

Wetlands Bureau Decision Report

Decisions Taken
09/18/2006 to 09/24/2006

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

2005-00077 MARRIOTT JR., J. W.
TUFTONBORO Lake Winnepesaukee

Requested Action:

Dredge 27 cu yd from 630 sq ft of lakebed, excavate 200 sq ft of bank and 1,525 sq ft of protected shorelands and construct 24 linear ft of retaining wall to construct a 25 ft x 32 ft, two slip, dug-in boathouse and construct 25 linear ft of stone retaining wall to perch an existing sloped beach on an average of 192 ft of frontage along Lake Winnepesaukee, in Tuftonboro.

APPROVE PERMIT:

Dredge 27 cu yd from 630 sq ft of lakebed, excavate 200 sq ft of bank and 1,525 sq ft of protected shorelands and construct 24 linear ft of retaining wall to construct a 25 ft x 32 ft, two slip, dug-in boathouse and construct 25 linear ft of stone retaining wall to perch an existing sloped beach on an average of 192 ft of frontage along Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated September 10, 2004, as received by the Department on January 10, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. The owner shall file a restrictive covenant in the appropriate registry of deeds prohibiting any expansion of the footprint or exterior dimensions, including height, of those portions of the existing primary structure that will be within 50 ft of public waters as defined per RSA 483-B. In the event the structure is destroyed by accidental means it may be replaced in kind. Should the structure be removed or destroyed intentionally, then any replacement or new primary structure shall be setback at least 50 ft from public waters as defined per RSA 483-B. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. This permit shall not be effective until the Wetlands Bureau receives a copy, as recorded at the appropriate registry of deeds, of the document transferring one boat slip from the property identified as Tuftonboro Tax Map 61, lot 1-18 to the property identified as Tuftonboro Tax Map 62, lot 3-22.
6. 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.
7. The boathouse shall be a single-story structure; ridgeline not to exceed 20 ft in height (Elev. 524.32) above normal high water (Elev. 504.32).
8. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
9. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
10. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
14. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 2 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.

15. 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 504.32).
16. The steps installed for access to the water shall be located completely landward of the normal high water line.
17. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
18. This permit does not allow for annual beach replenishment.
19. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
20. 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.
21. All future 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 major project per Rule Env-Wt 303.02(g), removal of more than 20 cu yd of material from public waters.
2. The applicant has an average of 192 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12 Frontage Over 75'.
4. The applicant has proposed to deed the rights to 1 slip from a noncontiguous lot to the subject lot to meet the requirements of Rule Env-Wt 402.12.
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.
6. Field inspection on October 9, 1999 found no obvious evidence of sand migration along this shoreline.
7. The excavation associated with the proposed boathouse construction shall flood private lands and relocate the reference line as defined per RSA 483-B:4,XVII to a point within 21 ft 3 in of the existing primary structure.
8. The Applicant's have agreed to file a restrictive covenant with the appropriate registry of deeds, restricting any future expansion of the primary building within the 50 primary building setback to surface waters.

-Send to Governor and Executive Council-

2005-01634 BRADY, ROBERT & MARY JO
LACONIA Lake Winnepesaukee

Requested Action:

Remove 105 linear feet of jetty/breakwater and a 7 ft x 23 ft permanent pier and fill 945 sq ft of lakebed to construct 60 linear ft of breakwater in an "L" configuration with a 10 ft gap at the shoreline and three 3 ft x 30 ft piling piers connected by a 6 ft x 42 ft piling supported walkway in an "E" configuration, dredge 112 cu yd from 2,000 sq ft of lakebed to provide depth for slips, install two 12 ft x 30 ft seasonal canopies and 2 personal watercraft lifts, and excavate 450 sq ft of shoreline to construct a 35 ft x 20 ft perched beach on 200 ft of frontage on Lake Winnepesaukee, in Laconia.

Conservation Commission/Staff Comments:

Con Com questions need for impacts as proposed, sand migration, retaining wall removal, and states applicant already has a beach, PWC lifts and boatlift not shown on plans.

Inspection Date: 10/24/2005 by Chris T Brison

DENY PERMIT:

Remove 105 linear feet of jetty/breakwater and a 7 ft x 23 ft permanent pier and fill 945 sq ft of lakebed to construct 60 linear ft of breakwater in an "L" configuration with a 10 ft gap at the shoreline and three 3 ft x 30 ft piling piers connected by a 6 ft x 42 ft piling supported walkway in an "E" configuration, dredge 112 cu yd from 2,000 sq ft of lakebed to provide depth for slips, install two 12 ft x 30 ft seasonal canopies and 2 personal watercraft lifts, and excavate 450 sq ft of shoreline to construct a 35 ft x 20 ft perched beach on 200 ft of frontage on Lake Winnepesaukee, in Laconia.

With Findings:

Standards for Approval

1. In accordance with Rule Env-Wt 302.03, Avoidance, Mitigation, and Minimization, the Applicant shall provide evidence that the potential impact have been avoided to the maximum extent practicable.
2. In accordance with Rule Env-Wt 302.04, Requirements for Application Evaluation,(d) the Department shall not grant a permit if there is a less impacting practical alternative.
3. In accordance with Rule Env-Wt 302.04, Requirements for Application Evaluation,(e) the Department shall not grant a permit if the requirements of Rule Env-Wt 302.03 are not met.
4. This project is classified as a major impact project per Rule Env-Wt 303.02(d) modification of a docking facility including a breakwater.

Findings of Fact

5. On July 14, 2005 the wetlands Bureau received an application for the removal of an existing jetty/breakwater, construction of permanent piers, lifts and canopies, and the construction of a perched beach on property identified as Laconia Tax Map 154, Lot 3 (the Property).
6. On October 4, 2005 the Wetlands Bureau issued a Request for More Information Letter to the Applicant requesting that the plans be revised so as to utilize the landward portion of the existing jetty/breakwater in the proposed docking facility. The use of this portion on the existing structure reduce the footprint of the docking structure and will avoid unnecessary impacts.
7. On August 14, 2006 the applicant resubmitted plans for the complete removal of the existing jetty/breakwater and construction of the new facility as originally proposed.

Ruling in Support of the Decision

8. The applicant has failed to provide evidence the impact have been avoided to the maxim extent possible therefore the application is denied in accordance with Rule Env-Wt 302.03(e)
9. There is a less impacting alternative solution to providing the allowed number of slips on the frontage, therefore the project is denied in accordance with Rule Env-Wt 302.04(d).

**2005-02289 BARBARA BATES SEDORIC & THOMAS J SEDORIC REV TRUST
RYE Piscataqua River Back Channel**

Requested Action:

Approve name change to: Barbara Bates Sedoric Rev Trust and Thomas J Sedoric Rev Trust, PO Box 397, Rye Beach, NH 03871 per request received 9/21/2006. Previous owner: Stephanie J. Lindenthal

Conservation Commission/Staff Comments:

The Rye Conservation Commission did not comment on the application.

Inspection Date: 11/02/2005 by Eben M Lewis

APPROVE NAME CHANGE:

Construct a 6'x45' fixed pier to a 3'x30' seasonal ramp to a 10'x24' seasonal float providing two 24' slips on the Piscataqua River Back Channel with 155 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated 9/23/05, as received by the Department on 9/27/05.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. DES Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit shall not be effective until recorded at the Rockingham Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.

5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. The decking of the fixed pier shall have a minimum of 6 ft. clearance from the surface of the tidal marsh and shall have 3/4-inch spacing between the decking planks and the 3-foot ramp shall have a minimum of 3 ft. clearance from the surface of the tidal marsh.
9. The float of this structure shall be constructed with rails to prevent it from sitting directly on the mud at low tide.
10. 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.
11. Seasonal docking structures shall be removed for the non-boating season.

With Findings:

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

-Send to Governor and Executive Council-

**2006-00296 PALMER, JAMES
NEW HAMPTON Unnamed Stream Wetlands**

Requested Action:

Dredge and fill 19591 square feet of jurisdictional area, palustrine forested wetland, man made drainage ditch, intermittent stream (201 linear feet), and perennial stream (160 linear feet), in the upgrade of an existing class VI road and construction of a fire pond in the subdivision of approximately 50 acres into 14 single family residential lots. Mitigate for the lost wetlands through preservation of 4.5 acres of upland and wetland adjacent to the Scribner State Forest.

APPROVE PERMIT:

Dredge and fill 19591 square feet of jurisdictional area, palustrine forested wetland, man made drainage ditch, intermittent stream (201 linear feet), and perennial stream (160 linear feet), in the upgrade of an existing class VI road and construction of a fire pond in the subdivision of approximately 50 acres into 14 single family residential lots. Mitigate for the lost wetlands through preservation of 4.5 acres of upland and wetland adjacent to the Scribner State Forest.

With Conditions:

1. All work shall be in accordance with plans by MJS Engineering, Plan Sheets P1, P2, P3 and D3 dated July 1, 2005, and revised through January 31, 2006, as received by the Department on February 14, 2006, and Plan Sheets P4, P5, P6, D2, and D4, dated July 1, 2005 as revised through July 27, 2006, as received by the Department on August 8, 2006, and Plan Sheet D1 dated July 1, 2005, and revised through May 12, 2006 as received by the Department on May 24, 2006, and Subdivision Plans by DMC Surveyors Plan Sheets S1 and S3 dated May 3, 2006, and revised through September 13, 2005 as received by the Department on February 14, 2006 and Plan Sheet S2 dated May 2, 2005, and revised through April 20, 2006, as received by the Department August 8, 2006.
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 is contingent on approval by the DES Dam Safety Program.
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 #5 of this approval.
7. 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.
8. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

9. 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.
10. Work within perennial stream channels shall be done during low flow and under dry conditions.
11. Work within intermittent stream channels shall be done during periods of non-flow.
12. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
13. 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.
14. 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.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
16. 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.
17. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
18. Temporary cofferdams shall be entirely removed immediately following construction.
19. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
20. Proper headwalls shall be constructed within seven days of culvert installation.
21. The two open bottom crossing structures shall maintain the original slope, gradient and materials, should this area be disturbed no angular rip rap is to be installed.
22. 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.
23. 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.
24. 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.
25. Silt fencing must be removed once the area is stabilized.
26. 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).

Mitigation Conditions:

27. This permit is contingent upon the execution of a conservation easement on approximately 4.5 acres of contiguous upland buffer, as depicted on the NHDES Mitigation Plan (Sheet CE-1) by DMC Surveyors, dated March 11, 2005, and revised April 1, 2005, as received by the Department on March 6, 2006.
28. The conservation easement to be placed on the 4.5-acre preservation area shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
29. The plan noting the conservation easement boundary 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.
30. The 4.5-acre preservation area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
31. Signs to indicate the location of and restrictions on the preservation area shall be posted no further than every 150 feet along the boundary of the preservation area prior to construction.
32. Prior to construction, the permittee shall notify the NHDES Wetlands Bureau of the placement of the preservation area signs.
33. 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. The project is categorized as a Major Impact Project, per Administrative Rule Env-Wt 303.02(i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks. For intermittent streams, the distance shall be measured along the thread of the channel.
2. Proposed wetlands impacts are necessary for access in the upgrade of the existing Class VI road and the construction of a new cul-de-sac and driveway crossings..
3. The applicant has provided a letter from the abutter stating their agreement with the proposed upgrade of the class VI roadway to a class V roadway.
4. NHDES Wetlands Bureau staff conducted a field inspection of the property on May 15, 2006. Site inspection found that a great number of the proposed impacted wetlands are man made drainage ditches adjacent to the existing class VI roadway.
5. In a letter dated February 14, 2006, the New Hampton Conservation Commission indicated that it is willing to accept the proposed conservation easement area on the property.
6. The Department received no comments relative to the project from the local Conservation Commission.
7. To compensate for proposed wetlands impacts the applicant has agreed to preserve approximately 4.5 acres on-site, of upland buffer, through execution of a conservation easement.
8. The wetlands compensatory mitigation proposal meets the ratios listed in Table 800-1 of the DES Wetlands Bureau's Compensatory Mitigation Rules (Chapter Env-Wt 800).
9. Based on observations made during the field inspection of the property and based on review of the application and supporting documentation, the Department waives the public hearing with the finding that the project will not significantly impair the functions and values of the on-site jurisdictional areas.
10. The applicant has proposed two open bottom crossing structures within perennial streams.
11. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
12. 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 Env-Wt 302.03.
13. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
14. The applicant has met all of the requirements of Rule Env-Wt 304.09(a).

**2006-00968 HILLTOP PARTNERSHIP
CENTER HARBOR Squam Lake**

Requested Action:

Construct a 6 ft x 30 ft piling pier accessed by a 6 ft x 5 ft walkway adjacent to a 26 ft x 35 ft boathouse and associated permanent docks providing 8 existing slips on 2,136 ft of frontage on Squam Lake, in Center Harbor.

Conservation Commission/Staff Comments:

No Com Com comments by July 17, 2006

NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Construct a 6 ft x 30 ft piling pier accessed by a 6 ft x 5 ft walkway adjacent to a 26 ft x 35 ft boathouse and associated permanent docks providing 8 existing slips on 2,136 ft of frontage on Squam Lake, in Center Harbor.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants revised September 15, 2006, as received by the Department on September 18, 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. 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.
4. Pilings shall be spaced a minimum of 12 ft apart as measured center to center.
5. 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.

- 6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
- 7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
- 8. 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 major project per Rule Env-Wt 303.02(d), modification of a major docking facility.
- 2. The applicant has 2,136 feet of frontage along Squam Lake.
- 3. A maximum of 29 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
- 4. The modified docking facility will provide 9 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
- 5. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Squam Lake.
- 6. The existing boathouse over public waters fails to conform to the current rules pertaining to shoreline structures as stated in Chapter Env-Wt 400.
- 7. The proposed pier will be a completely separate structure and the total square foot construction area, over public waters, of the existing and proposed structures will not exceed that of new, conforming, structures which could be allowed under the current rules, therefore Rule Env-Wt 402.20, Modification of Existing Structures is waived.

-Send to Governor and Executive Council-

2006-01114 MANCHESTER, CITY OF
MANCHESTER Unnamed Wetland

Requested Action:

Impact a total of 37325 square feet of jurisdictional areas further described as follows: Temporarily impact 36,135 square feet for installation 7400 linear feet of municipal sewer line, and permanently impact 1190 square feet for access to maintain that line.

APPROVE PERMIT:

Impact a total of 37325 square feet of jurisdictional areas further described as follows: Temporarily impact 36,135 square feet for installation 7400 linear feet of municipal sewer line, and permanently impact 1190 square feet for access to maintain that line.

With Conditions:

- 1. All work shall be in accordance with plans by Hoyle Tanner and Associates Inc Plan Sheets 1-6 dated May 2006, as received by the Department on May 9, 2006 and Plan Sheet 7 dated August 2006, as received by the Department on August 25, 2006 and the Narrative dated August 24, 2006, as received by the Department August 25, 2006.
- 2. Any further alteration of areas within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
- 3. The Town shall obtain easements from affected landowners for work on their property and shall supply copies of the recorded easements to DES Wetlands File No. 2006-01114 prior to construction.
- 4. 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.
- 5. The applicant shall coordinate with the DES Watershed Management Bureau's Water Quality Planning Section.
- 6. The applicant shall notify in writing the DES Wetlands Bureau, the Manchester Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
- 7. Work shall be done during annual low flow conditions.
- 8. All work shall be done in the dry.
- 9. A qualified professional shall verify that the wetlands to be impacted by construction of the pipeline are labeled appropriately in the field. Wetlands shall be re-flagged as necessary during pre-construction preparation in accordance with the United States Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1.

10. Construction shall be monitored by an environmental inspector (i.e., qualified wetland professional, 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. The Wetlands Bureau shall be notified in writing of the environmental inspector prior to the start of work and if there is a change of status during the project.
11. Weekly monitoring reports prepared by the environmental inspector shall be submitted, via e-mail, to the DES Wetlands Bureau. These reports shall include photographic documentation of the construction and stabilization efforts and a brief description of the progress of construction.
12. 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.
13. Construction workspace shall be limited to the construction right-of-way as depicted on the approved plans.
14. Orange construction fencing shall be placed along wetland boundaries when wetlands are within 25 feet of the proposed construction workspace to prevent accidental encroachment on wetlands.
15. Appropriate siltation/erosion/turbidity controls shall be in place prior to grubbing, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence shall be removed once vegetation has reached 85% coverage.
16. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
17. All efforts shall be made to fell trees away from wetland resource areas. If a tree should fall into a jurisdictional area it shall be removed immediately.
18. The construction right-of-way shall have vegetation cut to grade and protected with geotextile fabric or similar.
19. Timber or natural fiber mats, or corduroy, shall be used to stabilize the right-of-way in wetlands. These materials shall be entirely removed from wetlands during restoration.
20. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners. Dewatering water shall be discharged away from water bodies, on stable surfaces, in a non-erosive manner. Additionally, all turbid trench dewatering discharged within one-hundred (100) feet of any water body shall be discharged through a filter bag.
21. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
22. Spoils adjacent to trenching activities within wetlands jurisdiction shall be placed on geotextile fabrics or similar. All spoils not used for trench backfill shall be removed from jurisdiction.
23. Mulch within the wetland areas shall be seedless straw. Hay shall not be used.
24. Fertilizers and lyme shall not be used within wetland jurisdiction.
25. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 10 days of backfill.
26. The permittee shall attempt to control invasive, weedy species as listed by the NH Department of Agriculture, by measures agreed upon by the Wetlands Bureau.
27. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
28. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering jurisdictional areas. Faulty equipment shall be repaired prior to entering jurisdictional areas.
29. Clay Diversion dams shall be installed in accordance with standard construction practices.
30. Areas outside of the permanent right-of-way from which vegetation has been cleared to gain access to the site shall be allowed to revegetate or be replanted with like native species.
31. 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.
32. 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.
33. 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.
34. Silt fencing must be removed once the area is stabilized.
35. The Environmental Inspector, will be responsible for post-construction monitoring and ensuring that the impact areas are restored in accordance with the approved plans. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary.
36. A summary post-construction report documenting the status of the restored streambed and banks, and wetland restoration shall

be submitted to the Wetlands Bureau within 60 days of the completion of construction.

37. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the Wetlands Bureau by July 15 of the year following construction. The construction report shall include photographic documentation. The Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.

38. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species or invasive species during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the pipeline right-of-way during this same period.

39. The applicant shall work to prohibit the use of the Right-of-Way by motorized vehicles

40. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), as the project involves alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The expansion of the existing sewer system was approved in concept in 2005.
4. The construction of this sewer line will provide municipal collection and treatment of waste in south east area and will eliminate the need for on site septic systems.
5. The construction of this sewer line will eliminate two pump stations which are expensive to run and maintain.
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 Rule Wt 302.03.
7. The wetland impacts are necessary to a gravity system which has been proven to be the most effective means of conducting the sewerage.
8. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
9. DES Staff conducted a field inspection of the proposed project on August 15 2006. The field inspection determined that areas of proposed jurisdictional impacts are unavoidable and the more sensitive areas have been avoided when at all possible.
10. The public hearing is waived with the finding that project impacts will not significantly impair the resources of these wetland ecosystems.
11. All proposed impacts are temporary in nature and will be restored to preexisting conditions or better.
12. Impacts have been avoided and minimized by reducing the width of the construction right of way within the wetlands, maintaining root systems within wetlands where possible.
13. The Manchester Conservation Commission did not comment on this application.

MINOR IMPACT PROJECT

2004-02987 HIGGINS, FRANCES
DERRY Unnamed Wetland

Requested Action:

Agent requests to amend original permit description by downsizing the original 2' x 10' x 70' box culvert to a 2'x6'x80' box culvert to include impacting 448 square feet which is inclusive of the original approval, an additional 365 square feet of temporary impact, and excluding a previously flagged jurisdictional area of 580 square feet for a total of 9,753 square feet of impact to increase sideslopes on the roadway.

Conservation Commission/Staff Comments:

Conservation commissions request for a 40 day hold was untimely; No comments submitted as of 02/11/05.

January 11, 2005 letter submitted on behalf of the NHF&G Department recommended the use of open bottom culverts.

On May 6, 2005, the conservation commission submitted comments requesting the use of open bottom culverts per comments submitted by the NHF&G Department.

Inspection Date: 06/07/2005 by Jeffrey D Blecharczyk

APPROVE AMENDMENT:

Approve amendment to downsize the original 2' x 10' x 70' box culvert to a 2'x6'x80' box culvert to include impacting 448 square feet which is inclusive of the original approval, and an additional 365 square feet of temporary impact, and excluding a previously flagged jurisdictional area of 580 square feet for a total of 9,753 square feet of impact to palustrine forested wetlands to include placement of lined box culverts for stream crossings to provide access for a 33-Lot subdivision.

With Conditions:

1. All work shall be in accordance with the following plans by Granite State Engineering, LLC plan sheets 1-7 dated September 30, 2004, plan sheets 8, 9,16-20, and 23-29 revised February 14, 2005, as received by the Department on August 24, 2005, and sheets 10-15 and 21-22A revised September 12, 2005, as received by the Department on September 19, 2005, and sheet 1 dated June 20, 2006, as received by the Department on July 31, 2006.
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 #4 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. Amended condition - Work shall be done during seasonal low flow.
8. Amended condition - Work to the stream at Sta 2+50 through Sta 3+50 shall occur during no flow conditions.
9. Amended condition - Prior to commencing work within the stream, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Amended condition - Temporary cofferdams shall be entirely removed immediately following construction.
11. 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.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Culvert outlets shall be properly rip rapped.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. The 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).

Added Conditions 17-22:

17. Area of temporary impact shall be regraded to original contours following completion of work.
18. All material removed during work activities shall be removed down to the level of the original hydric soils.
19. All material removed during work activities shall be placed out of DES's jurisdiction.
20. Mulch within the restoration area shall be straw.
21. 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.

22. A post-construction report documenting the status of the restored jurisdictional area, including photographs 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(h), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01., as the impacts are necessary for 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 department's jurisdiction per Env-Wt 302.03., as the impacts occurring at the narrowest portions of wetlands.
4. The applicant has demonstrated by plan and example that each factor listed in Wt Env-302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff and the NHF&G Department conducted a field inspection of the proposed project on June 6, 2005. Field inspection determined additional wetland clarifications would be required, requiring potential changes to the proposed road designs.
6. The NHF&G Department has recommended the use of open bottom culverts at stream crossings.
7. The applicant submitted revised plans identify additional jurisdictional wetlands noted in the DES field inspection.
8. The applicant has revised stream crossings for the installation of box culverts with natural material lining the bottoms to simulate existing conditions.
9. A letter dated September 12, 2006, from the applicant's certified wetlands scientist finds that a previously flagged area of jurisdictional wetland does not meet the criteria of state jurisdictional wetland and therefore is no longer considered impact.

2005-01796 MYSTIC BROOK LLC
MONT VERNON Unnamed Wetland

Requested Action:

Amend permit to reduce the overall amount of wetlands impacts from 6,575 square feet to 6,350 square feet as a result of changes in the configuration of the subdivision access road, the addition of a driveway to one (1) lot of the subdivision requiring impacts, and the lot layout; and, revise the permit description to include crossing construction information and area statistics of the parcel and open space.

APPROVE AMENDMENT:

Amend permit to read: Dredge and fill 6,350 square feet of palustrine forested wetlands at four (4) wetlands crossings including the installation of an 18-inch x 20-foot culvert and associated headwalls and inlet and outlet protection impacting 347 square feet and a 30-inch x 20-foot culvert and associated headwalls and inlet and outlet protection impacting 905 square feet to construct a driveway to one (1) lot, and the installation of an 18-inch x 48-foot culvert and associated headwalls and inlet and outlet protection impacting 818 square feet and a 48-inch x 57-foot culvert and associated headwalls and inlet and outlet protection impacting 4,280 square feet to construct the main access road for a 21-lot residential cluster subdivision on an approximately 81 acre parcel with two (2) open space lots approximately 55 acres in total area.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. entitled "Old Mill Estates Open Space Subdivision Plan" dated June 7, 2006 (revised), as received by the DES Wetlands Bureau on June 12, 2006.
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 County Registry of Deeds by the Permittee and a copy of the registered permit has been received by the DES Wetlands Bureau.
5. The deed which accompanies the sales transaction of each lot in this subdivision shall contain condition #6 of this approval.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. Orange construction fencing shall be placed at the limits of construction adjacent to each wetland impact area to prevent accidental encroachment on wetlands.

8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Work shall be done during low flow.
10. 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.
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. 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.
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. Proper headwalls shall be constructed within seven days of culvert installation.
15. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands.
16. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. 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.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary for the construction of an access road for a 21-lot residential cluster subdivision and a driveway to one (1) lot.
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 subdivision was configured to minimize wetlands impacts by minimizing crossings and where necessary, crossing at the narrowest points.
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 proposed subdivision consists of 19 buildable lots approximately 23 acres in total area and two (2) open space lots approximately 55 acres in total area.
6. The project will impact palustrine, forested, broad-leaved deciduous/broad-leaved evergreen, seasonally saturated/temporarily flooded wetlands that drain to Hartshorn Brook.
7. This permit is contingent on approval by the DES Site Specific Program and DES Subsurface Systems Bureau.
8. The applicant requested an amendment to the original permit due to changes in the approved plans required by other permitting processes.

2006-00567 BEARD BROOK VILLAGE LLC
HILLSBOROUGH Unnamed Wetland

Requested Action:

Dredge and fill 5,693 square feet of palustrine forested wetlands at two (2) wetlands crossings including the installation of two (2), 15-inch x 32-foot culverts and associated headwalls and outlet protection at Wetland Crossing #1 impacting 4,431 square feet, and the installation of a 15-inch x 28-foot culvert and associated headwalls at Wetland Crossing #2 impacting 1,262 square feet to construct a common driveway for access to a 2-lot residential subdivision on an approximately 41 acre parcel (identified as Map 11E, Lot 9) with conservation easements on approximately 26 acres, and provide public access to the open space portion of an adjacent associated 26-lot residential subdivision on an approximately 95 acre parcel (identified as Map 8, Lot 106) with approximately 62 acres of open space; and, impact 350 square feet of palustrine forested wetlands for a walking trail for the Lot 106 subdivision.

APPROVE PERMIT:

Dredge and fill 5,693 square feet of palustrine forested wetlands at two (2) wetlands crossings including the installation of two (2), 24-inch x 32-foot culverts and associated headwalls and outlet protection at Wetland Crossing #1 impacting 4,431 square feet, and the installation of a 15-inch x 28-foot culvert and associated headwalls at Wetland Crossing #2 impacting 1,262 square feet to construct a common driveway for access to a 2-lot residential subdivision on an approximately 41 acre parcel (identified as Map 11E, Lot 9) with conservation easements on approximately 26 acres, and provide public access to the open space portion of an adjacent associated 26-lot residential subdivision on an approximately 95 acre parcel (identified as Map 8, Lot 106) with approximately 62 acres of open space.

With Conditions:

1. All work shall be in accordance with the following plans: "Plan for Cluster Subdivision at Old Mill Farm" (Sheets 1, 2, 5, and 9) dated August 15, 2006 (revised), as received by the DES Wetlands Bureau on August 23, 2006; "Plan for Cluster Subdivision at Old Mill Farm" (Sheets 3, 4, 6, 7, 8, and 10) dated February 28, 2006 (revised), as received on March 17, 2006; and, "Site Plan Proposed Wetland Crossings Old Mill Farm" (Sheet 11) dated July 10, 2006 (revised), as received on July 21, 2006.
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 Hillsborough County Registry of Deeds by the Permittee and a copy of the registered permit has been received by the DES Wetlands Bureau.
5. The deed which accompanies the sales transaction of each lot in this subdivision shall contain condition #6 of this approval.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. All work shall be done during low flow.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. 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.
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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. Silt fence(s) must be removed once the area is stabilized.
13. 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.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Orange construction fencing shall be placed at the limits of construction adjacent to each wetland impact area to prevent accidental encroachment on wetlands.
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.
18. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
19. 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.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary to construct a common driveway for access to a 2-lot residential subdivision and provide public access to the open space portion of an

adjacent associated 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.
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 total land area of these subdivisions is approximately 136 acres. The total land area to be placed in Common Open Space and under conservation easement is approximately 88 acres.
6. A portion of Lot 9-1 totaling approximately 20 acres is to be placed under a conservation easement to be held by the Town of Hillsborough Conservation Commission. This conservation easement is part of an off-site mitigation plan involving the proposed Wal*Mart project (Wetlands and Non-Site Specific Permit #2004-01658).
7. A portion of Lot 9 totaling approximately 6 acres is to be placed under a conservation easement to be held by the Town of Hillsborough Conservation Commission.
8. Parcels identified as Lots 106-24 (0.47 acres) and 106-25 (61.6 acres, Common Open Space) are to be conveyed to the Town of Hillsborough under the jurisdiction of the Hillsborough Conservation Commission.
9. The proposed project will allow public access to the Common Open Space via a 50-foot right-of-way.
10. An unmarked non-public snowmobile trail exists across Lots 9, 9-1, and Lot 106-25 (Common Open Space) at the west end of the proposed 50-foot right-of-way. The proposed access road will allow public access to the Common Open Space for recreational purposes.
11. The proposed subdivision includes a walking trail that is intended to provide the owners of lots within the subdivision of Lot 106 access to the Common Open Space identified at Lot 106-25 and not to serve as public access.
12. The location of the walking trail on Lots 106-2, 106-3, and 106-4 was revised to avoid wetlands impacts.
13. The applicant's agent has stated that no vernal pools were observed on Lots 106-1 through 106-24. A vernal pool assessment of Lot 106-25 was not conducted.
14. The impacted wetlands are part of the Shedd Brook watershed.

2006-00662 GILFORD, TOWN OF
GILFORD Gunstock River

Requested Action:

Dredge and fill 375 square feet (approximately 50 linear feet) of Gunstock River for Hoyt Road bridge replacement and temporarily impact 1,510 square feet for excavation and work space.

APPROVE PERMIT:

Dredge and fill 375 square feet (approximately 50 linear feet) of Gunstock River for Hoyt Road bridge replacement and temporarily impact 1,510 square feet for excavation and work space.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers, Inc. dated June 14, 2006, as received by the Department on September 08, 2006; and plans dated July 10, 2006, as received by the Department on July 13, 2006; and Water Diversion and Erosion Contrail Details dated June 14, 2006, as received by the Department on July 13, 2006.
2. The Town shall obtain temporary construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2006-00662 prior to construction
3. 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.
4. 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.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. 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.

8. 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.
9. 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.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed.
12. 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.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
15. Native material removed from the riverbed during bridge installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the abutments and wingwalls. Any new materials used to emulate a natural channel bottom within the abutments, between wingwalls and beyond must be rounded and smooth stones similar to the natural river substrate and shall not include angular rip-rap or gravel.
16. 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 like native species within three days of the completion of this project.
17. 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.
18. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
19. Mulch within the restoration area shall be straw.
20. 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.
21. 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.
22. A post-construction narrative documenting the status of the completed project with photographs 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 river channel or banks.
2. The Hoyt Road bridge is currently on the NH Department of Transportation's list of deficient bridges.
3. The applicant has agreed to eliminate the proposed riprap within the existing channel and use only rounded and smooth stones similar to the natural river substrate.
4. The Gilford Conservation Commission has no objections to the proposed project and requested standard stiltation devices be installed prior to any site work and throughout construction and work be done during minimal flow period.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. 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.
8. 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.

2006-00879 **MOSEDALE, IRENE**
CARROLL Unnamed Wetland

Requested Action:

Dredge and fill 900 square feet of wetlands along 30 linear feet of intermittent stream to install a 36-inch x 30-foot embedded corrugated culvert for driveway access to one (1) lot of a 7-lot subdivision on 86.26 acres; and restore 14,250 square feet of forested

wetlands and 100 linear feet of intermittent stream.

APPROVE PERMIT:

Dredge and fill 900 square feet of wetlands along 30 linear feet of intermittent stream to install a 36-inch x 30-foot embedded corrugated culvert for driveway access to one (1) lot of a 7-lot subdivision on 86.26 acres; and restore 14,250 square feet of forested wetlands and 100 linear feet of intermittent stream.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering PLLC. dated October 2005, and revised through July 13, 2006, as received by the Department on August 21, 2006, and Subdivision Plans by Kellogg Surveying and Mapping, Inc. dated August 2005, as received by the Department on August 21, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on the receipt of evidence of the transfer of ownership of the remaining 47.86 acres from the applicant to the White Mountain National Forest.
4. Any development of the remaining 47.86 acres will require full wetland delineation by a Certified Wetland Scientist and survey by a Licensed Land Surveyor.
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 lots 1, 2, 3, 4, 5, & 7 shall contain condition # 5 of this approval.
7. The deed which accompanies the sales transaction for the 47.86 acre parcel shall contain condition # 4 of this approval.
8. 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.
9. No work within jurisdiction shall occur within 20-feet of abutting property lines.
10. Work shall be done during dry conditions.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
12. 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.
13. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
17. 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).
18. 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.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

RESTORATION:

20. This permit is contingent upon the restoration of 14,250 square feet of wetlands and 100 linear feet of intermittent stream channel in accordance with plans by Lobdell Associates, Inc. as received by the Department on April 18, 2006, and August 21, 2006, and plans by Kellogg Surveying and Mapping, Inc. dated August 2005, as received by the Department on August 21, 2006.
21. The schedule for construction of the restoration area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
22. Wetland and stream restoration areas shall be properly constructed, landscaped, monitored, and remedial actions taken that may be necessary to create a functioning wetland area and a healthy riverine system similar to those of the wetlands and surface waters destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, changing the hydrologic regime, and changing stream sinuosity.

23. Materials used to emulate a natural channel bottom must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
24. Wetland soils from areas vegetated with purple loosestrife (*Lythrum salicaria*) shall not be used in the wetland restoration site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
25. Only native wetland species appropriate to the area shall be planted and utilized to renegotiate the stream bank.
26. There shall be no substitutions made for the plant species specified on the approved plan for replanting purposes without prior written approval from DES.
27. 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 and shall contain no reed canary grass (*Phalaris arundinacea*). The receipt and contents of the wetland mix shall be supplied to DES within 10 days of application.
28. Mulch used within the wetland restoration areas shall be natural straw or equivalent.
29. The permittee shall monitor the initial construction of the restoration area to assure the work is accomplished in accordance with the plan, and that the necessary soil, water, and vegetation is present upon completion of work. Site monitoring shall include a plan for removing invasive species and shall be reviewed by the Wetlands Bureau prior to implementation.
30. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
31. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the restoration areas during construction and during the early stages of vegetative establishment.
32. The permittee shall designate a New Hampshire Certified Wetland Scientist ("CWS") who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
33. A post-construction report documenting the status of the completed project with photographs shall be submitted by the CWS to the Wetlands Bureau within 60 days of the completion of construction.
34. The designated CWS shall conduct a follow-up inspection after the first growing season, to review the success of the restoration areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of restoration site.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 square feet of wetlands and Env-Wt 303.03(k), alteration or disturbance of less than 200 linear feet of an intermittent stream channel or its banks.
2. This permit is contingent on the receipt of evidence of the transfer of ownership of the remaining 47.86 acres from the applicant to the White Mountain National Forest.
3. Any development of the remaining 47.86 acres will require full wetland delineation by a Certified Wetland Scientist and survey by a Licensed Land Surveyor.
4. This permit is contingent upon the restoration of 14,250 square feet of wetlands and 100 linear feet of intermittent stream.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-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 Env-Wt 302.03.
7. 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.

2006-01394

LIEBERSTEIN, RICHARD

HARRISVILLE Unnamed Stream

Requested Action:

Dredge and fill 680 square feet of palustrine forested wetlands and 64 linear feet of intermittent stream at two (2) wetlands crossings including the installation of a 20-inch x 20-foot culvert and associated headwalls and outlet protection at Impact Area 1 impacting 330 square feet and 32 linear feet of channel, and the replacement of an 8-inch x 20-foot culvert with a 15-inch x 20-foot

culvert and associated headwalls and outlet protection and a 6-inch perforated underdrain at Impact Area 2 impacting 350 square feet and 32 linear feet of channel to construct a driveway for access to a single family building lot.

APPROVE PERMIT:

Dredge and fill 680 square feet of palustrine forested wetlands and 64 linear feet of intermittent stream at two (2) wetlands crossings including the installation of a 20-inch x 20-foot culvert and associated headwalls and outlet protection at Impact Area 1 impacting 330 square feet and 32 linear feet of channel, and the replacement of an 8-inch x 20-foot culvert with a 15-inch x 20-foot culvert and associated headwalls and outlet protection and a 6-inch perforated underdrain at Impact Area 2 impacting 350 square feet and 32 linear feet of channel to construct a driveway for access to a single family building lot.

With Conditions:

1. All work shall be in accordance with plans by Bell Engineering dated May 29, 2006 and revised by Richard Lieberstein as received by the DES Wetlands Bureau on September 5, 2006, and the plan amendment illustrating the proposed retention pond received on September 14, 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. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. All work shall be done during low flow.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. 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).
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. The construction areas shall be inspected daily to monitor site stability. An initial monitoring report with photographs shall be submitted to the DES Wetlands Bureau no later than November 15, 2006. The initial monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, construction activities and status of the work at the time of the initial monitoring report. Photographs should depict all stages of work sequencing.
13. A second monitoring report shall be submitted to the DES Wetlands Bureau following the first growing season to review the success of the site stabilization and construction and schedule remedial actions if necessary. This report shall be submitted to DES with photographs taken during the growing season demonstrating the conditions on the site, include any necessary remedial actions, and contain a schedule for completing the remedial actions within 30 days, with a second follow-up inspection scheduled within 60 days. The monitoring report shall be submitted to the DES Wetlands Bureau by August 1, 2007. Based on information submitted in the monitoring report, the DES Wetlands Bureau may determine that additional monitoring or remedial action is necessary.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.
15. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
16. 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.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), 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 Env-Wt 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary to construct a driveway for access to a single family building lot.
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.
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 driveway layout was configured to provide adequate site distance and meet the grade requirements of the Town's driveway ordinance.
6. On May 16, 2006, the DES Watershed Management Bureau issued a Letter of Deficiency (LOD #WMB BWQ 06 001) to the applicant for violations of surface water quality standards as a result of the construction of a driveway. During DES's site inspection, impacts to onsite streams and wetlands were also noted. The applicant was informed that a permit from the DES Wetlands Bureau is required for wetlands and surface water impacts. On June 7, 2006, the DES Wetlands Bureau received an application for the installation of a driveway for access to the subject property.
7. The applicant submitted current photographs of the portion of Impact Area 1 that is outside of the footprint of the proposed driveway. The photographs indicate that the subject area is stable and revegetated.

2006-01593 LOUDON WOODS ESTATES LLC
LOUDON Unnamed Wetland

Requested Action:

Dredge and fill 6896 square feet of palustrine forested wetland for access in the subdivision of 38 acres into 13 single family residential lots.

APPROVE PERMIT:

Dredge and fill 6896 square feet of palustrine forested wetland for access in the subdivision of 38 acres into 13 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering and Surveying dated may 12, 2006, as received by the Department on September 15, 2006.
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 #4 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. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Work shall be done during periods of non-flow.
11. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. 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).
15. 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.

16. 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.

17. Silt fencing must be removed once the area is stabilized.

18. 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 Env-Wt 303.03(e), construction of a pond with less than 20,000 square feet of impact in a wetland or surface waters, which does not meet the criteria of Wt 303.04(p).
2. The area of the wetland impact is in the headwaters of the wetland.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The impact is at the location of the existing 50 foot right of way. There is no way to relocate the cul-de-sac to avoid the impact area.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. The applicant has provided all of the information required by Env-Wt 304.09(a).
8. The Loudon Conservation Commission did not comment on this application.

MINIMUM IMPACT PROJECT

2006-00460 GREER, THOMAS & KELLIE
EAST WAKEFIELD Pine River Pond

Requested Action:

Replace existing timber retaining walls around a 23 ft x 8 ft perched beach on approximately 150 ft of frontage on Pine River Pond.

Conservation Commission/Staff Comments:

Con Com has not submitted comments
NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Replace existing timber retaining walls around a 23 ft x 8 ft perched beach on approximately 150 ft of frontage on Pine River Pond.

With Conditions:

1. All work shall be in accordance with plans by Lise McNaughton revised August 18, 2006, as received by the Department on August 24, 2006.
2. Repair shall maintain existing size, location and configuration.
3. All construction related debris shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. The new beach walls shall be placed within the foot print of the old walls. Particular care shall be taken to avoid disturbance of the natural shoreline.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. 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.
8. 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.

9. 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(v), repair of existing structures with no change in size, location, or configuration.
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.

2006-00591 DUQUETTE, DAVID
CHARLESTOWN Clay Brook

Requested Action:

Temporary impact of 3,050 square feet in the banks and bed of Clay Brook to install a sewer line.

APPROVE PERMIT:

Temporary impact of 3,050 square feet in the banks and bed of Clay Brook to install a sewer line.

With Conditions:

1. All work shall be in accordance with plans (Sheets 1 and 5 of 8) by Daniels Construction dated June 19, 2006 (revised), as received by the DES Wetlands Bureau on September 13, 2006, and plans (Sheet 2-4 and 6-8) by Daniels Construction dated February 14, 2006, as received by the DES Wetlands Bureau on March 20, 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. Installation of stream diversion structures shall be done during low flow.
4. Excavation work shall not start within the stream channel or banks until the flow of the stream is diverted in accordance with the approved plans.
5. All excavation work shall be done in the dry, including stockpiling of temporarily excavated materials, and at no time shall any construction equipment work within the flow of the river.
6. Equipment used shall be designed to have low ground contact pressure or placed on temporary mats so as to minimize rutting of the soils. Mats shall be removed immediately upon completion of work in a particular area so as not to result in permanent impacts.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. 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.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. 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.
11. Erosion control structures shall be removed once the area is stabilized.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Construction shall be inspected by a qualified 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.
14. Temporary structures installed to isolate the work area and channel flow through the work area during construction shall be entirely removed immediately following construction.
15. Areas of temporary impact shall be restored to their original grades and to a stable condition within three days of completion of

construction.

16. Wetland topsoil shall be stripped and segregated from subsoil and stockpiled separately from subsoil during construction. Soils shall be properly backfilled and restored to pre-existing grades.
17. Extreme caution should be taken to limit unnecessary removal of vegetation from riparian areas.
18. Areas from which vegetation has been cleared shall be replanted with similar native (noninvasive) species.
19. Restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
20. Restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following project completion. The applicant shall work with the DES Wetlands Bureau to attempt to eradicate nuisance species newly found during this same period.
21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.
22. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
23. 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.
24. 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(i), construction of temporary crossings of brooks, streams, or rivers for the transportation of forest products or the construction or maintenance of utility pipes or lines and is not in prime wetlands or within 100 feet of the highest observable tide line or does not meet the requirements of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary for the installation of a sewer line to provide public sewage service to residents.
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 impacts associated with the installation of the sewer line are temporary.
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 Town of Charlestown obtained an easement from the owner of the subject parcel for construction of the sewer line.

**2006-01672 ABBOTT, NATHANIEL & ELIZABETH
GILMANTON Unnamed Wetland**

Requested Action:

Dredge and fill 550 square feet of man made drainage ditch including installation of a 24-inch x 40 foot culvert for access to a proposed commercial development.

APPROVE PERMIT:

Dredge and fill 550 square feet of man made drainage ditch including installation of a 24-inch x 40 foot culvert for access to a proposed commercial development.

With Conditions:

1. All work shall be in accordance with plans by Paul M. Derbyshire dated June 20, 2006, as received by the Department on June 26, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval of a NH DOT driveway permit.
4. 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.
5. Work shall be done during periods of non-flow.
6. 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.

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. 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).
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant; and 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.
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 Gilmanton Conservation Commission has no concerns with the proposed project.

**2006-01920 WEILER, WILLIAM
NEWBURY Reservoir Brook**

Requested Action:

Dredge and fill 900 square feet and 30 linear feet in the banks and bed of a perennial stream to replace a 36-inch x 25-foot culvert with an 82-inch (rise) x 99-inch (span) x 35-foot (length) elliptical culvert and associated headwalls; and, remove rocks from the stream channel that were part of the original culvert wingwalls.

APPROVE PERMIT:

Dredge and fill 900 square feet and 30 linear feet in the banks and bed of a perennial stream to replace a 36-inch x 25-foot culvert with an 82-inch (rise) x 99-inch (span) x 35-foot (length) elliptical culvert and associated headwalls; and, remove rocks from the stream channel that were part of the original culvert wingwalls.

With Conditions:

1. All work shall be in accordance with plans by W.M. Weiler dated July 23,2006, as received by the DES Wetlands Bureau on July 26, 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 periods of non-flow or during periods of low flow with a water diversion plan submitted to and approved by the DES Wetlands Bureau prior to the start of work.
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; 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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Silt fence(s) must be removed once the area is stabilized.

9. The culvert shall be embedded and native material removed from the streambed during culvert installation shall be stockpiled separately and reused to emulate a natural stream channel bottom within the culvert. Any nonnative materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
10. Temporary structures installed to channel flow through the work area during construction shall be entirely removed immediately following construction.
11. Impacted areas shall be restored to their original grades and to a stable condition within three days of completion of construction.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.
14. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
15. 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.
16. 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(o), projects deemed minimum impact 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 existing culvert is damaged and undersized.
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.
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 existing culvert involves sharp turns at the inlet and outlet of the culvert which result in the accumulation of debris and scouring. Within the last year and half, the culvert has become blocked with debris and overtopped three times. The applicant has proposed the installation of a larger culvert to accommodate a larger portion of the stream channel. The new culvert will also be better aligned with the stream channel and embedded and backfilled to create a natural bottom within the culvert.
6. The applicant has stated that the intent is to conduct the proposed work during the scheduled maintenance of an upstream dam or while the pond is being refilled behind the upstream dam. If the work cannot be coordinated at these times, the applicant has stated that a temporary impoundment will be created upstream of the crossing so that work can be performed in the dry.
7. The DES Wetlands Bureau contacted the NH Fish and Game Department (NHFGD) to discuss the proposed project. NHFGD personnel previously conducted a site inspection of the proposed project and discussed the crossing design with the applicant prior to their submittal of the application. NHFGD stated that they were in support of the proposed design.
8. 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.
9. The Conservation Commission submitted comments to the DES Wetlands Bureau (received July 26, 2006) stating that they find that the project does not present any unusual risks or concerns.

2006-01932 CAREY, MARY FRANCES
FRANCESTOWN Unnamed Wetland

Requested Action:

Maintenance dredge 1,000 square feet of palustrine emergent wetlands at the outlet ends of two culverts to minimize flooding.

APPROVE PERMIT:

Maintenance dredge 1,000 square feet of palustrine emergent wetlands at the outlet ends of two culverts to minimize flooding.

With Conditions:

1. All work shall be in accordance with plans by Hillsborough County Land Surveyors dated July 11, 2006, as received by the DES

Wetlands Bureau on July 27, 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. 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.
5. 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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Dredged material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
9. 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.
10. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.
11. Temporary impacts to wetlands shall be restored to their pre-construction conditions including restoration of original grades.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.
14. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
15. 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.
16. 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(k), maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary to restore the capacity of the drainage ditches at the outlet ends of two culverts to minimize flooding.
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.
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 submitted comments to the DES Wetlands Bureau (received August 14, 2006) stating that they reviewed the application and it appears to them that the project will have a favorable long-term impact, resolving some of the flooding and resulting erosion problems that have occurred after serious rain storms.

FORESTRY NOTIFICATION

2006-02326 BISHOP, WILLIAM
LANCASTER Unnamed Stream

COMPLETE NOTIFICATION:
Lancaster Tax Map R6, Lot# 3

**2006-02345 KILBOURN REVOC TRUST, BARBARA
SANDWICH Unnamed Stream**

COMPLETE NOTIFICATION:
Sandwich Tax Map R11, Lot# 25

**2006-02346 NOLIN, JOHN
PEMBROKE Unnamed Stream**

COMPLETE NOTIFICATION:
Pembroke Tax Map 258, Lot# 23 & 24

**2006-02347 MERCADO, ERNESTO
NEW DURHAM Unnamed Stream**

COMPLETE NOTIFICATION:
New Durham Tax Map 12A, Lot# 22 & 23

**2006-02348 DEARBORN, JANICE
SANDWICH Unnamed Stream**

COMPLETE NOTIFICATION:
Sandwich Tax Map R2, Lot# 35

**2006-02350 DUMONT, BARBARA
PEMBROKE Unnamed Stream**

COMPLETE NOTIFICATION:
Pembroke Tax Map 258, Lot# 25

**2006-02376 BAYROOT LLC - MOXIE TREE FARM, C/O WAGNER FOREST M
DIX GRANT Unnamed Stream**

COMPLETE NOTIFICATION:
Dixs Grant Tax Map 1626, Lot# 10 & 32

**2006-02377 BOUTIN, JOHN
BATH Unnamed Stream**

COMPLETE NOTIFICATION:
Bath Tax Map 4, Lot# 14

**2006-02378 GOLDSMITH, ROBERT & MERIAM
CHESTER Unnamed Stream**

COMPLETE NOTIFICATION:
Chester Tax Map 4, Lot# 2

**2006-02388 BARTLETT, BARBARA & ROSCOE
SUTTON Unnamed Stream**

COMPLETE NOTIFICATION:
Sutton Tax Map 1, Lot# 272,498

**2006-02389 GOLDSMITH, ROBERT & MERIAM
CHESTER Unnamed Stream**

COMPLETE NOTIFICATION:
Chester Tax Map 4, Lot# 53

**2006-02390 PRUSKO, GERALDINE
GILMANTON Unnamed Stream**

COMPLETE NOTIFICATION:
Gilmanton Tax Map 57, Lot# 10

**2006-02391 MANCHESTER WATER WORKS
AUBURN Unnamed Stream**

COMPLETE NOTIFICATION:
Auburn Tax Map 20, Lot# 23

EXPEDITED MINIMUM

**2006-00833 BERGERON, EDWARD & KATHY
CONWAY Unnamed Wetland**

Requested Action:
Dredge and fill 1,000 square feet of forested wetlands for pond construction.

APPROVE PERMIT:
Dredge and fill 1,000 square feet of forested wetlands for pond construction.

With Conditions:
1. All work shall be in accordance with plans as received by the Department on April 19, 2006 and plans by HEB dated August 07, 2006, as received by the Department on August 21, 2006.
2. All work shall be done in low flow conditions.

3. Appropriate erosion, siltation and turbidity 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.
4. Machinery shall not be located within surface waters, where practicable.
5. Machinery shall be staged and refueled in upland areas.
6. Dredged spoils 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. Within three calendar 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. 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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p), construction of a pond with less than 20,000 square feet of wetland impacts.
2. The Conway Conservation Commission had concerns regarding outlet construction and required DES Dam Safety Program approval.
3. No outlet will be constructed, only a berm less than 1-foot above current elevation.
4. The berm will be less than 4-feet in height; therefore, approval from the DES Dam Safety Program is not required.
5. The NHFG Nongame and Endangered Wildlife Program did not recommend conversion of wetlands or vernal pools to lower quality open water habitats.
6. The proposed project will not impact vernal pools.
7. The applicant has provided an irregular shaped pond with a shallow shelf and plantings around the perimeter of the pond.
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(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-01808 BROWN, JOHN/REBECCA
SWANZEY Unnamed Wetland

Requested Action:

Dredge and fill 1,000 square feet of palustrine emergent wetlands (wet meadow) to install an 18-inch x 25-foot culvert and associated headwalls to construct a driveway to one (1) lot of a 2-lot subdivision on an approximately 3 acre parcel.

Conservation Commission/Staff Comments:

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

APPROVE PERMIT:

Dredge and fill 1,000 square feet of palustrine emergent wetlands (wet meadow) to install an 18-inch x 25-foot culvert and associated headwalls to construct a driveway to one (1) lot of a 2-lot subdivision on an approximately 3 acre parcel.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated February 22, 2006, as received by the DES Wetlands Bureau on July 17, 2006 and plans by DiBernardo Associates, LLC dated September 13, 2006 (revised), as received on September 19, 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 the 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. 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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain 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 or working near 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(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary to construct a driveway to one (1) lot of a 2-lot 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 minimize wetlands impacts by crossing 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 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.
6. The Conservation Commission signed the application but did not submit comments.

2006-01811 HAMMOND, LESLIE & JOYCE
DUNBARTON Unnamed Wetland

Requested Action:

Dredge and fill 18,557 sq. ft. of poorly drained forested wetlands to construct a 20,293 sq. ft. agricultural and fire suppression pond.

APPROVE PERMIT:

Dredge and fill 18,557 sq. ft. of poorly drained forested wetlands to construct a 20,293 sq. ft. agricultural and fire suppression pond.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, L.L.C., "Notes For Pond Design" plan, dated June 14, 2006, as received by the Department on July 17, 2006 and "Pond Design" plan, revision dated August 18, 2006 as received by the Department on August 21, 2006.
2. A post-construction report prepared by a New Hampshire Certified Wetland Scientist ("CWS") documenting the status of the pond and adjacent construction area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion

of pond 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. 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.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. 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.
7. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
8. No fill shall be done for lot development.
9. No fill shall take place in Atlantic white cedar swamps.
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p) Construction of a pond with less than 20,000 square feet of wetlands impact, provided:
 - (1) None of the wetlands have very poorly drained soil as defined in Env-Ws 1002.84;
 - (2) There are no streams into or out of the proposed pond site;
 - (3) The project is not located in prime wetlands; and
 - (4) The project does not meet the requirements of Env-Wt 303.02(k);
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 New Hampshire Fish and Game Department did not submit comments.
6. The Dunbarton Conservation Commission signed the Minimum Impact Expedited Application waiving their right to intervene on the project.

2006-01819 DENNIS JR, ERNEST
GOSHEN Unnamed Wetland

Requested Action:

Dredge 3,200 square feet of palustrine emergent wetlands (wet meadow) to construct a pond for irrigation and fire protection.

Conservation Commission/Staff Comments:

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

APPROVE PERMIT:

Dredge 3,200 square feet of palustrine emergent wetlands (wet meadow) to construct a pond for irrigation and fire protection.

With Conditions:

1. All work shall be in accordance with plans by Pierre J. Bedard & Associates, PC, as received by the DES Wetlands Bureau on September 8, 2006.
2. This permit supercedes prior approvals by the DES Wetlands Bureau specifically Wetlands and Non-Site Specific Permit #1994-01670.
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.

4. All work shall be done during low flow.
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. 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. Dredged material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
9. 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.
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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
15. 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(p), construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has proposed the construction of a pond for irrigation and fire protection.
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.
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 soil in which the pond construction is proposed is poorly drained.
6. There are no streams flowing into or out of the proposed pond site.
7. The Conservation Commission signed the application but did not submit comments.

**2006-01915 SPEARS, DEVEN
MEREDITH Unnamed Stream Wetlands**

Requested Action:

Dredge and fill 940 square feet of palustrine forested wetland including installation of a 24-inch x 20 foot culvert for access to a proposed single family residence.

APPROVE PERMIT:

Dredge and fill 940 square feet of palustrine forested wetland including installation of a 24-inch x 20 foot culvert for access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Deven Spears received by the Department on August 24, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
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.

4. Work shall be done during periods of non-flow.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
25. Proper headwalls shall be constructed within seven days of culvert installation.
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. Silt fencing must be removed once the area is stabilized.
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).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
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 applicant has provided a letter from NH DOT stating that access to the property from the northern section of the lot does not provide adequate sight distance and is therefore not approvable.

**2006-01992 DONIGAN PROPERTIES, JACOB DONIGAN
ALLENSTOWN Unnamed Wetland**

Requested Action:

Dredge and fill 2900 square feet of palustrine forested wetland including installation of two 15-inch x 27 foot culverts for driveway access in the subdivision of 23 acres into four single family residential lots.

APPROVE PERMIT:

Dredge and fill 2900 square feet of palustrine forested wetland including installation of two 15-inch x 27 foot culverts for driveway access in the subdivision of 23 acres into four single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Beals Associates dated May 31, 2006, and revised through July 12, 2006 as received by the Department on September 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. Work shall be done during periods of non-flow.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. 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.

11. Silt fencing must be removed once the area is stabilized.

12. 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), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
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 Conservation Commission signed this minimum impact application.

**2006-02058 ROCHESTER DPW, CITY OF
ROCHESTER Drainage Swale / Axe Handle Brook**

Requested Action:

Temporarily impact 1,250 sq. ft. of wetland for installation of a new municipal water main within municipal utility easement.

APPROVE PERMIT:

Temporarily impact 1,250 sq. ft. of wetland for installation of a new municipal water main within municipal utility easement.

With Conditions:

1. All work shall be in accordance with plans by Eric Mitchell and Assoc. Inc., dated 6/23/2006, as received by the Department on 8/16/2006.
2. This permit is contingent upon submission of documentation to the Department by the permittee demonstrating that the utility easement described as "proposed" on the 6/23/2006 Eric Mitchell plan, has been executed, and written confirmation from the underlying property owners Donald and Ruth Gilbert that they are aware that this project is to occur on their property within the easement area.
3. 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.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. Area shall be regraded to original contours following completion of work.
9. Excess dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The municipality has determined that it is necessary to install a water main at this location to service the public.
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 location of the water main must stay within the prescribed easement area, and the impact is temporary and will be restored immediately upon completion.
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 Rochester Conservation Commission signed the application; no NH Natural Heritage Bureau or NH Fish & Game Department species of concern were reported for this project.

2006-02104 STILLWELL, PAUL
NORTHWOOD Unnamed Wetland

Requested Action:

Dredge and fill 2,400 sq. ft. of wetlands to install two 12" x 30' culverts to construct a driveway crossing to a single family dwelling.

APPROVE PERMIT:

Dredge and fill 2,400 sq. ft. of wetlands to install two 12" x 30' culverts to construct a driveway crossing to a single family dwelling.

With Conditions:

1. All work shall be in accordance with plans by Beaver Brook Environmental Consultants dated 6/9//2006, as received by the Department on 8/18/2006.
2. 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.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
5. There shall be no further alteration of wetlands for lot development, driveways, or additional culverts.
6. No fill shall take place in Atlantic white cedar swamps.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. 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.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill for access to a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01: the applicant must cross the wetland, which runs along the side of the road, to access the buildable upland area of the lot.

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.

The Northwood Conservation Commission signed the application. There were no species of concern reported by the NH Natural Heritage Bureau or by NH Fish and Game Department.

2006-02106 TAATJES, MICHAEL
MILTON Unnamed Stream

Requested Action:

Dredge and fill a total of 640 sq. ft. of wetlands to replace two failing culverts, one 30" x 20' and one 36" x 40' in existing parking lot.

APPROVE PERMIT:

Dredge and fill a total of 640 sq. ft. of wetlands to replace two failing culverts, one 30" x 20' and one 36" x 40' in existing parking lot.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates dated 8/14/2006, as received by the Department on 8/18/2006.
5. No fill shall take place in Atlantic white cedar swamps.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. 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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance, repair, or replacement of a non-docking structure such as a culvert.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culverts are deteriorating and failing.
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. The Milton Conservation Commission has signed the expedited application; no species of concern were reported.

2006-02132 BRANCH, VICTOR & REBECCA
NEWPORT Unnamed Wetland

Requested Action:

Dredge and fill 545 square feet of palustrine emergent wetlands including the installation of a drain man hole and a 15-inch x 55-foot culvert to construct a driveway for access for a business.

Conservation Commission/Staff Comments:

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

APPROVE PERMIT:

Dredge and fill 545 square feet of palustrine emergent wetlands including the installation of a drain man hole and a 15-inch x 55-foot culvert to construct a driveway for access for a business.

With Conditions:

1. All work shall be in accordance with plans by Beaver Brook Environmental Consultants, LLC dated June 27, 2006, as received by the DES Wetlands Bureau on August 22, 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. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. All work shall be done during low flow.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. 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. Silt fence(s) must be removed once the area is stabilized.
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. Proper headwalls shall be constructed within seven days of culvert installation.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
15. 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(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
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 for 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.
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. An existing NH Department of Transportation road turnout was examined for suitability as an access point to the subject property but was not usable for the proposed project.
6. The Conservation Commission signed the application but did not submit comments.

**2006-02149 ST PAULS SCHOOL, PAUL LACHANCE
CONCORD Turkey River**

Requested Action:

Impact a total of 10,775 square feet further described as follows: Dredge 8104 square feet within the bed and banks of the Turkey River to remove the flood debris and repair existing dam and restore 2672 square feet of wet meadow.

APPROVE PERMIT:

Impact a total of 10,775 square feet further described as follows: Dredge 8104 square feet within the bed and banks of the Turkey River to remove the flood debris and repair existing dam and restore 2672 square feet of wet meadow.

With Conditions:

1. All work shall be in accordance with plans by Provan and Lorber dated August 2006, as received by the Department on August 23, 2006, and construction narratives also by Provan and Lorber received by the Department on August 23, 2006.
2. The applicant shall coordinate with the DES Dam Safety Program prior to commencement of any work on the dam structure.
3. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
4. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are in accordance with the approved plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
5. Work shall be done during low flow.
6. All Work areas shall be dry while work is in progress.
7. 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.
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. Prior to commencing work within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
10. 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.
11. 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.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
15. 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.
16. Construction equipment entering into jurisdictional areas shall be on temporary mats.
17. Only flood debris shall be removed from jurisdiction. All material removed during work activities shall be removed down to the level of the natural stream elevation.
18. 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.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
20. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
21. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
22. All material within the wet meadow restoration shall be removed down to the level of the original hydric soils.
23. Mulch within the restoration area shall be straw.
24. 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.

25. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

26. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken for at least the second year following the completion of each site.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.
2. The proposed impact areas are to restore the natural stream flow of the Turkey River, restore a wet meadow and repair an existing structure.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. All work is to be done in the dry and all equipment shall be out of jurisdiction or on rubber mats.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. 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.
7. The applicant shall have a certified professional on site to review the work.
8. The Concord Conservation Commission signed the minimum impact application form.

2006-02170 GSD PROPERTIES LLC
CHICHESTER Unnamed Wetland

Requested Action:

Dredge and fill 1326 square feet including installation of an 18-inch x 36 foot culvert for driveway access in the subdivision of approximately 12 acres into 4 single family residential lots.

APPROVE PERMIT:

Dredge and fill 1326 square feet including installation of an 18-inch x 36 foot culvert for driveway access in the subdivision of approximately 12 acres into 4 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Joseph M Wichert LLS Inc dated July 6, 2006, and revised through July 10, 2006 as received by the Department on August 24, 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. Work shall be done during periods of non-flow.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. 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).
10. 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.

11. Silt fencing must be removed once the area is stabilized.

12. 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 303.04f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
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 Chichester Conservation Commission signed this minimum impact application.

2006-02194 CROWNING HOLDINGS

LONDONDERRY Unnamed Wetland

Requested Action:

Dredge and fill 527 sq. ft. of wetlands to widen an existing access road to accommodate delivery truck access to the site. Work within wetlands includes replacing an existing approximately 15 in. x 70 ft. CPP culvert with a 15 in. x 94 ft. HDPE culvert, associated grading and headwalls.

APPROVE PERMIT:

Dredge and fill 527 sq. ft. of wetlands to widen an existing access road to accommodate delivery truck access to the site. Work within wetlands includes replacing an existing approximately 15 in. x 70 ft. CPP culvert with a 15 in. x 94 ft. HDPE culvert, associated grading and headwalls.

With Conditions:

1. All work shall be in accordance with plans by Bedford Design Consultants Inc., plan sheets 1, 5, 6, 7, 8, 9, 10, 11 and 12 of 12, dated June 8, 2006 and plan sheets 2, 3, and 4 of 12, dated June 21, 2006, and narratives by Gove Environmental Services, Inc., as received by the Department on August 25, 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. All proposed stormwater treatment structures that discharge stormwater to adjacent wetlands or surface waters shall meet current DES Alteration of Terrain Program standards for water quality treatment.
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; 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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. No fill shall be done for lot development.
7. 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.
8. 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.
9. 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.
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).
- 12. 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.
- 13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
- 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.

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 wetlands.
- 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 New Hampshire Natural Heritage Bureau did not submit comments.
- 6. The New Hampshire Fish and Game Department did not submit comments.
- 7. The Londonderry Conservation Commission signed the Minimum Impact Expedited Application waiving their right to intervene on the project.

TRAILS NOTIFICATION

**2006-02298 SOUTHERN NH SNOW SLICKERS, INC, C/O ARTHUR CHARLAN
ALLENSTOWN Unnamed Stream**

LAKES-SEASONAL DOCK NOTIF

**2006-02368 FROST, JEFFREY
ALEXANDRIA Newfound Lake**

COMPLETE NOTIFICATION:
Alexandria NH Tax Map# 202 Lot# 73 & 29 Newfound Lake

**2006-02369 STEINER, JAMES
WASHINGTON Highland Lake**

COMPLETE NOTIFICATION:
Washington NH Tax Map# 20 Lot# 144
Highland Lake

2006-02371 KNAPP, FREDERICK
SUNAPEE Lake Sunapee

COMPLETE NOTIFICATION:
Sunapee NH Tax Map# 126 Lot# 33 Lake Sunapee

ROADWAY MAINTENANCE NOTIF

2006-02373 NH DEPT OF TRANSPORTATION
PEMBROKE Unnamed Stream

2006-02374 NH DEPT OF TRANSPORTATION
PLYMOUTH Unnamed Stream

PERMIT BY NOTIFICATION

2006-02211 HARRISVILLE, TOWN OF
HARRISVILLE Russell Reservoir

Requested Action:
Repair an existing dam at the outlet of Russell Reservoir including replacing an existing square concrete channel with a round 18-inch iron ductile pipe and replacing two gate structures.

PBN IS COMPLETE:
Repair an existing dam at the outlet of Russell Reservoir including replacing an existing square concrete channel with a round 18-inch iron ductile pipe and replacing two gate structures.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.

2006-02309 CARBONE, JEAN
GILFORD Lake Winnepesaukee

Requested Action:

Repair/Replace existing docking facility "in-kind" and repair 25 linear ft of existing retaining wall.

PBN IS COMPLETE:

Repair/Replace existing docking facility "in-kind" and repair 25 linear ft of existing retaining wall.

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.

2006-02354 HOULE, MARCIA & JOHN & AMY BARON
LACONIA Lake Winnepesaukee

Requested Action:

Repair/replace existing docking facilities.

PBN IS COMPLETE:

Repair/replace existing docking facilities.

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.