protect water quality, that no turbidity escapes the immediate dredge area, and that appropriate turbidity controls shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
11. All dredged and excavated material and construction-related debris shall be placed outside of those areas subject to RSA 482-A or RSA-483-B unless a permit for the deposition of materials within those areas has been obtained as required per RSA 482-A:3 or RSA 483-B:5-b respectively.
12. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality as required pursuant to Env-Wt 307.03(a).
13. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.
14. 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 as required to maintain compliance with Env-Wt 314.02 and Env-Wt 513.12.
15. Only those structures shown on the approved plans shall be installed or repaired along this frontage as required per Env-Wt 513.22, (a).
16. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season as required per Env-Wt 513.22.
17. The use of this structure shall be limited to the docking and securing of watercraft as required to comply with Env-Wt 307.09.
18. Owners of permanent docking structures which are not maintained so as to be structurally sound and usable for their intended purpose shall remove those docking structures in accordance with Env-Wt 513.22(c), to prevent hazards to public safety, navigation, and recreation.
19. No agitating or heating device shall be installed for the purpose of inhibiting the formation of ice in proximity to the approved structures unless it has been registered with the municipal clerk of the town in which such device shall be operated pursuant to RSA 270:34 Registration Required.
20. Pursuant to RSA 270:33, Heating, Agitating, or Other Devices in Public Waters; Safety Hazard, no agitating or heating device installed in accordance with RSA 270:34 shall inhibit or prevent the natural formation of ice in such a manner as to impede either the ingress or egress to or from the ice from any property other than that of the owner of the device.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 513.24(a)(2), the project is the repair or replacement of an existing legal structure.
2. The Department finds that the project as proposed and conditioned meets the requirements of RSA 482-A and the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900. No waivers of RSA 482-A or the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900 were requested or approved under this permit action.

PERMIT CATEGORY: X-EMERGENCY AUTHORIZATION

2019-02218 OWNER: NH DEPT OF TRANSPORTATION

CITY: GROTON WATERBODY: Unnamed T

Requested Action:

Retain a total of 100 square feet of temporary impact to bank and surface water to remove debris and re-establish road embankment and shoulders.

CONFIRM EMERGENCY AUTHORIZATION

Retain a total of 100 square feet of temporary impact to bank and surface water to remove debris and re-establish road embankment and shoulders.

With Conditions:

1. All work shall be in accordance with materials received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on December 2, 2019.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.

With Findings:

1. In accordance with New Hampshire Administrative Rule Env-Wt 503.01(d), during a general or local disaster, work without a permit shall be allowed. All such work shall be reported to the department including description of work done.
2. On August 15, 2019, FEMA declared the storm damage a Major Disaster (FEMA-4457-DR) given the widespread flood damage across the region.
3. The project was necessary to repair North Groton Road that washed out due to a storm event causing culvert and roadway failure.
4. Emergency authorization for this work was issued by NHDES Wetlands Bureau Staff on July 19, 2019.
5. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2019-02220 OWNER: NH DEPT OF TRANSPORTATION

CITY: CANAAN WATERBODY:

Requested Action:

Retain a total of 100 square feet of temporary impact to bank and surface water to remove debris, re-establish road embankment and shoulders, and repair headwall.

04/20/2020 to 04/26/2020

CONFIRM EMERGENCY AUTHORIZATION

Retain a total of 100 square feet of temporary impact to bank and surface water to remove debris, re-establish road embankment and shoulders, and repair headwall.

With Conditions:

1. All work shall be in accordance with materials received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on December 2, 2019.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.

With Findings:

1. In accordance with New Hampshire Administrative Rule Env-Wt 503.01(d), during a general or local disaster, work without a permit shall be allowed. All such work shall be reported to the department including description of work done.
2. On August 15, 2019, FEMA declared the storm damage a Major Disaster (FEMA-4457-DR) given the widespread flood damage across the region.
3. The project was necessary to repair Canaan Street that washed out due to a storm event causing culvert and roadway failure.
4. Emergency authorization for this work was issued by NHDES Wetlands Bureau Staff on July 19, 2019.
5. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2019-02221 OWNER: NH DEPT OF TRANSPORTATION

CITY: ORANGE WATERBODY: Unnamed T

Requested Action:

Retain a total of 300 square feet of temporary impact to bank and surface water to remove debris, re-establish road embankment and shoulders, and headwall repair.

CONFIRM EMERGENCY AUTHORIZATION

Retain a total of 300 square feet of temporary impact to bank and surface water to remove debris, re-establish road embankment and shoulders, and headwall repair.

With Conditions:

1. All work shall be in accordance with materials received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on December 2, 2019.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.

With Findings:

1. In accordance with New Hampshire Administrative Rule Env-Wt 503.01(d), during a general or local disaster, work without a permit shall be allowed. All such work shall be reported to the department including description of work done.
2. On August 15, 2019, FEMA declared the storm damage a Major Disaster (FEMA-4457-DR) given the widespread flood damage across the region.
3. The project was necessary to repair Cardigan Mountain Road that washed out due to a storm event causing culvert and roadway failure.
4. Emergency authorization for this work was issued by NHDES Wetlands Bureau Staff on July 19, 2019.
5. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2019-02226 OWNER: NH DEPT OF TRANSPORTATION

CITY: ORANGE WATERBODY: Unnamed T

Requested Action:

Retain a total of 100 square feet of temporary impact to bank and surface water to repair damaged section of culvert at the inlet and repair roadway embankment and shoulders.

CONFIRM EMERGENCY AUTHORIZATION

Retain a total of 100 square feet of temporary impact to bank and surface water to repair damaged section of culvert at the inlet and repair roadway embankment and shoulders.

With Conditions:

1. All work shall be in accordance with materials received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on December 2, 2019.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.

With Findings:

1. In accordance with New Hampshire Administrative Rule Env-Wt 503.01(d), during a general or local disaster, work without a permit shall be allowed. All such work shall be reported to the department including description of work done.
2. On August 15, 2019, FEMA declared the storm damage a Major Disaster (FEMA-4457-DR) given the widespread flood damage across the region.
3. The project was necessary to repair Cardigan Mountain Road that washed out due to a storm event causing culvert and roadway failure.
4. Emergency authorization for this work was issued by NHDES Wetlands Bureau Staff on July 19, 2019.
5. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2019-02229 OWNER: NH DEPT OF TRANSPORTATION

CITY: ORANGE WATERBODY: Unnamed T

Requested Action:

Retain a total of 200 square feet of temporary impact to bank and surface water to remove debris, clean inlet, and re-established road embankment and shoulders

CONFIRM EMERGENCY AUTHORIZATION

Retain a total of 200 square feet of temporary impact to bank and surface water to remove debris, clean inlet, and re-established road embankment and shoulders

With Conditions:

1. All work shall be in accordance with materials received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on December 2, 2019.

2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.

With Findings:

1. In accordance with New Hampshire Administrative Rule Env-Wt 503.01(d), during a general or local disaster, work without a permit shall be allowed. All such work shall be reported to the department including description of work done.
2. On August 15, 2019, FEMA declared the storm damage a Major Disaster (FEMA-4457-DR) given the widespread flood damage across the region.
3. The project was necessary to repair Cardigan Mountain Road that washed out due to a storm event causing culvert and roadway failure.
4. Emergency authorization for this work was issued by NHDES Wetlands Bureau Staff on July 19, 2019.
5. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2019-02230 OWNER: NH DEPT OF TRANSPORTATION

CITY: ORANGE WATERBODY: Unnamed T

Requested Action:

Retain a total of 100 square feet of temporary impact to bank and surface water to clean inlet and re-establish road embankment and shoulders.

CONFIRM EMERGENCY AUTHORIZATION

Retain a total of 100 square feet of temporary impact to bank and surface water to clean inlet and re-establish road embankment and shoulders.

With Conditions:

1. All work shall be in accordance with materials received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on December 2, 2019.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.

With Findings:

1. In accordance with New Hampshire Administrative Rule Env-Wt 503.01(d), during a general or local disaster, work without a permit shall be allowed. All such work shall be reported to the department including description of work done.
2. On August 15, 2019, FEMA declared the storm damage a Major Disaster (FEMA-4457-DR) given the widespread flood damage across the region.
3. The project was necessary to repair Cardigan Mountain Road that washed out due to a storm event causing culvert and roadway failure.
4. Emergency authorization for this work was issued by NHDES Wetlands Bureau Staff on July 19, 2019.
5. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2019-02231 OWNER: NH DEPT OF TRANSPORTATION

CITY: ORANGE WATERBODY: Unnamed T

Requested Action:

Retain a total of 100 square feet of temporary impact to bank and surface water to remove debris, repair inlet, and construct

a cast-in-place header.

CONFIRM EMERGENCY AUTHORIZATION

Retain a total of 100 square feet of temporary impact to bank and surface water to remove debris, repair inlet, and construct a cast-in-place header.

With Conditions:

1. All work shall be in accordance with materials received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on December 2, 2019.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.

With Findings:

1. In accordance with New Hampshire Administrative Rule Env-Wt 503.01(d), during a general or local disaster, work without a permit shall be allowed. All such work shall be reported to the department including description of work done.
2. On August 15, 2019, FEMA declared the storm damage a Major Disaster (FEMA-4457-DR) given the widespread flood damage across the region.
3. The project was necessary to repair Cardigan Mountain Road that washed out due to a storm event causing culvert and roadway failure.
4. Emergency authorization for this work was issued by NHDES Wetlands Bureau Staff on July 19, 2019.
5. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

PERMIT CATEGORY: SHORELAND STANDARD

2017-00838 OWNER: WALSH, DANIEL/DEBORAH

CITY: MEREDITH WATERBODY: WINNISQUAM LAKE

Requested Action:

Applicant requests an after the fact approval to retain the additional 1,800 square feet of impacts to protected shoreland that resulted from the construction of the non conforming primary structure with stormwater management and additions to the waterfront buffer vegetation and the woodland unaltered area vegetation.

APPROVE AFTER THE FACT

Retain the additional 1,800 square feet of impacts to protected shoreland that resulted from the construction of the non conforming primary structure with stormwater management and additions to the waterfront buffer vegetation and the woodland unaltered area vegetation.

With Conditions:

1. Structures, stormwater management systems and structures, and restoration plantings in the waterfront and woodland buffers shall be maintained as depicted on plans received by the NH Department of Environmental Services (NHDES) on April 10, 2020.
2. No more than 20.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
3. Native vegetation within an area of at least 1,620 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

04/20/2020 to 04/26/2020

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.

2020-00267 OWNER: HADDEN, MICHAEL

CITY: SUNAPEE WATERBODY: SUNAPEE LAKE

Requested Action:

Impact 4,560 square feet of protected shoreland in order to remove the primary structure with deck, stairway, and parking area to construct a primary structure with deck, steps, and driveway.

APPROVE PERMIT

Impact 4,560 square feet of protected shoreland in order to remove the primary structure with deck, stairway, and parking area to construct a primary structure with deck, steps, and driveway.

With Conditions:

1. All work shall be in accordance with plans by Michael Hadden as received by the NH Department of Environmental Services (NHDES) on February 18, 2020 and revised on April 15, 2020 as received by NHDES on April 16, 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 29.9% 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 1,141 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 infiltration trenches shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed infiltrating trenches shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
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.

2020-00396 OWNER: O'CONNELL, DENICE/JOSEPH

CITY: GILFORD WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Impact 1,088 square feet of protected shoreland in order to remove the non-conforming primary structure #6 and patio to a more nearly conforming construct a non-conforming primary structure #6 with pervious patio.

APPROVE PERMIT

Impact 1,088 square feet of protected shoreland in order to remove the non-conforming primary structure #6 and patio to a more nearly conforming construct a non-conforming primary structure #6 with pervious patio.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants LLC dated February 11, 2020 and received by the NH Department of Environmental Services (NHDES) on March 4, 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 38.4% 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 1,148 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.

2020-00425 OWNER: SCIANNA, LOUISE

CITY: NOTTINGHAM WATERBODY: PAWTUCKAWAY LAKE

Requested Action:

Impact 7,773 square feet of protected shoreland in order to construct a primary residence with a deck, relocate a culvert, and install a septic system.

APPROVE PERMIT

Impact 7,773 square feet of protected shoreland in order to construct a primary residence with a deck, relocate a culvert, and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by Roscoe T. Blaisdell dated February 11, 2020 and revised as received by the NH Department of Environmental Services (NHDES) on April 13, 2020.
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 13.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 1,988 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. 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.

2020-00623 OWNER: STEPHEN S RAUH TRUST NO 1

CITY: GRANTHAM WATERBODY: ANDERSON POND

Requested Action:

Impact 4,210 square feet of protected shoreland in order to construct a detached garage with open porch and stormwater management and construct a driveway extension, and regrading.

APPROVE PERMIT

Impact 4,210 square feet of protected shoreland in order to construct a detached garage with open porch and stormwater management, construct a driveway extension, and regrading.

With Conditions:

1. All work shall be in accordance with plans by Pennyroyal Hill Land Surveying & Engineering LLC dated March 16, 2020 and received by the NH Department of Environmental Services (NHDES) on March 25, 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 14.3% 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 5,480 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 infiltration trenches shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed infiltration trenches shall be submitted to the Department within 30 days of the completion of construction.
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.

2020-00643 OWNER: RYAN, ANN/TONY

CITY: NEWBURY WATERBODY: SUNAPEE LAKE

Requested Action:

Impact 17,925 square feet of protected shoreland in order to raze an existing primary structure and existing detached garage and replace with a new primary structure and detached garage, along with a new septic system, stormwater management, and associated site/landscape improvements.

APPROVE PERMIT

Impact 17,925 square feet of protected shoreland in order to raze an existing primary structure and existing detached garage

and replace with a new primary structure and detached garage, along with a new septic system, stormwater management, and associated site/landscape improvements.

With Conditions:

1. All work shall be in accordance with revised plans by Pellettieri Associates, Inc. dated March 19, 2020 and received by the NH Department of Environmental Services (NHDES) on March 30, 2020.
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 24% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 1,645 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. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. This permit shall not 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.
16. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00646 OWNER: ERIC K SCHOLL REV TRUST 12-15-15

CITY: NEWBURY WATERBODY: SUNAPEE LAKE

Requested Action:

Impact 3,063 square feet of protected shoreland in order to replace stone stairway with new wooden stairs and walkway and re-construct and replace retaining wall.

APPROVE PERMIT

Impact 3,063 square feet of protected shoreland in order to replace stone stairway with new wooden stairs and walkway and re-construct and replace retaining wall.

With Conditions:

1. All work shall be in accordance with plans by Fuss & O'Neill dated March 6, 2020 and received by the NH Department of Environmental Services (NHDES) on March 30, 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 23.5% 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 4,092 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 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.

2020-00649 OWNER: SCANLON, THOMAS

CITY: EXETER WATERBODY: LITTLE RIVER

Requested Action:

Impact 12,825 square feet of protected shoreland in order to construct a primary structure, a detached barn, and 2 driveways, and a retaining wall.

APPROVE PERMIT

Impact 12,825 square feet of protected shoreland in order to construct a primary structure, a detached barn, and 2 driveways, and a retaining wall.

With Conditions:

1. All work shall be in accordance with plans by Emanuel Engineering dated February 11, 2020 and received by the NH Department of Environmental Services (NHDES) on March 30, 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 4.4% 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 18,286 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. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

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

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

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

2020-00650 OWNER: MAHON, JAMES/STEPHANIE

CITY: STRAFFORD WATERBODY: BOW LAKE

Requested Action:

Impact 4,964 square feet of protected shoreland in order to replace a structure with a new larger structure, add a deck over an existing patio, grade, terrace, and landscape waterfront buffer area for stormwater control, construct stairs over an existing gravel path and an additional 6 foot wide path within the waterfront buffer.

APPROVE PERMIT

Impact 4,964 square feet of protected shoreland in order to replace a structure with a new larger structure, add a deck over an existing patio, grade, terrace, and landscape waterfront buffer area for stormwater control, construct stairs over an existing gravel path and an additional 6 foot wide path within the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by Scott Bailey dated March 18, 2020 and received by the NH Department of Environmental Services (NHDES) on March 30, 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 19.4% 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 3,253 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. 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. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude 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.

2020-00661 OWNER: LOW, ROBERT/STACEY

CITY: CANAAN WATERBODY: CANAAN STREET LAKE

Requested Action:

Impact 3,140 square feet of protected shoreland in order to construct a 3 bedroom structure, drill for a well, and install a septic system.

APPROVE PERMIT

Impact 3,140 square feet of protected shoreland in order to construct a 3 bedroom structure, drill for a well, and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by Hogg Hill Design, LLC dated February 20, 2020 and received by the NH Department of Environmental Services (NHDES) on April 1, 2020.
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 2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 1,180 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.

2020-00675 OWNER: LEFEBVRE, KIM/PETER

CITY: MOULTONBOROUGH WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Impact 2,664 square feet of protected shoreland in order to construct a 30 foot x 40 foot detached garage with 10 inch overhangs.

APPROVE PERMIT

04/20/2020 to 04/26/2020

Impact 2,664 square feet of protected shoreland in order to construct a 30 foot x 40 foot detached garage with 10 inch overhangs.

With Conditions:

1. All work shall be in accordance with plans by Advantage NH Lakes dated March 17, 2020 and received by the NH Department of Environmental Services (NHDES) on April 2, 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 27% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 2,546 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. The proposed (stormwater management structures) 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 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.

2020-00683 OWNER: OBRIEN, TERRY

CITY: HAMPTON WATERBODY: HAMPTON HARBOR INLET

Requested Action:

Impact 5,000 square feet of protected shoreland in order to replace existing primary structure with a new structure.

APPROVE PERMIT

Impact 5,000 square feet of protected shoreland in order to replace existing primary structure with a new structure.

With Conditions:

1. All work shall be in accordance with plans by Peter Barbard and received by the NH Department of Environmental Services (NHDES) on April 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 57% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
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.

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5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. 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.

2020-00696 OWNER: KENISTON, MELVIN

CITY: ENFIELD WATERBODY: CRYSTAL LAKE

Requested Action:

Impact 4,910 square feet of protected shoreland in order to construct a foundation under porch and house, replace front porch and front deck with a 4 season room, build retaining wall on front lawn hill, and replace back deck with concrete slab.

APPROVE PERMIT

Impact 4,910 square feet of protected shoreland in order to construct a foundation under porch and house, replace front porch and front deck with a 4 season room, build retaining wall on front lawn hill, and replace back deck with concrete slab.

With Conditions:

1. All work shall be in accordance with plans by Melvin Keniston dated March 30, 2020 and received by the NH Department of Environmental Services (NHDES) on April 6, 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 29% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 2,125 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 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.

2020-00720 OWNER: PINAULT, LISA

CITY: KINGSTON WATERBODY: GREAT POND

Requested Action:

Impact 484 square feet of protected shoreland in order to construct a 16 foot x 24 foot addition to the existing structure.

APPROVE PERMIT

Impact 484 square feet of protected shoreland in order to construct a 16 foot x 24 foot addition to the existing structure.

With Conditions:

1. All work shall be in accordance with revised plans by Seekamp and received by the NH Department of Environmental Services (NHDES) on April 8, 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 9.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 3,028 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 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.

2020-00746 OWNER: KENNEDY, JOHN/PATRICIA

CITY: SALEM WATERBODY: CANOBIE LAKE

Requested Action:

Impact 7,900 square feet of protected shoreland in order to construct a 1,250 square foot addition with garage to the existing primary structure, improve drainage, relocate driveway and shed, and conduct associated improvements.
 Temporary Waiver Granted: Temporarily reduce the area of the Woodland Buffer in which vegetation remains in an unaltered state below that required per RSA 483-B:9, V, (b) for the purposes of expanding a nonconforming primary structure.
 Post-construction restoration planting required.

APPROVE PERMIT

Impact 7,900 square feet of protected shoreland in order to construct a 1,250 square foot addition with garage to the existing

04/20/2020 to 04/26/2020

primary structure, improve drainage, relocate driveway and shed, and conduct associated improvements.
Temporary Waiver Granted: Temporarily reduce the area of the Woodland Buffer in which vegetation remains in an unaltered state below that required per RSA 483-B:9, V, (b) for the purposes of expanding a nonconforming primary structure.
Post-construction restoration planting required.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated February 29, 2020 and received by the NH Department of Environmental Services (NHDES) on April 14, 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 29.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Within 60 days of the completion of the framing of the proposed structure the Permittee shall have replanted and restored native vegetation within an area of at least 420 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line. This vegetation shall then be retained in an unaltered state in order to comply with RSA 483-B:9, V(b)(2). Within 90 days the completion of the framing of the proposed structure the Permittee shall provide documentation, including photos, showing that restoration of the Natural Woodland Buffer has occurred to the DES Wetlands Bureau.
5. The Permittee is responsible for submitting monitoring reports and photos of restored areas to the DES Wetlands Bureau at six (6) months following completion of plantings and then annually for a duration of three (3) years in order to document compliance with the restoration plan.
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 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.

PERMIT CATEGORY: SEASONAL DOCK SPN

2020-00743 OWNER: JILDA B BAKKER TRUST

CITY: CENTER HARBOR WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Install a seasonal pier not to exceed 4 foot x 8 foot on frontage along Lake Winnepesaukee in Center Harbor.

COMPLETE NOTIFICATION

Install a seasonal pier not to exceed 4 foot x 8 foot on frontage along Lake Winnepesaukee in Center Harbor.

2020-00744 OWNER: WRIGHTSON, DAVID

CITY: WASHINGTON WATERBODY: HIGHLAND LAKE

Requested Action:

Install a seasonal pier not to exceed 6 foot x 30 foot on frontage along Highland Lake in Washington.

COMPLETE NOTIFICATION

Install a seasonal pier not to exceed 6 foot x 30 foot on frontage along Highland Lake in Washington.

2020-00758 OWNER: HERRICK, RONALD

CITY: FITZWILLIAM WATERBODY: SPORTSMAN POND

Requested Action:

Install a seasonal pier not to exceed 6 foot x 30 foot on frontage along Sportsman Pond in Fitzwilliam.

COMPLETE NOTIFICATION

Install a seasonal pier not to exceed 6 foot x 30 foot on frontage along Sportsman Pond in Fitzwilliam.

2020-00759 OWNER: MORRISON, CHRIS/JEN

CITY: NEWBURY WATERBODY: CHALK POND

Requested Action:

Install a seasonal dock not to exceed 4 foot x 8 foot on frontage along Chalk Pond in Newbury.

COMPLETE NOTIFICATION

Install a seasonal dock not to exceed 4 foot x 8 foot on frontage along Chalk Pond in Newbury.

2020-00772 OWNER: MULLINS, JAMES

CITY: SPRINGFIELD WATERBODY: KOLELEMOOK LAKE

Requested Action:

Install a seasonal pier not to exceed 6 foot x 30 foot on frontage along Kolelemook Lake in Springfield.

COMPLETE NOTIFICATION

Install a seasonal pier not to exceed 6 foot x 30 foot on frontage along Kolelemook Lake in Springfield.

PERMIT CATEGORY: FORESTRY SPN

2020-00790 OWNER: TRAUB, SERENITY

CITY: EXETER WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

EXETER; TAX MAP# 28; LOT#20

2020-00791 OWNER: MEADOWSEND TIMBERLANDS LTD

CITY: CANTERBURY WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

CANTERBURY; TAX MAP# 277; LOT# 1

2020-00816 OWNER: LECAIN, ADAM & REBECCA

CITY: BARNSTEAD WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

BARNSTEAD; TAX MAP# 1; LOT# 55

2020-00818 OWNER: THOMPSON JR, GEORGE

CITY: DEERFIELD WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
DEERFIELD; TAX MAP# 414; LOT(S)# 75,76

2020-00819 OWNER: MCCARTHY-MURPHEY, PATRICIA

CITY: OSSIPEE WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
OSSIPEE; TAX MAP# 9; LOT# 17

2020-00820 OWNER: LYNCH JR, ALBERT

CITY: PELHAM WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
PELHAM; TAX MAP# 6; LOT# 170; BLOCK# 4

2020-00821 OWNER: WEILBRENNER, RONALD & PAMELA

CITY: GOFFSTOWN WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
GOFFSTOWN; TAX MAP# 8; LOT# 50

2020-00822 OWNER: WHITNEY, JAMES & PAMELA

CITY: SULLIVAN WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
SULLIVAN; TAX MAP# 3; LOT# 47

2020-00823 OWNER: MERRILL, RONALD

CITY: WILMOT WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
WILMOT; TAX MAP# 7; LOT# 24, 25

PERMIT CATEGORY: CULVERT REPAIR AND REPLACEMENT SPN

2020-00814 OWNER: PICKERING, MALCOLM

CITY: NORTHFIELD WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
In kind replacement of a 12 inch diameter culvert.

PERMIT CATEGORY: RR1: CULVERT REPLACEMENT OR REPAIR

2020-00812 OWNER: NHDOT DISTRICT 4

CITY: TEMPLE WATERBODY: Unnamed Stream

COMPLETE REGISTRATION
RR1: Culvert replacement or repair.

PERMIT CATEGORY: EXP - STANDARD TIMELINE

2020-00388 OWNER: WHITE SYLVANIA TRUST

CITY: SANDWICH WATERBODY:

Requested Action:

Fill approximately 1,260 square feet (SF) within the bed and banks of Meadow Brook (tier 3, impacting approximately 189 linear feet [LF]) by incorporating 2-4 large wood structures every 100 feet into the brook by hand (no equipment) to increase the percentage of wood coverage from 0 to 7 percent in order to improve native brook trout habitat, and provide sediment retention, floodplain reengagement, and nutrient cycling along a 900 linear foot stretch of Meadow Brook.

APPROVE PERMIT

Fill approximately 1,260 square feet (SF) within the bed and banks of Meadow Brook (tier 3, impacting approximately 189 linear feet [LF]) by incorporating 2-4 large wood structures every 100 feet into the brook by hand (no equipment) to increase the percentage of wood coverage from 0 to 7 percent in order to improve native brook trout habitat, and provide sediment retention, floodplain reengagement, and nutrient cycling along a 900 linear foot stretch of Meadow Brook.

With Conditions:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the approved plans dated January 3, 2020, by Natural Resources Conservation Service of the U.S. Department of Agriculture (NRCS), as received by the NH Department of Environmental Services (NHDES) on March 03, 2020.
2. In accordance with Env-Wt 525.04(e), wood addition projects shall comply with the "Practical Guide to Adding Wood to Streams in NH".
3. In accordance with Env-Wt 307.18(c), a report that describes the monitoring conducted and date(s) of inspections, and includes photos showing the extent of jurisdictional impacts, areas of restoration, and progress of any plantings shall be submitted to the department.
4. In accordance with Env-Wt 307.18(d), a report that describes the stability of and status of stream or wetland systems, including a description of any necessary adjustments, shall be submitted to the department.
5. In accordance with Env-Wt 307.18(e), a schedule and description of measures to be taken during construction and after completion of the project shall be submitted to the department.
6. In accordance with Env-Wt 307.04(a), activities that produce suspended sediment in jurisdictional areas that provide value as bird migratory areas or fish and shellfish spawning or nursery areas, shall be done so as to avoid and minimize discharges of dredged material or placement of fill material during spawning or breeding seasons by using water quality protection techniques as specified in Env-Wt 307 and timing of project as specified in Env-Wt 307.10(g) or (h), as applicable.
7. In accordance with Env-Wt 307.04(b), activities that produce suspended sediment in jurisdictional areas that provide value as bird migratory areas or fish and shellfish spawning or nursery areas, shall be done so as to not discharge sediment to fish and shellfish spawning or nursery areas or to amphibian and migratory bird breeding areas during spawning or breeding seasons, as applicable, which could necessitate suspending the activities.
8. In accordance with Env-Wt 307.04(c), activities that produce suspended sediment in jurisdictional areas that provide value as bird migratory areas or fish and shellfish spawning or nursery areas shall be done so as to protect high quality waters as specified in Env-Wq 1708.06.
9. All work shall be conducted and maintained in such a way as to protect water quality as required by Rule Env-Wt 307.03(a) through (h).
10. In accordance with Env-Wt 307.03(a), no activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality.
11. All temporary and permanent filling activities shall meet all of the applicable conditions listed in Rule Env-Wt 307.11(a) through (l).
12. In accordance with Env-Wt 307.11(e), fill shall be not placed so as to direct flows onto adjacent or down-current property.
13. In accordance with Env-Wt 307.11(l), no fill shall take place in a priority resource area (PRA) unless specifically authorized by the department in an issued permit; or authorized under applicable project-specific provisions.
14. In accordance with Env-Wt 307.08(a), water quality and environmental minimization measures shall be in place to ensure that functions and values of designated prime wetlands and duly-established 100-foot buffers are protected.

With Findings:

1. This is classified as a minimum impact project per Rule Env-Wt 525.05(a), as the project meets all of the criteria for a restoration/enhancement project.
2. Per Rule Env-Wt 407.04(b), classification based on resource type impacted does not apply to a restoration/enhancement project under Env-Wt 525, as the project is funded in whole or in part with public funds from a federal, state, or local agency; is conducted under the supervision of the Natural Resources Conservation Service of the U.S. Department of Agriculture (NRCS); and is not done to restore any area that is subject to a removal or restoration order.
3. The enhancement project meets all of the design and construction requirements listed in Env-Wt 525.04, and has been designed to restore or increase wetland functions, stream function, water quality, or other functions of resources within jurisdictional areas.
4. Per Rule Env-Wt 525.02, the enhancement project meets the design and construction requirements of Env-Wt 525.04

and does not include unnatural stream channelization or conversion of wetlands to uplands.

5. Per Rule Env-Wt 313.03(a), the applicant has demonstrated that potential impacts to jurisdictional areas have been avoided to the maximum extent practicable and that any unavoidable impacts have been minimized.

6. Per Rule Env-Wt 313.01(a)(2), all applicable conditions specified in Env-Wt 307 have been met.

7. Per Rule Env-Wt 313.01(a)(3), all resource-specific criteria established in Env-Wt 400 and Env-Wt 500 have been met

8. Per Rule Env-Wt 313.01(a)(4), all project-specific criteria established in Env-Wt 500 have been met.

9. Per Rule Env-Wt 313.01(a)(5), and as required by RSA 482-A:11, II, this permit for work to dredge or fill will not 'infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners' based on documentation that the proposed dredge and fill activity will be located entirely within the boundary of the applicant's property interest and will not result in any observable change in off-site surface water levels or flows.

10. Per Rule Env-Wt 311.06(h), the municipal conservation commission did not provide comments on the proposed project.

11. Per Rule Env-Wt 311.06(j), the applicant has not received comments from any federal agency.

PERMIT CATEGORY: EXP - EXPEDITED TIMELINE

2020-00173 OWNER: HALLET, MATTHEW/CHRISTINE

CITY: BEDFORD WATERBODY: Unnamed Wetland

Requested Action:

Dredge and fill 600 square feet (SF) of palustrine wetland in order to construct a 16-foot-wide shared driveway to two proposed single family residences and install a gravel apron for town snow storage.

Conservation Commission/Staff Comments:

2-10-20 - Con Com voted to support application.

APPROVE PERMIT

Dredge and fill 600 square feet (SF) of palustrine wetland in order to construct a 16-foot-wide shared driveway to two proposed single family residences and install a gravel apron for town snow storage.

With Conditions:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the approved plans dated November 19, 2019, by Sanford Surveying & Engineering, Inc., as received by the NH Department of Environmental Services (NHDES) on March 04, 2020.
2. In accordance with Env-Wt 524.05(b), all work for residential, commercial, or industrial development projects in non-tidal wetlands shall be conducted in accordance with the approved plan.
3. In accordance with Env-Wt 307.18(e), a schedule and description of measures to be taken during construction and after completion of the project shall be submitted to the department.
4. In accordance with Env-Wt 524.05(a), residential, commercial, or industrial development projects in non-tidal wetlands shall submit a construction notice with the department at least 48 hours prior to commencing work.
5. In accordance with Env-Wt 310.03(a), no other work shall be done on the subject property pursuant to another expedited permit (EXP) or a statutory permit-by-notification (SPN) for a period of 12 months from the date the EXP was issued unless the property owner submits information, including a plan, to demonstrate that the proposed work is wholly unrelated to and separate from the work already done under the EXP or SPN; and the proposed work and the work already done under the EXP or SPN do not, when combined, constitute a project for which a standard permit is required.
6. In accordance with Env-Wt 307.03(a), no activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality.
7. In accordance with Env-Wt 307.03(b), all work, including management of soil stockpiles, shall be conducted so as to minimize erosion, minimize sediment transfer to surface waters or wetlands, and minimize turbidity in surface waters and

wetlands using the techniques described in Env-Wq 1505.02, Env-Wq 1505.04, Env-Wq 1506, and Env-Wq 1508; the applicable BMP manual; or a combination thereof, if the BMP manual provides less protection to jurisdictional areas than the provisions of Env-Wq 1500.

8. In accordance with Env-Wt 307.03(c)(3), water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508.
9. In accordance with Env-Wt 307.03(c)(1), water quality control measures shall be selected and implemented based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas.
10. In accordance with Env-Wt 307.03(c)(4), water quality control measures shall be capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment.
11. In accordance with Env-Wt 307.03(c)(5), water quality control measures shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction.
12. In accordance with Env-Wt 307.03(c)(6), water quality control measures shall remain in place until all disturbed surfaces are stabilized to a condition in which soils on the site will not experience accelerated or unnatural erosion by achieving and maintaining a minimum of 85% vegetative cover using an erosion control seed mix, whether applied in a blanket or otherwise, that is certified by its manufacturer as not containing any invasive species; or placing and maintaining a minimum of 3 inches of non-erosive material such as stone.
13. In accordance with Env-Wt 307.03(d), any sediment collected by water quality control measures shall be removed with sufficient frequency to prevent the discharge of sediment; and placed in an upland location in a manner that prevents its erosion into a surface water or wetland.
14. In accordance with Env-Wt 307.03(e), all exposed soils and other fills shall be permanently stabilized within 3 days following final grading.
15. In accordance with Env-Wt 307.03(c)(7), temporary water quality control methods shall be removed upon completion of work when compliance with Env-Wt 307.03(c)(6) is achieved.
16. In accordance with Env-Wt 307.11(a), fill shall be clean sand, gravel, rock, or other material that meets the project's specifications for its use; and does not contain any material that could contaminate surface or groundwater or otherwise adversely affect the ecosystem in which it is used.
17. In accordance with Env-Wt 307.11(c), slopes shall be immediately stabilized by a method specified in Env-Wq 1506 or Env-Wq 1508, as applicable, to prevent erosion into adjacent wetlands or surface waters.
18. In accordance with Env-Wt 307.11(d), no fill shall be allowed to achieve setbacks to septic systems specified in Env-Wq 1000.
19. In accordance with Env-Wt 307.11(e), fill shall be not placed so as to direct flows onto adjacent or down-current property.
20. In accordance with Env-Wt 307.11(j), wetlands and surface waters shall be restored to pre-impact conditions and elevation as specified in Env-Wt 307.12(i).

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 524.06(a), as the project meets all of the criteria for a residential development.
2. Per Rule Env-Wt 407.04(c)(3), classification based on resource type impacted does not apply to this project, as it is listed in Table 407-2: Classification Criteria For Specified Projects.
3. Per Rule Env-Wt 310.01(h), the application for this expedited permit (EXP) included a signed statement from the municipal conservation commission certifying that the conservation commission waives its right to intervene on the project.
4. Per Rule Env-Wt 306.05, the applicant has addressed all of the required planning items that are used to determine the appropriate impact classification of a project and the type of approval required.
5. The residential development project meets the all of the approval criteria established in Env-Wt 524.02.
6. Per Rule Env-Wt 313.01(a)(5) and pursuant to RSA 482-A:11, II, the applicant obtained written consent from abutting landowner(s) as a portion of the proposed project will extend onto another property, to ensure that the project does not infringe on the property rights or unreasonably affect the value or enjoyment of the property of abutting owners.

PERMIT CATEGORY: SMALL MOTOR MINERAL DREDGE

2020-00792 OWNER: PARTRIDGE, JEREMY

CITY: (ALL TOWNS) WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

WOODS RD, KEENE, UNNAMED STREAM
RTE 302 & BASE STATION RD, BRETTON WOODS, AMMONOOSUC RIVER
JEFFERSON NOTCH RD, JEFFERSON, JEFFERSON BROOK
RTE112, BATH, WILD AMMONOOSUC RIVER
WILD RIVER RD, SHELBURNE, WILD RIVER
WEST SIDE RD, BARTLETT/CONWAY, SACO RIVER
LARY BROOK RD, SHELBURNE, LARRY BROOK
TUNNEL BROOK RD, BENTON, TUNNEL BROOK
JEFFERSON NOTCH RD, JEFFERSON, SOUTH BRANCH ISREAL RIVER
GILSON RD, KEENE, ASHUELOT RIVER
RTE 9, KEENE/SULLIVAN, OTTER BROOK
RTE 110 & RTE 3, STRATFORD/COLEBROOK/PITTSBURG, CONNECTICUT RIVER

2020-00810 OWNER: PADILLA, MICHAEL

CITY: (ALL TOWNS) WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

RTE 112, BATH, WILD AMMONOOSUC RIVER

2020-00839 OWNER: DORVAL, JOHN

CITY: (ALL TOWNS) WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

RTE 112, BATH, WILD AMMONOOSUC

2020-00841 OWNER: KNOWLES, JOSEPH

CITY: (ALL TOWNS) WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

RTE 112, BATH, WILD AMMONOOSUC RIVER

2020-00842 OWNER: GODIN, NORMAND

FAX/EMAIL: NORMAND1271@YAHOO.COM

CITY: (ALL TOWNS) WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
HWY 116, BATH, WILD AMMONOOSUC

PERMIT CATEGORY: WETLAND PBN

2020-00716 OWNER: R & R REALTY TRUST

CITY: NEWBURY WATERBODY: SUNAPEE LAKE

Requested Action:

Replace an existing 16 foot x 30 foot dock supported by two 15 foot x 16 foot cribs and connected to a 12 foot x 6 foot landing by a 4 foot x 19 foot 8 inch gangway on 68 feet of frontage along Lake Sunapee in Newbury.

PBN IS COMPLETE

Replace an existing 16 foot x 30 foot dock supported by two 15 foot x 16 foot cribs and connected to a 12 foot x 6 foot landing by a 4 foot x 19 foot 8 inch gangway on 68 feet of frontage along Lake Sunapee in Newbury.

With Conditions:

1. All work shall be done in accordance with plans by David Rhodes as received by the NH Department of Environmental Services (NHDES) on April 23, 2020 as required pursuant to Env-Wt 307.16.
2. This permit shall not be effective until it has been recorded in the Merrimack County Registry of Deeds and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
3. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
4. 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 as required pursuant to Env-Wt 314.02.
5. Work authorized shall be carried out in accordance with Env-Wt 307 such that appropriate turbidity controls are in place to protect water quality, that no turbidity escapes the immediate dredge area, and that appropriate turbidity controls shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. Water quality control measures capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment shall be selected and implemented as appropriate based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas as required pursuant to Env-Wt 307.03(c).
7. Water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508, shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction, and removed upon completion of work and the effective stabilization of disturbed surfaces as required pursuant to Env-Wt 307.03(c).
8. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality as required pursuant to Env-Wt 307.03(a).
9. Work shall be carried out in a time and manner such that there are no discharges in or to fish or shellfish spawning or nursery areas during spawning seasons as required pursuant to Env-Wt 307.04. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.

04/20/2020 to 04/26/2020

- 10. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas as required pursuant to Env-Wt 307.04. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
- 11. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
- 12. No construction, modification, or maintenance activity that is contrary to RSA 482-A:26 shall be conducted.
- 13. Owners of permanent docking structures which are not maintained so as to be structurally sound and usable for their intended purpose shall remove those docking structures in accordance with Env-Wt 513.22(c), to prevent hazards to public safety, navigation, and recreation.
- 14. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, 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 minimum impact project per Administrative Rule Env-Wt 513.24(a)(2), for the repair or replacement of an existing legal docking structure.

2020-00734 OWNER: POPE, KERRY

CITY: MADISON WATERBODY: SILVER LAKE

Requested Action:

Temporarily impact 95 square feet along 112 linear feet of bank in order to repair an existing retaining wall on 97.5 linear feet of frontage along Silver Lake in Madison.

PBN IS COMPLETE

Temporarily impact 95 square feet along 112 linear feet of bank in order to repair an existing retaining wall on 97.5 linear feet of frontage along Silver Lake in Madison.

With Conditions:

- 1. All work shall be in accordance with plans by Stoney Ridge Environmental LLC dated February 28, 2020, as received by the NH Department of Environmental Services (NHDES) on April 13, 2020 as required pursuant to Env-Wt 307.16.
- 2. Repair of the existing retaining wall shall be conducted in the dry and shall result in no change in height, length, location, or configuration in accordance with 514.07(a).
- 3. Pursuant to RSA 483-B:9,V, (a)(2)(d)(v), this permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
- 4. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
- 5. Work shall be carried out in a time and manner such that there are no discharges in or to fish or shellfish spawning or nursery areas during spawning seasons as required pursuant to Env-Wt 307.04. 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 as required pursuant to Env-Wt 307.04. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
- 7. Water quality control measures capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment shall be selected and implemented as appropriate based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas as required pursuant to Env-Wt 307.03(c).
- 8. Water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508, shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction,

and removed upon completion of work and the effective stabilization of disturbed surfaces as required pursuant to Env-Wt 307.03(c).

9. All dredged and excavated material and construction-related debris shall be placed outside of those areas subject to RSA 482-A or RSA-483-B unless a permit for the deposition of materials within those areas has been obtained as required per RSA 482-A:3 or RSA 483-B:5-b respectively.

10. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality as required pursuant to Env-Wt 307.03(a).

11. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, 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. The project is classified as a minimum impact per Administrative Rule Env-Wt 514.07(a)(3), repair of the existing retaining wall conducted in the dry and results in no change in height, length, location, or configuration. wall.