

# Wetlands Applications Decision Report

Decisions Taken  
06/22/2020 to 06/28/2020

## **DISCLAIMER:**

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

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

## **APPEAL:**

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

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

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**PERMIT CATEGORY:**

No Category Match

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**2020-00668 OWNER: SOCIETY FOR THE PROTECTION OF NH FORESTS**

**CITY: PORTSMOUTH WATERBODY: SAGAMORE CREEK**

**Requested Action:**

Temporarily impact 7,700 square feet of previously-developed upland tidal buffer zone in order to upgrade a water line for adequate domestic and fire suppression services to the Carey Cottage at Creek Farm.

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**APPROVE PERMIT**

Temporarily impact 7,700 square feet of previously-developed upland tidal buffer zone in order to upgrade a water line for adequate domestic and fire suppression services to the Carey Cottage at Creek Farm.

**With Conditions:**

1. All work shall be done in accordance with the approved plans dated May 28, 2020 by Altus Engineering Inc., as received by the NH Department of Environmental Services (NHDES) on May 28, 2020, in accordance with Env-Wt 307.16.
2. 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, in accordance with Env-Wt 307.07.
3. Water quality control measures shall be comprised of wildlife-friendly erosion control materials, in accordance with Env-Wt 307.03(c)(2).
4. 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, per Rule Env-Wt 307.03(c)(1).
5. Dredged materials to be stockpiled in uplands shall be dewatered in sedimentation basins that are contained within turbidity controls that prevent turbid water from leaving the basins, in accordance with Env-Wt 307.10(f).
6. Work shall be done during low flow or in the dry unless a dredge dewatering, diversion, or cofferdam plan has been approved as part of the project, in accordance with Env-Wt 307.10(b).
7. To prevent the use of soil or seed stock containing nuisance or invasive species, the contractor responsible for work shall follow Best Management Practices for the Control of Invasive and Noxious Plant Species (Invasive Plant BMPs), in accordance with Env-Wt 307.05(e).
8. Jurisdictional areas where permanent impacts are not authorized shall be restored to their pre-impact conditions and elevation, in accordance with Env-Wt 307.12(i).
9. The person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands, per Rule Env-Wt 307.03(g)(1).
10. Equipment shall be staged and refueled outside of jurisdictional areas (unless allowed) and in accordance with Env-Wt 307.15, per Rule Env-Wt 307.03(h).
11. Upon completion of construction, all disturbed wetland areas shall be stabilized with wetland seed mix containing non-invasive plant species only, in accordance with Env-Wt 307.12(b).

**With Findings:**

1. This is classified as a minor project per Rule Env-Wt 610.17(b)(1), for any dredging, filling, or construction activity, or any combination thereof that involves work within 75 feet of a saltmarsh in the developed upland tidal buffer, is not a major project, and will disturb 3,000 SF or more but less than 10,000 SF in the developed upland tidal buffer.
2. 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.
3. Per Rule Env-Wt 313.01(a)(2) all applicable conditions specified in Env-Wt 307 have been met.
4. Per Rule Env-Wt 313.01(a)(3) all resource-specific criteria established in Env-Wt 600 have been met.
5. Per Rule Env-Wt 313.01(a)(4) all project-specific criteria established in Env-Wt 600 have been met.
6. Per Rule Env-Wt 604.02(b), the project in or on an undeveloped tidal buffer zone has been evaluated by the applicant and meets all of the criteria listed in Env-Wt 604.02(b)(1) through (7). Per Rule Env-Wt 604.02(c), the project in or on a tidal buffer

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zone preserves the self-sustaining ability of the buffer area to provide habitat values, protect tidal environments from potential sources of pollution, provide stability of the coastal shoreline, and maintain existing buffers intact where the lot has disturbed area defined under RSA 483- B:4, VI.

7. Per Rule Env-Wt 604.02(c) the project in or on a tidal buffer zone preserves the self-sustaining ability of the buffer area to provide habitat values, protect tidal environments from potential sources of pollution, provide stability of the coastal shoreline, and maintain existing buffers intact where the lot has disturbed area defined under RSA 483- B:4, VI.

8. Per Rule Env-Wt 605.01, for projects in coastal areas, the applicant has demonstrated that the avoidance and minimization requirements in Env-Wt 307, Env-Wt 311.07, Env-Wt 313, and Env-Wt 603.04 have been met, and has demonstrated that all of the requirements listed in Env-Wt 605.01(a) through (c) have been met.

9. Per Env-Wt 605.02, the applicant for a permit for work in or adjacent to tidal waters/wetlands or the tidal buffer zone has demonstrated that adverse impacts listed in (a) through (d) have been avoided or minimized as required by Env-Wt 313.04.

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**2020-01079 OWNER: DMC REAL ESTATE HOLDINGS LLC**

**CITY: DOVER WATERBODY:**

Requested Action:

Dredge and fill 77 square feet of roadside ditched wetland in order to relocate the ditch to widen NH Route 155 to provide a through lane to support an adjacent commercial business.

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APPROVE PERMIT

Dredge and fill 77 square feet of roadside ditched wetland in order to relocate the ditch to widen NH Route 155 to provide a through lane to support an adjacent commercial business.

With Conditions:

1. All work shall be done in accordance with the approved plans dated May 06, 2020, by Civilworks New England, last received by the NH Department of Environmental Services (NHDES) on June 24, 2020, in accordance with Env-Wt 307.16
2. Property owner signatures shall not be required for transportation projects adjacent to existing rights-of-way where an easement will be obtained prior to the start of construction, in accordance with Env-Wt 311.11(d).
3. 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, per Rule Env-Wt 310.03(a)
4. Prior to the start of construction, all on-site personnel shall be made aware of the potential to encounter protected snake species. The attached flyer entitled "Seeking Reports of Rare Snakes - Black Racer" should be distributed to all on-site personnel and posted in a prominent location.
5. All observations of northern black racer snakes encountered from the end of September through the month of April must be immediately reported to the NHFG Department (Melissa Doperalski 603-479-1129 (cell) or Brendan Clifford 603-271-0463) as this indicates a potential hibernaculum in the area.
6. Water quality control measures shall be comprised of wildlife-friendly erosion control materials, in accordance with Env-Wt 307.03(c)(2).
7. 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, per Rule Env-Wt 307.03(c)(1).
8. To prevent the use of soil or seed stock containing nuisance or invasive species, the contractor responsible for work shall follow Best Management Practices for the Control of Invasive and Noxious Plant Species (Invasive Plant BMPs), in accordance with Env-Wt 307.05(e).
9. 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, per Rule

Env-Wt 307.03(b).

10. The person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands, per Rule Env-Wt 307.03(g)(1).

11. Equipment shall be staged and refueled outside of jurisdictional areas (unless allowed) and in accordance with Env-Wt 307.15, per Rule Env-Wt 307.03(h).

12. Upon completion of construction, all disturbed wetland areas shall be stabilized with wetland seed mix containing non-invasive plant species only, in accordance with Env-Wt 307.12(b).

With Findings:

1. This is classified as a minimum impact project per Rule Env-Wt 527.07, Env-Wt 407.02(c) and Env-Wt 407.03(a) for a public highway project that will disturb less than 3,000 square feet.
2. 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.
3. All applicable conditions specified in Env-Wt 307 have been met, per Rule Env-Wt 313.01(a)(2).
4. Per Rule Env-wt 310.01(d)(4), the applicant provided a signed statement certifying that the proposal is the alternative with the least adverse impact to jurisdictional areas, as required by Env-Wt 313.03.
5. 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.
6. The public highway project meets all of the approval criteria established in Env-Wt 527.02.
7. Per Rule Env-Wt 527.07, public highway projects are classified based on the dimensions established in Env-Wt 407, subject to the adjustments and project exceptions established in Env-Wt 407.

**PERMIT CATEGORY: MAJOR IMPACT PROJECT**

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**2020-00438 OWNER: GRAY, DAVID/JESSICA**

**CITY: STODDARD WATERBODY: CENTER POND**

Requested Action:

Impact 550 square feet of bank along 30 linear feet of shoreline to construct a 30 foot x 12 foot rectangular shaped perched beach on 150 feet of frontage along Center Pond in Stoddard.

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APPROVE PERMIT

Impact 550 square feet of bank along 30 linear feet of shoreline to construct a 30 foot x 12 foot rectangular shaped perched beach on 150 feet of frontage along Center Pond in Stoddard.

With Conditions:

1. All work shall be in accordance with revised plans by Good Earth Land Design revision dated June 9, 2020 and as received by the NH Department of Environmental Services (NHDES) on June 16, 2020 as required pursuant to Env-Wt 307.16.
2. No more than 20 cubic yards of sand shall be used and all sand shall be located above the normal high water line in accordance with Env-Wt 511.06(b)(1).
3. Steps for access to and from a water access structures shall not exceed 6 feet in width and shall be constructed or installed such that all portions of the steps are landward of the normal high, in accordance with Env-Wt 511.04(f).
4. Revegetation of the disturbed area by planting trees, shrubs, and ground covers shall represent the density and species diversity of the existing stand of vegetation removed for the project; and begin at a distance no greater than 5 feet landward from the water access structures footprint, in accordance with Env-Wt 511.05(b).
5. 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.
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

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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 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; 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.

With Findings:

1. The project is classified as a major impact per Rule Env-Wt 511.06(d), the aggregate area impacted by water access structure exceed 500 SF.

2. No impacts take place within Center Pond, therefore, the department is not required to submit the proposed permit to the governor and executive council as required by RSA 482-A:3, II(a) and in accordance with Env-Wt 313.02(b).

3. 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.

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**2020-00749 OWNER: CITY OF KEENE PUBLIC WORKS DEPT**

**CITY: KEENE WATERBODY: ASHUELOT RIVER**

Requested Action:

Dredge and fill a total of 2,962 square feet, including 98 square feet of emergent wetlands and 304 square feet/78 linear feet of perennial stream bed and bank (Ashuelot River) for the City of Keene- Winchester Street and Island Street Reconstruction Project to replace the existing 90' single span temporary truss structure with a 115-foot single span bridge with steel multi-girder superstructure. Temporary impacts include 2,560 square feet/241 linear feet.

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Conservation Commission/Staff Comments:  
ARLAC project comments received 042320

APPROVE PERMIT

Dredge and fill a total of 2,962 square feet, including 98 square feet of emergent wetlands and 304 square feet/78 linear feet of perennial stream bed and bank (Ashuelot River) for the City of Keene- Winchester Street and Island Street Reconstruction

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Project to replace the existing 90' single span temporary truss structure with a 115-foot single span bridge with steel multi-girder superstructure. Temporary impacts include 2,560 square feet/241 linear feet.

With Conditions:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the plans for City of Keene, NH-Winchester Street Improvements dated February, 2020, prepared by McFarland Johnson as received as received by the NH Department of Environmental Services (NHDES) on June 11, 2020.
2. In accordance with Env-Wt 307.07, 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.
3. 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.
4. 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).
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. In accordance with Env-Wt 307.03(h), equipment shall be staged and refueled outside of jurisdictional areas (unless allowed) and in accordance with Env-Wt 307.15.
12. All dredging activities shall meet all of the conditions listed in Rule Env-Wt 307.10(a) through (n).
13. In accordance with Env-Wt 307.05(e), to prevent the use of soil or seed stock containing nuisance or invasive species, the contractor responsible for work shall follow Best Management Practices for the Control of Invasive and Noxious Plant Species (Invasive Plant BMPs).
14. Restoration of all temporary impacts shall meet all of the conditions listed in Rule Env-Wt 307.12(a) through (i).
15. In accordance with Env-Wt 307.12(f), if any temporary impact area that is stabilized with seeding or plantings does not have at least 75% successful establishment of wetlands vegetation after 2 growing seasons, the area shall be replanted or reseeded, as applicable.
17. In accordance with Env-Wt 307.12(i), wetland areas where permanent impacts are not authorized shall be restored to their pre-impact conditions and elevation by replacing the removed soil and vegetation in their pre-construction location and elevation such that post-construction soil layering and vegetation schemes are as close as practicable to pre-construction conditions.
18. In accordance with Env-Wt 307.12(a), within 3 days of final grading or temporary suspension of work in an area that is in or adjacent to surface waters, all exposed soil areas shall be stabilized by seeding and mulching, if during the growing season; or mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1 if not within the growing season.
19. In accordance with Env-Wt 307.03(g)(1), the person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
20. In accordance with Env-Wt 307.03(g)(2), the person in charge of construction equipment shall repair any leaks prior to using the equipment in an area where such fluids could reach groundwater, surface waters, or wetlands.
21. In accordance with Env-Wt 307.03(e), all exposed soils and other fills shall be permanently stabilized within 3 days following final grading.

With Findings:

1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 903.01(g)(3)(b.) The project is a replacement of a tier 3 stream crossing.
2. The purpose of the project is to provide a complete streets improvement that accommodates all modes of transportation, while addressing daily traffic congestion issues, and improving safety along the Winchester Street corridor. The previous bridge superstructure was removed in 1979 and the existing Bailey type temporary bridge carrying Island Street over the Ashuelot River was installed. The bridge is on the NHDOT Municipal bridge "Red List". The proposed replacement bridge consists of a 115' single span bridge.
3. The proposed project involves intersection improvements including replacing two intersections with roundabouts, construction of sidewalks, drainage improvements, stormwater treatment areas, and the replacement of the Island Street Bridge over the Ashuelot River.  
In order to avoid impacts to the channel of the Ashuelot River the proposed bridge will be constructed behind the existing abutments. The existing abutments will be partially removed. The abutment work will require temporary impacts to allow the contractor to safely remove portions of the abutments while preventing debris from entering the Ashuelot River.
4. The project is located along a NH Designated River. The Ashuelot River Local Advisory Committee (ARLAC) provided comments to NHDES dated April 23, 2020. The ARLAC requested additional treatment added to the stormwater flow to impact area B2, and requested more definitive plans for the revegetation of the river banks adjacent to the proposed Island Street bridge. The applicant has confirmed that the additional proposed stormwater system has been designed with deep sump catch basins to provide pretreatment of 0.45 acres and a bioretention system designed to treat the full water quality volume of 0.35 acres. A permit application has been filed with the NHDES Alteration of Terrain Program for the project. The applicant has provided additional Bank Stabilization Details for the project. The ARLAC has confirmed the response.
5. The New Hampshire Natural Heritage Bureau NHB Datacheck has been checked for records of rare species and exemplary natural communities. It was determined that although there was a NHB record in the vicinity it is not expected that it will be impacted by the proposed project per letter dated February 28, 2020 (NHB20-0555).
6. Portions of the project are located within the FEMA mapped 100-year floodplain. The project will result in the net removal of approximately 230 cubic yards of material within the 100-year floodplain. The bridge is located within a backwater area and the flood elevations associated with the 10-year, 50-year, and 100-year frequency flood events are controlled by a dam structure located downstream of the bridge.
7. The project wetland scientist identified the functions and values of the impacted wetlands within project area and confirmed the wetland area will continue to provide these functions and values following completion of the project. The wetland areas have been previously disturbed by prior roadway construction development.
8. The applicant has submitted a Hydraulic analysis in accordance with Env-Wt 903.06(b) which indicates that the bridge is located within a backwater area, and flood elevations associated with the 10-year, 50-year, and 100-year frequency flood events were controlled by backwater conditions from downstream river characteristics. The proposed integral abutment bridge structure has been designed capable of resisting flood pressures should an unlikely overtopping scenario occur.
9. The applicant has requested an Alternative Design and provided a Technical Report in accordance with Env-Wt 904.10. The applicant has provided a Geomorphic Compatibility Assessment and a Hydraulic Analysis. Alternatives that would provide the required freeboard are expensive and/or undesirable including a truss structure, construction of a river pier, and complete removal and reconstruction of the entire bridge including foundations. The profile cannot be raised without impacts to several adjoining residences. Increasing hydraulic capacity could also result in increasing flooding potential at the downstream Winchester Street bridge. The applicant has addressed Env-904.01 and the Alternative Design request is approved.
10. The project was determined to result in 'no adverse effect' on known or potential historic resources per memo dated August 28, 2019.
11. The applicant's agent has provided consultation with the US Fish & Wildlife Service and concluded there would be no effect on the northern long eared bat or the dwarf wedge mussel as a result of the project per memo dated May 21, 2019.
12. In accordance with New Hampshire Administrative Rule Env-Wt 302.03 (c)(2)c. and (d) compensatory mitigation is not required as the project involves only rip rap or other bank stabilization to protect existing bridge infrastructure, and temporary impacts.

**PERMIT CATEGORY: MINOR IMPACT PROJECT**

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**2019-02627 OWNER: CITY OF ROCHESTER**

**CITY: ROCHESTER WATERBODY: Unnamed Wetland**

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Requested Action:

Dredge and fill 6,653 square feet of palustrine forested wetland for industrial lot development.

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APPROVE PERMIT

Dredge and fill 6,653 square feet of palustrine forested wetland for industrial lot development.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying & Engineering, titled Environmental Impact Overview Plan, dated August 13, 2019, and revised through April 21, 2020, last received by the New Hampshire Department of Environmental Services (NHDES) on June 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 New Hampshire Administrative Rule Env-Wq 1500 is achieved.
3. The permittee/permittee's contractor shall use only biodegradable, wildlife-friendly, erosion control netting not to include materials comprised of welded plastic or "biodegradable plastic".
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. 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).
6. Erosion control products shall be installed per manufacturers recommended specifications.
7. 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.
8. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. 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.
11. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
12. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.

With Findings:

1. This is a Minor Impact Project per New Hampshire Administrative Rule Env-Wt 303.03(h), 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. The industrial development site has been laid out to avoid and minimize jurisdictional impacts to the maximum extent practicable. Alternative layouts were discussed in the project narrative with supporting documentation dated July 26, 2019 and throughout the technical review process.
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 US EPA has reviewed the proposed project and determined the project is eligible as proposed under the NH Programmatic General Permit (PGP) per EPA review sheet dated October 16, 2019.
6. This project is subject to review and approval by the NHDES Alteration of Terrain Bureau (AoT file number: 20190814-151).

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7. In correspondence dated July 22, 2019, the New Hampshire Division of Historical Resources (DHR) stated that the project will not affect historic properties.
8. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB19-1053) stated that although there was a record in the vicinity, there are no impacts to sensitive species expected as a result of the proposed project.

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**2019-03491    OWNER: TOWN OF BEDFORD**

**CITY: BEDFORD    WATERBODY: Unnamed Wetland**

**Requested Action:**

Dredge and fill 9,070 square feet within palustrine forested wetlands for roadway improvements including impacts for wetland culvert replacements and fill for sideslopes. Temporarily impact 6,322 square feet within palustrine forested wetlands for the installation of sediment controls.

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**Conservation Commission/Staff Comments:**

40 day Con Com HOLD requested on 11/13/19  
12/19/19 per ConCom..."voted to support the application".. (see letter)

**APPROVE PERMIT**

Dredge and fill 9,070 square feet within palustrine forested wetlands for roadway improvements including impacts for wetland culvert replacements and fill for sideslopes. Temporarily impact 6,322 square feet within palustrine forested wetlands for the installation of sediment controls.

**With Conditions:**

1. All work shall be in accordance with plans Hoyle, Tanner & Associates, Inc. dated May 2020 as received by NHDES on June 2, 2020.
2. If spotted, wood or Blanding's turtles are found laying eggs in the work area, the contractor shall contact Melissa Doperalski at (603) 479-1129 or Josh Megyesy at (978) 578-0802 for further instructions.
3. Erosion and siltation controls with synthetic netting and thread, such as welded plastic, biodegradable plastic netting or thread-in erosion control matting, shall not be permitted on this site.
4. Prior to construction, the permittee shall obtain approval from the NH Fish and Game Department (Attn: Kim Tuttle) of the erosion control product to be used for the project.
5. No rip-rap shall be placed in wetlands for scour protection.
6. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program (Attn: Seta Detzel) and the local conservation commission in writing of the date on which work under this permit is expected to start.
7. Prior to construction, all wetland and surface water boundaries adjacent to construction areas shall be clearly marked to prevent unintentional encroachment on adjacent wetlands and surface waters.
8. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Program within 60 days of final site stabilization.
9. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for the Control of Invasive and Noxious Plant Species (2018).
10. Work shall be done during low flow and in the dry only.
11. 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).
12. Erosion and siltation control products shall be installed per manufacturer's recommended specifications.
13. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

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14. 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.
15. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
16. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
17. Any fill used shall be clean sand, gravel, rock, or other suitable material.
18. Filter fabric shall be installed under the riprap.
19. 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.
20. 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.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
22. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
23. Proper headwalls shall be constructed within seven days of culvert installation.
24. 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.
25. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
26. Areas of temporary impact shall be regraded to original contours following completion of work.
27. Mulch used within the wetland restoration areas shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
28. 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.

With Findings:

1. This is a Minor Impact Project per Administrative Rule Env-Wt 303.03(h), for 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. Compensatory mitigation is not required in accordance with Rule Env-Wt 302.03(c)(2)(b), for projects that impact less than 10,000 square feet of wetlands. The project impacts vernal pool buffers; the US Army Corps of Engineers has determined that the impacts to the vernal pool buffers will not require compensatory mitigation.
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. A vernal pool assessment was conducted in April 2020 and confirmed the presence of two vernal pools within the project area. Direct impacts to the vernal pools have been avoided; each vernal pool is physically separated from the project area by stone walls; forested habitat in the vernal pool envelope will remain in-tact in all directions leading away from the road. Per the request of NHDES, drainage patterns were re-assessed to confirm the presence/absence of streams within the project area. No streams were identified in the project area. Alternative designs to further reduce wetland fill for sideslopes were evaluated and determined to not be practicable for this site.  
Scour protection was removed from wetland culverts to minimize impacts to wetlands.
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 NH Natural Heritage Bureau Datacheck (NHB19-2328) identified two State species of special concern and one State-endangered species in the vicinity of the project. The project plans and permit conditions incorporate NHFGD recommendations to minimize impacts to protected species.
6. The Bedford Conservation Commission voted to approve the project on November 26, 2019, while noting concern about salt deposition in roadside wetlands. The applicant anticipates that the proposed improvements will reduce overall sand/salt application since the roadway existing flooding/ponding issue will be addressed.
7. The project qualifies for an NHDES Alteration of Terrain, General Permit by Rule.

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2019-03655 OWNER: DAROSA, DANIEL/LAURIE

CITY: MOULTONBOROUGH WATERBODY: LAKE WINNIPESAUKEE

06/22/2020 to 06/28/2020

Requested Action:

Applicant requests that the permit be amended to reflect that originally proposed seasonal boatlift shall instead be a permanent boatlift.

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APPROVE AMENDMENT

Amend the permit to read: Extend the piers of an existing U-shape docking facility resulting in a structure consisting of two 6 foot x 45 foot piling piers connected by a 6 foot x 12 foot walkway and accessed by 6 foot x 15 foot wharf along the shore and install a 14 foot x 36 foot seasonal canopy, drive two tie-off piling and install a permanent boatlift and two seasonal personal watercraft lifts on an average of 204 feet frontage along Lake Winnepesaukee in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Terrain Planning & Design, LLC dated October 31, 2019, and revised through May 7, 2020, as received by NHDES on May 19, 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 DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. 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.. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
10. No portion of the docking structures shall extend more than 45 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 513.25(b), modification of a 3 slip permanent docking facility.
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 Chapter Env-Wt 300.
3. The applicant has an average of 204 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 513.12,Frontage Requirements for Private and Non-commercial Docking Structures.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 513.12

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2020-00033 OWNER: VILLELLA, ROBERT

CITY: PLAISTOW WATERBODY: Unnamed Wetland

06/22/2020 to 06/28/2020

Requested Action:

Impact 4,717 square feet of forested wetland to construct a roadway for access to a 14-lot residential subdivision.

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APPROVE PERMIT

Impact 4,717 square feet of forested wetland to construct a roadway for access to a 14-lot residential subdivision.

With Conditions:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the following plans received by the NH Department of Environmental Services (NHDES) on June 13, 2020:
  - a.) Plans by James M. Lavelle Associates dated June 12, 2019; and,
  - b.) Plans by Gregsak & Sons, Inc. dated May 31, 2019 and revised through May 26, 2020
2. In accordance with Env-Wt 524.03(b), permits for subdivisions of 4 or more lots shall not be effective until the permittee records the permit with the appropriate registry of deeds and a copy of the registered permit has been received by NHDES.
3. In accordance with Env-Wt 307.15(a), heavy equipment shall not be operated in any jurisdictional area unless specifically authorized by this permit.
4. In accordance with Env-Wt 307.15(b), mobile heavy equipment working in wetlands shall not be stored, maintained, or repaired in wetlands, except that repairing or refueling in a wetland is allowed if equipment cannot practicably be removed and secondary containment is provided.
5. In accordance with Env-Wt 307.03(g)(1), the person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
6. In accordance with Env-Wt 307.03(g)(3) and (4), the person in charge of construction equipment shall maintain oil spill kits and diesel fuel spill kits, as applicable to the type(s) and amount(s) of oil and diesel fuel used, on site so as to be readily accessible at all times during construction; and train each equipment operator in the use of the spill kits.
7. 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.
8. 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.
9. All temporary and permanent filling activities shall meet all of the conditions listed in Rule Env-Wt 307.11(a) through (l).
10. 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.
11. 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.
12. In accordance with Env-Wt 307.11(d), no fill shall be allowed to achieve setbacks to septic systems specified in Env-Wq 1000.
13. 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.
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)(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.

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With Findings:

1. This is classified as a minor impact project per Rule Env-Wt 524.06(c)(2), as the project is part of a new subdivision of 4 or more lots.
2. The applicant has demonstrated specifically that each factor listed in Env-Wt 313.03(b) has been considered in the design of the proposed minor project.
3. Per Rule Env-Wt 313.01(a)(2), all applicable conditions specified in Env-Wt 307 have been met.
4. Per Rule Env-Wt 313.01(a)(1)(a), the applicant has met the requirements of Env-Wt 311.10 regarding functional assessments.
5. Per Rule Env-Wt 311.06(h), the Plaistow Conservation Commission did not provide comments on the proposed project.

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**2020-00674 OWNER: STEFFEY INVESTMENT REALTY LLC**

**CITY: NEW LONDON WATERBODY: SUNAPEE LAKE**

Requested Action:

Repair an existing 6 foot x 24 foot permanent pier supported by a 6 foot x 6 foot crib and install a 6 foot x 37 foot seasonal pier with a 6 foot x 10 foot connecting walkway to the existing cribbing pier in a "U" configuration on 174 feet of frontage along Sunapee Lake in New London.

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APPROVE PERMIT

Repair an existing 6 foot x 24 foot permanent pier supported by a 6 foot x 6 foot crib and install a 6 foot x 37 foot seasonal pier with a 6 foot x 10 foot connecting walkway to the existing cribbing pier in a "U" configuration on 174 feet of frontage along Sunapee Lake in New London.

With Conditions:

1. All work shall be in accordance with revised plans by Greenline Property Services, LLC., revision dated May 26, 2020 as received by the NH Department of Environmental Services (NHDES) on May 29, 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. 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.
4. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
5. All portions of the docking structures shall be located at least 20 feet from the abutting property lines and no watercraft shall be secured to the docking facility such that it crosses over the imaginary extension of the property lines over the surface water as required by RSA 482-A:3, XIII.
6. No portion of the seasonal docking structures shall extend more than 37 feet from the shoreline at full lake elevation (Elev. 1094.15) pursuant to Env-Wt 513.22, (a).
7. All seasonal structures shall be removed for the non-boating season as required per Env-Wt 513.22.
8. 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.
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.
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. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards

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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). 12. 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 minor impact per Rule Env-Wt 513.24(b), construction of a docking structure with 3 boat slips.
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.

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**2020-00853    OWNER: UNITED SOUTH END SETTLEMENTS -CAMP HALE**

**CITY: SANDWICH    WATERBODY: SQUAM LAKE**

Requested Action:

Temporarily impact 2,000 square feet of bank in order to replace 95 linear feet of existing retaining wall, install 25 linear feet of additional retaining wall with 6 foot wide stone beach access steps, and replenish 5 cubic yards of sand on the existing beach on an average of 1,448 feet of shoreline frontage along Squam Lake in Sandwich.

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APPROVE PERMIT

Temporarily impact 2,000 square feet of bank in order to replace 95 linear feet of existing retaining wall, install 25 linear feet of additional retaining wall with 6 foot wide stone beach access steps, and replenish 5 cubic yards of sand on the existing beach on an average of 1,448 feet of shoreline frontage along Squam Lake in Sandwich.

With Conditions:

1. All work shall be in accordance with plans by Stephens Landscaping Professionals dated April 1, 2020 and as received by the NH Department of Environmental Services (NHDES) on April 28, 2020 as required pursuant to Env-Wt 307.16.
2. No more than 5 cubic yards of sand shall be used and all sand shall be located above the normal high water line in accordance with Env-Wt 511.06(a)(5).
3. Steps for access to and from a water access structures shall not exceed 6 feet in width and shall be constructed or installed such that all portions of the steps are landward of the normal high, in accordance with Env-Wt 511.04(f).
4. Revegetation of the disturbed area by planting trees, shrubs, and ground covers shall represent the density and species diversity of the existing stand of vegetation removed for the project; and begin at a distance no greater than 5 feet landward from the water access structures footprint, in accordance with Env-Wt 511.05(b).
5. 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.
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).

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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. All 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.

11. 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 as required pursuant to Env-Wt 307.03(a).

12. 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 minor impact per Rule Env-Wt 514.07(b)(3), a bank stabilization project impacting between 50 LF and 200 LF of shoreline length.
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: MINIMUM IMPACT PROJECT**

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**2020-00647 OWNER: LECLERC, JUDITH**

**CITY: HAMPTON WATERBODY: NEAR MARSH/HAMPTON RIVER**

Requested Action:

Impact 143 square feet within the 100-foot previously-developed tidal buffer zone to remove the existing deck and replace it with a 11-foot by 13-foot deck on the existing residential dwelling.

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APPROVE PERMIT

Impact 143 square feet within the 100-foot previously-developed tidal buffer zone to remove the existing deck and replace it with a 11-foot by 13-foot deck on the existing residential dwelling.

With Conditions:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the plans by Judy Leclerc dated May 29, 2019 as received by the NH Department of Environmental Services (NHDES) on June 17, 2020.
2. In accordance with Env-Wt 307.07, 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.
3. 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).
4. In accordance with Env-Wt 307.03(g)(1), the person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
5. In accordance with Env-Wt 307.03(g)(2), the person in charge of construction equipment shall repair any leaks prior to using the equipment in an area where such fluids could reach groundwater, surface waters, or wetlands.
6. In accordance with Env-Wt 307.03(g)(3) and (4), the person in charge of construction equipment shall maintain oil spill kits and diesel fuel spill kits, as applicable to the type(s) and amount(s) of oil and diesel fuel used, on site so as to be readily accessible at all times during construction; and train each equipment operator in the use of the spill kits.

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7. In accordance with Env-Wt 307.03(h), equipment shall be staged and refueled outside of jurisdictional areas (unless allowed) and in accordance with Env-Wt 307.15.
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. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater as required per RSA 483-B:6, II and Rule Env-Wq 1406.15, (c) in order to ensure compliance with RSA 483-B:9, V, (g).
10. 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.
11. 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.

With Findings:

1. This is classified as a minimum impact project per Rule Env-Wt 610.17(c)(1) for any dredging, filling, or construction activity, or any combination thereof that is in a previously developed upland area, is within 100 feet of the highest observable tide line, and will disturb less than 3,000 square feet.
2. Per Rule Env-Wt 311.06(h), the Hampton Conservation Commission provided a letter of support for the proposed project dated May 27, 2020.
3. Per Rule Env-Wt 311.06(j), the applicant has not received comments from any federal agency.
4. 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.
5. The applicant has demonstrated specifically that each factor listed in Env-Wt 313.03(b) has been considered in the design of the proposed minor project.
6. Per Rule Env-Wt 313.01(a)(1)(a), the applicant has met the requirements of Env-Wt 311.10 regarding functional assessments.
7. Per Rule Env-Wt 313.01(a)(3), all resource-specific criteria established in Env-Wt 600 have been met.
8. Per Rule Env-Wt 704.02, the applicant for the project in a prime wetlands buffer submitted a functional assessment and impact analysis to demonstrate, by clear and convincing evidence as required by RSA 482-A:11, IV(a), that the criteria in RSA 482-A:11, IV(a) are met, namely that the proposed project, either alone or in conjunction with other human activity, will not result in the significant net loss of any of the values set forth in RSA 482-A:1.
9. Per Rule Env-Wt 705.01(d), the Hampton Conservation Commission willingly waives the 20-day prime wetlands permit period.
10. Per Rule Env-Wt 705.06(b), the department has issued a waiver to perform work not addressed by Env-Wt 706.01(a) in a portion of a duly-established 100-foot buffer on the subject property, as the department has determined that there will be no significant net loss of wetland values as identified by the local conservation commission or local governing authority; and in RSA 482-A:1.

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**2020-00915    OWNER: DUNLAP'S ICE CREAM**

**CITY: SEABROOK    WATERBODY: BLACK WATER RIVER**

Requested Action:

Impact 80 square feet within the previously-developed 100-foot tidal buffer zone to install a 8-foot by 10-foot storage container.

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APPROVE PERMIT

Impact 80 square feet within the previously-developed 100-foot tidal buffer zone to install a 8-foot by 10-foot storage container.

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With Conditions:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the plans received by the NH Department of Environmental Services (NHDES) on May 4, 2020.
2. 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.
3. In accordance with Env-Wt 307.07, 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.
4. In accordance with Env-Wt 610.14(b), no alteration shall extend the structure closer to the public water between the primary building line and the reference line.
5. In accordance with Env-Wt 307.15(a), heavy equipment shall not be operated in any jurisdictional area unless specifically authorized by this permit.
6. 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).
7. In accordance with Env-Wt 307.03(g)(1), the person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
8. In accordance with Env-Wt 307.03(g)(3) and (4), the person in charge of construction equipment shall maintain oil spill kits and diesel fuel spill kits, as applicable to the type(s) and amount(s) of oil and diesel fuel used, on site so as to be readily accessible at all times during construction; and train each equipment operator in the use of the spill kits.

With Findings:

1. This is classified as a minimum impact project per Rule Env-Wt 610.17(c)(1) for any dredging, filling, or construction activity, or any combination thereof that is in a previously-developed upland area, is within 100 feet of the highest observable tide line, and will disturb less than 3,000 square feet.
2. 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.
3. Per Rule Env-Wt 605.01, for projects in coastal areas, the applicant has demonstrated that the avoidance and minimization requirements in Env-Wt 307, Env-Wt 311.07, Env-Wt 313, and Env-Wt 603.04 have been met, and has demonstrated that all of the requirements listed in Env-Wt 605.01(a) through (c) have been met.
4. Per Env-Wt 605.02, the applicant for a permit for work in or adjacent to tidal waters/wetlands or the tidal buffer zone has demonstrated that adverse impacts listed in (a) through (d) have been avoided or minimized as required by Env-Wt 313.04.
5. Per Rule Env-Wt 604.02(c), the project in or on a tidal buffer zone preserves the self-sustaining ability of the buffer area to provide habitat values, protect tidal environments from potential sources of pollution, provide stability of the coastal shoreline, and maintain existing buffers intact where the lot has disturbed area defined under RSA 483- B:4, VI.
6. Per Rule Env-Wt 310.01(h), the application for this expedited permit (EXP) included a signed statement from the Seabrook Conservation Commission certifying that the conservation commission waives its right to intervene on the project.

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**2020-01008    OWNER: LAKE WAUKEWAN ASSOCIATION INC COMMON**

**CITY: NEW HAMPTON    WATERBODY: WAUKEWAN LAKE**

Requested Action:

Temporary impact 471 square feet in order construct an 11 foot x 14 foot concrete ramp section landward of an existing 28 foot x 11 foot concrete boat launch and install an infiltration trench on frontage along Waukewan Lake in New Hampton.

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**APPROVE PERMIT**

Temporary impact 471 square feet in order construct an 11 foot x 14 foot concrete ramp section landward of an existing 28 foot x 11 foot concrete boat launch and install an infiltration trench on frontage along Waukegan Lake in New Hampton.

**With Conditions:**

1. All work shall be in accordance with plans by Stephens Landscaping Professionals dated May 1, 2020 as received by the NH Department of Environmental Services (NHDES) on May 12, 2020 as required pursuant to Env-Wt 307.16.
2. 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.
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. This permit does not authorize impacts to the existing portions of the boat launch.
5. 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).
6. 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).
7. 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.
8. 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.
9. 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).
10. 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 518.07(b), all other non-docking structures shall be classified in accordance with Env-Wt 407.
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-EXPEDITED MINIMUM**

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**2018-02042    OWNER: KINSON, AMANDA/JOEL**

**CITY: CHESTERFIELD    WATERBODY: Unnamed T**

**Requested Action:**

The permittee requested an additional 3,239 square feet of impact for two additional culvert replacements and bank stabilization work, all associated with the overall restoration effort on this site.

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Inspection Date: 06/07/2017 by STEFANIE M GIALONGO

#### APPROVE AMENDMENT

Dredge and fill 31,149 square feet (impacting 819 linear feet of bed and bank) plus temporarily impact 36,090 square feet within Hubner Pond and the up and downstream channels in order to remove an existing earthen dam and repair or replace three existing stream crossings to restore passage for Eastern Brook Trout.

The overall project includes 336 square feet of permanent impact within the bed and bank upstream of the former impoundment (impacting 100 linear feet) to replace an existing 36 inch culvert with a 12 foot span bridge (Site 1); 252 square feet of permanent impact within the bed and bank of a secondary unnamed tributary upstream of the former impoundment (impacting 38 linear feet and 90 square feet of temporary impact) to replace an existing 24 inch culvert in-kind (Site 2); 29,000 square feet of permanent impact and 35,000 square feet of temporary impact to remove the existing earthen dam and restore a stream channel with vegetated floodplain (Site 3); 830 square feet within the bed and bank downstream of the former impoundment (impacting 23 linear feet) to provide channel stabilization and to improve aquatic organism passage at an existing woods road culvert (Site 4a); 540 square feet within the bank downstream of existing woods road culvert (impacting 62 linear feet and 700 square feet of temporary impact) for bank stabilization and cattle exclusion measures (Site 4b), and; 191 square feet within the bed and bank (impacting 50 linear feet and 300 square feet of temporary impact) to replace two existing parallel 12 and 18 inch culverts with one 48 inch culvert, embedded with stream simulation, at the entrance of the access road (the downstream extent of the project; Site 5).

#### With Conditions:

1. AMENDED: All work shall be in accordance with revised plans by USDA Natural Resources Conservation Service (NRCS) dated December 2017, revised through May 04, 2020, last received by the NH Department of Environmental Services (NHDES) on May 19, 2020.
2. This permit is not valid until the permittee or permittee's contractors submit a final dewatering and diversion plan to NHDES for review and approval. The plan shall include all proposed cofferdams, diversion and dewatering strategies, estimated maximum flow to be diverted, site stabilization provisions if capacity of diversion is exceeded, and measures to reduce turbidity. This plan shall be stamped by a licensed Professional Engineer (PE), in accordance with New Hampshire Administrative Rule Env-Wt 303.04(l).
3. Plantings for the pond and stream restoration areas shall be in accordance with the Conservation Plan Map and associated plant lists by NRCS dated May 22, 2018, as received by NHDES on July 10, 2018. A Qualified Professional from NRCS shall oversee all planting activities.
4. The dam removal and stream restoration project shall be supervised and overseen by a qualified professional or professionals with expertise and demonstrated success in the field of river restoration.
5. Not less than five 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 and who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the approved plans. The permittee shall re-notify the NHDES Wetlands Program if the identity of the individual changes during the project.
6. This permit is not valid unless a compliance with RSA 482:A and New Hampshire Administrative Rules Env-Wr 100 et seq., NHDES Dam Bureau, is achieved.
7. All in-stream work shall be conducted during low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A and New Hampshire Administrative Rules Env-Wq 1700.
8. The permittee or permittee's contractor shall properly construct, landscape, and monitor the restoration area, and shall take such remedial actions as may be necessary to create a functioning stream, providing continuity between the up and downstream reaches, aquatic organism passage and riparian buffer plantings.
9. The permittee, qualified professional, and permittee's contractor shall coordinate with NHDES, NRCS and NHF&G to adaptively manage the project within the project reach to optimize river restoration potential and take remedial actions as may be necessary to create functioning channel geometry to achieve passage for Eastern Brook Trout.
10. Remedial actions may include re-planting, relocating plantings, removal of invasive species, changing the hydraulic regime, changing material gradation and depth or the location, shape, elevation or configuration of the thalweg.
11. Adaptive management and remedial actions, if needed, shall only be conducted in accordance with the conditions as described below:
  - a. During the construction, the qualified professional and the contractor responsible for performing the work shall coordinate

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with fish passage experts and biologists from NRCS and NHF&G on the placement and orientation of in-stream habitat features throughout the project reach.

b. During the construction, the qualified professional and the contractor responsible for performing the work shall coordinate with fish passage experts and biologists from NRCS and NHF&G to evaluate micro topography and natural features of the restored reach to preserve velocity refugia for Eastern Brook Trout.

12. A post-construction report, prepared by the Qualified Professional, documenting status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the NHDES Wetlands Program within 60 days of final site stabilization. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of the restoration site.

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

14. Native live plantings shall be installed by September 15th on previously stabilized banks. Dormant plantings shall be installed in the spring by June 1st or in the fall after September 15th and before October 30th.

15. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).

16. Only native plant species shall be used to revegetate the riverbank.

17. Seed mix within the restoration area shall be a wetland seed mix or slope stabilization mix, as appropriate, contain only native plant species and shall be applied in accordance with manufacturers' specifications.

18. Restoration of the riparian plantings shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional riparian area is replicated.

19. Materials used to emulate a natural channel bottom must be well-graded, washed-in stone, in order to maintain surface flow for aquatic organism passage during periods of low flow.

20. Restoration shall not be considered successful if minimum flow (i.e., connectivity) is not maintained during periods of low flow (non-drought conditions). The permittee shall submit a remediation plan to NHDES that proposes measures to be taken to restore minimum flows.

21. The final surface of the stream channel bed shall be restored using natural round stone or existing stream bed materials and shall not be angular rip-rap or crushed gravel, except where shown on the approved plan.

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

23. 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.

24. 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.

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

26. 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.

27. 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).

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

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

30. 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.

31. 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.

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

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

34. 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.

35. 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.

36. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.

37. 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.

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38. 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.
39. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
40. 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.
41. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04(t), restoration of altered or degraded wetlands provided the project:
  - a. Receives financial support and direct supervision of a New Hampshire state agency, the US Environmental Protection Agency, the US Army Corps of Engineers, the US Natural Resources Conservation Service, or the US Fish and Wildlife Service;
  - b. Shall not be used to perform restoration in cases where the applicant is subject to a removal or restoration order;
  - c. Is not located in or adjacent to prime wetlands; and
  - d. Does not meet the criteria of Env-Wt 303.02(k).
2. The dam removal and stream restoration has received support and/or been overseen by NHDES Watershed Management Bureau, NHDES Land Resources Management Bureau, NH Fish and Game Department (NHFG) and the USDA Natural Resources Conservation Service (NRCS).
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The proposal has been designed to restore stream connectivity, riparian and riverine ecological function and passage of Eastern Brook Trout.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. The dam was constructed in 1968 for recreational purposes and is identified by the NHDES Dam Bureau as dam number #D045018.
7. In March 2012, the NHDES Dam Bureau issued a Letter of Deficiency (LOD; DSP#12-030) to the owners of the dam. In May 2016, the NHDES Dam Bureau issued a second LOD reiterating the outstanding deficiencies as well as new deficiencies found as a result of a more recent file review and site assessment (LOD DSP#16-22).
8. Following receipt of the NHDES Dam Bureau LOD(s), through to present day, in coordination with NHDES Wetlands Bureau and NHFG, the owners of the dam have drawn down the impoundment as much as possible to reduce risk of failure.
9. On June 07, 2017 a pre-application meeting was held on-site with the applicant, the USDA-NRCS, the New Hampshire Fish and Game Department and NHDES Wetlands Bureau and Dam Bureau staff to discuss dam removal. Meeting notes can be found in the NHDES Wetlands file (2018-02042).
10. Subsequently, five meetings were held between NRCS, NHDES Dam Bureau, NHDES Wetlands Bureau and New Hampshire Fish and Game (NHFG) Department for pre-application planning. Meetings were held on June 29, 2017, October 10, 2017, December 21, 2017, February 20, 2018 and May 29, 2018. Notes can be found in the NHDES Wetlands file (2018-02042)
11. On July 05, 2017, a NHDES Wetlands Permit By Notification (2017-01937) was issued to dredge and fill approximately 4,883 square feet within the bed and bank of Hubner Pond in order to access and repair the outlet structure within the dam while the pond had been dewatered. This project represented an earlier phase of the larger dam-removal and stream restoration project.
12. At the location of the dam, the watershed drainage area is equal to 0.4 square miles (256 acres).
13. The former impoundment was approximately 2.5 acres in size.
14. The existing palustrine scrub-shrub wetland fringe along the shoreline of the impoundment will likely be lost due to the change in hydrologic regime caused by removing the dam, though it will be replaced with a vegetated stream corridor with floodplain and riparian habitat features.
15. NRCS project engineers have indicated that stream flow through the restored reach during flood events will not increase flooding of NH Route 63, which is greater than 2,000 linear feet downstream of the existing dam.
16. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB18-1573) stated that there are no recorded occurrences for sensitive species near this project area.
17. In correspondence from the NHFG Inland Fisheries Division, received by NHDES on July 10, 2018, a summary of fish surveys in Hubner Brook described the presence of wild brook trout upstream of the impoundment and blacknose dace downstream of the dam. NHFG highlighted the potential results of dam removal including: connectivity of wild brook trout populations upstream of the impoundment with those farther downstream of the dam; improved water temperature conditions downstream of the impoundment could support a healthier wild brook trout population throughout the entire system and the ecosystem values of increased biodiversity with a restored stream and vegetated floodplain.

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- 18. On November 09, 2015, the site was walked and visually assessed for historic artifacts by NRCS field staff. No historic artifacts were located.
- 19. In correspondence dated October 25, 2016, New Hampshire Division of Historical Resources (DHR) stated that the project will not affect historic properties and no further review is required.
- 20. The US Fish and Wildlife Service - Information for Planning and Consultation (iPaC) report (05E1NE00-2018-E-04409) identified the project's potential to impact the federally threatened Northern Long-Eared Bat (NLEB).
- 21. In correspondence dated May 31, 2018, NRCS personnel indicated that, based on the NLEB tree cutting restrictions which are typically followed by NRCS with projects that utilize Farm Bill funds (such as this), there would be no affect expected to NLEB as a result of the project.
- 22. The project is located in a "Tier 1 - Highest Ranked Habitat in New Hampshire" area by the NH Wildlife Action Plan (WAP). Further, dam removal is listed as a Conservation Action in the 2015 WAP to restore or maintain natural flow regimes and alleviate threats to species and habitats identified by the WAP.
- 23. For replacement of the existing 36 inch culvert with a 12 foot span bridge, the applicant has demonstrated compliance with New Hampshire Administrative Rules Env-Wt Chapter 900 Stream Crossing rules, specifically Env-Wt 904.01 and 904.02.
- 24. According to the NHDES OneStop Mapper / Review for Potential Contaminant Sources, received by NHDES with the permit application package on July 10, 2018, there are no known contaminant sources upstream of the dam.
- 25. Further, due to the position of the impoundment relatively high in the watershed, surrounded by undeveloped forestland and minimal natural sediment inputs, there is very little sediment accumulation on the bed of the impoundment and no accumulated sediment (beyond normal load) is expected to transport downstream.
- 26. The dam and impoundment are centrally located on a ±86 acre private parcel, with no abutting properties on the impoundment, and it is not visible from any properties abutting the farm.
- 27. The impoundment is not used for fire suppression. There is a separate fire/farm pond on the property (Dam Number: #D045012).
- 28. In correspondence dated July 27, 2018, the NHDES Watershed Management Bureau, Water Quality Planning Section expressed support of the project, as proposed, with the conditions imposed on this permit.
- 29. 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 riverine resource, as identified under RSA 482-A:1.
- 30. No comments of concern were received by NHDES from abutters or local governing organizations.
- 31. On June 26, 2018, the Chesterfield Conservation Commission signed the NHDES Wetlands Permit application, thereby waiving their right to intervene per RSA 482-A:11, indicating that the application and submitted plans accurately represent the proposed project and expressing no objection to permitting the proposed work.
- 32. In correspondence dated October 21, 2019, the permittee requested an amendment to the original permit. An additional 3,239 square feet of impact was requested for two additional culvert replacements and bank stabilization work, all associated with the overall restoration effort on this site.
- 33. In accordance with RSA 482-A:3 XIV (e), the additional impact does not represent a significant amendment and is not expected to have an adverse impact on the environment so it is therefore approved.

**PERMIT CATEGORY: SHORELAND STANDARD**

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**2015-02123      OWNER:  
                  OWNER: KITTREDGE, JOHN/KATHRYN**

**CITY: MOULTONBOROUGH    WATERBODY: LAKE WINNIPESAUKEE**

**Requested Action:**

Impact 2,486 square feet in order to construct a 50 foot x 30 foot garage and paved apron adjacent to an existing paved drive.

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**APPROVE AMENDMENT**

Impact 2,486 square feet in order to construct a 50 foot x 30 foot garage and paved apron adjacent to an existing paved drive.

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With Conditions:

1. All work shall be in accordance with plans by David M. Dolan Associates, P.C. dated May 29, 2020 and received by the NH Department of Environmental Services (DES) on June 4, 2020.
2. No more than 25.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 4,072 square feet of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
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-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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**2019-03443    OWNER: LYDALL EASTERN INC**

**CITY: ROCHESTER    WATERBODY: COCHECO RIVER**

Requested Action:

The Applicant requests that the permit be amended to reflect revised plans showing reduced areas of impact and impervious surface.

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APPROVE AMENDMENT

Amend the permit to read: Impact 85, 540 square feet of protected shoreland in order to construct additional commercial facilities and stormwater management structures.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates, Inc. dated October 2019 and revised May 2020, as received by the NH Department of Environmental Services (NHDES) on June 24, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
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 as required per Rule Env-Wq 1406.20, (e)
3. No more than 3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
4. Native vegetation within an area of at least 84,831 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 as required per Rule Env-Wq 1406.20, (a).
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 as required per Rule Env-Wq 1406.20, (b).
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 as required per Rule Env-Wq 1406.20, (c).
8. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
9. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater in order to ensure compliance with RSA 483-B:9, V, (g).

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10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands and 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 as required pursuant to RSA 483-B:6, I, (c).

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**2020-00353      OWNER: TODD A BERKOWITZ REVOCABLE TRUST  
                  OWNER: MAUREEN L ROY-BERKOWITZ REVOCABLE TRUST**

**CITY: GILFORD    WATERBODY: LAKE WINNIPESAUKEE**

Requested Action:

Impact 31,000 square feet (SF) of protected Shoreland in order to demolish an existing house, all existing cottages, and the existing shed. All existing pavement will be removed and replaced with a new driveway to accommodate the new proposed structures. Construction will consist of a new 5-car carriage house with 2 cottage units above, a new house/office with a 2-car garage, and three (3) new cottages. The project includes, adding additional plantings in the waterfront front buffer as approved May 14, 2020 under Shoreland file #2017-02938 and retaining 36 square feet of impervious surface for the purpose of covering mechanical equipment located along the west side of the waterfront patio.

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Conservation Commission/Staff Comments:

03/11/20 Per ConCom, " ...ConCom noted concerns..." (see letter)

APPROVE PERMIT

Impact 31,000 square feet (SF) of protected Shoreland in order to demolish an existing house, all existing cottages, and the existing shed. All existing pavement will be removed and replaced with a new driveway to accommodate the new proposed structures. Construction will consist of a new 5-car carriage house with 2 cottage units above, a new house/office with a 2-car garage, and three (3) new cottages. The project includes, adding additional plantings in the waterfront front buffer as approved May 14, 2020 under Shoreland file #2017-02938 and retaining 36 square feet of impervious surface for the purpose of covering mechanical equipment located along the west side of the waterfront patio.

With Conditions:

1. All work shall be in accordance with plans by Granite Engineering dated January 16, 2020, revised through May 5, 2020, and received by the NH Department of Environmental Services (NHDES) on May 26, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
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 as required per Rule Env-Wq 1406.20, (e).
3. No more than 34.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
4. Native vegetation within an area of at least 1,221 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands 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 as required per Rule Env-Wq 1406.20, (a).
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 as required per Rule Env-Wq 1406.20, (b).
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 as required per Rule Env-Wq 1406.20, (c).
8. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
9. The proposed (stormwater management structure description) shall be installed and maintained to effectively absorb and

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infiltrate stormwater in order to ensure compliance with RSA 483-B:9, V, (g).

10. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater as required per RSA 483-B:6, II and Rule Env-Wq 1406.15, (c) in order to ensure compliance with RSA 483-B:9, V, (g).

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 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (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) as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).

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 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 as required pursuant to RSA 483-B:6, I, (c).

14. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. On February 27, 2020, the department received an application for the purpose demolishing the existing primary structures, accessory structures and the driveway in order to rebuild with less impervious area within the Shoreland Protection.
2. This property, identified as Lot 30 on Gilford Tax Map 251, is located entirely within the Shoreland Protection.
3. Pursuant to Env-Wq 1405.02 (d) of the New Hampshire Administrative Rules, requires the total area of accessory structures shall be no greater than 7.5 square feet.
4. The review of the plans dated May 5, 2020, indicated the accessory structures within the waterfront buffer exceeded the limit of what was previously existing by 36 square feet.
5. A Request for Information was sent to the Applicant on May 12, 2020, in order to remove the 36 square feet of patio from the waterfront buffer.
6. The applicant responded May 26, 2020 requesting to retain the 36 square feet that was for the purpose of housing mechanical equipment and not part of the patio.
7. The applicant has submitted a more nearly proposal consisting of additional vegetation, stormwater management, and a reduction of impervious surface area.
8. The applicant has proposed to add additional vegetation plantings within the woodland buffer as shown on the Landscape plan dated May 5, 2020.
9. The applicant proposes to provide stormwater protection within the proposed pervious driveway in accordance with the plans dated May 5, 2020.
10. The project as proposed, will result in a reduction of impervious surface coverage of the lot from 41.4% to 34.27%.
11. The Department finds the 36 square feet of accessory structures within the waterfront buffer to be a minimum impact to the Shoreland Protection and therefore, approves the application to retain impacts associated with the increase of 36 square feet of impervious surface area.

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**2020-00415    OWNER: WHEELIS, JOAN**

**CITY: WAKEFIELD    WATERBODY: BALCH POND**

Requested Action:

Impact 2,158 square feet of protected shoreland in order to construct 2 pervious walkways with retaining walls and terracing, install a shed, and landscaping.

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**APPROVE PERMIT**

Impact 2,158 square feet of protected shoreland in order to construct 2 pervious walkways with retaining walls and terracing, install a shed, and landscaping.

**With Conditions:**

1. All work shall be in accordance with plans by Fernstone Associates for the Natural Resources dated February 19, 2020 and revised on June 19, 2020 as received by the NH Department of Environmental Services (NHDES) on June 19, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
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 as required per Rule Env-Wq 1406.20, (e).
3. No more than 29.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from the NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
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 as required per Rule Env-Wq 1406.20, (a).
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 as required per Rule Env-Wq 1406.20, (b).
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 as required per Rule Env-Wq 1406.20, (c).
7. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
8. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater as required per RSA 483-B:6, II and Rule Env-Wq 1406.15, (c) in order to ensure compliance with RSA 483-B:9, V, (g).
9. Pursuant to RSA 483-B:9 Minimum Shoreland Protection Standards, V (d) (1), all new structures, modifications to existing structures, and excavation or earth moving within protected shoreland shall be designed and constructed in a manner that incorporates appropriate protective practices which are substantially equivalent to those required under rules adopted by the department under RSA 541-A for terrain alteration under RSA 485-A:17, to manage stormwater and control erosion and sediment, during and after construction.
10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, 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 as required pursuant to RSA 483-B:6, I, (c).
11. This permit shall not preclude the NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if the NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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**2020-00742    OWNER: CONNEALLY, DANA**

**CITY: HOLDERNESS    WATERBODY: SQUAM LAKE**

**Requested Action:**

Impact 3,428 square feet of protected shoreland in order to construct an attached garage and porch onto the primary structure, expand a portion of the driveway, reconstruct a patio, placement of drainage stone, construct 2 sets of imbedded steps, and landscaping.

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**APPROVE PERMIT**

Impact 3,428 square feet of protected shoreland in order to construct an attached garage and porch onto the primary structure, expand a portion of the driveway, reconstruct a patio, placement of drainage stone, construct 2 sets of imbedded

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steps, and landscaping.

With Conditions:

1. All work shall be in accordance with plans by Stoney Ridge Environmental LLC dated March 11, 2020 and revised on June 10, 2020 as received by the NH Department of Environmental Services (NHDES) on June 15, 2020 pursuant to 483-B:5 -b Permit Required; Exemption, I, (a).
2. Orange construction fencing shall be installed at the limits of the temporary impact areas as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved as required per Rule Env-Wq 1406.20, (e).
3. No more than 9.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
4. Native vegetation within an area of at least 6,274 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands 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 as required per Rule Env-Wq 1406.20, (a).
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 as required per Rule Env-Wq 1406.20, (b).
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 as required per Rule Env-Wq 1406.20, (c).
8. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
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 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (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) as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (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 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 as required pursuant to RSA 483-B:6, I, (c).
12. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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**2020-00874 OWNER: POPE, KERRY**

**CITY: MADISON WATERBODY: SILVER LAKE**

Requested Action:

Impact 2,731 square feet of protected shoreland in order to replace a patio, walkways, and stairs with pervious materials, and replace a shed.

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APPROVE PERMIT

Impact 2,731 square feet of protected shoreland in order to replace a patio, walkways, and stairs with pervious materials, and replace a shed.

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With Conditions:

1. All work shall be in accordance with plans by Stoney Ridge Environmental LLC dated April 13, 2020 and revised on June 4, 2020 as received by the NH Department of Environmental Services (NHDES) on June 11, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
2. Orange construction fencing shall be installed at the limits of each 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 as required per Rule Env-Wq 1406.20, (e).
3. No more than 27.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
4. Native vegetation within an area of at least 2,470 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands 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 as required per Rule Env-Wq 1406.20, (a).
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 as required per Rule Env-Wq 1406.20, (b).
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 as required per Rule Env-Wq 1406.20, (c).
8. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
9. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater as required per RSA 483-B:6, II and Rule Env-Wq 1406.15, (c) in order to ensure compliance with RSA 483-B:9, V, (g).
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 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (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) as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction as required pursuant to RSA 483-B:6, I, (c).
13. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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**2020-01117 OWNER: HUGHES, MATTHEW/MELISSA**

**CITY: HEBRON WATERBODY: NEWFOUND LAKE**

Requested Action:

Impact 13,395 square feet (SF) of protected shoreland in order to conduct logging and stumping activities, remove gravel drive and restore to a natural state, remove 140 SF of wood deck, install a planting berm, construct infiltration drain and steps to divert runoff, and install stone steppers to the water.

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APPROVE PERMIT

Impact 13,395 square feet (SF) of protected shoreland in order to conduct logging and stumping activities, remove gravel drive and restore to a natural state, remove 140 SF of wood deck, install a planting berm, construct infiltration drain and steps

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to divert runoff, and install stone steppers to the water.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants LLC dated May 14, 2020 and received by the NH Department of Environmental Services (NHDES) on May 21, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
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 as required per Rule Env-Wq 1406.20, (e).
3. Native vegetation within an area of at least 1,705 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized as required per Rule Env-Wq 1406.20, (a).
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 as required per Rule Env-Wq 1406.20, (b).
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 as required per Rule Env-Wq 1406.20, (c).
7. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
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 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
9. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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2020-01134 OWNER: FISKE, RALPH

**CITY: STODDARD WATERBODY: HIGHLAND LAKE**

Requested Action:

Impact 5,736 square feet of protected shoreland in order to remove 2 detached wood decks, steps, 2 retaining walls, and landscaping to regrade and vegetate the area and construct a deck onto the primary structure.

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APPROVE PERMIT

Impact 5,736 square feet of protected shoreland in order to remove 2 detached wood decks, steps, 2 retaining walls, and landscaping to regrade and vegetate the area and construct a deck onto the primary structure.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated May 7, 2020 and received by the NH Department of Environmental Services (NHDES) on May 26, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
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 as required per Rule Env-Wq 1406.20, (e).
3. No more than 28.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
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 as required per Rule Env-Wq 1406.20, (a).

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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 as required per Rule Env-Wq 1406.20, (b).
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 as required per Rule Env-Wq 1406.20, (c).
7. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
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 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008) as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, 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 as required pursuant to RSA 483-B:6, I, (c).
11. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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**2020-01141    OWNER: HETZER, MARK**

**CITY: ANTRIM    WATERBODY: GREGG LAKE**

Requested Action:

Impact 1,070 square feet of protected shoreland in order to construct a deck and a porch onto the nonconforming primary structure.

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APPROVE PERMIT

Impact 1,070 square feet of protected shoreland in order to construct a deck and a porch onto the nonconforming primary structure.

With Conditions:

1. All work shall be in accordance with plans by Fieldstone Land Consultants, PLLC dated April 1, 2020 and received by the NH Department of Environmental Services (NHDES) on May 26, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
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 as required per Rule Env-Wq 1406.20, (e).
3. No more than 9.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
4. Native vegetation within an area of at least 6,437 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands 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 as required per Rule Env-Wq 1406.20, (a).
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 as required per Rule Env-Wq 1406.20, (b).

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- 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 as required per Rule Env-Wq 1406.20, (c).
- 8. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
- 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 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
- 10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, 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 as required pursuant to RSA 483-B:6, I, (c).
- 11. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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**2020-01177 OWNER: ROMANIELLO, CHRISTIAN/MELISSA  
OWNER: SAULNIER, RICHARD**

**CITY: CONWAY WATERBODY: PEQUAWKET POND**

Requested Action:

Impact 1,739 square feet of protected shoreland in order to remove the existing structure, porches, and pier supports for the purpose of constructing a new structure and sonos piers within the existing footprint. The project includes, the addition of 2 bedrooms on concrete piers, removal of a shed and grading.

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APPROVE PERMIT

Impact 1,739 square feet of protected shoreland in order to remove the existing structure, porches, and pier supports for the purpose of constructing a new structure and sonos piers within the existing footprint. The project includes, the addition of 2 bedrooms on concrete piers, removal of a shed and grading.

With Conditions:

- 1. All work shall be in accordance with plans by Fish Street Design Architecture dated March 27, 2020 and received by the NH Department of Environmental Services (NHDES) on May 28, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
- 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 as required per Rule Env-Wq 1406.20, (e).
- 3. No more than 12.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
- 4. Pursuant to RSA 483-B:9, V, (b), (2), no native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line.
- 5. Native vegetation within an area of at least 3,518 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands 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 as required per Rule Env-Wq 1406.20, (a).
- 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 as required per Rule Env-Wq 1406.20, (b).
- 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 as required per Rule Env-Wq

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1406.20, (c).

9. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).

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 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).

11. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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**2020-01204 OWNER: CROWLEY, LEON**

**CITY: WAKEFIELD WATERBODY: PINE RIVER POND**

Requested Action:

Impact 5,649 square feet of protected shoreland in order to construct a 44 foot x 38 foot structure with driveway.

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APPROVE PERMIT

Impact 5,649 square feet of protected shoreland in order to construct a 44 foot x 38 foot structure with driveway.

With Conditions:

1. All work shall be in accordance with plans by Land Technical Service Corp. dated March 23, 2020 and received by the NH Department of Environmental Services (NHDES) on March 24, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
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 as required per Rule Env-Wq 1406.20, (e).
3. No more than 16.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
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 as required per Rule Env-Wq 1406.20, (a).
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 as required per Rule Env-Wq 1406.20, (b).
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 as required per Rule Env-Wq 1406.20, (c).
7. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
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 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
9. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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**2020-01209 OWNER: WHITNEY, DANA/GEORGE-ANN**

06/22/2020 to 06/28/2020

**CITY: BARNSTEAD WATERBODY: SUNCOOK LAKES**

Requested Action:

Impact 11,323 square feet of protected shoreland in order to construct a 2 bedroom house with a new septic system and well and parking area to be expanded. Project includes, the removal of an existing patio.

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APPROVE PERMIT

Impact 11,323 square feet of protected shoreland in order to construct a 2 bedroom house with a new septic system and well and parking area to be expanded. Project includes, the removal of an existing patio.

With Conditions:

1. All work shall be in accordance with plans by S & H Land Services, LLC dated May 19, 2020 and received by the NH Department of Environmental Services (NHDES) on June 1, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
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 as required pursuant to RSA 483-B:6, I, (c).
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 as required per Rule Env-Wq 1406.20, (e).
4. No more than 11.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
5. Native vegetation within an area of at least 2,660 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands 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 as required per Rule Env-Wq 1406.20, (a).
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 as required per Rule Env-Wq 1406.20, (b).
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 as required per Rule Env-Wq 1406.20, (c).
9. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
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 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
11. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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2020-01229 OWNER: BALLESTERO, THOMAS

**CITY: BARRINGTON WATERBODY: SWAINS LAKE**

Requested Action:

Impact 3,319 square feet of protected shoreland to replace the existing primary structure with an attached deck, remove an existing carport, reconstruct the driveway and revegetate a portion of the waterfront buffer with native shrubs.

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06/22/2020 to 06/28/2020

**APPROVE PERMIT**

Impact 3,319 square feet of protected shoreland to replace the existing primary structure with an attached deck, remove an existing carport, reconstruct the driveway and revegetate a portion of the waterfront buffer with native shrubs.

**With Conditions:**

1. All work shall be in accordance with plans by Tom Ballestero (TPB), titled 26 Big Rock Lane, dated May 29, 2020 and received by the NH Department of Environmental Services (NHDES) on June 03, 2020.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 17% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. 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.

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**2020-01240    OWNER: ALLENSTOWN SEWER COMMISSION, TOWN OF**

**CITY: ALLENSTOWN    WATERBODY: SUNCOOK RIVER**

**Requested Action:**

Impact 7,542 square feet of protected shoreland in order to construct a new wastewater pump station, force main and gravity sewer to eliminate an existing sewer crossing of the Suncook River.

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**APPROVE PERMIT**

Impact 7,542 square feet of protected shoreland in order to construct a new wastewater pump station, force main and gravity sewer to eliminate an existing sewer crossing of the Suncook River.

06/22/2020 to 06/28/2020

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. dated October 2018 and received by the NH Department of Environmental Services (NHDES) on June 4, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
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 as required per Rule Env-Wq 1406.20, (e).
3. No more than 13% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
4. Native vegetation within an area of at least 29,405 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands 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 as required per Rule Env-Wq 1406.20, (a).
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 as required per Rule Env-Wq 1406.20, (b).
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 as required per Rule Env-Wq 1406.20, (c).
8. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
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 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. 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 as required pursuant to RSA 483-B:6, I, (c).
11. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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**2020-01244      OWNER: HARRISON FAMILY LIVING TRUST**

**CITY: SANBORNVILLE    WATERBODY: PINE RIVER POND**

Requested Action:

Impact 4,784 square feet of protected shoreland in order to lift an existing house, remove an existing, failing foundation, construct a new foundation, remove existing concrete patios and install a new individual sewage disposal system.

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APPROVE PERMIT

Impact 4,784 square feet of protected shoreland in order to lift an existing house, remove an existing, failing foundation, construct a new foundation, remove existing concrete patios and install a new individual sewage disposal system.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey & Engineering, Inc. dated June 1, 2020 and received by the NH Department of Environmental Services (NHDES) on June 4, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).

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2. The proposed septic system shall not be constructed until the system is approved by the NHDES Subsurface Systems Bureau as required pursuant to RSA 483-B:6, I, (c).
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 as required per Rule Env-Wq 1406.20, (e).
4. No more than 32.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
5. Native vegetation within an area of at least 1,053 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands 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 as required per Rule Env-Wq 1406.20, (a).
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 as required per Rule Env-Wq 1406.20, (b).
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 as required per Rule Env-Wq 1406.20, (c).
9. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
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 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (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 as required pursuant to RSA 483-B:6, I, (c).
12. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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**2020-01262    OWNER: SPEAR, JEFFREY  
                  OWNER: KERNAN, JENNIFER**

**CITY: GILFORD    WATERBODY: LAKE WINNIPESAUKEE**

Requested Action:

Impact 400 square feet of protected shoreland in order to construct a 10 foot x 32.5 foot deck, supported by piers along the south side of the residence.

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APPROVE PERMIT

Impact 400 square feet of protected shoreland in order to construct a 10 foot x 32.5 foot deck, supported by piers along the south side of the residence.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates LLC dated March 27, 2020 and received by the NH Department of Environmental Services (NHDES) on June 8, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
2. No more than 8.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
3. Native vegetation within an area of at least 4,390 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands in an unaltered state in order to comply with RSA

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483-B:9, V, (b), (2).

4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters as required per Rule Env-Wq 1406.20, (b).

5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700 as required per Rule Env-Wq 1406.20, (c).

6. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).

7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).

8. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I. if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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**2020-01264 OWNER: ENFIELD, TOWN OF**

**CITY: ENFIELD WATERBODY: MASCOMA LAKE**

Requested Action:

Impact 8,000 square feet of the protected shoreland in order to construct a 25 foot x 40 open pavilion with associated access walkways and retaining walls, install a fire pit, and conduct grading. The project includes, future merging of lots 46 and 44.

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APPROVE PERMIT

Impact 8,000 square feet of the protected shoreland in order to construct a 25 foot x 40 open pavilion with associated access walkways and retaining walls, install a fire pit, and conduct grading. The project includes, future merging of lots 46 and 44.

With Conditions:

1. All work shall be in accordance with plans by Paul Mirski & Associates Architects dated April 25, 2020 and received by the NH Department of Environmental Services (NHDES) on June 8, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).

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 as required per Rule Env-Wq 1406.20, (e).

3. No more than 18.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).

5. Native vegetation within an area of at least 15,250 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands 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 as required per Rule Env-Wq 1406.20, (a).

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 as required per Rule Env-Wq 1406.20, (b).

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 as required per Rule Env-Wq 1406.20, (c).

9. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).

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 as required pursuant to RSA

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483-B:9, V, (d) Erosion and Siltation, (1).

11. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I. if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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**2020-01285      OWNER: WILLIAM J CARGILL III 2001 TRUST**

**CITY: MOULTONBOROUGH    WATERBODY: LAKE WINNIPESAUKEE**

Requested Action:

Impact 15,480 square feet of protected shoreland in order to construct a 1-bedroom addition, a sunroom and associated porch to the existing structure. The existing asphalt driveway will be replaced with permeable asphalt. A drip edge infiltration trench will be installed around the house. A permeable patio will be added to the lake side of the house. The project includes, an updated septic system located outside of the 250 foot shoreland setback.

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APPROVE PERMIT

Impact 15,480 square feet of protected shoreland in order to construct a 1-bedroom addition, a sunroom and associated porch to the existing structure. The existing asphalt driveway will be replaced with permeable asphalt. A drip edge infiltration trench will be installed around the house. A permeable patio will be added to the lake side of the house. The project includes, an updated septic system located outside of the 250 foot shoreland setback.

With Conditions:

1. All work shall be in accordance with revised plans by William McNair dated June 3, 2020 and received by the NH Department of Environmental Services (NHDES) on June 9, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
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 as required per Rule Env-Wq 1406.20, (e).
3. No more than 17.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
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 as required per Rule Env-Wq 1406.20, (a).
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 as required per Rule Env-Wq 1406.20, (b).
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 as required per Rule Env-Wq 1406.20, (c).
7. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
8. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater as required per RSA 483-B:6, II and Rule Env-Wq 1406.15, (c) in order to ensure compliance with RSA 483-B:9, V, (g).
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 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
10. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I. if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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**2020-01289      OWNER: MONKS, LEE/TAMARA**

06/22/2020 to 06/28/2020

**CITY: ALTON BAY WATERBODY: LAKE WINNIPESAUKEE**

Requested Action:

Impact 23,063 square feet of protected shoreland in order to remove an existing 1,360 square foot camp and 5,017 square feet of existing gravel and replace with a 4,372 square foot new structure which includes an attached garage & breezeway, decks and roof over hangs, a 1,076 square foot permeable paver patio and 1,770 square foot permeable paver driveway. The proposal includes 1,800 square feet of the original gravel to remain and restore remaining areas of the gravel, remove 1,002 square feet of vegetation within the woodland buffer necessary for the construction of the new home but also proposes to restore and replant 1,193 square feet within the woodland buffer.

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 constructing a conforming primary structure. Post-construction restoration planting required.

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APPROVE PERMIT

Impact 23,063 square feet of protected shoreland in order to remove an existing 1,360 square foot camp and 5,017 square feet of existing gravel and replace with a 4,372 square foot new structure which includes an attached garage & breezeway, decks and roof over hangs, a 1,076 square foot permeable paver patio and 1,770 square foot permeable paver driveway. The proposal includes 1,800 square feet of the original gravel to remain and restore remaining areas of the gravel, remove 1,002 square feet of vegetation within the woodland buffer necessary for the construction of the new home but also proposes to restore and replant 1,193 square feet within the woodland buffer.

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 constructing a conforming primary structure. Post-construction restoration planting required.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc. dated April 9, 2020 and received by the NH Department of Environmental Services (NHDES) on June 9, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
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 as required pursuant to RSA 483-B:6, I, (c).
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 as required per Rule Env-Wq 1406.20, (e).
4. No more than 27.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
5. 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 1,002 square feet within the Natural Woodland Buffer located between 50 and 150 ft. 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).
6. 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.
7. Following planting, 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 2,267 square feet within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
8. 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.
9. The Permittee is responsible for replacing all failed plantings in order to maintain compliance with the restoration plan.
10. 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 as required per Rule Env-Wq 1406.20, (a).
11. 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 as required per Rule Env-Wq 1406.20, (b).
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause

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or contribute to, any violations of the surface water quality standards established in Env-Wq 1700 as required per Rule Env-Wq 1406.20, (c).

13. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).

14. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater as required per RSA 483-B:6, II and Rule Env-Wq 1406.15, (c) in order to ensure compliance with RSA 483-B:9, V, (g).

15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).

16. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I. 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**

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2020-01338    OWNER: JARMOG, MARCIN

**CITY: OSSIPEE    WATERBODY: OSSIPEE LAKE**

Requested Action:

Install a 6 foot x 40 foot seasonal pier on frontage along Ossipee Lake in Ossipee.

\*\*\*\*\*

COMPLETE NOTIFICATION

Install a 6 foot x 40 foot seasonal pier on frontage along Ossipee Lake in Ossipee.

\*\*\*\*\*  
2020-01345    OWNER: STAMNAS, PETER

**CITY: BARRINGTON    WATERBODY: AYER'S POND**

Requested Action:

Install a 4 foot x 30 foot seasonal pier on frontage along Ayer's Pond in Barrington.

\*\*\*\*\*

COMPLETE NOTIFICATION

Install a 4 foot x 30 foot seasonal pier on frontage along Ayer's Pond in Barrington.

\*\*\*\*\*  
2020-01356    OWNER: DUNLAP, CARLOS

**CITY: SUNAPEE    WATERBODY: SUNAPEE LAKE**

06/22/2020 to 06/28/2020

Requested Action:

Installation of a seasonal pier not to exceed 6 feet X 40 feet on frontage Sunapee Lake in Sunapee.

\*\*\*\*\*

COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 6 feet X 40 feet on frontage Sunapee Lake in Sunapee.

\*\*\*\*\*

**2020-01359    OWNER: GORMAN, KEITH**

**CITY: PELHAM    WATERBODY: LONG POND**

Requested Action:

Installation of a seasonal pier not to exceed 6 feet X 30 feet on frontage Long Pond in Pelham.

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COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 6 feet X 30 feet on frontage Long Pond in Pelham.

\*\*\*\*\*

**2020-01360    OWNER: FILLER, LAWRENCE**

**CITY: TUFTONBORO    WATERBODY: MIRROR LAKE**

Requested Action:

Install a seasonal pier not to exceed 30 feet x 6 feet on frontage along Mirror Lake in Tuftonboro.

\*\*\*\*\*

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN

Install a seasonal pier not to exceed 30 feet x 6 feet on frontage along Mirror Lake in Tuftonboro.

With Findings:

1. The proposed docking structure will not be no more than 6 feet wide and no more than 40 feet long if the water body is 1,000 acres or larger, or no more than 30 feet long if the water body is less than 1,000 acres as required per RSA 482-A:3, IV-a(e).
2. The applicant has requested a 30 foot wide by 6 foot long seasonal pier, a dimension noncompliant with RSA 482-A:3, IV-a(e), therefore the notification has been disqualified.

06/22/2020 to 06/28/2020

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**2020-01372    OWNER: WOODALL, TANYA  
                  OWNER: HOMYAK, CHET**

**CITY: CENTER CONWAY    WATERBODY: CONWAY LAKE**

Requested Action:

Installation of a seasonal pier not to exceed 6 feet X 30 feet on frontage Conway Lake in Center Conway.

\*\*\*\*\*

COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 6 feet X 30 feet on frontage Conway Lake in Center Conway.

\*\*\*\*\*

**2020-01375    OWNER: DURHAM, JANA/JEFFREY**

**CITY: TUFTONBORO    WATERBODY: LAKE WINNIPESAUKEE BASIN**

Requested Action:

Installation of a seasonal pier not to exceed 6 feet X 40 feet on frontage Lake Winnepesaukee in Tuftonboro.

\*\*\*\*\*

COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 6 feet X 40 feet on frontage Lake Winnepesaukee in Tuftonboro.

\*\*\*\*\*

**2020-01380    OWNER: WILDES, JONATHAN**

**CITY: ALSTEAD    WATERBODY: WARREN LAKE**

Requested Action:

Install a 4 foot x 30 foot seasonal pier along frontage on Warren Lake in Alstead.

\*\*\*\*\*

COMPLETE NOTIFICATION

Install a 4 foot x 30 foot seasonal pier along frontage on Warren Lake in Alstead.

06/22/2020 to 06/28/2020

\*\*\*\*\*  
**2020-01409    OWNER: COUNCILMAN, JAKUB**

**CITY: NEW DURHAM    WATERBODY: CHALK POND**

Requested Action:

Install a 6 foot x 30 foot seasonal pier along frontage on Chalk Pond in New Durham.

\*\*\*\*\*

COMPLETE NOTIFICATION

Install a 6 foot x 30 foot seasonal pier along frontage on Chalk Pond in New Durham.

\*\*\*\*\*  
**2020-01418    OWNER: RANNIGER, RENATE**

**CITY: MEREDITH    WATERBODY: LAKE WINNIPESAUKEE**

Requested Action:

install a 8 foot x 20 foot seasonal pier along frontage on Lake Winnepesaukee in Meredith.

\*\*\*\*\*

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN

install a 8 foot x 20 foot seasonal pier along frontage on Lake Winnepesaukee in Meredith.

With Findings:

The proposed docking structure will not be no more than 6 feet wide and no more than 40 feet long if the water body is 1,000 acres or larger, or no more than 30 feet long if the water body is less than 1,000 acres as required per RSA 482-A:3, IV-a(e).

\*\*\*\*\*  
**2020-01438    OWNER: CAHILL, KRISTY**

**CITY: BARRINGTON    WATERBODY: LONG POND**

Requested Action:

Install a 4 foot x 24 foot seasonal pier on frontage along Long Pond in Barrington.

\*\*\*\*\*

06/22/2020 to 06/28/2020

**DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN**

Install a 4 foot x 24 foot seasonal pier on frontage along Long Pond in Barrington.

With Findings:

1. The person responsible for the activity failed to provide the tax map and lot number of the property on which the proposed dock will be located as required per RSA 482-A:3, IV-a.

\*\*\*\*\*

**2020-01439    OWNER: NOLAN, STEVEN**

**CITY: WASHINGTON    WATERBODY: ASHUELOT POND**

Requested Action:

Install a 6 foot x 30 foot seasonal pier on frontage along Ashuelot Pond in Washington.

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**COMPLETE NOTIFICATION**

Install a 6 foot x 30 foot seasonal pier on frontage along Ashuelot Pond in Washington.

\*\*\*\*\*

**2020-01441    OWNER: COMEAU, MARY-JANE**

**CITY: NEWBURY    WATERBODY: CHALK POND**

Requested Action:

Install a 4 foot x 23 foot seasonal pier on frontage along Chalk Pond in Newbury.

\*\*\*\*\*

**COMPLETE NOTIFICATION**

Install a 4 foot x 23 foot seasonal pier on frontage along Chalk Pond in Newbury.

**PERMIT CATEGORY: FORESTRY SPN**

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**2020-01408    OWNER: D/B/A NH URSA MAJOR LLC**

**CITY: DUMMER    WATERBODY: Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Dummer, Tax Map #R101

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**2020-01421 OWNER: THE HOMEMAKERS HEALTH SERVICES**

**CITY: ROCHESTER WATERBODY: Unnamed Stream**

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COMPLETE NOTIFICATION  
Rochester, Tax Map #243, Lot #39A

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**2020-01449 OWNER: BAYROOT LLC**

**CITY: MILLSFIELD WATERBODY: Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Millsfield, Tax Map #1623, Lot #14

**PERMIT CATEGORY: TRAILS SPN**

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**2020-01185 OWNER: TUFTONBORO CONSERVATION COMMISSION**

**CITY: TUFTONBORO WATERBODY: Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Install boardwalks to cross intermittent streams

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**2020-01307 OWNER: MILFORD CONSERVATION COMMISSION**

06/22/2020 to 06/28/2020

**CITY: MILFORD WATERBODY: Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION

Install 8 foot x 8 foot concrete box culvert.

\*\*\*\*\*

**2020-01309 OWNER: CITY OF KEENE**

**CITY: KEENE WATERBODY:**

\*\*\*\*\*

COMPLETE NOTIFICATION

Installation of multiple culverts for bike lane and rail trail.

## **PERMIT CATEGORY: RR2: CULVERT EXTENSION**

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**2020-01303 OWNER: TOWN OF EXETER**

**CITY: EXETER WATERBODY: Unnamed Stream**

\*\*\*\*\*

COMPLETE REGISTRATION

RR2: Culvert extension

## **PERMIT CATEGORY: RR8: CULVERT INLET/OUTLET MAINTENANCE**

\*\*\*\*\*

**2020-01427 OWNER: NH DEPT OF TRANSPORTATION**

**CITY: GILFORD WATERBODY: Unnamed Stream**

Requested Action:

RR-8 Culvert Inlet and Outlet Maintenance

\*\*\*\*\*

06/22/2020 to 06/28/2020

COMPLETE REGISTRATION  
RR-8 Culvert Inlet and Outlet Maintenance

**PERMIT CATEGORY: EXP - STANDARD TIMELINE**

\*\*\*\*\*  
**2020-01025 OWNER: CHURCH, DANIEL**

**CITY: LACONIA WATERBODY: LAKE WINNIPESAUKEE**

Requested Action:

Repair an existing 6 foot x 65 foot pilling pier on an average of 138 feet of frontage along Lake Winnepesaukee in Laconia.

\*\*\*\*\*

APPROVE PERMIT

Repair an existing 6 foot x 65 foot pilling pier on an average of 138 feet of frontage along Lake Winnepesaukee in Laconia.

With Conditions:

1. All work shall be in accordance with plans by Ambrose Marine, dated November 23, 2019 as received by the NH Department of Environmental Services (NHDES) on May 13, 2020 as required pursuant to Env-Wt 307.16.
2. This permit shall not be effective until it has been recorded in the Belknap 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. 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.
4. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).  
The use of this structure shall be limited to the docking and securing of watercraft as required to comply with Env-Wt 307.09.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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).
10. 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.

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With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 513.24(a)(2), the project is the repair 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.

\*\*\*\*\*  
**2020-01100 OWNER: KNOWLTON, JANE/JEFFREY**

**CITY: MILTON WATERBODY: MILTON POND**

Requested Action:

Replace 116 linear feet of existing concrete retaining wall, refacing approximately 30.5 linear feet of an existing upper concrete retaining wall, replacing approximately 86 linear feet of wood timber retaining wall with stone, repair existing 4 foot wide access steps and relocate existing 4 foot x 20 foot seasonal pier on an average of 125 feet of shoreline frontage along Milton Pond in Milton.

\*\*\*\*\*

APPROVE PERMIT

Replace 116 linear feet of existing concrete retaining wall, refacing approximately 30.5 linear feet of an existing upper concrete retaining wall, replacing approximately 86 linear feet of wood timber retaining wall with stone, repair existing 4 foot wide access steps and relocate existing 4 foot x 20 foot seasonal pier on an average of 125 feet of shoreline frontage along Milton Pond in Milton.

With Conditions:

1. All work shall be in accordance with plans by Advantage NH Lakes, dated April 20, 2020 as received by the NH Department of Environmental Services (NHDES) on May 20, 2020 as required pursuant to Env-Wt 307.16.
2. This permit shall not be effective until it has been recorded in the Strafford 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. In accordance with Env-Wt 310.03(b), the work shall comply with all applicable conditions specified in Env-Wt 307.
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. 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).
6. 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).
7. 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.
8. 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 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.
9. 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).

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- 10. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
- 11. All portions of the docking structures shall be located at least 20 feet from the abutting property lines and no watercraft shall be secured to the docking facility such that it crosses over the imaginary extension of the property lines over the surface water as required by RSA 482-A:3, XIII.
- 12. No portion of the docking structures shall extend more than 20 feet from the shoreline at full lake elevation (Elev. 414.67) pursuant to Env-Wt 513.22, (a).
- 13. All seasonal structures shall be removed for the non-boating season as required per Env-Wt 513.22.
- 14. The seasonal dock shall be removed from the water prior to applying any paint, stain, or other preservative coating, and not returned to the water until after such coating is dry as required per Env-Wt 513.22(b)(4).
- 15. 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.
- 16. 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.

With Findings:

- 1. The project is classified as a minimum impact per Rule Env-Wt 514.07(a)(3), as the project is for repair of an existing retaining wall that is done in the dry, results in no change in height, length, location, or configuration, and adds no more than 6 inches of width.
- 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.

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**2020-01146    OWNER: SAWYER, ELIZABETH**

**CITY: WEST OSS�PEE    WATERBODY: OSS�PEE LAKE**

Requested Action:

Remove two existing 3 foot x 24 foot seasonal piers and install a 6 foot x 30 foot seasonal pier with a 6 foot 6 inch x 4 foot anchoring pad along an average of 307 feet of frontage along Ossipee Lake in West Ossipee.

\*\*\*\*\*

APPROVE PERMIT

Remove two existing 3 foot x 24 foot seasonal piers and install a 6 foot x 30 foot seasonal pier with a 6 foot 6 inch x 4 foot anchoring pad along an average of 307 feet of frontage along Ossipee Lake in West Ossipee.

With Conditions:

- 1. All work shall be in accordance with plans by Walker Magrauth dated March 30, 2020 as received by the NH Department of Environmental Services (NHDES) on May 26, 2020 as required pursuant to Env-Wt 307.16.
- 2. This permit shall not be effective until it has been recorded in the Carrol 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. The two pre-existing 3 foot x 24 foot seasonal piers shall be removed from the frontage prior to the installation of the new pier.
- 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 to maintain compliance with Env-Wt 314.02 and Env-Wt 513.12.
- 5. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per

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Env-Wt 513.22, (a).

6. All portions of the docking structures shall be located at least 20 feet from the abutting property lines and no watercraft shall be secured to the docking facility such that it crosses over the imaginary extension of the property lines over the surface water as required by RSA 482-A:3, XIII.

7. No portion of the docking structures shall extend more than 30 feet from the shoreline at full lake elevation (Elev. 407.25) pursuant to Env-Wt 513.22, (a).

8. All seasonal structures shall be removed for the non-boating season as required per Env-Wt 513.22. The concrete pad shall be constructed landward of the normal high water line (Elev. 407.25) as required per Env-Wt 513.13, (d).

9. 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.

10. 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).

11. 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).

12. 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).

13. 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.

14. 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.

15. 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).

16. 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)(1), for the construction of a seasonal pier.
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: EXP - EXPEDITED TIMELINE**

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**2020-00697 OWNER: TOWN OF PETERBOROUGH**

**CITY: PETERBOROUGH WATERBODY: UNNAMED BROOK**

Requested Action:

Dredge and fill 1,173 square feet (SF) within palustrine forested wetland for grading associated with the construction of a sidewalk to connect pedestrian access from an apartment building to an existing sidewalk network along a town road.

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06/22/2020 to 06/28/2020

#### APPROVE PERMIT

Dredge and fill 1,173 square feet (SF) within palustrine forested wetland for grading associated with the construction of a sidewalk to connect pedestrian access from an apartment building to an existing sidewalk network along a town road.

#### With Conditions:

1. All work shall be done in accordance with the approved plans dated May 7, 2020, by Hoyle Tanner & Associates, Inc., as received by the NH Department of Environmental Services (NHDES) on May 28, 2020, per Rule Env-Wt 307.16.
2. In accordance with Env-Wt 310.03(b), the work shall comply with all applicable conditions specified in Env-Wt 307.
3. In accordance with Env-Wt 307.11(b), limits of fill shall be clearly identified prior to commencement of work and controlled in accordance with Env-Wt 307.03 to ensure that fill does not spill over or erode into any area where filling is not authorized.
4. 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.
5. In accordance with Env-Wt 307.03(c)(2), water quality control measures shall be comprised of wildlife-friendly erosion control materials if erosion control blankets are utilized.
6. 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.
7. 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 manufacturers recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508.
8. In accordance with Env-Wt 307.03(c)(5) and (7), 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, and shall be removed upon completion of work when compliance with Env-Wt 307.03(c)(6) is achieved.
9. 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.
10. In accordance with Env-Wt 307.03(g)(1), the person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
11. In accordance with Env-Wt 307.03(g)(3) and (4), the person in charge of construction equipment shall maintain oil spill kits and diesel fuel spill kits, as applicable to the type(s) and amount(s) of oil and diesel fuel used, on site so as to be readily accessible at all times during construction; and train each equipment operator in the use of the spill kits.
12. In accordance with Env-Wt 307.03(g)(2), the person in charge of construction equipment shall repair any leaks prior to using the equipment in an area where such fluids could reach groundwater, surface waters, or wetlands.
13. 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.
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 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.

#### With Findings:

1. This is classified as a minimum impact project per Rule Env-Wt 407.03(a), as impacts to jurisdictional areas other than a watercourse are less than 3,000 square feet (SF) and the project is not subject to an adjustment under Env-Wt 407.02; does not qualify for a project-type exception (PTE) under Env-Wt 407.04; and does not qualify for project-specific size criteria as identified in Env-Wt 407.04, Table 407-2.
2. Per Rule Env-Wt 310.01(d)(4), the applicant provided a signed statement certifying, in addition to the certifications specified in Env-Wt 311.11, that the proposal is the alternative with the least adverse impact to jurisdictional areas, as required by Env-Wt 313.03.
3. Per Rule Env-Wt 306.05, the applicant has addressed all of the required planning items that are used to determine the

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appropriate impact classification of a project and the type of approval required.

- 4. 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.
- 5. The New Hampshire Natural Heritage Bureau (NHB) has reviewed the proposed project (NHB19-4085) and determined that there are no recorded occurrences of sensitive species near the project area, per the letter dated December 23, 2019.
- 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**

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**2020-01429    OWNER: CIPOLLONE, DANIEL**

**CITY: (ALL TOWNS)    WATERBODY: Unnamed Stream**

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APPROVE PERMIT  
RTE 112, CONWAY, SWIFT RIVER

\*\*\*\*\*

**2020-01472    OWNER: WELTY, TREVOR**

**CITY: (ALL TOWNS)    WATERBODY: Unnamed Stream**

\*\*\*\*\*

APPROVE PERMIT  
US 302 & NH112, BATH, WILD AMMONOOSUC RIVER

**PERMIT CATEGORY: WETLAND PBN**

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**2020-01367    OWNER: ROCK, CHRISTINE**

**CITY: ENFIELD    WATERBODY: MASCOMA LAKE**

Requested Action:

Install a 6 foot x 30 foot seasonal pier along 419 feet of frontage along Mascoma Lake in Enfield.

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06/22/2020 to 06/28/2020

**PBN IS COMPLETE**

Install a 6 foot x 30 foot seasonal pier along 419 feet of frontage along Mascoma Lake in Enfield.

**With Conditions:**

1. All work shall be in accordance with plans by Riverside Ecological Design LLC dated June 18, 2015, and revised by Christine Rock through June 23, 2020 as received by the NH Department of Environmental Services (NHDES) on June 23, 2020 as required pursuant to Env-Wt 307.16.  
This permit shall not be effective until it has been recorded in the Grafton 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.
2. The existing seasonal dock installed in accordance with wetland file 2009-01044 shall be permanently removed before the installation of the proposed seasonal 6 foot x 30 foot pier.  
Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
3. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season as required per Env-Wt 513.22.
4. The seasonal dock shall be removed from the water prior to applying any paint, stain, or other preservative coating, and not returned to the water until after such coating is dry as required per Env-Wt 513.22(b)(4).
5. The use of this structure shall be limited to the docking and securing of watercraft as required to comply with Env-Wt 307.09.
6. In accordance with Env-Wt 513.10(a) and as required by RSA 482-A:3, XIII(a), all docking facilities shall be at least 20 feet from the abutting property line and the imaginary extension of the property line over the surface water that is perpendicular to the shoreline.
7. 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).
8. 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:**

This is a minimum impact project per Administrative Rule Env-Wt 513.24(a), for the construction of a seasonal dock.

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**2020-01411 OWNER: BENTLAGE, ANONTIUS/KAREN**

**CITY: LACONIA WATERBODY: LAKE WINNIPESAUKEE**

**Requested Action:**

Repair 9 linear feet of retaining wall along 60 feet of frontage on lake Winnepesaukee in Laconia.

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**PBN DISQUALIFIED**

Repair 9 linear feet of retaining wall along 60 feet of frontage on lake Winnepesaukee in Laconia.

06/22/2020 to 06/28/2020

With Findings:

Photos submitted with the application and review of NHDES File # 2003-00734 show that the area of proposed work is a natural rocky shoreline and does not meet the criteria for repair of an existing legal wall that complies with Env-Wt 514.07(a) (3). The project therefore does not qualify as a PBN under administrative rule Env-Wt 309.06(a) and is rejected.

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**2020-01415 OWNER: NEW HAMPSHIRE 354 LLC**

**CITY: ALTON WATERBODY: LAKE WINNIPESAUKEE**

Requested Action:

Repair an existing piling supported, U-shaped dock comprised of a 6 foot x 30 foot, 6 inch wharf, connected to two 6 foot x 24 foot fingers as well as an existing W-shaped dock comprised of a 6 foot x 41 foot wharf connected to three 6 foot x 24 foot fingers and replenish no more than 10 cubic yards of sand on an existing 565 square foot beach along 1162 feet of frontage on Lake Winnepesaukee in Alton.

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PBN IS COMPLETE

Repair an existing piling supported, U-shaped dock comprised of a 6 foot x 30 foot, 6 inch wharf, connected to two 6 foot x 24 foot fingers as well as an existing W-shaped dock comprised of a 6 foot x 41 foot wharf connected to three 6 foot x 24 foot fingers and replenish no more than 10 cubic yards of sand on an existing 565 square foot beach along 1162 feet of frontage on Lake Winnepesaukee in Alton.

With Conditions:

1. All work shall be done in accordance with plans by Walker Magrauth, dated May 22, 2020 as received by the NH Department of Environmental Services (NHDES) on June 19, 2020 as required pursuant to Env-Wt 307.16.
2. This permit shall not be effective until it has been recorded in the Belknap 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. 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.
4. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line in accordance with Env-Wt 511.07(a).
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.
10. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas

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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:**

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.

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**2020-01425 OWNER: BOUCHARD FAMILY TRUST**

**CITY: MILAN WATERBODY: CEDAR POND**

**Requested Action:**

Install a 4 foot x 20 foot seasonal dock along 47 feet of frontage on Cedar Pond in Milan.

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**PBN IS COMPLETE**

Install a 4 foot x 20 foot seasonal dock along 47 feet of frontage on Cedar Pond in Milan.

**With Conditions:**

1. All work shall be in accordance with plans by Nancy Leclerc-Davidson dated May 20, 2020, and revised as received by the NH Department of Environmental Services (NHDES) on June 22, 2020 as required pursuant to Env-Wt 307.16.

2. This permit shall not be effective until it has been recorded in the Grafton 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. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season as required per Env-Wt 513.22.

5. The seasonal dock shall be removed from the water prior to applying any paint, stain, or other preservative coating, and not returned to the water until after such coating is dry as required per Env-Wt 513.22(b)(4).

6. The use of this structure shall be limited to the docking and securing of watercraft as required to comply with Env-Wt 307.09.

7. 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).

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8. 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:

This is a minimum impact project per Administrative Rule Env-Wt 513.24(a), for the construction of a seasonal dock.

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**2020-01428 OWNER: LANDS END ASSOCIATION**

**CITY: MOULTONBOROUGH WATERBODY: LAKE WINNIPESAUKEE**

Requested Action:

Repair of 9 tie off piles and a piling supported docking facility consisting of four 28 foot x 2 foot finger piers and seven 24 foot x 2 foot finger piers, extending from a 4 foot x 183 foot walkway and a 4 foot x 61 foot 5 inch crib supported wharf, adjacent to a 25 foot 3 in x 38 foot deck surface along 390 feet of frontage on Lake Winnepesaukee in Moultonborough.

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PBN IS COMPLETE

Repair of 9 tie off piles and a piling supported docking facility consisting of four 28 foot x 2 foot finger piers and seven 24 foot x 2 foot finger piers, extending from a 4 foot x 183 foot walkway and a 4 foot x 61 foot 5 inch crib supported wharf, adjacent to a 25 foot 3 in x 38 foot deck surface along 390 feet of frontage on Lake Winnepesaukee in Moultonborough.

With Conditions:

1. All work shall be done in accordance with plans by Folsom Design and Construction Management, dated June 16, 2020 as received by the NH Department of Environmental Services (NHDES) on June 22, 2020 as required pursuant to Env-Wt 307.16.
2. This permit shall not be effective until it has been recorded in the Carrol 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. 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.
4. 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.
5. 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).
6. 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).
7. 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).
8. 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.
9. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas

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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.

10. 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.

11. No construction, modification, or maintenance activity that is contrary to RSA 482-A:26 shall be conducted.

12. 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.

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.

**With Findings:**

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.