

# Wetlands Applications Decision Report

Decisions Taken  
06/29/2020 to 07/05/2020

## **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.

**PERMIT CATEGORY:**

No Category Match

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**2020-00916 OWNER: RICHARD & MARTHA BERNIER REVOC TRUST**

**CITY: HAMPTON WATERBODY:**

**Requested Action:**

Impact a total of 1,419 square feet within the previously-developed 100-foot tidal buffer zone to include 955 square feet of permanent impact and 464 square feet of temporary impact to raise the existing single family dwelling above the 100-foot year flood elevation.

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**APPROVE PERMIT**

Impact a total of 1,419 square feet within the previously-developed 100-foot tidal buffer zone to include 955 square feet of permanent impact and 464 square feet of temporary impact to raise the existing single family dwelling above the 100-foot year flood elevation.

**With Conditions:**

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the plans by Millennium Engineering, Inc. dated march 18, 2020 and revised June 12, 2020 as received by the NH Department of Environmental Services (NHDES) on June 15, 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. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d). 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. No more than 29.6% 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).
7. The proposed drip edges below the roof overhang shall be installed and maintained to effectively absorb and infiltrate stormwater in order to ensure compliance with RSA 483-B:9, V, (g).

**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 (HOTL), and will disturb less than 3,000 square feet (SF).
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 310.01(h), the application for this expedited permit (EXP) included a signed statement from the municipal conservation commission certifying that the conservation commission waives its right to intervene on the project.
4. Per Rule Env-Wt 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.
5. 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.
6. 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,

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and maintain existing buffers intact where the lot has disturbed area defined under RSA 483- B:4, VI.

**PERMIT CATEGORY: MAJOR IMPACT PROJECT**

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**2019-03877 OWNER: SHACHAR, AVISHAI/ORLY**

**CITY: DOVER WATERBODY: COCHECO RIVER**

**Requested Action:**

Impact 246 square feet within the undeveloped upland tidal buffer zone for construction of a 3 foot by 82-foot elevated, light-transmitting access ramp and staircase. In addition, impact 920 square feet of tidal wetland to construct a tidal docking structure consisting of a 3-foot by 140-foot permanent fixed pier and a 3-foot by 50-foot seasonal pier section (supported by 5 sets of piles) connected by a 3-foot by 50-foot seasonal ramp and a 10-foot by 20-foot float. The overall structure length seaward of the highest observable tide line is 257 feet, providing one slip on 718 feet of frontage along the Cochecho River.

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**APPROVE PERMIT**

Impact 246 square feet within the undeveloped upland tidal buffer zone for construction of a 3-foot by 82-foot elevated, light-transmitting access ramp and staircase. In addition, impact 920 square feet of tidal wetland to construct a tidal docking structure consisting of a 3-foot by 140-foot permanent fixed pier and a 3-foot by 50-foot seasonal pier section (supported by 5 sets of piles) connected by a 3-foot by 50-foot seasonal ramp and a 10-foot by 20-foot float. The overall structure length seaward of the highest observable tide line is 257 feet, providing one slip on 718 feet of frontage along the Cochecho River.

**With Conditions:**

1. All work shall be in accordance with plans by Tidal Ecological Consultants dated November 01, 2019, and revised through June 05, 2020, last received by the NH Department of Environmental Services (NHDES) on June 05, 2020.
2. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the NHDES Wetlands Bureau prior to construction.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau Pease office and the local conservation commission in writing of the date on which work under this permit is expected to start.
4. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the NHDES Wetlands Bureau.
5. This permit does not authorize removal of trees or saplings, excavation, grading or filling within the undeveloped tidal buffer zone.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and New Hampshire Administrative Rule Env-Wq 1700.
7. Construction of this tidal docking structure consisting of a 3 foot by 82-foot elevated, light-transmitting access ramp and staircase through undeveloped tidal buffer zone connected to a 3-foot by 140-foot permanent fixed pier, a 3-foot by 50-foot seasonal pier section, a 3-foot by 50-foot seasonal ramp and a 10-foot by 20-foot float, with an overall structure length seaward of the highest observable tide line of 257 feet, providing one boat slip on 718 feet of frontage along the Cochecho River in Dover shall be the only dock structure on this water frontage.
8. The height of the pier's decking over the surface of the tidal wetland at normal high tide shall be a minimum of 4 feet.
9. Decking shall have at least 1-inch spacing to provide sufficient sunlight penetration and rainfall to underlying vegetation.
10. The seasonal structures, including but not limited to the seaward pier section, ramp and float, shall be removed during the non-boating season and stored on the existing pier or in an upland location.
11. Construction of the dock shall occur from a barge equipped with a crane, at low tide, to reduce potential impacts to the estuarine intertidal wetlands.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

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15. All construction-related debris shall be properly disposed of outside of the areas subject to RSA 482-A.

With Findings:

1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Env-Wt 303.04(v).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the NHDES' jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
3. The dock is the minimum length necessary to provide reasonable access at this location. The float will not rest on the substrate at low tide.
4. The structure has been designed with a narrower width and less than half of the number of piles relative to a traditional tidal docking structure. Pile bents will be composed of fiberglass material and spaced 50-feet apart. The decking will be composed of light-transmitting material. The access ramp/stairway will be elevated on posts and also composed of light-transmitting material to support underlying vegetation.
5. Further, the applicant will be utilizing a barge and crane to complete construction of the dock from the water and pile locations have been designed to minimize impacts to the underlying vegetation.
6. No tree or shrub removal, excavation, grading or filling will be required to install the access way.
7. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
8. The NH Natural Heritage Bureau (NHB) has record of an exemplary natural community and threatened or endangered vertebrate species within the vicinity of the project (NHB19-3598).
9. In correspondence dated March 16 and 17, 2020, the NHB and the NH Fish & Game Department determined that, with revisions to the design and conditions incorporated into this permit, there would be no adverse impact the natural community as a result of this project.
10. The NHDES staff field inspection on June 26, 2020 found that the site is accurately represented in the application.
11. In accordance with RSA 482-A:8, the NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.
12. In correspondence dated December 16, 2019, the Pease Development Authority, Division of Ports and Harbors, determined that the project would have no negative effect on navigation in the channel.
13. In correspondence dated January 21, 2020, the Dover Conservation Commission recommended approval of the project, as proposed.
14. In correspondence dated October 20, 2019, a letter of authorization was signed by the permittee, allowing his/her agent to act on their behalf through the permitting process.
15. In correspondence dated December 09, 2019, the New Hampshire Division of Historical Resources found that the project, as proposed, will have no effect on any potential nearby historical resources.

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2020-00838    OWNER: NHDES WATER DIVISION DAM BUREAU

**CITY: WARREN    WATERBODY: WEEKS CROSSING POND**

Requested Action:

Dredge and fill 6,060 square feet within the bed and banks of Black Brook (impacting approximately 150 linear feet) and former pond bottom to reconstruct the failed Weeks Crossing Dam and to regrade the dam embankments. Temporarily impact 7,250 square feet within the bed and banks of Black Brook (impacting 96 linear feet) and former pond bottom for access and installation, and to construct a temporary coffer dam.

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APPROVE PERMIT

Dredge and fill 6,060 square feet within the bed and banks of Black Brook (impacting approximately 150 linear feet) and former pond bottom to reconstruct the failed Weeks Crossing Dam and to regrade the dam embankments. Temporarily impact 7,250 square feet within the bed and banks of Black Brook (impacting 96 linear feet) and former pond bottom for access and installation, and to construct a temporary coffer dam.

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With Conditions:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the approved plans last revised on November 18, 2019 by the NH Department of Environmental Services (NHDES) Dam Bureau, as received by the NHDES Wetlands Bureau on April 23, 2020.
2. 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).
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. 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)(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.
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)(4), water quality control measures shall be capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment.
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. 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.
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(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.
12. In accordance with Env-Wt 307.03(e), all exposed soils and other fills shall be permanently stabilized within 3 days following final grading.
13. In accordance with Env-Wt 307.03(f)(1), a cofferdam or other turbidity control shall be used to enclose a dredging project conducted in or along the shoreline of a bog, marsh, lake, pond, stream, river, creek, or any other surface water, provided that a coffer dam shall not be installed during periods of high flow.
14. In accordance with Env-Wt 307.03(f)(2), a cofferdam or other turbidity control shall be removed after work within the coffer dam or other turbidity control is completed, the contained water has returned to background clarity, and when removing the structure will not cause or contribute to a violation of Env-Wt 307.03(c)(6).
15. 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.
16. 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.
17. 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.
18. 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.
19. In accordance with Env-Wt 307.04(b), activities that produce suspended sediment in jurisdictional areas that provide value as bird migratory areas or fish and shellfish spawning or nursery areas, shall be done so as to not discharge sediment to fish and shellfish spawning or nursery areas or to amphibian and migratory bird breeding areas during spawning or breeding seasons, as applicable, which could necessitate suspending the activities.
20. All temporary and permanent filling activities shall meet all of the conditions listed in Rule Env-Wt 307.11(a) through (l).

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21. 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.
22. 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.
23. 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.
24. Restoration of all temporary impacts shall meet all of the conditions listed in Rule Env-Wt 307.12(a) through (i).
25. 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.
26. In accordance with Env-Wt 307.12(d), mulch used within an area being restored shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
27. In accordance with Env-Wt 307.15(a), heavy equipment shall not be operated in any jurisdictional area unless specifically authorized by this permit.
28. 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.
29. In accordance with Env-Wt 307.18(c), a report that describes the monitoring conducted and date(s) of inspections, and includes photos showing the extent of jurisdictional impacts, areas of restoration, and progress of any plantings shall be submitted to the department.
30. In accordance with Env-Wt 307.18(e), a schedule and description of measures to be taken during construction and after completion of the project shall be submitted to the department.
31. In accordance with Env-Wt 526.02(b), no flooding or de-watering associated with the C/M/R project shall permanently destroy native hydrophytic vegetation or aquatic habitat of finfish, crustacea, or wildlife.
32. In accordance with Env-Wt 526.02(c), existing aquatic organism passage and stream flow shall be maintained during and after construction at appropriate times to allow migration of fish and aquatic organism passage, if practicable.
33. In accordance with Env-Wt 526.05(a), all work associated with dam reconstruction projects shall comply with the applicable standards in Env-Wt 307.
34. In accordance with Env-Wt 526.05(b), if applicable, the permittee shall provide notice in accordance with RSA 482:13 and RSA 211:11.
35. In accordance with Env-Wt 526.05(d), not less than 5 working days prior to starting work authorized by this permit, the permittee shall notify the department and the local conservation commission in writing of the date on which work under this permit is expected to start.
36. In accordance with Env-Wt 526.05(f)(1), prior to commencing construction, the applicant shall clearly mark all wetland and surface water boundaries adjacent to the permitted work areas.
37. In accordance with Env-Wt 526.05(f)(2), place orange construction fencing at the limits of construction to prevent unintentional encroachment on adjacent jurisdictional areas.
38. In accordance with Env-Wt 526.05(g)(1), a certified wetland scientist, professional engineer, or CPESC specialist shall verify that all wetland or wetland-related work is done in accordance with the approved plans and narratives.
39. In accordance with Env-Wt 526.05(g)(2), submit a follow-up report including photographs of the stages of construction specified in the permit to the department within 60 days of final site stabilization.

With Findings:

1. This is classified as a major impact project per Rule Env-Wt 526.06(c) and in accordance with Env-Wt 407, as the project is for a significant modification to reconstruct or replace a dam that exceeds Env-Wt 526.06(b).
2. This is classified as a major impact project per Rule Env-Wt 526.06(e) and in accordance with Env-Wt 407, as the project impacts a priority resource area (PRA), 200 linear feet (LF) or more of a surface water or banks of surface waters, or 10,000 square feet (SF) or greater of a wetlands or bed and banks of surface waters.
3. This is classified as a major impact project per Rule Env-Wt 526.07(b)(1), as the project is for repair of a dam that requires work in surface waters, banks of surface waters, or wetlands, and involves removal, replacement, reconstruction, or significant modification of the dam.
4. Per Rule Env-Wt 306.05, the applicant has addressed all of the required planning items that are used to determine the appropriate impact classification of a project and the type of approval required.
5. The project to construct, reconstruct, modify, repair, or replace a dam (C/M/R project) meets all of the approval criteria established in Env-Wt 526.02.
6. Per Rule Env-Wt 526.03(h), the plans for a C/M/R project have been prepared by a professional engineer.
7. Per Rule Env-Wt 311.06(h), the municipal conservation commission did not provide comments on the proposed project.
8. Per Rule Env-Wt 311.06(j), the applicant has not received comments from any federal agency.

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- 9. Per Rule Env-Wt 313.01(a)(2), all applicable conditions specified in Env-Wt 307 have been met.
- 10. Per Rule Env-Wt 313.01(a)(4), all project-specific criteria established in Env-Wt 500 have been met.
- 11. 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.
- 12. 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.
- 13. The applicant has demonstrated specifically that each factor listed in Env-Wt 313.03(b) has been considered in the design of the proposed major project.
- 14. Per Rule Env-Wt 313.01(a)(3), all resource-specific criteria established in Env-Wt 400, Env-Wt 500 have been met.
- 15. Per Rule Env-Wt 406.04 and Env-Wt 406.05, the water course and pond location were identified but are not subject to delineation as described in Env-Wt 406.01 and Env-Wt 406.02.
- 16. Per Rule Env-Wt 202.01(a), the department finds the project is clearly defined, therefore no hearing is required, as contemplated by RSA 482-A:3, XIV(a)(3)(C) or RSA 482-A:3, XIV(a)(4)(C).
- 17. Per Rule Env-Wt 204.05(a), the department has granted a waiver to the requirement established in Rule Env-Wt 311.10 that will not extend the duration of the wetlands permit. Granting the waiver will not result in an avoidable adverse impact on the environment or natural resources of the state, including but not limited to jurisdictional areas and protected species or habitat, or on public health or public safety. The resource was a pond and will be a pond, once the dam is reconstructed.

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**2020-00891      OWNER: TIMOTHY J MCGRATH TRUST NO ONE**

**CITY: BRIDGEWATER    WATERBODY: NEWFOUND LAKE**

**Requested Action:**

Install a 6 foot x 15 foot seasonal extension off the lakeward end of an existing 4 foot x 44 foot cantilevered pier adjacent to an existing 55 foot breakwater on an average of 97 feet of shoreline frontage along Newfound Lake in Bridgewater.

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**APPROVE PERMIT**

Install a 6 foot x 15 foot seasonal extension off the lakeward end of an existing 4 foot x 44 foot cantilevered pier adjacent to an existing 55 foot breakwater on an average of 97 feet of shoreline frontage along Newfound Lake in Bridgewater.

**With Conditions:**

- 1. All work shall be in accordance with revised plans by Barnard Survey Assoc., Inc. dated March 2020, as received by the NH Department of Environmental Services (NHDES) on April 30, 2020, and 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. This permit does not authorize work to the existing 55 foot breakwater.
- 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 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 59 feet from the shoreline at full lake elevation (Elev. 589.12) 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.
- 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. 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

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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 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, the 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 major impact project per Administrative Rule Env-Wt 513.25(c)(3), the dock is proposed adjacent to or attached to a breakwater.
- 2. The applicant has an average of 97 feet of frontage along Lake Winnepesaukee.
- 3. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 513.12, Frontage Requirements for Private and Non-commercial Docking Structures.
- 4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII, and therefore meets Rule Env-Wt 513.12.
- 5. The NHDES finds that because the project is not of significant public interest and will not significantly impair the resources of Newfound Lake a public hearing under RSA 482-A:8 is not required.
- 6. No concerns were received from abutters nor the local Conservation Commission related to the project.
- 7. The NHDES 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: MINOR IMPACT PROJECT**

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2019-03864    OWNER: PREVETT, ANTHONY/MARY

**CITY: LACONIA    WATERBODY: LAKE WINNIPESAUKEE**

Requested Action:

Relocate and rebuild an existing permanent docking structure with a 48 foot 6 inch x 6 foot pier, a 44 foot 5 inch x 4 foot pier, connected by a 16 foot x 4 foot 4 inch walkway in a "W" configuration, install a 14 foot x 30 foot seasonal canopy, a single permanent boatlift, and two seasonal personal watercraft lifts, replenish the existing beach with 7 cubic yards of sand, repair an existing 112 linear foot retaining wall, and dredge 28 cubic yards of material from 1,520 square feet of lakebed to restore water depth within existing boat slips and reestablish a navigational channel on approximately 145 feet of frontage along Lake Winnepesaukee in Laconia.

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APPROVE PERMIT

Relocate and rebuild an existing permanent docking structure with a 48 foot 6 inch x 6 foot pier, a 44 foot 5 inch x 4 foot pier, connected by a 16 foot x 4 foot 4 inch walkway in a "W" configuration, install a 14 foot x 30 foot seasonal canopy, a single permanent boatlift, and two seasonal personal watercraft lifts, replenish the existing beach with 7 cubic yards of sand, repair an existing 112 linear foot retaining wall, and dredge 28 cubic yards of material from 1,520 square feet of lakebed to restore water depth within existing boat slips and reestablish a navigational channel on approximately 145 feet of frontage along Lake Winnepesaukee in Laconia.

With Conditions:

- 1. All work shall be in accordance with revised plans by Folsom Design & Construction Management dated June 11, 2020 and as received by the NH Department of Environmental Services (NHDES) on June 15, 2020, as required pursuant to Env-Wt 307.16.
- 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

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- Program Code of Administrative Rules Chapters Env-Wt 100 - 900 were requested or approved under this permit action by the NH Department of Environmental Services (NHDES) on June 15, 2020 as required pursuant to Env-Wt 307.16.
3. In accordance with revised plans by Folsom Design & Construction Management, revision dated June 11, 2020 and as received by the NH Department of Environmental Services (NHDES) on June 5, 2020, 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; and located outside of any jurisdictional area in accordance with Env-Wt 307.10(f).
  4. All dredging activities shall meet all of the conditions listed in Rule Env-Wt 307.10(a) through (n).
  5. In accordance with Env-Wt 307.10(d), dredged materials shall be disposed of out of jurisdictional areas, unless other disposition is specifically permitted pursuant to Env-Wt 307.10(e).
  6. In accordance with Env-Wt 307.10(g), subject to Env-Wt 307.10(h), in non-tidal waters, no dredging shall occur between October 1 and March 31 for any fish migration or larval settling area of cold water fish; or in March or April for any area that is habitat for rainbow smelt.
  7. In accordance with Env-Wt 307.10(a), no dredging shall occur that would create violations of any set-backs specified in RSA 485-A or 483-B relative to protecting water quality; or Env-Wq 1000 relative to septic systems.
  8. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision as required pursuant to Env-Wt 314.02.
  9. The seasonal canopy and any seasonal lifts shall be installed after ice-out and removed prior to ice-in accordance with Env-Wt 513.19(d) and Env-Wt 513.22(b)(1), respectively.
  10. In accordance 513.19(b), the seasonal canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season.
  11. 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)(4).
  12. 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.
  13. 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).
  14. 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.
  15. 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.
  16. 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).
  17. 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).
  18. 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.
  19. All dredged and excavated material and construction-related debris shall be placed outside of those areas subject to 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.
  20. 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).
  21. 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 minor impact project per Administrative Rule Env-Wt 523.04(b), proposed dredging will be greater than 20 cubic yards but no more than 30 cubic yards.
2. The Department finds that the project as proposed and conditioned meets the requirements of RSA 482-A and the

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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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**2020-01078 OWNER: EDWARD J OMEARA TRUST & JOYCE A O'SHAUGNESSY TRUST**

**CITY: RYE WATERBODY: ATLANTIC OCEAN**

Requested Action:

Impact a total of 5,412 square feet of previously-developed 100-foot tidal buffer zone to include temporarily impacting 1,944 square feet and permanently impact 3,468 square feet to regrade accumulated beach sand along 100 linear feet of seawall to provide better exposure of the seawall to protect the property from ocean waves. The sand will be pulled back from the seawall and regraded along the dry sand portion of the beach landward of mean high tide along this frontage. No sand shall be removed from the beach for disposal elsewhere.

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APPROVE PERMIT

Impact a total of 5,412 square feet of previously-developed 100-foot tidal buffer zone to include temporarily impacting 1,944 square feet and permanently impact 3,468 square feet to regrade accumulated beach sand along 100 linear feet of seawall to provide better exposure of the seawall to protect the property from ocean waves. The sand will be pulled back from the seawall and regraded along the dry sand portion of the beach landward of mean high tide along this frontage. No sand shall be removed from the beach for disposal elsewhere.

With Conditions:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the "Wetland Permit Plan" MSC a division of TF Moran, Inc. dated April 14, 2020 as received by the NH Department of Environmental Services (NHDES) on May 18, 2020.
2. In accordance with Env-Wt 609.10(b)(4), all work shall be done at low tide when the work area is fully exposed.
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)(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.
6. 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.
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(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.

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 204.05(a), the department has granted a waiver to the requirement established in Rule Env-Wt 603.08(a)(1-5) and Env-Wt 603.08(b)(1 and 2). Granting a waiver will not result in an avoidable adverse impact on the environment or natural resources of the state, including but not limited to, jurisdictional areas and protected species or

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habitat; or public health or public safety; an impact on abutting properties that is more significant than that which would result from complying with the rule; or, a statutory requirement being waived; and any benefit to the public or the environment from complying with the rule is outweighed by the operational or economic costs to the applicant.

3. 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.
4. Per Rule Env-Wt 307.13(d), the applicant obtained written consent from the affected abutters, as the proposed project will extend closer than 10 feet to an abutting property lines.
5. Per Rule Env-Wt 311.06(h), the Rye Conservation Commission provided comments on the proposed project on May 15, 2020 stating, "the [Rye] Conservation Commission has no objection to the project as long as the permits have been obtained and applicable regulations are followed."
6. Per Rule Env-Wt 311.06(j), the applicant has not received comments from any federal agency.
7. 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.
8. Per Rule Env-Wt 604.01(a), the project in or on a tidal beach, tidal shoreline, sand dune, or any combination thereof has been evaluated by the applicant and meets all of the criteria listed in Env-Wt 604.01(a)(1) through (7).
9. 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.
10. 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.
11. 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.

**PERMIT CATEGORY: MINIMUM IMPACT PROJECT**

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**2019-03912 OWNER: TOWN OF BARNSTEAD**

**CITY: BARNSTEAD WATERBODY: Unnamed Stream**

**Requested Action:**

Dredge and fill 455 square feet within the bed and banks of an unnamed stream (Tier 2, impacting 90 linear feet) to replace the existing 12 inch diameter, 39 foot long culvert with a 60 inch diameter, 40 foot long culvert. Temporarily impact 240 square feet within the bed and banks of the stream for construction access and dewatering.

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**APPROVE PERMIT**

Dredge and fill 170 square feet within the bed and banks of an unnamed stream (Tier 2, impacting 30 linear feet) to replace the existing 12 inch diameter, 39 foot long culvert with a 60 inch diameter, 40 foot long culvert embedded with eight inches of stream simulation material, and a 36 inch diameter, 45 foot long overflow culvert. Temporarily impact 410 square feet within the bed and banks of the stream for construction access and dewatering.

**With Conditions:**

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC, dated December 12, 2019 as received by on June 4, 2020.
2. 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.
3. 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.
4. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are

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- 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.
5. All work shall be limited to dewatered areas. No in-stream work shall be permitted outside the dewatered areas.
  6. Work within the river, 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.
  7. Work shall be done during low flow and in the dry only.
  8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
  9. Erosion and siltation control products shall be installed per manufacturer's recommended specifications.
  10. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
  11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
  12. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
  13. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
  14. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
  15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
  16. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
  17. 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.
  18. Any fill used shall be clean sand, gravel, rock, or other suitable material.
  19. Materials used to emulate a natural channel bottom must be consistent with the streambed materials identified in the reference reach, and shall not include angular riprap or gravel unless specifically identified on the approved plans.
  20. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
  21. 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.
  22. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
  23. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
  24. Proper headwalls shall be constructed within seven days of culvert installation.
  25. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
  26. 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.
  27. Areas of temporary impact shall be regraded to original contours following completion of work.
  28. Mulch used within the wetland restoration areas shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
  29. 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.
  30. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 904.07(c) for replacement of a Tier 2 existing legal stream crossing that meets the general criteria specified in Env-Wt 904.01, does not diminish the hydraulic capacity of the crossing and does not diminish the capacity of the crossing to accommodate aquatic life passage.
2. Pursuant to Env-Wt 904.03, compensatory mitigation shall not be required for any Tier 2 stream crossing that is replaced in accordance with Env-Wt 904.07.
3. The hydraulic analysis demonstrates that although the proposed design does not meet the design criteria for Tier 2 crossings under Rule Env-Wt 904.05, it will accommodate the 100-year flood.
4. Plans have been stamped by a professional engineer who is licensed under RSA 310-A to practice in New Hampshire.

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5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The existing stream crossing consists of a failing, 12-inch diameter culvert, which has contributed to stream degradation. The proposed crossing and overflow culvert are a significant improvement over existing conditions, will meet the general stream crossing design criteria and will improve stream functionality.

6. 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.

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**2020-00731      OWNER: ELM GROVE COMPANIES**

**CITY: LONDONDERRY    WATERBODY: Unnamed Wetland**

**Requested Action:**

Temporarily impact 272 square feet (SF) of palustrine forested wetland and 54 SF of an unnamed intermittent stream (impacting 8 linear feet) for installation of an 8 inch water main and two 2 inch water service lines to serve residential apartment buildings. Temporary impacts will be restored with existing material or, if existing material is not suitable, with clean fill, loam, and wetland seed mix.

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**Conservation Commission/Staff Comments:**

In an email dated April 17, 2020, the Londonderry Conservation Commission stated that they have reviewed the dredge and fill application for a water main installation and have no objections to the project.

**APPROVE PERMIT**

Temporarily impact 272 square feet (SF) of palustrine forested wetland and 54 SF of an unnamed intermittent stream (impacting 8 linear feet) for installation of an 8 inch water main and two 2 inch water service lines to serve residential apartment buildings. Temporary impacts will be restored with existing material or, if existing material is not suitable, with clean fill, loam, and wetland seed mix.

**With Conditions:**

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the approved plans dated March 2020 by Hoyle, Tanner & Associates, Inc., as received by the NH Department of Environmental Services (NHDES) on April 13, 2020.
2. 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).
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. 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)(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.
6. 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.
7. 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

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of 3 inches of non-erosive material such as stone.

8. In accordance with Env-Wt 307.03(e), all exposed soils and other fills shall be permanently stabilized within 3 days following final grading.

9. 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.

10. 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.

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(h), equipment shall be staged and refueled outside of jurisdictional areas (unless allowed) and in accordance with Env-Wt 307.15.

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. All dredging activities shall meet all of the conditions listed in Rule Env-Wt 307.10(a) through (n).

15. All temporary and permanent filling activities shall meet all of the conditions listed in Rule Env-Wt 307.11(a) through (l).

16. In accordance with Env-Wt 307.11(a), fill shall be clean sand, gravel, rock, or other material that meets the project's specifications for its use; and does not contain any material that could contaminate surface or groundwater or otherwise adversely affect the ecosystem in which it is used.

17. In accordance with Env-Wt 307.11(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.

18. In accordance with Env-Wt 307.11(e), fill shall be not placed so as to direct flows onto adjacent or down-current property.

19. In accordance with Env-Wt 307.11(j), wetlands and surface waters shall be restored to pre-impact conditions and elevation as specified in Env-Wt 307.12(i).

20. Restoration of all temporary impacts shall meet all of the conditions listed in Rule Env-Wt 307.12(a) through (i).

21. 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.

22. In accordance with Env-Wt 521.03(c), construction shall be undertaken in the least environmentally impactful manner.

23. In accordance with Env-Wt 521.05(c), all project activities shall be performed, located, constructed, and maintained in accordance with the Utility BMPs.

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), the project is not subject to an adjustment under Env-Wt 407.02; and does not qualify for a project-type exception (PTE) under Env-Wt 407.04.

2. This is classified as a minimum impact project per Rule Env-Wt 407.03(a), as impacts to a watercourse are less than 50 linear feet (LF), the project is not subject to an adjustment under Env-Wt 407.02; and does not qualify for a project-type exception (PTE) under Env-Wt 407.04.

3. 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.

4. Per Rule Env-Wt 307.13(d), the applicant obtained written consent from the affected abutter(s), as the proposed project will extend closer than 10 feet to an abutting property line.

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

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

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

8. 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.

9. This utility project meets all of the approval criteria established in Env-Wt 521.03.

**PERMIT CATEGORY: SHORELAND STANDARD**

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2019-01592    OWNER: DROLETTE, ELENA  
                  OWNER: RICHARDS, DAVID

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**CITY: WINDHAM WATERBODY: CANOBIE LAKE**

Requested Action:

Impact 4,500 square feet of protected shoreland in order to remove a leach filed to construct a primary structure and pervious driveway, and install a septic system.

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APPROVE AMENDMENT

Impact 4,500 square feet of protected shoreland in order to remove a leach filed to construct a primary structure and pervious driveway, and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by Meisner Brem Corporation as received by the NH Department of Environmental Services (NHDES) on May 30, 2019 and revised on June 5, 2020 as received by NHDES on June 25, 2020.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 20 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed drip line trench shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed drip line trench shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure. / within 30 days of the completion of the construction project.
12. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
16. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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2019-03254 OWNER: CAMILLERI, MARJOLYN

**CITY: NEWBURY WATERBODY: SUNAPEE LAKE**

06/29/2020 to 07/05/2020

Requested Action:

Impact 34,200 square feet of protected shoreland in order to demolish the non-conforming primary structure and detached garage, relocate a shed, to construct a conforming primary structure with a breezeway, an attached garage, a patio, retaining walls, and stormwater management, and utility pads, construct a stepped pathway, a partially pervious driveway, a driveway with parking area with an imbedded stormwater detention with guardrail, and a bio filtration system, landscaping, and install a septic system.

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APPROVE AMENDMENT

Impact 34,200 square feet of protected shoreland in order to demolish the non-conforming primary structure and detached garage, relocate a shed, to construct a conforming primary structure with a breezeway, an attached garage, a patio, retaining walls, and stormwater management, and utility pads, construct a stepped pathway, a partially pervious driveway, a driveway with parking area with an imbedded stormwater detention with guardrail, and a bio filtration system, landscaping, and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated October 11, 2019 as revised on June 12, 2020 as received by the NH Department of Environmental Services (NHDES) on June 15, 2020.
2. This permit shall not be interpreted as acceptance or approval of any impact that will occur beyond the property lines of the permittee.
3. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
4. 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.
5. All work will be conducted according to the direction by the Natural Heritage Bureau as contained in the NHB email dated July 16, 2019 including completing the work beginning in late September or after October 1 so that the American water-awlwort will be able to complete its life cycle (go to seed) prior to any disturbance and to replant disturbed areas near the shoreline with common, native NH shrub species comparable to what is onsite or in the general area. .
6. No more than 25.0 % of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
7. Native vegetation within an area of at least 4,665 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).
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The proposed bio-filtration system, closed stormwater detention system, and stone drip edges shall be installed and maintained to effectively absorb and infiltrate stormwater.
13. Photographs documenting the construction of the proposed bio-filtration system, closed stormwater detention system, and stone drip edges shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
14. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
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.
16. 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).
17. 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.

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18. 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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**2020-00923    OWNER: THOMAS J DALY REVOCABLE TRUST  
                  OWNER: ERIN L DALY REVOCABLE TRUST**

**CITY: LACONIA    WATERBODY: WINNISQUAM LAKE**

Requested Action:

Impact 33,000 square feet of protected shoreland in order to demolish 2 nonconforming primary structures with decks, an attached garage, a detached garage, 2 driveways, a patio, and walkways, and abandon a shared septic system to construct a conforming primary structure with a deck with steps, an open porch, a permeable patio, utility pads, steps and an attached garage, construct a driveway, a parking area, walkways, and a retaining wall, restore 2 woodland buffer areas, and install a septic system.

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APPROVE AMENDMENT

Impact 33,000 square feet of protected shoreland in order to demolish 2 nonconforming primary structures with decks, an attached garage, a detached garage, 2 driveways, a patio, and walkways, and abandon a shared septic system to construct a conforming primary structure with a deck with steps, an open porch, a permeable patio, utility pads, steps and an attached garage, construct a driveway, a parking area, walkways, and a retaining wall, restore 2 woodland buffer areas, and install a septic system.

Temporary Waiver Granted: Temporarily reduce the area of the Natural Woodland below that which is 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 Ames Associates LLC dated April 23, 2020 and revised on June 15, 2020 as received by the NH Department of Environmental Services (NHDES) on June 29, 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 25.9% 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 5,409 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. 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

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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 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).

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. In accordance with RSA 483-B:9, V, (i) The commissioner shall have the authority to grant waivers from the Minimum Shoreland Protection Standards section (RSA 483-B:9). Such authority shall be exercised if the commissioner deems that strict compliance with RSA 483-B:9 will provide no material benefit to the public and have no material adverse effect on the environment or the natural resources of the state, or to accommodate the reasonable needs of persons with disabilities.
2. This property, identified as Lot 253-3&4 on Laconia Tax Map 22, is located entirely within the protected shorelands.
3. The project as proposed will result in a reduction from 27.1% to 26.6% of the portion of the lot within protected shorelands being covered by impervious surfaces and therefore meets the requirements of RSA 483-B:9, V, (g), (2).
4. The proposed temporary removal of unaltered vegetation is necessary in order to remove two nonconforming structures and replace them with a conforming structure behind the primary building setback given the locations of lot boundaries.
5. Post-construction the woodland buffer shall be restored with native plantings to contain 25% unaltered vegetation between 50 and 150 feet from the reference line.
6. The waiver request submitted demonstrates that strict compliance with RSA 483-B:9, V(b)(2)(A) will not provide material benefit to the public and will have no material adverse effect on the environment or the natural resources of the state, and therefore, the requirements for a waiver in accordance with RSA 483-B:9, V, (i) have been met.

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**2020-00936 OWNER: KANJI, AZRA/FIYAZ**

**CITY: NEWBURY WATERBODY: SUNAPEE LAKE**

Requested Action:

Impact 12,958 square feet of protected shoreland in order to remove 5 walkways, a stone step walkway, and 2 patios to construct a new pervious entrance walkway, a garage apron, a stepped walkway to the water, a reconfigured patio with retaining walls, to relocate a buried gas tank, to regrade and wall the parking area edge, and to convert a former rail bed to a synthetic turf play area.

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APPROVE PERMIT

Impact 12,958 square feet of protected shoreland in order to remove 5 walkways, a stone step walkway, and 2 patios to construct a new pervious entrance walkway, a garage apron, a stepped walkway to the water, a reconfigured patio with retaining walls, to relocate a buried gas tank, to regrade and wall the parking area edge, and to convert a former rail bed to a synthetic turf play area.

With Conditions:

1. All work shall be in accordance with plans by DB Landscaping LLC dated April 27, 2020 and revised on June 10, 2020 as received by the NH Department of Environmental Services (NHDES) on June 12, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).

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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 24.5% 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).
4. Native vegetation within an area of at least 8,673 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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**2020-01040 OWNER: RICHMOND, CHRISTOPHER**

**CITY: DERRY WATERBODY: BEAVER LAKE**

Requested Action:

Impact 764 SF of protected shoreland in order to rebuild in kind the primary structure.

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APPROVE PERMIT

Impact 764 SF of protected shoreland in order to rebuild in kind the primary structure.

With Conditions:

1. All work shall be in accordance with plans submitted on May 15, 2020 and revised as received by the NH Department of Environmental Services (NHDES) on June 29, 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

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areas in which impacts have not been approved as required per Rule Env-Wq 1406.20, (e).

3. No more than 15.3% 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 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).

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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**2020-01256 OWNER: COMPSON, BETH/RICHARD**

**CITY: LACONIA WATERBODY: WINNISQUAM LAKE**

**Requested Action:**

Impact 26,000 square feet of protected shoreland in order to remove 2 sheds to construct a patio adjacent to nonconforming primary structure #2, construct a patio and walkways, and rebuild in-kind primary structure #1 with an addition, a patio, a deck, and walkways, construct a detached garage, reconfigure the driveway with pervious parking areas, landscaping, and install a septic system with a shares leach field.

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**APPROVE PERMIT**

Impact 26,000 square feet of protected shoreland in order to remove 2 sheds to construct a patio adjacent to nonconforming primary structure #2, construct a patio and walkways, and rebuild in-kind primary structure #1 with an addition, a patio, a deck, and walkways, construct a detached garage, reconfigure the driveway with pervious parking areas, landscaping, and install a septic system with a shares leach field.

**With Conditions:**

1. All work shall be in accordance with plans by Ames Associates LLC dated May 21, 2020 and received by the NH Department of Environmental Services (NHDES) on June 5, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
2. Neither the new primary structure with addition, 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 20.0% 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).
5. Native vegetation within an area of at least 4,878 square feet within the Woodland Buffer located between 50 and 150

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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. 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. 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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**2020-01287 OWNER: ELLIS, MEGHAN/RANDALL**

**CITY: ALTON WATERBODY: MERRYMEETING LAKE**

**Requested Action:**

Impact 4,431 square feet of protected shoreland in order to construct an addition onto a nonconforming primary structure with stormwater management, replace in-kind a concrete pad, and install a septic system.

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**APPROVE PERMIT**

Impact 4,431 square feet of protected shoreland in order to construct an addition onto a nonconforming primary structure with stormwater management, replace in-kind a concrete pad, and install a septic system.

**With Conditions:**

1. All work shall be in accordance with plans by White Mountain Survey & Engineering, Inc. dated June 2, 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 primary structure addition 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 23.3% 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).
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

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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 building drip edge shall be installed and maintained to effectively absorb and infiltrate stormwater in order to ensure compliance with RSA 483-B:9, V, (g).

10. Photographs documenting the construction of the proposed building drip edge shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure 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. 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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**2020-01315 OWNER: ELLEN U MULLIGAN REVOC TRUST &, WILLIAM H BLAIN REV TRU**

**CITY: GILFORD WATERBODY: LAKE WINNIPESAUKEE**

Requested Action:

Impact 2,600 square feet of protected shoreland in order to construct an addition at the NE corner of the existing residence, construct a 12 foot x 16 foot shed E of the leachfield, and construct a 10 foot x 11.5 foot addition to the E side of the existing bunk house.

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APPROVE PERMIT

Impact 2,600 square feet of protected shoreland in order to construct an addition at the NE corner of the existing residence, construct a 12 foot x 16 foot shed E of the leachfield, and construct a 10 foot x 11.5 foot addition to the E side of the existing bunk house.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated June 4, 2020 and 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 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 8.4% 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 8,205 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

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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 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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**2020-01322 OWNER: THERRIEN, CRAIG**

**CITY: OSSIPEE WATERBODY: OSSIPEE LAKE**

**Requested Action:**

After-the-Fact: Impact 7,197 square feet of protected shoreland in order to retain impacts associated with constructing a driveway, retaining wall, and adding rip-rap. The project will include the construction of an 18 foot x 26 foot garage.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 7,197 square feet of protected shoreland in order to retain impacts associated with constructing a driveway, retaining wall, and adding rip-rap. The project will include the construction of an 18 foot x 26 foot garage.

**With Conditions:**

1. All work shall be in accordance with plans by Craig Therrien dated June 7, 2020 and received by the NH Department of Environmental Services (NHDES) on June 12, 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 18.6% 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 2,048 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 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: FORESTRY SPN**

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**2020-01463    OWNER: ELLIOT, DARREL**

**CITY: GILMANTON    WATERBODY: Unnamed Stream**

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COMPLETE NOTIFICATION  
Gilmanton Tax Map #415, Lot #51

\*\*\*\*\*

**2020-01467    OWNER: LACEY, TOM**

**CITY: STEWARTSTOWN    WATERBODY: Unnamed Stream**

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COMPLETE NOTIFICATION  
Stewartstown May #A1, Tax#s 8 & 10

\*\*\*\*\*

**2020-01497    OWNER: REED, DANIEL/ELEANOR**

**CITY: MARLOW    WATERBODY: Unnamed Stream**

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COMPLETE NOTIFICATION  
Marlow, Tax Map #408, Lot #21

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**2020-01530    OWNER: DIANA L TOMPKINS REVOCABLE TRUST**

**CITY: BOSCAWEN    WATERBODY: Unnamed Stream**

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COMPLETE NOTIFICATION  
Boscawen Tax Map # 79, Lot #68

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**2020-01531 OWNER: FADDEN, TOM**

**CITY: MILTON WATERBODY: Unnamed Stream**

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COMPLETE NOTIFICATION  
Milton Tax Map #34, Lot #24

**PERMIT CATEGORY: TRAILS SPN**

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**2020-01501 OWNER: TOWN OF CHICHESTER**

**CITY: CHICHESTER WATERBODY: Unnamed Stream**

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COMPLETE NOTIFICATION  
Install bog bridges.

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**2020-01503 OWNER: THE NATURE CONSERVANCY**

**CITY: PITTSBURG WATERBODY: Unnamed Stream**

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COMPLETE NOTIFICATION  
Repair and replace bog bridges.

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**2020-01504 OWNER: MATTIACE, ANDREW**

**CITY: BOW WATERBODY: Unnamed Stream**

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COMPLETE NOTIFICATION  
Replace bridge

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**2020-01507 OWNER: MELHAM ENTERPRISES RETREATS LLC**

**CITY: WHITEFIELD WATERBODY: Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Install wooden mats for crossing forested wetland.

**PERMIT CATEGORY: RR1: CULVERT REPLACEMENT OR REPAIR**

\*\*\*\*\*

**2020-01520 OWNER: NH DEPT OF TRANSPORTATION**

**CITY: BARRINGTON WATERBODY: Unnamed Stream**

\*\*\*\*\*

COMPLETE REGISTRATION  
RR1: Culvert Replacement or Repair

\*\*\*\*\*

**2020-01522 OWNER: CLOUTIER, MICHAEL**

**CITY: RINDGE WATERBODY: Unnamed Stream**

\*\*\*\*\*

COMPLETE REGISTRATION  
RR1: Culvert Replacement or Repair

\*\*\*\*\*

**2020-01523 OWNER: CLOUTIER, MICHAEL**

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**CITY: RINDGE WATERBODY: Unnamed Stream**

\*\*\*\*\*

COMPLETE REGISTRATION  
RR1: Culvert Replacement or Repair

**PERMIT CATEGORY: EXP - EXPEDITED TIMELINE**

\*\*\*\*\*

**2020-00637 OWNER: TOWN OF PLAISTOW**

**CITY: PLAISTOW WATERBODY: SEAVER BROOK**

**Requested Action:**

Impact a total of 2,130 square feet of jurisdictional area to include 3 square feet of permanent impact and 757 square feet of temporary impact within a forested wetland and 1,285 square feet of permanent impact and 85 square feet of temporary impact along 260 linear feet within the bed and banks of Seaver Brook, a Tier 3 stream, for the replacement of the existing culvert beneath Pollard Road and install a 18-foot wide by 5-foot high by 45-foot long 4-sided concrete box culvert to reduce flood hazard, improve the natural resources, hydraulic and geomorphic compatibility, and aquatic organism passage.

\*\*\*\*\*

**APPROVE PERMIT**

Impact a total of 2,130 square feet of jurisdictional area to include 3 square feet of permanent impact and 757 square feet of temporary impact within a forested wetland and 1,285 square feet of permanent impact and 85 square feet of temporary impact along 260 linear feet within the bed and banks of Seaver Brook, a Tier 3 stream, for the replacement of the existing culvert beneath Pollard Road and install a 18-foot wide by 5-foot high by 45-foot long 4-sided concrete box culvert to reduce flood hazard, improve the natural resources, hydraulic and geomorphic compatibility, and aquatic organism passage.

**With Conditions:**

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the following plans by Stone Environmental:
  - a. Plan set dated 11/12/208 as received by the NH Department of Environmental Services (NHDES) on June 11, 2020; and,
  - b. The General Notes Plan, more specifically, the NHDES ARM Fund Restoration Conditions Notes (Sheet 2) revised on and received by NHDES on 7/2/2020.
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 311.11(d), 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.
4. In accordance with Env-Wt 904.02(a)(1), in-stream work shall be done only during low flow or dry conditions, in non-tidal areas.
5. In accordance with Env-Wt 514.05(d), unless otherwise approved, construction shall be performed during low flow or dry conditions.
6. In accordance with Env-Wt 310.03(c), any work shall be timed and carried out to protect documented cold water, threatened or endangered fisheries.
7. In accordance with Env-Wt 514.05(f), work authorized shall be carried out in accordance with Env-Wt 307 such that there are no discharges in or to spawning or nursery areas during spawning seasons.

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8. In accordance with Env-Wt 904.02(b), work on stream crossings that requires any work in areas that are subject to flowing water shall maintain normal flows and prevent water quality degradation during the work by using best management practices, such as temporary by-pass pipes, culverts, or cofferdams.
9. In accordance with Env-Wt 307.03(f)(1), a cofferdam or other turbidity control shall be used to enclose a dredging project conducted in or along the shoreline of a bog, marsh, lake, pond, stream, river, creek, or any other surface water, provided that a coffer dam shall not be installed during periods of high flow.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. In accordance with Env-Wt 307.03(f)(2), a coffer dam or other turbidity control shall be removed after work within the coffer dam or other turbidity control is completed, the contained water has returned to background clarity, and when removing the structure will not cause or contribute to a violation of Env-Wt 307.03(c)(6).
19. In accordance with Env-Wt 307.15(a), heavy equipment shall not be operated in any jurisdictional area unless specifically authorized by this permit.
20. 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.
21. 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.
22. 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.
23. 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.
24. In accordance with Env-Wt 307.12(h), any trees cut in an area of authorized temporary impacts shall be cut at ground level with the shrub and tree roots left intact, to prevent disruption to the wetland soil structure and to allow stump sprouts to revegetate the work area.
25. In accordance with Env-Wt 307.12(e), wetland soils from areas vegetated with purple loosestrife or other invasive plant species shall not be used in the area being restored.
26. In accordance with Env-Wt 514.05(a), materials used to emulate a natural channel bottom shall be consistent with materials identified in the reference reach and not include any angular rip-rap or gravel unless specifically identified on the approved plan.
27. Restoration of all temporary impacts shall meet all of the conditions listed in Rule Env-Wt 307.12(a) through (i).
28. In accordance with Env-Wt 307.12(d), mulch used within an area being restored shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
29. In accordance with Env-Wt 307.12(b), upon completion of construction, all disturbed wetland areas shall be stabilized

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with wetland seed mix containing non-invasive plant species only.

30. In accordance with Env-Wt 514.05(b), bank restoration shall be constructed, landscaped, and monitored in a manner that will create a healthy riparian or lacustrine shoreline system.

31. In accordance with Env-Wt 514.06, the owner shall monitor the project and take corrective measures if the area is inadequately stabilized or restored by replacing fallen or displaced materials without a permit, where no machinery in the channel is required; identifying corrective actions and follow-up plans in accordance with Env-Wt 307; and filing an appropriate application and plans where work in the channel is required.

32. In accordance with Env-Wt 807.03(a), within 60 days of completing a mitigation project that included restoration, enhancement, or creation of wetlands or the restoration or enhancement of a stream, or both, the applicant shall submit a signed letter specifying the date of completion and the anticipated dates of submittal of the annual monitoring reports.

33. In accordance with Env-Wt 803.04(b)(1), mitigation project monitoring shall span no fewer than 5 growing seasons for any mitigation project that includes plantings.

34. In accordance with Env-Wt 307.18(b), a construction monitoring plan with inspection reports, water quality reports, and a wetland planting plan prepared by a certified professional erosion and sediment control specialist (CPESC) or certified wetland scientist shall be submitted to the department.

35. In accordance with Env-Wt 307.18(a), compensatory mitigation project monitoring reports shall be submitted to the department in accordance with Env-Wt 803.04.

36. In accordance with Env-Wt 307.18(c), a report that describes the monitoring conducted and date(s) of inspections, and includes photos showing the extent of jurisdictional impacts, areas of restoration, and progress of any plantings shall be submitted to the department.

37. In accordance with Env-Wt 307.18(d), a report that describes the stability of and status of stream or wetland systems, including a description of any necessary adjustments, shall be submitted to the department.

38. In accordance with Env-Wt 307.18(e), a schedule and description of measures to be taken during construction and after completion of the project shall be submitted to the department.

39. In accordance with Env-Wt 807.04(a), the permittee responsible for a mitigation project shall submit monitoring reports to the department as specified in the mitigation monitoring plan required by Env-Wt 803.04.

40. In accordance with Env-Wt 807.04(b), the permittee shall submit a final monitoring report.

With Findings:

1. This is classified as a minimum impact project per Rule Env-Wt 525.05(a), as the project meets all of the criteria for a restoration/enhancement project. The restoration/enhancement project meets all of the design and construction requirements listed in Env-Wt 525.04, and has been designed to restore or increase wetland functions, stream function, water quality, or other functions of resources within jurisdictional areas.

2. Per Rule Env-Wt 525.02, the restoration/enhancement project meets the design and construction requirements of Env-Wt 525.04 and does not include unnatural stream channelization or conversion of wetlands to uplands.

3. 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.

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. The compensatory mitigation proposal based on wetland restoration, enhancement, or creation meets the criteria and considerations established in Env-Wt 805.01.

8. The compensatory mitigation proposal based on stream restoration or enhancement is designed to meet as many of the goals established in Env-Wt 806.02(a) as practicable.

9. This stream crossing is a tier 3 per Env-Wt 904.05(a), as the contributing watershed is 640 acres or greater, or meets one of the criteria listed in Env-Wt 904.05(a)(2) through (5).

10. The tier 3 stream crossing project meets the criteria established in Rule Env-Wt 904.05.

11. Per Rule Env-Wt 904.07(a), the replacement] tier 3 stream crossing project meets the design criteria specified in Rule Env-Wt 904.07(b) and (c).

12. The project to replace the tier 3 stream crossing meets the criteria specified in Rule Env-Wt 904.09(a) through (c).

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2020-00805 OWNER: SAVAGE, JANET

CITY: DALTON WATERBODY: CONNECTICUT RIVER

06/29/2020 to 07/05/2020

Requested Action:

Fill 1,144 square feet of palustrine forested wetland and installation of a 12 inch x 40 foot long culvert to construct a driveway to access buildable uplands for a single family dwelling.

\*\*\*\*\*

APPROVE PERMIT

Fill 1,144 square feet of palustrine forested wetland and installation of a 12 inch x 40 foot long culvert to construct a driveway to access buildable uplands for a single family dwelling.

With Conditions:

1. All work shall be done in accordance with the approved plans by Chester Savage, Jr. as received by the NH Department of Environmental Services (NHDES) on June 15, 2020, in accordance with Env-Wt 307.16.
2. The permittee shall submit a construction notice with the department at least 48 hours prior to commencing work, in accordance with Env-Wt 524.05(a).
3. Water quality control measures shall be comprised of wildlife-friendly erosion control materials, not to be composed of welded plastic, if erosion control blankets are utilized, in accordance with Env-Wt 307.03(c)(2).
4. 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, in accordance with Env-Wt 307.11(a).
5. 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, in accordance with Env-Wt 307.11(c).
6. Prior to construction, any heavy machinery shall be inspected for and cleaned of all vegetative matter by a method and in a location that prevents the spread of the vegetative matter to jurisdictional areas, in accordance with Env-Wt 307.05(a).
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. Mulch used within an area being restored shall be natural straw or equivalent non-toxic, non-seed-bearing organic material, in accordance with Env-Wt 307.12(d).
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, in accordance with Env-Wt 307.03(b).
10. 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, in accordance with Env-Wt 307.15(b).
11. 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, in accordance with Env-Wt 307.03(g)(1).
12. 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, in accordance with Env-Wt 307.03(g)(3) and (4).

With Findings:

1. This is classified as a minimum impact project per Rule Env-Wt 524.06(a)(2)-(3), as all other components of the project meet the requirements for minimum impact classification specified in Rule Env-Wt 407 and the project is not part of a new subdivision of 4 or more lots.
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 313.03(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.
4. The residential development project meets the all of the approval criteria established in Rule Env-Wt 524.02.
5. Per Rule Env-Wt 313.01(a)(5), and as required by RSA 482-A:11, II, this permit for work to dredge or fill will not 'infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners' based on documentation that the proposed dredge and fill activity will be located entirely within the boundary of the applicant's property interest and will

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not result in any observable change in off-site surface water levels or flows.

6. Per Rule Env-Wt 311.06(h), the municipal conservation commission signed the NHDES application waiving it's right to intervene per RSA 482-A:11, believes the application and submitted plans accurately represent the proposed project, and has no objection to permitting the project.

application met on April 21, 2020 unanimously approved of the application and the meeting minutes were included in the application.

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

8. Per Rule Env-Wt 311.01(b), the applicant coordinated with the NH Fish and Game Department (NHF&G) and the Natural Heritage Bureau (NHB) to determine how to avoid and minimize project-related impacts on rare or protected animal species and habitat, and on protected plants or exemplary natural communities.

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

\*\*\*\*\*  
**2020-01316    OWNER: STAR ISLAND CORP**

**CITY: RYE    WATERBODY: ATLANTIC OCEAN**

Requested Action:

Temporarily impact 1316 square feet within the previously-developed 100-foot tidal buffer zone to replace the existing, failed septic system with an Enviro Septic System.

\*\*\*\*\*

APPROVE PERMIT

Temporarily impact 1316 square feet within the previously-developed 100-foot tidal buffer zone to replace the existing, failed septic system with an Enviro Septic System.

With Conditions:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the plans by Millennium Engineering, Inc. dated march 18, 2020 and revised June 12, 2020 as received by the NH Department of Environmental Services (NHDES) on June 15, 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. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
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. In accordance with Env-Wt 307.15(a), heavy equipment shall not be operated in any jurisdictional area unless specifically authorized by this permit.
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.
9. 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.
10. 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.
11. 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

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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.

12. 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).

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 (HOTL), and will disturb less than 3,000 square feet (SF).
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 310.01(h), the application for this expedited permit (EXP) included a signed statement from the municipal conservation commission certifying that the conservation commission waives its right to intervene on the project.
4. Per Rule Env-Wt 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.
5. 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.
6. 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.

**PERMIT CATEGORY: SMALL MOTOR MINERAL DREDGE**

\*\*\*\*\*  
2020-01384    OWNER: PAQUETTE, JOHN

CITY: (ALL TOWNS)    WATERBODY: Unnamed Stream

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APPROVE PERMIT  
SMITH BROOK, MONROE  
WILD AMMONOOSUC RIVER, BATH

\*\*\*\*\*  
2020-01385    OWNER: SANTANGELO, MICHAEL

CITY: (ALL TOWNS)    WATERBODY: Unnamed Stream

\*\*\*\*\*

APPROVE PERMIT  
US 302, BATH, WILD AMMONOOSUC RIVER

\*\*\*\*\*  
2020-01508    OWNER: FOGG, MICHELLE

06/29/2020 to 07/05/2020

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

\*\*\*\*\*

APPROVE PERMIT  
RTE 112, BATH, WILD AMMONOOSUC RIVER

\*\*\*\*\*

**2020-01509 OWNER: BLISH, KEITH**

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

\*\*\*\*\*

APPROVE PERMIT  
RTE 112, BATH, WILD AMMONOOSUC RIVER

\*\*\*\*\*

**2020-01510 OWNER: HEATH, MICHAEL**

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

\*\*\*\*\*

APPROVE PERMIT  
SWIFTWATER RD, BATH, AMMONOOSUC RIVER  
RTE 25C, RUMNEY, BAKER RIVER

\*\*\*\*\*

**2020-01512 OWNER: MORROW, RICHARD**

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

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APPROVE PERMIT  
4 TWIN RIVERS LN, BATH, WILD AMMONOOSUC RIVER

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**2020-01513 OWNER: COONEY, NEIL**

06/29/2020 to 07/05/2020

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

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APPROVE PERMIT  
37 LITTLE EDDY LN, BATH, WILD AMMONOOSUC RIVER

\*\*\*\*\*

**2020-01543 OWNER: SOUTHERLAND, BRUCE**

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

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APPROVE PERMIT  
RTE 112, BATH, WILD AMMONOOSUC RIVER

**PERMIT CATEGORY: WETLAND PBN**

\*\*\*\*\*

**2020-01258 OWNER: MACOMBER, KIM**

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

**Requested Action:**

Install two personal watercraft lifts (PWC) adjacent to the northern side of an existing 17 foot x 31 foot, 6 inch permanent piling supported dock along 60 feet of frontage on Lake Winnepesaukee in Alton Bay.

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**PBN IS COMPLETE**

Install two personal watercraft lifts (PWC) adjacent to the northern side of an existing 17 foot x 31 foot, 6 inch permanent piling supported dock along 60 feet of frontage on Lake Winnepesaukee in Alton Bay.

**With Conditions:**

1. All work shall be in accordance with plans by Kim Macomber as received by the NH Department of Environmental Services (NHDES) on June 26th, 2020 as required pursuant to Env-Wt 307.16.
2. 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. 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. 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

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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).

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. 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 project is classified as a minimum impact per Administrative Rule Env-Wt 513.24(a)(1)(d), installation of any watercraft lift.

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**2020-01278 OWNER: WISE FAMILY REVOCABLE TRUST**

**CITY: SUNAPEE WATERBODY: SUNAPEE LAKE**

Requested Action:

Repair an existing 12 foot x 12 foot dock house with an attached 12 foot x 8 foot deck supported by four 5 foot x 5 foot cribs on 390 feet of frontage on Lake Sunapee in Sunapee.

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PBN IS COMPLETE

Repair an existing 12 foot x 12 foot dock house with an attached 12 foot x 8 foot deck supported by four 5 foot x 5 foot cribs on 390 feet of frontage on Lake Sunapee in Sunapee.

With Conditions:

1. All work shall be done in accordance with plans by Jim Wise, dated June 26, 2020 as received by the NH Department of Environmental Services (NHDES) on June 29, 2020 as required pursuant to Env-Wt 307.16.
2. This permit shall not be effective until it has been recorded in the Sullivan 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 as required pursuant to Env-Wt 307.04. Impacts to such areas shall be avoided or minimized to the maximum extent

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practicable during all other times of the year.

10. Per Natural Heritage Bureau Recommendations (NHB) Work shall be conducted during late spring or early summer and in a manner which minimizes disturbance to the lake bed so as to avoid impacts to American water-awlwort.

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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**2020-01407 OWNER: ST GERMAIN FAMILY REVOCABLE TRUST OF 2013**

**CITY: ALTON WATERBODY: LAKE WINNIPESAUKEE**

Requested Action:

Repair an existing 6 foot x 30 foot piling supported dock and install a seasonal boat lift and two personal water craft lifts adjacent to the western side of the dock along 155 feet of frontage on Lake Winnepesaukee in Alton.

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PBN IS COMPLETE

Repair an existing 6 foot x 30 foot piling supported dock and install a seasonal boat lift and two personal water craft lifts adjacent to the western side of the dock along 155 feet of frontage on Lake Winnepesaukee in Alton.

With Conditions:

1. All work shall be done in accordance with plans by Walker Magrauth, dated and revised June 29, 2020 as received by the NH Department of Environmental Services (NHDES) on June 30, 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. 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 seasonal structures, including watercraft lifts, shall be removed for the non-boating season as required per Env-Wt 513.22.
6. 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.
7. Water quality control measures capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment shall be selected and implemented as appropriate based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas as required pursuant to Env-Wt 307.03(c).
8. Water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508, shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction, and removed upon completion of work and the effective stabilization of disturbed surfaces as required pursuant to Env-Wt

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307.03(c).

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. 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.

11. 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.

12. 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.

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

14. 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.

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.

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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**2020-01448      OWNER: YUEH, FRIEDA  
                    OWNER: BIXBY, PETER**

**CITY: MOULTONBOROUGH    WATERBODY: LAKE WINNIPESAUKEE**

Requested Action:

Replace four existing fender pilings, two existing ice clusters and an existing piling supported U-shaped dock comprised of a 4 foot x 28 foot pier and a 6 foot x 28 foot pier connected by a 4 foot x 22 foot wharf and install one seasonal boatlift in the center slip and two personal watercraft (PWC) lifts adjacent to the Western pier along 155 feet of frontage on Lake Winnepesaukee in Moultonborough.

\*\*\*\*\*

PBN IS COMPLETE

Replace four existing fender pilings, two existing ice clusters and an existing piling supported U-shaped dock comprised of a 4 foot x 28 foot pier and a 6 foot x 28 foot pier connected by a 4 foot x 22 foot wharf and install one seasonal boatlift in the center slip and two personal watercraft (PWC) lifts adjacent to the Western pier along 155 feet of frontage on Lake Winnepesaukee in Moultonborough.

With Conditions:

1. All work shall be done in accordance with plans by Watermark Marine Construction, dated June 10, 2020 as received by the NH Department of Environmental Services (NHDES) on June 24, 2020 as required pursuant to Env-Wt 307.16.
2. This permit shall not be effective until it has been recorded in the Carroll 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. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with

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the dock size and density requirements in effect at the time of the subdivision as required pursuant to Env-Wt 314.02.

6. 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.

7. Water quality control measures capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment shall be selected and implemented as appropriate based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas as required pursuant to Env-Wt 307.03(c).

8. Water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508, shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction, and removed upon completion of work and the effective stabilization of disturbed surfaces as required pursuant to Env-Wt 307.03(c).

9. 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. 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.

11. 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.

12. 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.

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

14. 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.

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.

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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**2020-01454 OWNER: CHRISTOPHER AND COLEEN HYLDBURG REVOCABLE TRUST**

**CITY: WOLFEBORO WATERBODY: WENTWORTH LAKE**

Requested Action:

Install a concrete anchoring pad and a 6 foot x 24 foot seasonal pier along 112 feet of frontage on Lake Wentworth in Wolfeboro.

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PBN IS COMPLETE

Install a concrete anchoring pad and a 6 foot x 24 foot seasonal pier along 112 feet of frontage on Lake Wentworth in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey & Engineering Inc dated May 26, 2020, as received

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- by the NH Department of Environmental Services (NHDES) on June 24, 2020 as required pursuant to Env-Wt 307.16.
- 2. This permit shall not be effective until it has been recorded in the Carroll 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 existing seasonal dock installed in accordance with wetland file 2002-00894 shall be permanently removed before the installation of the proposed seasonal 6 foot x 24 foot pier.
- 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. The concrete pad shall be constructed landward of the normal high water line (Elev. 534.20) as required per Env-Wt 513.13, (d).
- 6. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season as required per Env-Wt 513.22.
- 7. 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).
- 8. The use of this structure shall be limited to the docking and securing of watercraft as required to comply with Env-Wt 307.09.
- 9. 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.
- 10. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality as required pursuant to Env-Wt 307.03(a).
- 11. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:

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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**2020-01499 OWNER: MURPHY, MICHELLE/THOMAS**

**CITY: MOULTONBOROUGH WATERBODY: LAKE WINNIPESAUKEE**

Requested Action:

Install a 14 foot x 30 foot seasonal canopy in the center slip of a seasonal U shaped dock comprised of two 44 foot piers connected to a 9 foot x 32 foot walkway along 151 feet of frontage on Lake Winnepesaukee in Moultonborough.

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PBN IS COMPLETE

Install a 14 foot x 30 foot seasonal canopy in the center slip of a seasonal U shaped dock comprised of two 44 foot piers connected to a 9 foot x 32 foot walkway along 151 feet of frontage on Lake Winnepesaukee in Moultonborough.

With Conditions:

- 1. All work shall be in accordance with plans by New Hampshire Environmental Consultants LLC dated June 22, 2020 as received by the NH Department of Environmental Services (NHDES) on June 29th, 2020 as required pursuant to Env-Wt 307.16.
- 2. 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 canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of

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the boating season and shall be removed for the non-boating season as required per Env-Wt 513.19.

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. 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).

7. 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 a minimum impact project in accordance with Administrative Rule Env-Wt 513.27(a), installation of a new canopy.

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**2020-01500 OWNER: LEMIEUX, DAVID**

**CITY: MEREDITH WATERBODY: LAKE WINNIPESAUKEE**

Requested Action:

Repair an existing piling supported U shaped dock comprised of a 10 foot x 44 foot pier and a 6 foot x 45 foot pier connected by a 6 foot x 22 foot walkway with a seasonal boatlift adjacent to the north side of the southern pier on 313 feet of frontage on Lake Winnepesaukee in Meredith.

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PBN IS COMPLETE

Repair an existing piling supported U shaped dock comprised of a 10 foot x 44 foot pier and a 6 foot x 45 foot pier connected by a 6 foot x 22 foot walkway with a seasonal boatlift adjacent to the north side of the southern pier on 313 feet of frontage on Lake Winnepesaukee in Meredith.

With Conditions:

1. All work shall be done in accordance with plans by New Hampshire Environmental Consultants LLC, dated May 29, 2020 as received by the NH Department of Environmental Services (NHDES) on June 29, 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. 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. 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.
6. 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.
7. Water quality control measures capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment shall be selected and implemented as appropriate based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas as required pursuant to Env-Wt 307.03(c).
8. Water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508, shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction,

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

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. 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.

11. 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.

12. 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.

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

14. 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.

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.

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.