

Wetlands Bureau Decision Report

Decisions Taken
06/12/2006 to 06/18/2006

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:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

**2004-02015 GORHAM, TOWN OF
GORHAM Unnamed Wetland Moose River & Androscoggin River**

Requested Action:

Construct a multi-modal recreational trail impacting 49,303 sq. ft. (18,568 sq. ft. temporary) of palustrine wetlands. Mitigate by providing 7.3 acre Conservation Easement.

Conservation Commission/Staff Comments:

Cons. Comm. no comment

Inspection Date: 11/15/2004 by Gino E Infascelli

APPROVE PERMIT:

Construct a multi-modal recreational trail impacting 49,303 sq. ft. (18,568 sq. ft. temporary) of palustrine wetlands. Mitigate by providing 7.3 acre Conservation Easement.

With Conditions:

1. All work shall be in accordance with plans by Vanasse Hangen Brustlin, Inc. dated August, 2004, revised January 2006, as received by the Department on June 2, 2006.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. This permit is contingent on approval by the DES Site Specific Program.
4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. Construction equipment shall not be located within surface waters.
6. 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; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
13. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
14. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
15. The impacts associated with the temporary work shall be restored immediately following construction.
16. Along STA's 2111 to 2112, the ditch is to be stone lined.
17. At STA 2044+50 the culvert installation shall follow the stream channel.
18. The path shall not hinder existing trail crossings.

Wetland preservation:

19. This permit is contingent upon the execution of a conservation easement on 7.3 acres as depicted in the Baseline Document Report received March 24, 2006.
20. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
21. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
22. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
23. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
24. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
25. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), alteration of more than 20,000 sq. ft. of non-tidal wetlands and surface waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on November 15, 2004. Field inspection determined the project will be in the public interest as an emergency access and also is for a walking and bicycle path.
6. DES Staff finds that this project will not have a significant impact on these palustrine and riverine resources and are not at areas of substantial public interest where issues have been raised pursuant to RSA 482-A:1. Therefore, a public hearing is not required.

2005-00364 PELHAM EASTATES INC
PELHAM Prime Wetlands

Requested Action:

Dredge and fill 5,008 square feet of wetlands associated with a tributary to Golden Brook Prime Wetlands for installation of a 24" x 85' culvert for a roadway crossing for a 23-lot subdivision on approximately 45 acres. Construct a 7,000 sq. ft. 100 year flood plain compensation mitigation area in upland adjacent to Golden Brook Prime wetlands.

Inspection Date: 07/15/2005 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill 5,008 square feet of wetlands associated with a tributary to Golden Brook Prime Wetlands for installation of a 24" x 85' culvert for a roadway crossing for a 23-lot subdivision on approximately 45 acres.
Construct a 7,000 sq. ft. 100 year flood plain compensation mitigation area in upland adjacent to Golden Brook Prime wetlands.

With Conditions:

1. All work shall be in accordance with revised plans by Edward N. Herbert Associates, Inc. dated 8/24/2005, as received by the Department on 8/25/2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.

5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.
7. This permit is contingent upon receipt and DES approval of stream diversion/ dewatering plan for work at crossing locations which involve perennial streams.
8. A professional engineer shall inspect the project to insure compliance with approved plans and permit conditions. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Erosion control and construction sequence notes on the approved plans shall be explicitly followed. Mulch berms shall be installed in place of hay bales in coordination with the field direction of the Pelham Conservation Commission.
11. Silt fencing must be removed once the area is stabilized.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
13. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
14. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
15. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
16. Temporary cofferdams shall be entirely removed immediately following construction.
17. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
21. Proper headwalls shall be constructed within seven days of culvert installation.
22. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
23. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
24. Work shall be done during low flow.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to prime wetlands. The road crossing work is proposed to occur within an intermittent stream tributary which is contiguous with the Golden Brook prime wetlands, at a point approximately 300' upstream; the floodplain mitigation area is located in uplands adjacent to the Golden Brook prime wetlands.
2. A prime wetlands public hearing was held on 8/25/2005.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. This wetland must be crossed at some location to provide connection of the new subdivision with the existing neighborhoods.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The crossing is located at the narrowest location that still maintains buffer distance to the prime wetland, and mitigates for 100 year flood plain storage lost to the installation of the

road crossing.

5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project. The listed plant species of concern, as well as the brook floater mussel, are located off the property into the prime wetlands, and should not be affected by the project.

6. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.

7. Issues raised by an abutter at the 8/25/2005 prime wetlands public hearing for this application regarding alleged violations by the previous property owner and current property mortgage holder Roger Ploof, have been investigated and resolved to the satisfaction of the Department, as follows:

a. With regard to the alleged on-site violations: the areas have been investigated and no violations were found to have occurred in jurisdictional wetlands;

b. With regard to the violations conducted on the abutting property owned by Roger Ploof and cited by DES under file 2004-609: the violator has provided DES with a plan for restoration of the violations on that site, which was approved by DES on April 3, 2006. Restoration planting occurred on 5/12/2006, and the restoration will be monitored at prescribed intervals for its progress for the next two year, with success of the plantings and redevelopment of the ecosystem required. Remediation of any failure of the restoration during this time period will be required.

8. The Pelham Conservation Commission requested restoration of previous filled areas and a temporary logging crossing, as well as restoration of vegetation that had been removed along the Golden Brook, and a mulch berm in place of hay bales. Restoration areas will be approved under separate cover; other conditions requested have been included in this permit.

9. The erosion controls, water velocity controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.

10. The approved plans and conditions of the permit respect the existing 50' town wetland conservation district buffer around the Prime Wetland area.

11. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, water treatment system and maintenance program offsets impact from any increased runoff created by the development.

12. Based on the inspection conducted in July 2005 by DES personnel, the project involves minor environmental impacts.

13. Based on findings #1-12 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

2006-00111 TOTARO, RICHARD
WOLFEBORO Lake Winnepesaukee

Requested Action:

Applicant requests to construct a 4 slip dug in boathouse and docking facilities for 7 slips on an average of 410 ft of frontage on Lake Winnepesaukee, Wolfeboro.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Applicant requests to construct a 4 slip dug in boathouse and docking facilities for 7 slips on an average of 410 ft of frontage on Lake Winnepesaukee, Wolfeboro.

With Findings:

1. A request for additional information dated January 26, 2006, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information, specifically \$3653.80 in outstanding filing fees, to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. On May 26, 2006 DES recieved a response to the January 26, 2006 request but the response did not contain the full amount of the outstanding fees.
4. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2006-00630 TAYLOR, BENJAMIN & KATHERINE
FRANCESTOWN Pleasant Pond**

Requested Action:

Hydro-rake 1800 sq ft of native aquatic plants on 586 ft of frontage in Francestown on Pleasant Pond.

APPROVE PERMIT:

Hydro-rake 1800 sq ft of native aquatic plants on 586 ft of frontage in Francestown on Pleasant Pond.

With Conditions:

1. All work shall be in accordance with plans by Aquatic Control Technology Inc. as received by the Department on March 22, 2006.
2. Work shall take place between July 1st and August 1st.
3. The NH DES Biology Bureau's Limnologist/Exotic Species Program Coordinator shall be notified in writing of the date on which dredging will begin 14 days prior to the beginning of the project.
4. If, at any time during the dredging, the Department determines that rising water levels pose significant risk to the containment of the site the Department may request that the work cease until water levels recede to an acceptable level. Work shall cease immediately upon notification of the applicant, or any agent of the applicant, that water levels have risen to an unacceptable level, and shall not resume until authorized by the Department.
5. This permit shall be used only once for hydro-raking activity only. Future hydro-raking shall require a separate application and permit.
6. The entire weed control permitted work area shall be enclosed by appropriate turbidity controls.
7. Appropriate turbidity controls shall be installed prior to raking, shall be maintained during raking such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. "Appropriate turbidity controls" shall consist of an impermeable barrier which extends from the lakebed to a point 3-4 inches above the water surface at all times through the duration of the raking, to prevent the escape of all aquatic plant fragments from the site.
9. All hydro-raked material ("spoil material") shall be completely removed from surface waters and shall be deposited at location as shown on plans.
10. Appropriate siltation and erosion controls shall be in place in the disposal area, beach area, and another area of disturbance prior to construction. The controls shall be maintained during construction, and shall remain until the area is stabilized.
11. All spoil material shall be placed outside of the DES Wetlands Bureau jurisdiction.
12. No spoil material shall be deposited within 250 feet of any surface water.
13. Equipment initially entering surface waters shall be completely free of any imported aquatic plants and animals.
14. Boat washing/rinsing shall not take place in areas in Wetlands Bureau jurisdictional areas.
15. All work shall be done in a manner so that no water quality degradation results from this aquatic weed control project.
16. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
18. Faulty equipment shall be repaired prior to entering jurisdictional areas.
19. The contractor shall have appropriate oil/diesel fuel spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
21. No shoreland vegetation between the reference line and the 150 ft natural woodland buffer zone setback shall be disturbed.
23. Upon completion of the project, the contractor shall thoroughly clean all equipment that contacted the water or plants removed from the water, so as to ensure that all aquatic plant and animal material has been removed before the equipment is removed from the site.
24. All activity associated with this project shall be conducted in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(i), projects involving the removal of emergent or submergent vegetation when the method used disturbs the bottom sediment of the waterbody.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00769 PROULX, DENNIS
LACONIA Lake Winnepesaukee

Requested Action:

Request to retain new retaining wall construction located lakeward of an existing retaining on 81 feet of shoreline frontage on Lake Winnepesaukee in Laconia.

DENY PERMIT:

Request to retain new retaining wall construction located lakeward of an existing retaining on 81 feet of shoreline frontage on Lake Winnepesaukee in Laconia.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, I, No person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp in or and adjacent to any waters of the state without a permit from the department.
2. In accordance with RSA 482-A:16, Artificial Fill; Exemptions, No person shall place or cause to be placed any fill in any area below the mean high water level of any public waters or below the artificially-created high water level of publicly-owned bodies of water in this state with the intent or with the effect of creating or forming filled land adjacent to such bodies of water, except as provided in this subdivision.
3. In accordance with Wt 404.05, Walls, (a), (3), Walls on great ponds or waterbodies where the state holds fee simple ownership shall be located on the shoreward side of the normal high-water shoreline.
4. This project is classified as a major impact project per Wt 303.02 (n), placement of fill resulting in made land.

Findings of Fact

5. On January 3, 2006 the NH DES Wetlands Bureau (the Bureau) received a Permit by Notification Form (PBN) and attachments(File #2006-00010) notifying the Bureau of the Applicant's intent to repair 80 ft of retaining wall "in kind".
6. The Applicant specifically certified on the PBN that he had "obtained, read and retained a copy and agree[d] to abide by the conditions and requirements in the Project-Specific Booklet(s)."
7. On March 21, 2006, Bureau staff inspected the site and found the old retaining wall in place. Additionally, a new retaining wall was being constructed lakeward of the existing wall and fill was being placed between the old wall and the new wall. This construction was being done in violation of the conditions and requirements found in the Project-Specific Booklet. Bureau staff informed construction personnel on site of the violation of the conditions of the notification and requested that no further work be completed. The new wall was located from approximately 1 - 4 feet further lakeward from the old wall and its associated access steps.
8. On April 7, 2006, the applicant filed an "after the fact" application (File #2006-00769) to "construct a rock retaining wall adjacent to the existing rock retaining wall. Impacts have been minimized and there is no work in-the-water as all work is above and behind 504.32."
9. The applicant submitted photos showing wall construction in progress.
10. On May 2, 2006, Administrative Order WD 06-020 ("the Order") was issued to the applicant requiring that all work on the wall be ceased, appropriate siltation, erosion and turbidity controls be installed, an environmental professional be retained, and a restoration plan be filed with the Bureau within 45 days.

- 11. The Order stated that Dennis Proulx has violated RSA 482-A, I by construction of approximately 80 linear feet of retaining wall lakeward of the existing retaining wall and shoreline in contradiction to the approved PBN and associated plan.
- 12. On May 16, 2006, the Bureau received a letter from the applicant requesting that Administrative Order WD 06-020, be held pending the review of application, File #2006-769.
- 13. Plans prepared by a licensed surveyor, dated November 9, 2004, show that the toe of the northernmost 25 ft of the pre-existing retaining wall overlapped with the normal high-water line, Elevation 504.32.
- 14. In State of New Hampshire v. Allen, the NH supreme court held "the State owns the bed of great ponds up to their natural mean high water mark, which in Lake Winnepesaukee is 504.32" and "is held by the State in trust for public use."
- 15. The Bureau permits wall construction as a method of Shoreline Stabilization (Part Wt 404 Criteria for Shoreline Stabilization) not a means for expansion of private property into the lake.
- 16. Under Wt 101.06 "bank" is defined as "the transitional slope immediately adjacent to the edge of a surface water body, the upper limits of which is usually defined by a break in slope..."
- 17. Wt 401.01 (a) provides that the purpose of this chapter is to protect the public trust and other interests of the state of New Hampshire, by establishing requirements for the design and construction of structures in order to prevent unreasonable encroachment on the surface waters of the State.

Rulings in Support of the Decision

- 18. The new wall as constructed along the northernmost 25 ft of the frontage is lakeward or at the normal high-water line, and lakeward of the existing shoreline as observed in the field and identified on the plans prepared by a licensed surveyor, and will have the effect of creating or forming filled land within a public water body.
- 19. The construction of the new wall lakeward of the normal high-water line fails to meet the criteria of Rule Wt 404.05, and therefore is denied.
- 20. The proposed after the fact application is an unreasonable encroachment on the surface waters of the state and the public trust.
- 21. The relocation of the Lake Winnepesaukee shoreline 1-4 feet lakeward and horizontal expansion of private property into the lake is not an appropriate method of shoreline stabilization.

MINOR IMPACT PROJECT

**2002-02202 CRAVEN, JAMES
NEW IPSWICH Unnamed Stream**

Requested Action:

Amend permit to change the mitigation proposal from the preservation of open space on the development site to a contribution to the Monadnock Conservancy to complete conservation project(s) in New Ipswich.

Conservation Commission/Staff Comments:

On September 13, 2002, Conservation Commission stated a response would be submitted to DES at a later date.

Letter to Zoning Board from Conservation Commission dated November 13, 2002, commends cooperation by agent and applicant to address the concerns related to previous impacts to wetlands on the property. Conservation Commission withholds final comments to the ZBA until approval by DES.

APPROVE AMENDMENT:

Amend permit to read:

Dredge and fill approximately 16,388 square feet of palustrine forested and emergent wetlands to provide access in a 75-Lot subdivision. Compensatory mitigation will be completed through a donation to the Monadnock Conservancy from the applicant

totaling \$41,260.

With Conditions:

With amended conditions:

1. All work shall be in accordance with plans by Holden Engineering dated March 4, 2002, as received by the Department on November 27, 2002.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low flow.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Silt fencing must be removed once the area is stabilized.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Wetland Restoration:

16. This permit is contingent upon the restoration of approximately 900 linear feet of surface waters (streams) in accordance with the Restoration Plan Approval issued by DES on November 19, 2002.
17. The schedule for restoration shall coincide with site development unless otherwise considered and authorized by the Wetlands Bureau to occur subsequent to site construction.
18. The restoration areas shall be properly restored, monitored, and managed in accordance with approved final restoration plans, and the entire restoration area shall be preserved from future development.
19. The Permittee shall designate a qualified professional who will have the responsibility to assure that the restoration areas are restored in accordance with the restoration plan, that monitoring is accomplished in a timely fashion, and remedial measures are taken if necessary. The Wetlands Bureau shall be notified of the designated professional prior to the start of work and if there is a change of status during the project.
20. The Permittee shall monitor the initial work of the restoration areas to assure the work is accomplished in accordance with the plan, and that the necessary steps are taken to successfully remove all sediments from the stream beds.
21. The Permittee shall conduct follow-up inspections in accordance with the approved restoration plan approval issued by DES on November 19, 2002.

Wetland Mitigation:

22. This permit is contingent on the deposit of \$41,260 to the Monadnock Conservancy as a form of compensatory mitigation for impacts to jurisdictional wetlands.
23. Prior to the start of additional construction on the property the applicant shall provide the DES Wetlands Bureau a copy of the deposit slip documenting the transfer of funds to the Monadnock Conservancy.

With Findings:

1. The original mitigation proposal required placing a conservation easement on land associated with and adjacent to the developed lots.
2. Through several conversations between the applicant, local conservation commission and regional land trust, an easement holder could not be retained to hold an easement on land within the development site.
3. The donation to the Monadnock Conservancy will provide funds for purchase of land in New Ipswich to be protected by a conservation easement.
4. The completion of the mitigation will provide protection of land with longterm environmental benefit.

2005-00392 KRAEKEL, WILLIAM
WHITEFIELD Unnamed Wetland

Requested Action:

Approve name change to: Lemont & Michelle A Haas, 42 Hammond Rd., Deerfield NH 03037 per request received 6/14/2006.

Conservation Commission/Staff Comments:

No comments from the conservation commission submitted.

APPROVE NAME CHANGE:

Dredge and fill 8,250 square feet of palustrine forested and scrub-shrub wetlands to construct a shared driveway for access to two single family building lots. Work to include the installation of (3) three 18" x 25' culverts.

With Conditions:

1. All work shall be in accordance with plans and construction sequence details by Watershed to Wildlife, Inc. dated February 2005, as received by the Department on February 28, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies each of the lots shall contain condition #3 of this approval.
5. Work shall be done during low or non flow.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2005-01886 MERRILL, GEORGE & CAROL MCDOUGALL
GOFFSTOWN Gorham Pond

Requested Action:

Dredge and fill 4710 square feet of riverine/ wet meadow wetland including construction of a 24-foot x 30 foot spanning structure over a perennial stream (for a combined total of 80 linear feet of impact)for access to an existing 45 acre lot.

APPROVE PERMIT:

Dredge and fill 4710 square feet of riverine/ wet meadow wetland including construction of a 24-foot x 30 foot spanning structure

over a perennial stream (for a combined total of 80 linear feet of impact)for access to an existing 45 acre lot.

With Conditions:

1. All work shall be in accordance with plans by Sublime Civil Consultants Inc dated July 12, 2005, and revised through May 11, 2006, as received by the Department on May 15, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
5. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
6. Work authorized shall not occur in fish spawning or nursery areas during the reproductive season, or within waterfowl nursery areas during the critical nesting period.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
19. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
20. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
21. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
23. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
24. Silt fencing must be removed once the area is stabilized.
25. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. This is the only point of access to the upland portions of the lot.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided a spanning structure to allow for continued fish passage and to maintain the integrity of the stream bottom at the location of the crossing.
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 Wt 302.03.
6. The applicant has crossed at the location of the historical crossing further reducing the impacts to this system.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
8. This application was submitted prior to the designation of Prime Wetlands within the Town of Goffstown.
9. The Conservation Commission requested that the bridge be reduced to a single span structure.

**2005-02374 KLOTZ, ROBERT
WAKEFIELD Great East Lake**

Requested Action:

Repair an existing 20 ft by 30 ft one slip boathouse and increase the slip width from 9 ft 10 ft wide, with no change in the existing outside dimensions or height on 215 ft of frontage on Great East Lake, Wakefield.

Conservation Commission/Staff Comments:

Con Com has not submitted comments by 11/05/05

NH NHI will not be submitting comments, no response from NH Fish and Game by 11/05/05

APPROVE PERMIT:

Repair an existing 20 ft by 30 ft one slip boathouse and increase the slip width from 9 ft 10 ft wide, with no change in the existing outside dimensions or height on 215 ft of frontage on Great East Lake, Wakefield.

With Conditions:

1. All work shall be in accordance with plans by Land Tech Corp dated August 2005, revision date of May 12, 2006, as received by the Department on May 16, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. Repair shall maintain existing size, location and configuration.
6. This permit does not allow for dredging of the boatslip or the lakebed.
7. The proposed repairs to the foundation will be done during drawdown in the dry and behind a temporary portadam.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), modification of a docking system that exceeds Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The proposed repairs to the foundation will be conducted during drawdown and in the dry behind a portadam.

2005-02763 LANCASTER, TOWN OF
LANCASTER Israel River

Requested Action:

Confirm Emergency Authorization issued on December 01, 2005, to dredge and fill 360 square feet(45 linear feet) of Israel River canal bank for rip-rap stabilization to prevent damage to exposed sewer main.

CONFIRM EMERGENCY AUTHORIZATION:

Dredge and fill 360 square feet(45 linear feet) of Israel River canal bank for rip-rap stabilization to prevent damage to exposed sewer main.

With Conditions:

1. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
2. This approval does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
3. This approval does not relieve the applicant from the obligation to obtain other local, state or federal permits that may be required.

With Findings:

1. This project is classified as a minor impact project per Rule Wt 303.03(l) projects that alter the course or disturb less than 200 linear feet of a perennial river channel or its banks.
2. The project was necessary to prevent damage to a exposed sewer main.
3. NH Fish and Game Department hit; no comments submitted.
4. The Lancaster Conservation Commission reviewed the project; no comments were submitted.
5. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on December 01, 2005.
6. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2005-02899 NH DEPT OF TRANSPORTATION
MEREDITH Unnamed Wetland

Requested Action:

Reconstruct the intersection of Rte. 3, Rte 106 and Mile Point Drive and relocate part of Upper Ladd Hill Rd. to form a roundabout impacting 4.991 sq. ft. (846 sq. ft. temporary) of palustrine wetlands.

Conservation Commission/Staff Comments:

Cons Comm recommends approval

APPROVE PERMIT:

Reconstruct the intersection of Rte. 3, Rte 106 and Mile Point Drive and relocate part of Upper Ladd Hill Rd. to form a roundabout impacting 4.991 sq. ft. (846 sq. ft. temporary) of palustrine wetlands. NHDOT project #11386.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design and Fay, Spofford & Thorndike, LLC, dated Dec.1, 2005 as received by the Department on December 7, 2005.
2. This permit is contingent upon the submission of project specific stream diversion and erosion control plans to DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. 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; and c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of 20 feet of undisturbed vegetated buffer.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
11. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
12. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq. ft. of non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The conservation Commission recommends approval.

**2006-00337 MAHUTTE, NEAL & SOPHIA
LEBANON Unnamed Wetland**

Requested Action:

Dredge and fill approximately 4,051 square feet of wetlands, further described as follows;

1. Dredge and fill approximately 3,051 square feet of wetlands along 30 linear feet of intermittent stream to install twin 30-inch x 20-foot CMP culverts for maintenance and agricultural access; and
2. Temporarily impact 1,000 square feet of wet meadow for access.

Inspection Date: 05/23/2006 by Kirsten Pulkkinen

APPROVE PERMIT:

Dredge and fill approximately 4,051 square feet of wetlands, further described as follows;

1. Dredge and fill approximately 3,051 square feet of wetlands along 30 linear feet of intermittent stream to install twin 30-inch x 20-foot CMP culverts for maintenance and agricultural access; and
2. Temporarily impact 1,000 square feet of wet meadow for access.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers, Inc. as received by the Department on May 30, 2006.
2. Work shall be done during dry conditions.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

6. Culverts shall be laid at original grade.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Area of temporary impact shall be regraded to original contours following completion of work.
11. Mulch within the restoration area shall be straw.
12. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 square feet of wetlands.
2. Lebanon Conservation Commission comments were addressed by the applicant.
3. Topography limits access to the northern portion of the property.
4. DES Staff conducted a field inspection of the proposed project on May 23, 2006. Field inspection determined the location of the proposed crossing is appropriate and at this time stabilization of the channel is not necessary.
5. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00341 LEBANON, CITY OF
LEBANON Unnamed Wetland

Requested Action:

Dredge and fill approximately 8,190 square feet of man-made wetlands for drainage improvements along Hardy Hill Road.

Conservation Commission/Staff Comments:

Previously submitted proposed work under 2005-00885, but amended to remove.

APPROVE PERMIT:

Dredge and fill approximately 8,190 square feet of man-made wetlands for drainage improvements along Hardy Hill Road.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers, Inc. as received by the Department on May 26, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid at original grade.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(f), alteration of less than 20,000 square feet of wetlands.
2. The proposed project includes the upgrade/replacement of undersized CMP culverts and installation of underdrain systems along Hardy Hill Road.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-00414 NH DEPT OF ADMINISTRATIVE SERVICES, BUREAU OF PUBL
CLAREMONT Sugar River**

Requested Action:

Construct a training wall to support an existing stone-masonry foundation wall impacting approximately 816 sq. ft. of river and bank (566 sq. ft. temporary).

Conservation Commission/Staff Comments:

Cons. Comm.- no comment

APPROVE PERMIT:

Construct a training wall to support an existing stone-masonry foundation wall impacting approximately 816 sq. ft. of river and bank (566 sq. ft. temporary).

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Public Works (also Foley Buhl Roberts & Assoc. INC) dated 3/23/06 as received by the Department on May 22, 2006 and the supplemental erosion control notes received by the Department on May 22, 2006.
2. No work in jurisdiction shall occur until receipt of a letter of authorization from the owner of the affected abutting lot (map 120,lot 7).
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
6. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
7. Work shall be done during low flow.

**2006-00600 FRANCKUM III, BRADLEY
WOLFEBORO Lake Winnepesaukee**

Requested Action:

Construct two 6 ft x 30 ft piling piers connectetd by a 5 ft x 34 ft walkway over the bank in a U-shaped configuration with 3 tie off

pilings within the center double boat slip on 225 ft of frontage in Wolfeboro on Lake Winnepesaukee.

APPROVE PERMIT:

Construct two 6 ft x 30 ft piling piers connected by a 5 ft x 34 ft walkway over the bank in a U-shaped configuration with 3 tie off pilings within the center double boat slip on 225 ft of frontage in Wolfeboro on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Dave Paulger dated June 9, 2006, as received by the Department on June 9, 2006.
2. This permit shall not be effective until it has been recorded with the appropriate County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Permanent piers shall not extend lakeward more than 30 ft from the reference line.
4. The minimum spacing for pile bents shall be 12 ft center to center.
5. No walkway or dock on the frontage shall exceed a 6 ft width without further approval from the Department.
6. Dock access stairs shall be constructed over the bank, and shall not be recessed into the bank.
7. Unnecessary removal of vegetation shall be prohibited.
8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
10. Accessory structures on the frontage, such as decks, patios, gazebos, etc. within 50 ft of the reference line shall be subject to the following: must be at least 20 ft landward of the reference line, shall not exceed 20 ft in height, shall not exceed a 150 sq ft area, and shall not be constructed in slopes steeper than 25%.
11. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
12. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
13. If seasonal boatlifts or seasonal personal watercraft lifts are later installed, they shall require another permit, and will be installed in such a manner as to not exceed the already reached 4 boatslip limit.
14. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
15. This permit does not allow any dredging activities.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), Construction of a docking system that provides for 4 boatslips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 225 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
5. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2006-00632 TRIPP, MARCIA
FRANCESTOWN Pleasant Pond

Requested Action:

Hydro-rake 600 sq ft of lakebed to remove native aquatic vegetation for adequate lake access and swim area on 200 ft of frontage in Francestown on Pleasant Lake.

APPROVE PERMIT:

Hydro-rake 600 sq ft of lakebed to remove native aquatic vegetation for adequate lake access and swim area on 200 ft of frontage in Frankestown on Pleasant Lake.

With Conditions:

1. All work shall be in accordance with plans by Aquatic Control Technology Inc. as received by the Department on March 22, 2006.
2. Work shall take place between July 1st and August 1st.
3. The NH DES Biology Bureau's Limnologist/Exotic Species Program Coordinator shall be notified in writing of the date on which dredging will begin 14 days prior to the beginning of the project.
4. If, at any time during the dredging, the Department determines that rising water levels pose significant risk to the containment of the site the Department may request that the work cease until water levels recede to an acceptable level. Work shall cease immediately upon notification of the applicant, or any agent of the applicant, that water levels have risen to an unacceptable level, and shall not resume until authorized by the Department.
5. This permit shall be used only once for hydro-raking activity only. Future hydro-raking shall require a separate application and permit.
6. The entire weed control permitted work area shall be enclosed by appropriate turbidity controls.
7. Appropriate turbidity controls shall be installed prior to raking, shall be maintained during raking such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. "Appropriate turbidity controls" shall consist of an impermeable barrier which extends from the lakebed to a point 3-4 inches above the water surface at all times through the duration of the raking, to prevent the escape of all aquatic plant fragments from the site.
9. All hydro-raked material ("spoil material") shall be completely removed from surface waters and shall be deposited at location as shown on plans.
10. Appropriate siltation and erosion controls shall be in place in the disposal area, beach area, and another area of disturbance prior to construction. The controls shall be maintained during construction, and shall remain until the area is stabilized.
11. All spoil material shall be placed outside of the DES Wetlands Bureau jurisdiction.
12. No spoil material shall be deposited within 250 feet of any surface water.
13. Equipment initially entering surface waters shall be completely free of any aquatic plants and animals.
14. Boat washing/rinsing shall not take place in areas in Wetlands Bureau jurisdictional areas.
15. All work shall be done in a manner so that no water quality degradation results from this aquatic weed control project.
16. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
18. Faulty equipment shall be repaired prior to entering jurisdictional areas.
19. The contractor shall have appropriate oil/diesel fuel spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
21. No shoreland vegetation between the reference line and the 150 ft natural woodland buffer zone setback shall be disturbed.
23. Upon completion of the project, the contractor shall thoroughly clean all equipment that contacted the water or plants removed from the water, so as to ensure that all aquatic plant and animal material has been removed before the equipment is removed from the site.
24. All activity associated with this project shall be conducted in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(i), projects involving the removal of emergent or submergent vegetation when the method used disturbs the bottom sediment of the waterbody.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

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

**2006-00680 LAKE FOREST PROPERTY OWNERS ASSOCIATION, MARK HOGA
HOLDERNESS Lake Forest**

Requested Action:

Permanently remove an existing seasonal dock and install two 4 ft by 30 ft seasonal docks on 462 feet of frontage on Little Squam Lake, Holderness.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Permanently remove an existing seasonal dock and install two 4 ft by 30 ft seasonal docks on 462 feet of frontage on Little Squam Lake, Holderness.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on March 29, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
2. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
3. The seasonal piers shall be removed from the lake for the non-boating season.
4. No portion of the piers shall extend more than 30 feet from the shoreline at full lake elevation.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 4 slip docking system .

MINIMUM IMPACT PROJECT

**2006-00009 NH DEPT OF TRANSPORTATION
CANAAN Indian River**

Requested Action:

Replace or repair culverts at 13 locations, install a new 18 in. cross pipe and place stone at a 42 in. culvert impacting 2,340 sq. ft. of palustrine and riverine wetlands (1,695 sq. ft. temporary) to improve safety and drainage.

Conservation Commission/Staff Comments:

Cons. Comms. - no comments

APPROVE PERMIT:

Replace or repair culverts at 13 locations, install a new 18 in. cross pipe and place stone at a 42 in. culvert impacting 2,340 sq. ft. of palustrine and riverine wetlands (1,695 sq. ft. temporary) to improve safety and drainage. NHDOT project #14478.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 12/05 and modified plan dated 2/06 (areas G&H) all received by the Department on February 21, 2006 as located per plan received March 6, 2006.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

2006-00236 MESCON, ROBIN
GILFORD Gunstock Brook

Requested Action:

Impact approximately 200 square feet to reset existing granite slabs protecting a sewer line within the Gunstock River.

APPROVE PERMIT:

Impact approximately 200 square feet to reset existing granite slabs protecting a sewer line within the Gunstock River.

With Conditions:

1. All work shall be in accordance with plans received by the Department on February 2, 2006.
2. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
8. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each

operator shall be trained in its use.

12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
16. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
17. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
18. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. The construction and method of stabilization was originally approved in 2001.

2006-00237 GILFORD TERRACE CONDO ASSOCIATION, JANE KELLY
GILFORD Gunstock Brook

Requested Action:

Impact approximately 200 square feet to reset existing granite slabs protecting a sewer line within the Gunstock River.

APPROVE PERMIT:

Impact approximately 200 square feet to reset existing granite slabs protecting a sewer line within the Gunstock River.

With Conditions:

1. All work shall be in accordance with plans received by the Department on February 2, 2006.
2. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
8. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

15. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.

16. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

17. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

18. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This method of stabilization was approved in 2001.

2006-00244 LEONARD ESTATES LLC
DERRY Unnamed Wetland Arlington Mill Reservoir

Requested Action:

Impact 2,040 square feet of forested wetland and 10 linear feet of scoured channel to construct three (3) culvert crossings for access to 26 residential condominiums on 46.91 acres.

Conservation Commission/Staff Comments:

No comments were received by the Derry Conservation Commission.

APPROVE PERMIT:

Impact 2,040 square feet of forested wetland and 10 linear feet of scoured channel to construct three (3) culvert crossings for access to 26 residential condominiums on 46.91 acres.

With Conditions:

1. All work shall be in accordance with the Wetland Impact Plan (Sheet 1 of 1) by Eric C. Mitchell & Assoc. Inc. dated January 20, 2006 and revised June 7, 2006, as received by the Department on June 12, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the units in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done during seasonal low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forest wetland.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01, as the impacts are necessary to access buildable upland.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03, as the impacts occur at the narrowest portions of jurisdictional area.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-00254 NH DEPT OF TRANSPORTATION
EPPING North River**

Requested Action:

Along Rte. 125 in Epping/Lee, remove headers and construct end sections, replace two 12 in. culverts, replace a 15 in. culvert, replace a 42 in. culvert and replace a 5 ft. x 6 ft. box culvert (having 48 in. inlet and outlet) with a 48 in. culvert at 7 locations to improve drainage impacting 2,095 sq. ft. of palustrine and riverine wetlands (1,685 sq. ft. temporary).

Conservation Commission/Staff Comments:

Epping Cons. Comm. requests culverts accommodate wildlife to the extent possible.

APPROVE PERMIT:

Along Rte. 125 in Epping/Lee, remove headers and construct end sections, replace two 12 in. culverts, replace a 15 in. culvert, replace a 42 in. culvert and replace a 5 ft. x 6 ft. box culvert (having 48 in. inlet and outlet) with a 48 in. culvert at 7 locations to improve drainage impacting 2,095 sq. ft. of palustrine and riverine wetlands (1,685 sq. ft. temporary). NHDOT project #14452.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 1/25/06 as received by the Department on February 7, 2006.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), repair and replace culverts.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In response to comments from the Epping Conservation Commission, the applicant states the two large culverts will not have perched inverts to facilitate reptile movement.

**2006-00463 REI DEVELOPMENT CO LLC
NORTHFIELD Unnamed Wetland**

Requested Action:

Dredge and fill 200 square feet of existing roadside drainage ditch and sloped wet meadow for road drainage improvements and access in the subdivision of 8 acres into 6 single family residential lots.

APPROVE PERMIT:

Dredge and fill 200 square feet of existing roadside drainage ditch and sloped wet meadow for road drainage improvements and access in the subdivision of 8 acres into 6 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Northpoint Engineering dated June 2005, and revised through January 31, 2006, as received by the Department on March 6, 2006 and Subdivision Plans by Richard D Bartlett and Associates dated June 17, 2006, and revised through January 31, 2006 as received by the Department on March 6, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Silt fencing must be removed once the area is stabilized.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-00530 PALMUCCI-BLANK, CHRISTINE
PIERMONT Unnamed Wetland Lake Armington**

Requested Action:

Install 6 ft by 50 ft permanent walkway over wetlands to access uplands along the shoreline install a 6 ft by 30 ft seasonal dock and remove approximately 260 sqft of Phragmites and replant the area with native vegetation on an average of 208 ft of frontage on Lake Armington, Piermont.

Conservation Commission/Staff Comments:

No comments submitted by April 18, 2006

APPROVE PERMIT:

Install 6 ft by 50 ft permanent walkway over wetlands to access uplands along the shoreline install a 6 ft by 30 ft seasonal dock and remove approximately 260 sqft of Phragmites and replant the area with native vegetation on an average of 208 ft of frontage on Lake Armington, Piermont.

With Conditions:

1. All work shall be in accordance with plans by Erin's Land Use Consulting dated March 7, 2006, revision date May 12, 2006, as received by the Department on May 16, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
6. This will be the only boardwalk for lake access on this frontage.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 208 feet of shoreline frontage along Lake Armington.
5. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
6. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

**2006-00606 PASKELL, JAMES
MOULTONBOROUGH Lake Wakondah**

Requested Action:

Construct a 4 ft by 30 ft seasonal dock and construct a 544 sqft perched beach on Lake Walondah, Moultonboro.

Conservation Commission/Staff Comments:

No Conservation Commission comments by April 23, 2006.

APPROVE PERMIT:

Construct a 4 ft by 30 ft seasonal dock and construct a 544 sqft perched beach on Lake Walondah, Moultonboro.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on March 21, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

7. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line. Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock.
2. The Loon Preservation Committee has no concerns about the proposed project.

2006-00645 SUTTON, TOWN OF
SUTTON Kings Brook

Requested Action:

Dredge and fill 215 square feet in the bed and banks of a perennial stream (100 square feet of streambed; 115 square feet of streambank) to replace an existing bridge with a 27-foot x 32-foot preformed, 3-sided bridge with wingwalls and install sheet pilings to stabilize the existing stone walls along the streambank.

APPROVE PERMIT:

Dredge and fill 215 square feet in the bed and banks of a perennial stream (100 square feet of streambed; 115 square feet of streambank) to replace an existing bridge with a 27-foot x 32-foot preformed, 3-sided bridge with wingwalls and install sheet pilings to stabilize the existing stone walls along the streambank.

With Conditions:

1. All work shall be in accordance with plans by Rizzo Associates dated July 6, 2005, as received by the DES Wetlands Bureau on March 24, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. All work shall be done during low flow.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Silt fence(s) must be removed once the area is stabilized.
10. Construction shall be inspected by a certified wetland scientist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

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

12. Temporary structures installed to channel flow through the work area during construction shall be entirely removed immediately following construction.
13. Impacted areas shall be restored to their original grades and to a stable condition within three days of completion of construction.
14. Areas from which vegetation has been cleared shall be replanted with similar native (noninvasive) species.
15. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.
17. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(h), installation of a bridge.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing bridge is in disrepair; replacement of the bridge will provide safe access.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Env-Wt 302.03. Reconstruction of the bridge in the existing location is the least-impacting alternative because it maintains the existing road alignment and minimizes impacts to King's Brook. The new bridge abutments will be constructed on the outside of the existing abutments and the existing abutments will be tied into the new structure. The stream bed will not be disturbed to remove the existing abutments. The existing flow path of the stream will be maintained and flows will not be altered.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant requested a waiver, in accordance with Env-Wt 204, to Env-Wt 304.04, Setback from Property Lines, to parcel 6A-6-427-111.
6. Per Env-Wt 204.04, the request for a waiver of Env-Wt 304.04 is granted with the finding that granting the request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety and strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
7. The applicant has stated that any areas disturbed during the replacement of the bridge will be restored to their preconstruction condition, including the replacement of trees, shrubs, and ornamental plantings.
8. The proposed sheet pilings will hold back the existing material and additional stone fill and wingwalls that will support the bridge platform.
9. The NH Fish and Game Department (NHFGD) Nongame and Endangered Wildlife Program has record of Blanding's turtle, Great Blue Heron, and wood turtle near the project site. The applicant has coordinated with NHFGD to assess the project's impact on these populations. NHFGD has stated that they do not expect impacts to these species since they are either not located in the immediate vicinity of the project or are not likely to experience future passage issues as the project proposes a bridge rather than a culvert.

2006-00664 NASHUA DEVELOPMENT CORP
NASHUA Unnamed Pond

Conservation Commission/Staff Comments:

The Conservation Commission did not submit comments.

APPROVE PERMIT:

Maintenance dredge approximately 3,225 square feet of a man-made pond consisting of palustrine open water and emergent wetlands and increase the northwest side of the pond by approximately 2,870 square feet into adjacent uplands.

With Conditions:

1. All work shall be in accordance with plans by HSI Hayner/Swanson, Inc., revision dated March 23, 2006, as received by the Department on March 28, 2006 and narratives by Wetland Consulting Services dated March 23, 2006, as received by the Department on March 28, 2006.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of a final dewatering, erosion, sediment and turbidity control plan for work proposed within the man-made pond.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Work shall be done during low flow.
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require further permitting by the Bureau.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k), maintenance dredge of a man-made pond.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Nongame and Endangered Species Program of the NH Fish and Game Department requested the project area be evaluated for spotted turtles if the pond is in or adjacent to scrub-shrub wetlands.
6. The work is on an existing 161 acre golf course. The proposed wetland dredging is within the outlet area of a man-made pond that contains only open water and emergent wetlands (cattails). The dredging is also adjacent to the existing concrete outlet structure of the man-made pond.
7. The Lower Merrimack River LAC had no objection to the proposed dredging, however, they questioned dredging of cattails in that natural plant life may impact the amount of water that will eventually drain into the river.
8. The water level of the man-made pond is regulated by a concrete outlet structure.
9. The proposed dredging is within a man-made pond approximately 2,000 feet from the Merrimack River.

2006-00688 **SPRAGUE ENERGY CORP**
NEWINGTON **Piscataqua River**

Requested Action:

Repair existing mooring dolphins A & C, including encasement of deteriorated steel support pilings with concrete; recoat steel pilings with steel jackets; repair two pilings on each dolphin below low water; recoat mooring hardware; and install rock anchors on dolphin C. Total work area on existing structures 1,000 sq. ft.

APPROVE PERMIT:

Repair existing mooring dolphins A & C, including encasement of deteriorated steel support pilings with concrete; recoat steel pilings with steel jackets; repair two pilings on each dolphin below low water; recoat mooring hardware; and install rock anchors on dolphin C. Total work area on existing structures 1,000 sq. ft.

With Conditions:

1. All work shall be in accordance with plans by Appledore Marine Engineering Inc. dated March 2006, as received by the Department on March 29, 2006.
2. Repair shall not result in functional expansion of the existing dolphin structures, and shall the maintain existing size, location and configuration.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The dolphin structures are approximately 47 years old and have suffered corrosion damage to the steel components, which needs to be repaired to ensure safe mooring of large ocean vessels.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The existing structures are being strengthened with no removal, reconstruction or expansion proposed.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The Newington Conservation Commission does not object; National Marine Fisheries has reviewed the project and indicated "no additional conservation recommendations necessary".
5. The changes in dimensions by encasing the existing piling structures in concrete represent minimal environmental impact, therefore DES deems this project as minimum impact, per Env-Wt 303.04(o).

**2006-00749 BRYANT, LOUISE
SANDWICH Meadow Brook**

Requested Action:

Dredge and fill 350 square feet of wetlands for existing bridge repair to maintain access to eastern portion of lot, along abutting property's right-of-way, and for the Bearcamp River Trail, further described as follows:

1. Impact 100 square feet (12 linear feet) of Meadow Brook to repair existing footbridge abutments; and
2. Impact 100 square feet of Meadow Brook for beaver dam material removal; and
3. Impact 150 square feet of wetlands for repair/maintenance of existing overflow.

APPROVE PERMIT:

Dredge and fill 350 square feet of wetlands for existing bridge repair to maintain access to eastern portion of lot, along abutting property's right-of-way, and for the Bearcamp River Trail, further described as follows:

1. Impact 100 square feet (12 linear feet) of Meadow Brook to repair existing footbridge abutments; and
2. Impact 100 square feet of Meadow Brook for beaver dam material removal; and
3. Impact 150 square feet of wetlands for repair/maintenance of existing overflow.

With Conditions:

1. All work shall be in accordance with plans by Chip Kimball dated March 13, 2006, as received by the Department on April 06, 2006.
2. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work

shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.

3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
11. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
12. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
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. Post-construction photographs documenting the status of completed construction shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of a perennial stream channel or its banks.
2. All work will be completed in the dry, with the exception of the hand removal of displaced abutment stones from the Meadow Brook channel.
3. Measured along the Meadow Brook channel the proposed work is approximately 500 feet upstream (approximately 300 linear feet) from designated prime wetland # 106 - Bearcamp River, east of Bearcamp Road.
4. The proposed work is not considered adjacent to prime wetlands given the lack of hydrologic connectivity and distance from designated prime wetland # 106 - Bearcamp River, east of Bearcamp Road.
5. The Sandwich Conservation Commission unanimously agreed to support the proposed project.
6. No comments were submitted from the NH Natural Heritage Bureau or the NH Fish and Game Department.
7. The NH Division of Historical Places determined that there are no resources present at the proposed project location.
8. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
9. 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.
10. 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.

FORESTRY NOTIFICATION

2006-01415 LUCIER, JOHN
MILTON Unnamed Stream

COMPLETE NOTIFICATION:
Milton Tax Map 42, lot# 1

**2006-01416 HIGH ACRES ENTERPRISES LLC, CHRIS CROWE
MADISON Unnamed Stream**

COMPLETE NOTIFICATION:
Madison Tax Map 232, Lot# 46

**2006-01417 TRUSTEES OF DARTMOUTH COLLEGE, DOUGLAS HOLLER
LYME Unnamed Stream**

COMPLETE NOTIFICATION:
Lyme Tax Map 414, Lot# 58

EXPEDITED MINIMUM

**2003-01733 HSK DEVELOPMENT CORP
RAYMOND Unnamed Wetland**

Requested Action:

Applicant requests to amend original impacts to retain an additional 150 square feet of fill and fill approximately 765 square feet of forested wetlands to provide roadway access to an 11-unit manufactured home park. Dredge and fill approximately 249 square feet within the bed and bank of a pond to install a dry hydrant for fire protection.

Inspection Date: 03/07/2006 by Eben M Lewis

APPROVE AMENDMENT:

Amend original impacts to retain an additional 150 square feet of fill for lot development and fill approximately 765 square feet of forested wetlands to provide roadway access to an 11-unit manufactured home park and lot development. Dredge and fill approximately 249 square feet within the bed and bank of a pond to install a dry hydrant for fire protection.

With Conditions:

1. All work shall be in accordance with the following plans dated February 26, 2006 and revised through March 13, 2006 by RSL Layout and Design, Inc., as received by the Department on May 5, 2006:
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be conducted during low flow conditions.
5. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Any portion of the bank of the pond that is disturbed as a result of installation of the dry hydrant shall be regraded to original contours, stabilized and seeded immediately following completion of work.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

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

14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minimum Impact Project per Administrative Rules Wt 303.04(f) and Wt 303.04(m).
2. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.
5. An inspection was conducted on this site by DES personnel on March 6, 2006 to follow-up on the alleged violator letter dated February 7, 2006.
6. The inspection found that the contractor filled 150 square feet of an isolated wetland located on proposed lot 10.
7. At the time of the inspection DES recommended retaining the aforementioned fill area with an amended permit as it was of low function and value and strike proposed lot 11 from the subdivision, therefore creating a larger buffer between the road, proposed lots and the wetlands located to the southeast and west of lot 10.

**2005-02510 HUCKINS, ROLAND
TILTON Unnamed Wetland**

Requested Action:

Correct the permit description to read: Dredge and fill 310 square feet of palustrine forested wetland for access in the subdivision of approximately 50 acres into one 5 acre lot and one remaining parcel.

Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact application.

APPROVE AMENDMENT:

Dredge and fill 310 square feet of palustrine forested wetland for access in the subdivision of approximately 50 acres into one 5 acre lot and one remaining parcel.

With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors dated January 5, 2005, and revised through September 13, 2005, as received by the Department on October 19, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on the new 5 acre lot.
5. The deed which accompanies the sales transaction for the new 5 acre lot in this subdivision shall contain condition #4 of this approval.
6. Prior to conducting any work on the remaining 38 acre parcel the property owner shall have the entire lot delineated by a Certified Wetland Scientist.
7. The deed which accompanies the sales transaction for the remaining 38 acre lot in this subdivision shall contain condition #6 of this approval.

8. Any future work on the 38 acre lot that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
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.

2006-00837 AL-MAR BINDER QPRT TRUST
LACONIA Lake Winnisquam

Requested Action:

Construct a 32 ft by 12 ft perched beach in the same location as an existing failed dug in sloped beach and repair the retaining wall behind the beach on Lake Winnisquam, Laconia.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 32 ft by 12 ft perched beach in the same location as an existing failed dug in sloped beach and repair the retaining wall behind the beach on Lake Winnisquam, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Diversied Marine Construction dated April 5, 2006, revision date May 18, 2006, as received by the Department on May 19, 2006.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 482.35). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
5. The steps installed for access to the water shall be located completely landward of the normal high water line.
6. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach.

2006-00889 BELFIORE, JOSEPH
RINDGE Lake Mononac

Requested Action:

Repair an existing 67 ft of retaining wall with no change in location or height on Lake Monomonac, Rindge.

Conservation Commission/Staff Comments:

Con Com signed Exp application

APPROVE PERMIT:

Repair an existing 67 ft of retaining wall with no change in location or height on Lake Monomonac, Rindge.

With Conditions:

1. All work shall be in accordance with plans dated May 24, 2006, as received by the Department on May 24, 2006.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Repair shall maintain existing size, location and configuration.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Repair shall be done during draw down "in the dry".
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2006-00997 LORDCO PIER ASSOCIATION
NEWINGTON Piscataqua River**

Requested Action:

Replace-in-kind 40 deteriorated pilings at an existing commercial fish pier.

APPROVE PERMIT:

Replace-in-kind 40 deteriorated pilings at an existing commercial fish pier.

With Conditions:

1. All work shall be in accordance with plans by Lordco Pier Associates dated 4/18/2006, as received by the Department on 4/24/2006.
2. Repair shall maintain existing size, location and configuration.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v), repair of existing pilings.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The pilings are deteriorated to the point of needing replacement.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The piling replacement is in-kind, with no additions or expansion.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. This project represents on-going maintenance project that has been permitted in the past under 2000-1339. The Newington Conservation Commission signed the expedited application.

2006-01193 DIAZ, KENNETH & LINDA
NEW BOSTON Unnamed Wetland

Requested Action:

Dredge and fill 500 square feet of palustrine forested wetlands and 35 linear feet of intermittent stream to install one (1), 24-inch x 20-foot culvert and associated headwalls and inlet and outlet protection to construct a driveway for access to one (1) lot of a 2-lot residential subdivision.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

APPROVE PERMIT:

Dredge and fill 500 square feet of palustrine forested wetlands and 35 linear feet of intermittent stream to install one (1), 24-inch x 20-foot culvert and associated headwalls and inlet and outlet protection to construct a driveway for access to one (1) lot of a 2-lot residential subdivision.

With Conditions:

1. All work shall be in accordance with plans by Todd Land Use Consultants, dated February 9, 2006 (Sheet 1 of 2) and April 18, 2006 (revised) (Sheet 2 of 2), as received by the DES Wetlands Bureau on May 15, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. The deed which accompanies the sales transaction of each lot in this subdivision shall contain condition #4 of this approval.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. All work shall be done during low flow.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
9. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.
13. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary for the construction of a driveway to one (1) lot of a 2-lot residential subdivision.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Env-Wt 302.03. The driveway was configured to cross the wetland at the narrowest point.

- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The Conservation Commission signed the application but did not submit comments.

2006-01215 LEBANON, CITY OF
LEBANON Unnamed Wetland

Requested Action:

Temporarily impact 454 square feet of emergent wetland for sewer line installation.

APPROVE PERMIT:

Temporarily impact 454 square feet of emergent wetland for sewer line installation.

With Conditions:

- 1. All work shall be in accordance with plans by Holden Engineering Inc., dated April 12, 2006, as received by the Department on May 18, 2006.
- 2. Work shall be done during low flow conditions.
- 3. Area of temporary impact shall be regraded to original contours following completion of work.
- 4 All material removed during work activities shall be placed out of DES's jurisdiction.
- 5. Mulch within the restoration area shall be straw.
- 6. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
- 7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 8. Post-construction photographs documenting the status of the restored jurisdictional area shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

- 1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of wet meadow.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2006-01438 BRENNAN, PATRICIA
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc: Bath Con Comm

LAKES-SEASONAL DOCK NOTIF

2006-01400 CHARLES, HENRY
EAST WAKEFIELD Belleau Lake

COMPLETE NOTIFICATION:
East Wakefield Tax Map# 70 Lot# 103 Belleau Lake

2006-01401 FLEMMING, DONALD
STODDARD Island Pond

COMPLETE NOTIFICATION:
Stoddard NH Tax Map#133 Lot#14 Island Pond

2006-01402 HIGHLAND LAKE ASSOCIATION
STODDARD Highland Lake

COMPLETE NOTIFICATION:
Stoddard NH Tax Map#102 Lot#@#042 Highland Lake

2006-01405 DESOUSA, DAVID & MARCIA
MEREDITH Waukewan

COMPLETE NOTIFICATION:
Meredith NH Tax Map#U-05 Tax Map#44 Waukewan

ROADWAY MAINTENANCE NOTIF

2006-01397 NH DEPT OF TRANSPORTATION
NOTTINGHAM Unnamed Stream

2006-01418 NH DEPT OF TRANSPORTATION DISTRICT ONE
BATH Unnamed Stream

PERMIT BY NOTIFICATION

2006-00886 BEGIN HOMES LLC
SUTTON Unnamed Wetland

Requested Action:

Dredge and fill 367 square feet of palustrine forested wetlands and 43 linear feet of intermittent stream to install one (1), 18-inch x 30-foot culvert and associated headwalls and outlet protection to construct a driveway for access to a single family building lot.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

PBN IS COMPLETE:

Dredge and fill 367 square feet of palustrine forested wetlands and 43 linear feet of intermittent stream to install one (1), 18-inch x 30-foot culvert and associated headwalls and outlet protection to construct a driveway for access to a single family building lot.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. Per Env-Wt 304.04, the applicant provided a written agreement from the abutter concurring with wetlands impacts within 20 feet of the property line.
3. The Nongame and Endangered Wildlife Program of the NH Fish and Game Department did not have record of any rare or endangered species near the project area.
4. The Conservation Commission signed the application but did not submit comments.

2006-01375 KIDDER, BARBARA
GILFORD Lake Winnepesaukee

Requested Action:

Repair/Replace existing piling supported pier, four tie off piles and an ice cluster.

PBN IS COMPLETE:

Repair/Replace existing piling supported pier, four tie off piles and an ice cluster.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-01376 TACELLI, DAVID & ELIZABETH
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Install concrete pad for existing nonconforming 6 ft x 60 ft seasonal pier.

PBN IS COMPLETE:

Install concrete pad for existing nonconforming 6 ft x 60 ft seasonal pier.

With Findings:

1. This is a minimum impact project installing a concrete pad under PBN form

2006-01377

SCHWAGER, CHARLES

WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair/Replace existing breakwater and cantilevered pier.

PBN IS COMPLETE:

Repair/Replace existing breakwater and cantilevered pier.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.