

# Wetlands Bureau Decision Report

Decisions Taken  
10/30/2006 to 11/05/2006

## **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**

\*\*\*\*\*

**2005-02988 MWH PRESERVATION LIMITED PARTNERSHIP, WAYNE PRESBY  
CARROLL Ammonoosuc River**

Requested Action:

Riprap and biostabilize 475 linear feet (5,825 square feet) of Ammonoosuc River bank.

\*\*\*\*\*

Inspection Date: 06/06/2006 by Kirsten Pulkkinen

APPROVE PERMIT:

Riprap and biostabilize 475 linear feet (5,825 square feet) of Ammonoosuc River bank.

With Conditions:

1. All work shall be in accordance with plans by James S. Kennedy, dated September 18, 2006, as received by the DES Wetlands Bureau on October 05, 2006.
2. All applicable activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. This permit is contingent upon the establishment of a minimum 15-foot vegetated buffer.
4. No machinery shall enter the water.
5. All work shall be done from the top of the bank.
6. Filter fabric shall be installed under the angular rock.
7. Bank stabilization shall not be done to extend land into the river channel.
8. 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.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. The permittee shall notify in writing the DES Wetlands Bureau at least 7 days prior to the commencement of project construction.
11. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
13. 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.
14. 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.
15. 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.
16. 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.
17. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
18. 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.
19. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
20. Temporary cofferdams shall be entirely removed immediately following construction.
21. Excavated material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.

22. All temporarily stockpiled material shall be placed out any area that is within the jurisdiction of the DES Wetlands Bureau.
23. Only native plant species shall be utilized to renegotiate the riverbank.
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.
25. Mulch used within the restoration areas shall be natural straw or equivalent.
26. Riverbank stabilization and vegetated buffer areas shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional riverine system is replicated in a manner satisfactory to the DES Wetlands Bureau.
27. 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 DES Wetlands Bureau if the species is found in the stabilization areas during construction and during the early stages of vegetative establishment.
28. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the bank stabilization areas are constructed in accordance with the plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES 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.
29. A post-construction report documenting the status of the restored jurisdictional area, including photographs during and post construction shall be submitted to the Wetlands DES within 60 days of the completion of construction.
30. The permittee or a designee shall conduct a follow-up inspection after the first full growing season, to review the success of the project and schedule remedial actions if necessary. A report outlining the project status including photographs and any 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 year following the completion of the project.
31. 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 major impact project per Administrative Rule Env-Wt 303.02(i), alteration of 200 or more linear feet of a river channel or its banks.
2. DES Staff and NH Department of Fish and Game conducted a field inspection of the proposed project on June 06, 2006. Field inspection determined the proposed bank stabilization is appropriate.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine system.

**2006-00568                      WHISPERING HEIGHTS LLC**  
**CONCORD   Unnamed Stream Wetlands**

Requested Action:

Dredge and fill 32,034 square feet of wetland including 593 linear feet of stream impact in teh subdivision of 271 acres into 84 single famliy residential lots. Mitigate for proposed impacts by preserving 152.12 acres 45.85 acres of wetland and 106.27 acres of upland buffer.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 32,034 square feet of wetland including 593 linear feet of stream impact in teh subdivision of 271 acres into 84 single famliy residential lots. Mitigate for proposed impacts by preserving 152.12 acres 45.85 acres of wetland and 106.27 acres of upland buffer.

With Conditions:

1. All work shall be in accordance with plans by Meisner Brem Corp dated November 18, 2006, and revised through March 8,

2006, as received by the Department on March 17, 2006, and Subdivision Plans by Meisner Brem Corp dated November 14, 2006, and revised through June 26, 2006, as received by the Department on August 9, 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.
8. 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.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Work shall be done during low flow.
11. Work 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. 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. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban
17. 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.
18. 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.
19. 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.
20. Silt fencing must be removed once the area is stabilized.
21. 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:

22. This permit is contingent upon the preservation of approximately 152.12 acres, identified on the easement plans dated November 14, 2006, and revised through February 1, 2006, as received by the Department on June 26, 2006. The conservation land area, which includes a total of 152.12 acres, 45.85 acres of wetland and 106.27 acres of upland buffer, shall be conveyed to The City of Concord by Warrantee Deed and be under the stewardship of the Concord Conservation Commission.
23. The restrictions to be placed on the open space/preservation areas, as outlined in the Warranty Deed granted to the City of Concord shall be written to run with the land, and both existing and future property owners shall be subject to these restrictions.
24. DES Wetlands Bureau Staff shall review the restrictions of the proposed Warrantee Deed prior to recordation with the Merrimack County Registry of Deeds.
25. A plan providing the boundaries of the preservation lot and a stewardship plan shall be submitted to DES Wetlands Bureau for review prior to recordation with the Merrimack County Registry of Deeds.
26. A copy of the recording of the deed, stewardship plan, and preservation lot plan, from the Merrimack County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
27. The open space/preservation area boundaries shall be surveyed by a licensed surveyor, and marked by monuments [stakes]

prior to the start of construction.

- 28. Signs to indicate the location of and restrictions on the preservation areas shall be posted no further than every 150 feet along the boundary of the conservation areas prior to construction.
- 29. The logging activities in the open space/preservation area shall be severely limited by the Warrantee Deed.
- 30. There shall be no removal of the existing vegetative undergrowth within the preservation area and clear cut logging, the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
- 31. Activities in contravention of the Warranty Deed shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

- 1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate, and 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. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks.
- 2. All of the proposed impacts are for access to uplands.
- 3. The largest wetland impact impacts 1 and 2 are for a through road as required by the City of Concord.
- 4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 5. The applicant has provided bank full width or larger culverts where appropriate.
- 6. The applicant has avoided the sand plain basin marsh and is not directing storm water to this nutrient deficient system.
- 7. The applicant has provided a retaining wall to minimize impacts at crossing 1 and 2.
- 8. 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.
- 9. 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. DES Staff conducted a field inspection of the proposed project on October 25, 2005 and November 14, 2005. Field inspection found the sand plain basin marsh, DES and NH Fish and Game provided input regarding the stream crossings and the manner in which they were being crossed.
- 6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.
- 7. The applicant has provided mitigation in the form of preservation of 152 acres.
- 8. The proposed mitigation exceeds the existing ratios for preservation of upland buffer.
- 9. The Concord Conservation Commission has agreed to monitor the preservation area and ensure it is maintained in its natural state.
- 10. The applicant has provided a wildlife assessment report, as part of the baseline documentation for the easement area.
- 11. The applicant has addressed the abutter concerns in their response dated June 26, 2006.
- 12. The applicant has addressed the requirements of Env-Wt 304.09(a).

**2006-01195                      BEDROCK BUILDERS LLC**  
**MOULTONBOROUGH   Unnamed Wetland**

Requested Action:

Construct a 6 ft by 255 ft permanent dock to access a 6 ft by 30 ft seasonal dock in Lake Winnepesaukee, Moultonboro.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No comments from Com Com by June 20, 2006.

DENY PERMIT:

Construct a 6 ft by 255 ft permanent dock to access a 6 ft by 30 ft seasonal dock in Lake Winnepesaukee, Moultonboro.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. In accordance with RSA 482-A:1, Finding of Public Purpose - It is found to be for the public good and welfare of this state to protect and preserve its submerged lands under tidal and fresh waters and its wetlands, (both salt water and fresh-water), as herein defined, from despoliation and unregulated alteration, because such despoliation or unregulated alteration will adversely affect the value of such areas as sources of nutrients for finfish, crustacea, shellfish and wildlife of significant value, will damage or destroy habitats and reproduction areas for plants, fish and wildlife of importance, will eliminate, depreciate or obstruct the commerce, recreation and aesthetic enjoyment of the public, will be detrimental to adequate groundwater levels, will adversely affect stream channels and their ability to handle the runoff of waters, will disturb and reduce the natural ability of wetlands to absorb flood waters and silt, thus increasing general flood damage and the silting of open water channels, and will otherwise adversely affect the interests of the general public.
3. Pursuant to RSA 482-A:3, XIV(b), the department may request additional information to complete the application. In the event the additional information is not received by DES within 120 days of the request, DES shall deny the application.
4. In accordance with Rule Env-Wt 101.82 Shoreline frontage" means the average of the distances of the actual natural navigable shoreline footage and a straight line drawn between property lines, both of which are measured at the normal high water line.
5. In accordance with Rule Env-Wt 101.59 "Navigable frontage" means the frontage that can be accessed by a boat having at least a 6 foot beam and 2 foot draft at normal high water.
6. In accordance with Rule Env-Wt 402.14 Frontage Over 75', there shall be a minimum of 75' of water frontage on the property for the first two-slip structure, and an additional 75' of water frontage on the property for each additional boating slip or securing location on a structure for non-commercial use.
7. Pursuant to Wt 402.02(a)(1) Dimensions, permanent docks on lakes greater than 1000 acres in size shall not exceed a deck width of 6 ft and a deck length of 30 feet as measured from normal high water mark.
8. In accordance with Rule Env-Wt 402.05 Permanent Docks, permanent piers shall be approved only when the site is exposed to significant fetch or the applicant provides evidence of significant wave action.
9. This project is classified as a major impact per Rule Env-Wt 303.03(d), construction of a major docking system providing approximately 14 boat slips.

#### Findings of Fact

10. On May 15, 2006, the Wetlands Bureau received an application for surface water impacts, on the lot identified as Moultonboro tax map 32, lot 139A and lot 139B, to construct a permanent walkway over a scrub shrub swamp to access a proposed seasonal dock.
11. The application was signed by James Salerno as the owner of the lots.
12. DES staff conducted a field inspection of the project site and on August 15, 2003 notified the previous owner of the property, in writing, of their findings that the majority of the frontage was on a small stream impounded by beaver dams and isolated from the lake and that the property did not have navigable frontage.
13. On August 04, 2006 the Department sent a Request for More Information letter stating the project is not approvable as the applicant does not have navigable frontage as determined during a site inspection requested by the previous owner's licensed surveyor on August 15, 2003.
14. The Request for More Information Letter stated that if the applicant wished to pursue a permit despite the department's previous assessment of the frontage, then a stamped surveyed plan identifying the full lake elevation, the 3 ft depth contour, and the limits of emergent vegetation, as located by the surveyor, would be required with 120 days or the application would be denied.
15. On September 11, 2006, the Wetlands Bureau received a partial response to the August 04, 2006 Request for More Information Letter. The the full lake elevation and 3 ft depth contour, shown on the plan are labeled as "interpolated" and the plan was not stamped by a licensed surveyor.
16. On September 28, 2006, the Agent for the Applicant was notified in a phone conversation with the Commissioner of the Department that the plns submitted were not acceptable and that plans as requested in the August 4, 2006 Request for More Information Letter were still required.
17. On October 06, 2006 the Department received a second plan in response to the August 4, 2006 Request for More Information Letter. The plan has been stamped by a licensed surveyor but contain a note stating "THIS IS NOT A SURVEY".
18. The full lake elevation and 3 ft depth contour are labeled as "interpolated" and were not located by a licensed land surveyor.
19. Based on the interpolated data shown on the plans submitted, the Applicant is requesting a 285 ft long docking structure

providing 14 boat slips pursuant to RSA 482-A:2.

20. The Applicant states on the application that the property has 795 ft of frontage on Lake Winnepesaukee.

21. A maximum of 11 slips could be permitted on 795 ft of frontage in accordance with Rule Env-Wt 402.12.

22. The plans submitted depict that the entire frontage is located along Lake Winnepesaukee and fail to show the existing stream noted during the 2003 field inspection.

23. Based on the interpolated data submitted, a boat having a 2 ft draft cannot navigate within a distance of 99 ft of the frontage.

24. The site is not exposed to sufficient fetch to meet the criteria of Rule Env-Wt 402.05 and no information supporting the need for a permanent dock was submitted with the application.

**Rulings in Support of the Decision**

25. The Applicant has failed to submit a stamped surveyed plan identifying the full lake elevation, the 3 ft depth contour, and the limits of emergent vegetation, as located by the surveyor, as requested by the Department on August 4, 2006 and therefore the application is denied in accordance with RSA 482-A:3 XIV(b).

26. The plans as submitted, which fail to show the existing stream and indicate that the property has 795 ft of frontage on Lake Winnepesaukees, do not accurately reflect the site conditions.

27. Based on the interpolated data submitted and the observations of DES staff in 2003, this property does not have navigable frontage on Lake Winnepesaukee.

28. If the property had the 795 of frontage claimed in the application the request for a docking facility providing 14 slips would exceed that allowed by Rule Env-Wt 402.12 and would therefore be denied.

29. There is no evidence supporting the need to construct a permanent pier on the frontage therefore the application is denied.

**MINOR IMPACT PROJECT**

\*\*\*\*\*

**2002-02208                      GARLAND, ANNE/RICHARD  
BARTLETT    Stoney Brook**

**Requested Action:**

Approve permit amendment request to relocate proposed impact area #3 (36-inch x 80-foot culvert) downstream approximately 50 feet and reduce proposed impacts to 3,337 square feet.

\*\*\*\*\*

**APPROVE AMENDMENT:**

Approve permit amendment to dredge and fill 5,510 square feet within the bed and banks of a seasonal stream to install a 36" x 80' culvert and impact 151 square feet within the bank of Stoney Brook, for ski trail expansion and ski access to a proposed residential housing complex (impacting 160 linear feet).

**With Conditions:**

1. All work shall be in accordance with plans by Thaddeus Thorne Surveys Inc. dated December 2002, and revised through August 08, 2006, as received by the Department on September 11, 2006.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies this lot (#196L00) shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
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 until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Work shall be done during low flow or dry conditions.

10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. 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.
13. 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.
14. 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.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

The DES Wetlands Bureau reaffirms original findings #1 & #2:

1. This project is considered a Minor Project per NH Administrative Rule Wt 303.03(1), as impacts to the bed and banks of streams are less than 200 linear feet.
2. This project is needed as part of a ski trail expansion for the Attitash Bear Peak facility and for access to a residential housing complex via ski trails.

The DES Wetlands Bureau also makes the following additional finding(s):

3. The permit amendment is necessitated by the ski lift extension and the resulting adjustment between the existing two trails and is needed in order to maintain a safe down gradient on the new trail.
4. The rule change as amended effective May 22, 2003, requires a NH certified wetland scientist stamp for plans submitted with a minor impact project. Originally approved plans were submitted without a NH certified wetland scientist stamp. The original application was submitted with a narrative description of wetlands prepared by a NH certified wetland scientist. The DES Wetlands Bureau is releasing the permit as it was originally filed prior to the May 22, 2003 rule change.

**2005-01923                      ATKINS, JAMES**  
**BARRINGTON   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 8,828 sq. ft. of wetlands over two locations, and install four 24" x 16.5' culverts for construction of a driveway for a single family house lot on 21.71 acres.

\*\*\*\*\*

Inspection Date: 03/17/2006 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill a total of 8,828 sq. ft. of wetlands over two locations, and install four 24" x 16.5' culverts for construction of a driveway for a single family house lot on 21.71 acres.

With Conditions:

1. All work shall be in accordance with plans by Berry Survey & Engineering dated 8/2/2005, as received by the Department on 8/17/2005, and per supporting documents demonstrating that the drainage associated with this proposal will not negatively impact the abutter on Lot 38, dated 8/22/2006, as received by the Department on 8/31/2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
4. There shall be no further alteration of wetlands for lot development, driveways, or additional culverts.
5. The property boundary between the permittee's property and that of Charles June, Tax Map 241, Lot 8, shall be resurveyed and lined with orange construction fence to prevent accidental encroachment of the driveway construction onto the abutting property. Construction fence shall be installed prior to construction, shall remain in place and well-maintained during construction, and be

removed once the area is fully stabilized.

6. There shall be no encroachment onto the above-referenced abutting property by fill, equipment, construction personnel, or in any manner, during the construction of this driveway.
7. There shall be no change in drainage related to the installation of this driveway that results in impoundment or flooding of the abutting property immediately adjacent to the driveway. If such conditions occur, the permittee shall be responsible to determine the cause of the drainage problem, and shall be responsible to correct the problem immediately, subject to the notification and approval of DES.
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 minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq. ft. in the aggregate of non-tidal wetlands 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. There is no way to reach the developable area of this large 21+ acre single family lot, the remainder of which is largely upland, without crossing wetlands at some location.
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 applicant has provided analysis of 3 crossing locations. The proposed location confines the crossing to the least wet portion of the lot, and the applicant has demonstrated that relocating the crossing to a shorter distance will impact the deepwater marsh portion of the wetland, as well as bisect the highest value wetland area.
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. The applicant has provided a drainage analysis, stamped by the consulting P.E., which demonstrates that the culverts are sized appropriately for this proposal based on a 50-year storm, and that the driveway design will not impound water on the abutting property. There were no reported species of concern for this project.
5. The Barrington Conservation Commission did not recommend approval of this project, based on its proximity to the Town Forest, and the square footage amount of wetlands fill proposed.
6. DES finds that the applicant is proposing only one house on over 20 acres, which will be located well away from the town forest. DES further finds that the fill amount requested represents the minimum possible to reach buildable uplands by crossing the wetlands in the least wet portion of the property.
5. DES Staff conducted a field inspection of the proposed project on 3/17/2006. Field inspection determined that locating the crossing in the center of the property would require crossing of an open water marsh area, as opposed to the shrub scrub/upland island area proposed by the applicant. Field inspection also found that the town forest would be buffered from the proposed house location, which is to be constructed in the interior center of the lot; that the driveway crossing was proposed to be located at the furthest wetland edge away from the town forest property.
6. Administrative Rule Env-Wt 304.04 Setback From Property Lines is waived based on the applicant's demonstration through alternatives analysis that meeting or exceeding the setback would result in greater environmental impact to the resource, and upon the applicant's demonstration through drainage analysis stamped by the applicant's engineer dated 8/22/2006, as received by DES on 8/31/2006, that location of the driveway closer than 20' to the abutting property line will not impound water on the abutting property. This waiver meets the requirements for approval per rule Env-Wt 202.04.

Requested Action:

Excavate, regrade or otherwise alter terrain in the previously developed tidal buffer zone, in an area of historic fill placed prior to jurisdiction, totaling 15,235 sq. ft. (3,220 sq. ft. of permanent impacts & 12,015 sq. ft. of temporary impacts) to remove existing dwellings and construct new residential dwellings and appurtenant parking with a stormwater treatment facility located more than 50 feet landward of the highest observable tide line. Remove 3,150 sq. ft. of historic fill to restore an area of salt marsh previously filled for a parking lot adjacent to the site.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Hampton Conservation Commission " does not oppose the granting of a wetlands permit for [this project] ... The applicant has addressed all of our original concerns." The Commission also supports the applicants request to remove historic fill from a former parking lot to restore a section of salt marsh adjacent to the site.

Inspection Date: 03/03/2006 by Frank D Richardson

APPROVE PERMIT:

Excavate, regrade or otherwise alter terrain in the previously developed tidal buffer zone, in an area of historic fill placed prior to jurisdiction, totaling 15,235 sq. ft. (3,220 sq. ft. of permanent impacts & 12,015 sq. ft. of temporary impacts) to remove existing dwellings and construct new residential dwellings and appurtenant parking with a stormwater treatment facility located more than 50 feet landward of the highest observable tide line. Remove 3,150 sq. ft. of historic fill to restore an area of salt marsh previously filled for a parking lot adjacent to the site.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 9/29/05 (last revised 11/28/05), as received by the Department on November 30, 2005.
2. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further work within wetlands jurisdiction on this site for lot development or other construction activities.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. 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.
6. Excavated material from the salt marsh restoration area shall be disposed of outside of the jurisdiction of the DES Wetlands Bureau.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
8. The salt marsh restoration area shall be monitored by a qualified wetlands professional for reestablishment of indigenous plant species and to remove any invasives (e.g. Phragmites or Purple Loosestrife) during the five-year permit period.
9. Annual reports documenting the restoration area shall be submitted to the Wetlands Bureau on or before November 1st of each year during the five-year period.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a), projects ... within 100 feet of the highest observable tide line that do not meet any of the criteria of ENV-Wt 303.02, Env-Wt 303.04 or Env-Wt 303.05.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 3, 2006. Field inspection determined this site is, in part, an area of historic fill on salt marsh. 1962 aerial photos show the fill in place at that time. This area had previously been used as a parking lot for beachgoers and also has a deteriorated older dwelling to be removed.
- 5a. The project, as proposed, will enhance the site by providing treatment for stormwater runoff where there is currently none and the voluntary removal of 3,150 sq. ft. of historic fill from the adjacent tidal marsh will provide further site improvement.
6. Compensatory mitigation for the work proposed in the tidal buffer zone is not required since all work is within a previously developed and historically filled area, a portion of which will be restored and enhanced.

**2005-02880                      JAFFREY, TOWN OF**  
**JAFFREY   Contoocook River**

Requested Action:

The Town of Jaffery requests an amendment to the permit regarding the timing to record the conservation easement.

\*\*\*\*\*

APPROVE AMENDMENT:

Dredge and fill approximately 13,000 sq. ft. of wetlands to construct a Town of Jaffrey ball field on a former industrial site. The project includes wetlands impact mitigation consisting of an approximately 35-acre preservation site known as "Children's Woods".

With Conditions:

With amended conditions:

1. All work shall be in accordance with plans by Clough Harbour & Associates LLP, dated March 3, 2006, as received by the Department on April 5, 2006.
2. 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.
3. This permit is contingent on approval by the DES Site Specific Program.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Orange construction fencing shall be placed at the limits of construction directly adjacent to wetlands or surface waters to prevent accidental encroachment.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
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 activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

Wetland Mitigation (preservation):

15. This permit is contingent upon the execution of a conservation easement to the Monadnock Conservancy of an approximately 35 acre preservation area currently known as "Children's Woods" in the Town of Jaffrey, as depicted on preliminary plotting plan received by the Department on September 7, 2006.
16. The conservation easements to be placed on the preservation area shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
17. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of

Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau upon completion.

18. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee to serve as a baseline for future monitoring of the easement area.

19. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] after recordation of the easement.

20. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location.

21. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

22. 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 Monadnock Conservancy has provided information that will assure the conservation easement will be recorded within the coming few.

**2006-00397                      KNOTT, THOMAS & LISA**  
**NEWBURY Lake Sunapee**

Requested Action:

Amend permit to add 2, three piling ice clusters adjacent to the dock.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Con has not submitted comments by May 12, 2006

APPROVE PERMIT:

Amend permit to read: Permanently remove an existing seasonal docking structure and install a 6 ft by 30 ft piling dock connected to a 12 ft by 16 ft deck over the water and a 5 ft by 30 ft piling dock connected to same 12 ft by 16 ft deck over water by a 4 ft by 11 ft walkway, install two permanent boatlifts covered by two 10 ft by 30 ft seasonal canopies and one seasonal PWC lift in the northern slip, install 2, three piling ice clusters, and remove 114 sqft of invasive species in the bank on 200 ft of frontage on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated February 10, 2006, revision date October 20, 2006, as received by the Department on October 26, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. This permit does not allow for maintenance dredging.
7. The minimum clear spacing between piles shall be 12 feet.
8. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
10. PWC lifts shall be of seasonal construction type which shall be removed for the non-boating season.
11. The areas of bank impact for invasive species control shall be replanted with vegetation that is native and consistent with

surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.

12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking system that exceeds the design and construction criteria discussed at Wt 402.01 for minimum impact docks and classified under Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The 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 docking facility will reduce the square feet of construction surface area over public submerged lands and therefore meets the criteria of Rule Wt 402.20, Modification of Existing Structures

**2006-01119 LAKE WINNIPESAUKEE RESORTS LLC, C/O FIRST ACT INC  
NEW DURHAM Unnamed Wetland**

Requested Action:

Retain 60 sq. ft. (15 linear ft.) of impact to a perennial stream to replace a failed 30" culvert with a 48" x 15' culvert on a golf course cart path. Emergency Authorization issued 5/16/2006.

\*\*\*\*\*

APPROVE AFTER THE FACT:

Retain 60 sq. ft. (15 linear ft.) of impact to a perennial stream to replace a failed 30" culvert with a 48" x 15' culvert on a golf course cart path. Emergency Authorization issued 5/16/2006.

With Conditions:

1. All work shall be in accordance with plans by NHSC Environmental Inc. dated 7/12/2006, as received by the Department on 7/17/2006.
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.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that disturb or alter less than 200 linear ft. of a perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The previous 30" culvert failed during the May 2006 floods. Emergency Authorization for repair was granted by DES on 5/16/2006.
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 culvert diameter has been increased in order to handle future flood events.
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.

**2006-02268 YOUNGMAN, RICHARD  
CHESTERFIELD Unnamed Wetland**

Requested Action:

Dredge and fill 9,061 sq. ft. of forested wetlands (includes 146 sq. ft. of temporary wetlands impacts) for construction of a proposed FedEx Distribution Center. Impacts to wetlands includes; construction of an access road wetland crossing consisting of a 24 in. x 52 ft. culvert with associated headwalls, grading and inlet and outlet protection; parking areas; loading dock access; drainage pipe

installation and associated site grading.

\*\*\*\*\*

Conservation Commission/Staff Comments:

1. The Conservation Commission did not submit comments to DES.
2. The New Hampshire Fish & Game Department did not submit comments to DES.
3. The New Hampshire Natural Heritage Bureau conducted a search of their database and found no recorded occurrences for sensitive species near the project site.

APPROVE PERMIT:

Dredge and fill 9,061 sq. ft. of forested wetlands (includes 146 sq. ft. of temporary wetlands impacts) for construction of a proposed FedEx Distribution Center. Impacts to wetlands includes; construction of an access road wetland crossing consisting of a 24 in. x 52 ft. culvert with associated headwalls, grading and inlet and outlet protection; parking areas; loading dock access; drainage pipe installation and associated site grading.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates plan sheet C-1, dated August 21, 2006, plan sheets C-8, C-9 and C-10, dated August 10, 2006, as received by the Department on August 31, 2006 and plan sheets titled, Two Lot Subdivision, dated September 19, 2006, Supplemental Topographic Plan, dated September 8, 2006 and sheet N-1, dated September 1, 2006 as received by the Department on October 13, 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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction adjacent to wetlands and surface waters to prevent accidental encroachment.
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. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. 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.
11. 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.
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).
13. Temporary Wetlands impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
14. 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.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediate.
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(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.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant reviewed three alternative project sites.
6. This permit is contingent on approval by the DES Site Specific Program.
7. This permit is contingent on approval by the DES Subsurface Systems Bureau.

## MINIMUM IMPACT PROJECT

\*\*\*\*\*

**2005-01546                      BENNETT, CLIFTON**  
**CORNISH Tributary To Mill Brook**

### Requested Action:

Replace an I-beamed bridge with an 8'x 20' squashed culvert with rippapped inlet and outlets impacting 900 sq. ft. of stream.

\*\*\*\*\*

### Conservation Commission/Staff Comments:

1. This project was originally submitted on a Permit by Notification form, however, due to width of the stream and Administrative Rules the project was disqualified from the PBN process and the applicant was asked to submit a Standard Dredge & Fill application.
2. The Conservation Commission signed the original Permit by Notification, waiving their right to intervene on the project.
3. The Conservation Commission did not submit comments regarding the Standard Dredge and Fill application.
4. The New Hampshire Fish & Game Department did not submit comments regarding the project.

### APPROVE PERMIT:

Repair and replace an existing and failing approximately 10 ft. wide x 16 ft. span steel I-Beam bridge, cement deck and stone and cement abutments with an approximately 12 ft. wide x 16 ft. span steel I-Beam bridge with a pressured treated wood deck, concrete block bridge abutments, abutment protection and associated grading.

### With Conditions:

1. All work shall be in accordance with plans by Clifton Bennett, dated October 10, 2006, as received by the Department on November 1, 2006.
2. Work shall be done during low flow.
3. There shall be no excavation or operation of construction equipment in flowing water.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
5. The applicant shall receive written permission for the proposed work, from the legal owner of the right-of-way and submit to DES prior to construction.
6. The work area shall be accessed from uplands on both sides of the stream channel.
7. 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.
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. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. 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.
12. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
13. 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.
14. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
15. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
16. 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.
17. A post-construction report documenting the status of the bridge installation shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. 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.
20. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
21. 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.
22. 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(x), Maintenance, repair, or replacement of a nondocking structure.
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 the original Permit by Notification, waiving their right to intervene on the project.
6. The Conservation Commission did not submit comments regarding the Standard Dredge and Fill application.
7. The New Hampshire Fish & Game Department did not submit comments regarding the project.
8. The Department inspected the project site on October 19, 2005 and determined that the bridge was in severe disrepair and would need to be replaced as soon as possible. Additionally, it was determined that the original proposed culvert design would not be sufficient and a bridge of the existing size or larger would need to be installed.
9. The bridge replacement proposal will maintain the same channel width and will not be a substantial change in footprint or configuration from the current bridge.
10. The current bridge was in place when the Department issued a permit (File #1996-670) to install culverts and an access road in an adjacent wetland on the same property owned by Mr. Bennett.

**2005-01823                      GREEN MEADOWS MOBILE HOMES**  
**CONCORD   Beaver Brook**

Requested Action:

The applicant has not completed the approved culvert replacement project and sands/sediment that were previously removed under Emergency Authorization Wetlands Bureau File #2005-2698 have re-accumulated due to the heavy rain events that occurred this year. The applicant is requesting to remove accumulated sediment again in preparation of the culvert replacement. Accumulated sands will be removed from the brook channel for 50 ft. upstream of the culvert and 30 ft. downstream of the culvert with no removal of native soils from the stream channel.

\*\*\*\*\*

APPROVE AMENDMENT:

Repair and replacement of a failed approximately 36 inch x 50 foot metal culvert, associated headwalls and removal of accumulated sediment adjacent to the culvert inlet and outlet. Work includes replacement of the existing culvert with two approximately 30 inch x 50 foot corrugated plastic culverts, installation of new headwalls and removal of sediment impacting approximately 1,088 square feet of riverine and forested wetlands. In addition, accumulated sands/sediment previously removed for 50 ft. upstream and 30 ft. downstream of the existing culvert through an Emergency Authorization, File #2005-2698, issued by the Department on November 14, 2005 will be removed again due to re-accumulation from heavy rain events of 2006.

With Conditions:

1. All work shall be in accordance with plans and project description by Beaver Brook Environmental Consultants, LLC, as received by the Department on December 30, 2005.
2. This permit supercedes the previous permit, File #2004-2290, issued by the Department on January 27, 2005.
3. No native soils shall be removed from the stream channel.
4. Work shall be done during low or no flow.
5. There shall be no excavation or operation of construction equipment in flowing water.
6. If work is proposed in within flowing water a stream diversion/erosion control plan shall be submitted for approval by the Department prior to the commencement of work. 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.
7. 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.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. 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. 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. 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.
14. A post-construction report documenting the status of the restoration area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), repair and replacement.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This permit supercedes the previous permit, File #2004-2290, issued by the Department on January 27, 2005.
6. The proposed repair and replacement is not a substantial change in location or configuration and will be located in the same "footprint" of the existing structure.
7. Sediment/sand removal was conducted through an Emergency Authorization, File # 2005-2698, issued by the Department on November 14, 2005.
8. The Concord Fire Department expressed concern to the applicant that the flooding on the property is a threat to the adjacent electrical boxes, propane tanks and utility lines.

**2006-01990                      BAY SHORE YACHT CLUB**  
**MEREDITH Lake Winnepesaukee**

Requested Action:

Repair an existing clubhouse with no change in dimensions located over the bank of Lake Winnepesaukee, Meredith.  
\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing clubhouse with no change in dimensions located over the bank of Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Misiaszek Turpin PLLC dated October 02, 2006, as received by the Department on October 04, 2006.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Area shall be regraded to original contours following completion of work.
4. Repair shall maintain existing size, location and configuration.
5. 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.
6. This permit does not allow for any increase in the footprint of the foundation.
7. This permit does not allow for any increase in square foot of area of the structure.
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 minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2006-02115                      BOURDEAU, ROBERT**  
**MILTON Unnamed Wetland**

Requested Action:

Retain 100 sq. ft. of wetlands impact to rip rap inlet and outlet of culvert installed in upland for driveway crossing to single family house lot.  
\*\*\*\*\*

APPROVE AFTER THE FACT:

Retain 100 sq. ft. of wetlands impact to rip rap inlet and outlet of culvert installed in upland for driveway crossing to single family house lot.

With Conditions:

1. All work shall be in accordance with plans by Fraggie Rock Environmental Services dated August 2006, as received by the Department on 8/14/2006.
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert and associated fill for access to a single family house lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Inlet and outlet stabilization

done by applicant is consistent with the requirements for inlet and outlet protection of DES.

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. This project would have been approvable if properly applied for.

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. There was no report from either the Milton Conservation Commission or the NH Heritage Bureau for this project.

**2006-02142                      HART, STEPHEN & BRENDA  
GILMANTON   Badger Brook**

Requested Action:

Retain 250 square feet of fill including existing 16-inch x 13 foot culvert in a palustrine forested wetland with an intermittent stream for access.

\*\*\*\*\*

APPROVE AFTER THE FACT:

Retain 250 square feet of fill including existing 16-inch x 13 foot culvert in a palustrine forested wetland with an intermittent stream for access.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(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 conservation commission supports the proposed project.

**2006-02143                      DRAPEAU, SCOTT  
PETERBOROUGH   Unnamed Wetland**

Requested Action:

Dredge and fill 1,776 square feet of scrub-shrub wetlands for driveway access to a single family building lot.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 1,776 square feet of scrub-shrub wetlands for driveway access to a single family building lot.

With Conditions:

1. All work shall be in accordance with plans by Site Succor Design dated August 10, 2006, as received by the Department on August 16, 2006.
2. No impacts to jurisdictional areas shall occur within 20-feet of the tax map/lot # R001/003-000 abutting property line.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during low flow conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
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. Silt fence(s) must be removed once the area is stabilized.
7. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters.

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. Culverts shall be laid at original grade.
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. 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(z), installation of a culvert and associated fill for driveway access to a single family residence.
2. The applicant has received written consent from the owners of Lot 005-100 (Tax R002), abutters to the property on which project activities will take place, for work within 20 feet of their property lines, in accordance with Rule Wt 304.04(a).
3. The permit is conditioned that no impacts to jurisdictional areas shall occur within 20-feet of the tax map/lot# R001/003-000 abutting property line.
4. Wetland impacts cannot be avoided, wetlands transverse the 50-foot right-of-way, the only access to the property.
5. Hydrologic connectivity will be maintained with the permeable gravel base layer.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Peterborough Conservation Commission.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. 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.
9. 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.

**2006-02272                      PILLSBURY LAKE WATER DISTRICT, MICHAEL ANDOSCA**  
**WEBSTER    Unnamed Wetland**

Requested Action:

Temporarily impact 440 square feet of dry lake bed for installation of a new water line.  
\*\*\*\*\*

Conservation Commission/Staff Comments:

The Conservation Commission did not comment on this application.

APPROVE PERMIT:

Temporarily impact 440 square feet of dry lake bed for installation of a new water line.

With Conditions:

1. All work shall be in accordance with plans by Underwood Engineering dated August 17, 2006, as received by the Department on September 1, 2006.
2. This permit is contingent on approval by the DES Water Supply Engineering Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
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 in the dry.
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. Mulch within the restoration area shall be straw.
9. 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.

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(m), projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Wt 303.03 or Wt 303.02.
2. The proposal is to extend a water line to existing dwellings and provide better treatment.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The proposal is to do the work while the impoundment is dry and therefore no work will be in the water.
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.

**2006-02490                      SANTTI, GAYLE**  
**LACONIA   Durkee Brook**

Requested Action:

Dredge and fill a total of 576 square feet along 72 linear feet of Durkee Brook for removal of debris of collapsed retaining wall and installation of new gabion retaining wall.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill a total of 576 square feet along 72 linear feet of Durkee Brook for removal of debris of collapsed retaining wall and installation of new gabion retaining wall.

With Conditions:

1. All work shall be in accordance with plans by US Department of Agriculture Soil Conservation Service dated August 2006, as received by the Department on September 20,2006, with the exception of a phased cofferdam rather than the silt fence.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. All work shall be done from the top of the bank and no equipment shall enter the water.
6. Prior to commencing work within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Discharge from dewatering of work areas, if necessary, 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. 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.
9. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

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 previously existing retaining wall collapsed into the brook during the flooding events of October 2005.
3. The foundation of the existing structure is 4 feet from the stream channel.
4. The fallen retaining wall debris is currently preventing the free flow of water through this reach of the stream and is increasing the chances of the brook from jumping the banks in this location.
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 replacement of the previously existing concrete retaining wall with a gabions is actually an improvement as the gabions will help to dissipate the energy of the brook through this reach.
8. 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.
9. The Laconia Conservation Commission has no objections to the proposed project.
10. The NRCS has designed and is funding the proposed project with flood relief funds.

**2006-02549                      MILLER, BILL**  
**MEREDITH Lake Winnepesaukee**

Requested Action:

Replace two tie off piles adjacent to an existing 8 slip docking facility on Lake Winnepesaukee, Meredith.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No comments from Con Com by November 2, 2006

APPROVE PERMIT:

Replace two tie off piles adjacent to an existing 8 slip docking facility on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Don Carey dated September 14, 2006, as received by the Department on September 25, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
5. This permit does not allow for maintenance dredging.
6. Repairs shall maintain existing size, location and configuration.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

**FORESTRY NOTIFICATION**

\*\*\*\*\*

**2006-02542 PHILLIPS, ELENA**  
**NEW HAMPTON Unnamed Stream**

COMPLETE NOTIFICATION:  
New Hampton Tax Map R4, Lot# 55

**2006-02755 EASTMAN, STACIA**  
**SALISBURY Unnamed Stream**

COMPLETE NOTIFICATION:  
Salisbury Tax Map 253, Lot# 4 & 5

**2006-02757 FOWLER, STEVE/ PATRICIA**  
**PEMBROKE Unnamed Stream**

COMPLETE NOTIFICATION:  
Pembroke Tax Map 935, Lot# 1

**2006-02760 PLUM CREEK MAINE TIMBERLANDS LLC**  
**WENTWORTH Unnamed Stream**

COMPLETE NOTIFICATION:  
Wentworth Location Tax MAp 1628, Lot# 3

**2006-02779 BEAULIEU, LOIS**  
**NEWMARKET Unnamed Stream**

COMPLETE NOTIFICATION:  
Newmarket Tax Map R6, Lot# 1

**2006-02780 VERVILLE, ARMAND**  
**ALLENSTOWN Unnamed Stream**

COMPLETE NOTIFICATION:  
Allentown Tax map 406, Lot# 11

**2006-02781 CARNEY, THOMAS  
MILAN Unnamed Stream**

COMPLETE NOTIFICATION:  
Milan Tax Map 42, Lot#2

**2006-02785 STEVENS TRUST, CAROLINE  
PLYMOUTH Unnamed Stream**

COMPLETE NOTIFICATION:  
Plymouth Tax Map 213, Lot# 11

**2006-02786 GELLER, LOUIS  
SANDWICH Unnamed Stream**

COMPLETE NOTIFICATION:  
Sandwich Tax Map R11, Lot# 26,28,29 & 30

**2006-02789 PETERBOROUGH COMMERCE PARK LP, R CRAIG HICKS  
PETERBOROUGH Unnamed Stream**

COMPLETE NOTIFICATION:  
Peterboro Tax Map R11, Lot# 43

**EXPEDITED MINIMUM**

\*\*\*\*\*

**2006-01988 BELL ENGINEERING INC  
SUNAPEE Unnamed Wetland**

Requested Action:  
Dredge and fill 925 sq. ft. of forested wetlands and associated intermittent stream to construct an access road to a proposed 3-lot subdivision. Work within wetlands includes installation of an 18 in. x 40 ft. HDPE culvert, headwalls and associated grading.  
\*\*\*\*\*

APPROVE PERMIT:  
Dredge and fill 925 sq. ft. of forested wetlands and associated intermittent stream to construct an access road to a proposed 3-lot subdivision. Work within wetlands includes installation of an 18 in. x 40 ft. HDPE culvert, headwalls and associated grading.

With Conditions:  
1. All work shall be in accordance with plans by Blakeman Engineering, Inc., plan sheets titled "Plan, Profile & Typical Roadway Section", dated June 5, 2006, "Construction Notes and Details" dated June 6, 2006, as received by the Department on August 7, 2006, "Topographic Plan", dated August 6, 2006, as received by the Department on September 8, 2006 and in accordance with plans by Pennyroyal Hill Land Surveying & Forestry LLC, plan sheets title "Plan of Major Subdivision", revision dated June 26, 2006, as received by the Department on September 8, 2006.  
3. This permit is contingent on approval by the DES Site Specific Program (if proposed land alteration exceeds 100,000 sq. ft., as defined by the DES Site Specific).

4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Work shall be done during low flow.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(h), alteration of less than 3,000 sq. ft. 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 proposed wetland crossing is within an existing logging access area.
5. The New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program did not submit comments regarding the proposed project.
6. The Conservation Commission signed the Minimum Impact Expedited Application, waiving their right to intervene.
7. The application was accepted as administratively complete by the Department on September 15, 2006.

**2006-02317                      STOCKWELL, WILLIAM**  
**SUNAPEE   Otter Pond**

Requested Action:

Install 40 linear ft of rip-rap implement planting/invasive species control plan on 145 ft of frontage in Sunapee on Otter Pond.

\*\*\*\*\*

APPROVE PERMIT:

Install 40 linear ft of rip-rap implement planting/invasive species control plan on 145 ft of frontage in Sunapee on Otter Pond.

With Conditions:

1. All work shall be in accordance with plans submitted by Pelletteri Associates dated as received by the September 11, 2006 and stamp surveyed rip rap plan on October 26, 2006.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or

revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

3. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
8. Shall erosion control project fail within a 6 year period from date of completion, the landowner shall file a new application for an alternative method with stamped plans prepared by a certified professional in erosion and sediment control and site may be subject to further stormwater evaluation and control.
9. Rip-rap shall not reflect or re-direct currents towards adjacent wetlands or structures, or otherwise contribute to erosion.
10. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
11. Exotic species control, in accordance with plans, shall be maintained for the entire duration of this permit.
12. 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(m), projects that disturb less than 50 linear ft, measured along the shoreline.
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.

**2006-02501 GREEN MOUNTAIN CHILDRENS CENTER  
CLAREMONT Unnamed Wetland**

Requested Action:

Dredge and fill 75 sq. ft. of wetlands to construct an access road to the proposed "White Mountain Children's Center". Work in wetlands consists of the installation of an approximately 15 in. x 40 ft. CMP culvert, headwalls and associated grading.

\*\*\*\*\*

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the minimum impact expedited application waiving their right to intervene on the project.
2. The New Hampshire Fish and Game Department did not submit comments.

Inspection Date: 06/28/2006 by Christine Bowman

APPROVE PERMIT:

Dredge and fill 75 sq. ft. of wetlands to construct an access road to the proposed "White Mountain Children's Center". Work in wetlands consists of the installation of an approximately 15 in. x 40 ft. CMP culvert, headwalls and associated grading.

With Conditions:

1. All work shall be in accordance with plans by Darrow Civil engineering dated September 18, 2006, as received by the Department on September 29, 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. 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.

4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. 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.
7. 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.
8. 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).
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require further approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), alteration of less than 50 linear feet of intermittent stream.
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 impact site is a previously disturbed/created drainage ditch adjacent to State Highway Route 12A.
6. The Natural Heritage Bureau (NHB) submitted comments regarding a sensitive and State Threatened plant species (unidentified) and a State Endangered plant species, Bladdernut (*Staphylea trifolia*) identified near the site.
7. The NHB identified species are associated with the Connecticut River located on the opposite side of Route 12A approximately .5 miles from the project site.
8. The Department inspected the site on June 28, 2006.
9. The permit application was received by the Department on September 29, 2006.

**2006-02523                      BATCHELDER, JOHN**  
**NORTHWOOD   Northwood Lake**

Requested Action:

Impact and restore 200 sq. ft. (24 linear ft.) of shoreline on Northwood Lake to remove uprooted tree stump and stabilize shoreline.  
\*\*\*\*\*

APPROVE PERMIT:

Impact and restore 200 sq. ft. (24 linear ft.) of shoreline on Northwood Lake to remove uprooted tree stump and stabilize shoreline.

With Conditions:

1. All work shall be in accordance with plans by Michael T. O'Neil dated 8/25/2006, as received by the Department on 10/2/2006.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
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. 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.

5. Work shall be done during drawdown.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), projects that disturb less than 50 linear feet of the shoreline of a lake or pond that do not meet the criteria of Env-Wt 303.02 or 303.03.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project is to remove the stump of a large pine growing at the edge of the lake which was uprooted by a storm on August 2, 2006 and has opened the bank to erosion.
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 root mass is completely out of the ground and unable to be saved; the project will stabilize the now-exposed bank.
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 Northwood Conservation Commission signed the expedited application.

**2006-02539                      SNYDER, JIM**  
**WOLFEBORO Lake Winnepesaukee**

Requested Action:

Construct an 18 ft by 13 ft perched beach with 6 ft access stairs to the waterbody and no more than 8 cubic yards of sand on Lake Winnepesaukee, Wolfeboro.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

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

APPROVE PERMIT:

Construct an 18 ft by 13 ft perched beach with 6 ft access stairs to the waterbody and no more than 8 cubic yards of sand on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction dated September 22, 2006, as received by the Department on October 03, 2006.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. 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). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. The steps installed for access to the water shall be located completely landward of the normal high water line.
7. No more than 8 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. 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.
11. Work shall be done during drawdown.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

**2006-02540                      SANBORN ROAD REALTY LLC**  
**LONDONDERRY   Unnamed Wetland**

Requested Action:

Dredge and fill 128 sq. ft. of emergent wetlands to widen an existing roadway (Sanborn Road). Work within wetlands consists of replacing and relocation of an existing approximately 12 in. x 40 ft. CMP with a 15 in. 90 ft. CMP culvert, headwalls, inlet and outlet protection and associated grading.

\*\*\*\*\*

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the Minimum Impact Expedited Application waiving their right to intervene on the project.

APPROVE PERMIT:

Dredge and fill 128 sq. ft. of emergent wetlands to widen an existing roadway (Sanborn Road). Work within wetlands consists of replacing and relocation of an existing approximately 12 in. x 40 ft. CMP with a 15 in. 90 ft. CMP culvert, headwalls, inlet and outlet protection and associated grading.

With Conditions:

1. All work shall be in accordance with plans by TFMoran, Inc., dated September 15, 2006, as received by the Department on October 3, 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. 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.
4. 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.
5. 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.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. 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(f), alteration of less than 3,000 sq. ft. 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 applicant described the impact area as being wetlands created from stormwater runoff created by a previously permitted project in 2001.
6. The Department of Environmental Services previously granted the applicant a one year permit extension for the related multifamily development project (Wetlands Bureau File #2001-1935) that had been on hold due to a local Growth Management and Innovative Land Use Control Ordinance.

**2006-02543                      MULLER REVOC TRUST, JANE**  
**NEW LONDON   Lake Sunapee**

Requested Action:

Repair and replace two 8 ft by 37 ft 3 inch permanent docks connected in a "U" shaped configuration supported by four 8 ft by 8 ft cribs, with a 20 ft 6 inch by 32 ft 6 inch boathouse over the center slip on Lake Sunapee, New London.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair and replace two 8 ft by 37 ft 3 inch permanent docks connected in a "U" shaped configuration supported by four 8 ft by 8 ft cribs, with a 20 ft 6 inch by 32 ft 6 inch boathouse over the center slip on Lake Sunapee, New London.

With Conditions:

1. All work shall be in accordance with plans by Richard Green dated September 21, 2006, as received by the Department on October 04, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
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. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Repair shall maintain existing size, location and configuration.
10. Appropriate siltation and erosion 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.
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 the water at the work site has returned to normal clarity.
12. This permit does not allow for maintenance dredging.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

**2006-02562                      SAVAGE JR, CHESTER**  
**JEFFERSON   Unnamed Wetland**

Requested Action:

Dredge and fill 400 square feet of wetlands to install a 18-inch x 30-foot plastic culvert for access to a single family building lot.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill 400 square feet of wetlands to install a 18-inch x 30-foot plastic culvert for access to a single family building lot.

**With Conditions:**

1. All work shall be in accordance with plans by Chester C. Savage as received by the Department on October 05, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow conditions.
4. 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.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert for access to single family building lot.
2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
3. The Jefferson Conservation Commission signed the application.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
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.

**2006-02591 SAVAGE JR, CHESTER  
JEFFERSON Unnamed Wetland**

**Requested Action:**

Dredge and fill 300 square feet of wetlands to install a 15-inch x 30-foot plastic culvert for access to a single family building lot.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill 300 square feet of wetlands to install a 15-inch x 30-foot plastic culvert for access to a single family building lot.

**With Conditions:**

1. All work shall be in accordance with plans by Chester C. Savage as received by the Department on October 10, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow conditions.
4. 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.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.

8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert for access to single family building lot.
2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
3. The Jefferson Conservation Commission signed the application.
4. The Town of Jefferson issued subdivision approval for this lot in 1987.
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(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-02754                      GILSUM, TOWN OF**  
**GILSUM   Ashuelot River**

Requested Action:

Request to remove woody debris and approximately 150 standing trees at DSR #24 along approximately 700 linear feet of the Ashuelot River; and, remove woody debris and approximately 57 standing trees at DSR #28 along 1,800 linear feet of the Ashuelot River, as identified by the Town of Gilsum and qualified by a federal agency's multi-disciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding and as identified in Construction Specifications 704, 705, 706, 708, and 709.

\*\*\*\*\*

APPROVE PERMIT:

Request to remove woody debris and approximately 150 standing trees at DSR #24 along approximately 700 linear feet of the Ashuelot River; and, remove woody debris and approximately 57 standing trees at DSR #28 along 1,800 linear feet of the Ashuelot River, as identified by the Town of Gilsum and qualified by a federal agency's multi-disciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding and as identified in Construction Specifications 704, 705, 706, 708, and 709.

With Conditions:

1. All work shall be in accordance with plans by the USDA Natural Resources Conservation Service (NRCS) entitled "Channel and Streambank Obstruction Removal, Town of Gilsum, DSR Site #24, 28" and Construction Specifications 704, 705, 706, 708, and 709 submitted in support of the permit application as received by the DES Wetlands Bureau on October 26, 2006.
2. Prior to commencing work, the applicant shall submit a "Pollution Control Plan" and "Debris Disposal Plan" to the DES Wetlands Bureau for review and approval.
3. The applicant shall obtain temporary construction easements or written agreements from affected landowners prior to the start of work.
4. The applicant shall notify the DES Wetlands Bureau, the Town Board of Selectman, the Town Conservation Commission, and the Ashuelot River Local Advisory Committee at least two (2) days prior to the start of work.
5. A finalized plan set and follow-up report with photographic documentation shall be filed with the DES Wetlands Bureau within 14 days of the completion of work.
6. Future slope stabilization work at the subject sites that is not included in the proposed project shall be subject to additional permitting by the DES Wetlands Bureau. The applicant shall submit a permit amendment request to the DES Wetlands Bureau including the appropriate documentation including any supporting engineering plans.

7. Work shall be inspected by NRCS 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.
8. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the river. In-stream work shall not exceed five (5) consecutive days in total unless specifically authorized by the DES Wetlands Bureau.
10. The permittee and/or their contractor shall monitor the weather and shall not commence work within flowing water, including the installation of cofferdams, when rain is forecast.
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. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands and lined with hay bales or other acceptable sediment trapping liners.
13. 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.
14. There shall be no excavation or filling conducted in flowing water.
15. Extreme precautions shall be taken to limit unnecessary removal of vegetation within riparian areas.
16. Cleared areas that will be revegetated shall be replanted with similar native (noninvasive) species.
17. Erosion control structures must be removed once the area is stabilized.
18. Temporary structures installed to isolate the work area and channel flow through the work area during construction shall be entirely removed immediately following construction.
19. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.
20. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
21. 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.
22. 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(t), restoration of altered or degraded 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 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 debris removal sites were identified by the Town of Gilsum following the October 2005 flooding and qualified by a multi-disciplinary team from the USDA-NRCS to be funded as part of the Emergency Watershed Protection (EWP) program.
6. The debris removal sites were identified by the Town because the debris continues to trap additional material and has the potential to move downstream during high flow events, form ice jams, and poses a threat to downstream infrastructure.
7. Removal of the standing trees is necessary to reduce mass failure of undercut and compromised river banks.
8. The DES Wetlands Bureau and DES Watershed Management Bureau inspected the project sites with NRCS staff on September 20, 2006.
9. The NH Natural Heritage Bureau did not have record of any rare or endangered species or exemplary natural communities near the project sites.
10. The Ashuelot River Local Advisory Committee submitted comments to the DES Wetlands Bureau (received October 26, 2006) stating that they approve of the application as presented.
11. The Conservation Commission signed the application but did not submit comments.

**AGRICULTURE MINIMUM**

\*\*\*\*\*

**2006-01832                      LOOP, TAYLOR**  
**SALISBURY   Unnamed Wetland**

Requested Action:

Dredge and fill 2624 square feet of wet meadow for construction of an agricultural pond.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 2624 square feet of wet meadow for construction of an agricultural pond.

With Conditions:

1. All work shall be in accordance with plans by Natural Resource Conservation Service, dated October 2005, as received by the Department on July 20, 2006.
2. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. This permit shall be recorded with the county Registry of Deeds office by the permittee.
4. Work shall be done during periods of non-flow.
5. 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.
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. 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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u), maintenance or improvement of existing crop or pasture land for continued agricultural use.
2. The project is in accordance with a plan developed to standards of the "Best Management Wetland Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993.
3. That the project is necessary for and/or incidental to a preexisting and ongoing bonafide agricultural operation as defined by RSA 21:34-a;
4. The applicant's county conservation district certified that the plan is limited by those items addressed by the "Best Management Wetlands Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993.
5. The project will cause alteration only to wet meadows except where specifically described in "Best Management Wetlands Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

**TRAILS NOTIFICATION**

\*\*\*\*\*

**2006-00573                      DUTILE, DOUGLAS**  
**EXETER   Unnamed Stream Wetlands**

COMPLETE NOTIFICATION:  
Exeter Tax Map 98 Lot 37

**2006-02743                      TWIN MT SNOWMOBILE CLUB INC, HAROLD GARNEAU**  
**CARROLL   Unnamed Stream**

COMPLETE NOTIFICATION:  
Twin Mountain Tax Map 206, Lot# 73

**LAKES-SEASONAL DOCK NOTIF**

\*\*\*\*\*

**2006-02800 PHILBIN, GARY  
TUFTONBORO Mirror Lake**

COMPLETE NOTIFICATION:  
Tuftonboro NH Tax Map# 52 Lot# 46 Block# 3  
Mirror Lake

**ROADWAY MAINTENANCE NOTIF**

\*\*\*\*\*

**2006-02758 NH DEPT OF TRANSPORTATION  
BEDFORD Unnamed Stream**

**PERMIT BY NOTIFICATION**

\*\*\*\*\*

**2006-02584 GRADIJAN JR FAMILY TRUST, JOANN GRADIJAN TTEE  
ENFIELD Crystal Lake**

Requested Action:  
Replace an existing failing 16-inch CMP culvert with an 18-inch HDPE culvert and replace an existing retaining wall "in-kind".  
\*\*\*\*\*

PBN IS COMPLETE:  
Replace an existing failing 16-inch CMP culvert with an 18-inch HDPE culvert and replace an existing retaining wall "in-kind".

**2006-02631 JEWELL, CHRISTOPHER  
CORNISH Unnamed Wetland**

Requested Action:  
Dredge and fill 314 square feet of palustrine emergent wetlands (wet meadow) to install a 15-inch x 20-foot culvert and associated headwalls to construct a driveway for access to a single family building lot.  
\*\*\*\*\*

Conservation Commission/Staff Comments:

The Conservation Commission did not sign the application and did not submit comments.

PBN IS COMPLETE:

Dredge and fill 314 square feet of palustrine emergent wetlands (wet meadow) to install a 15-inch x 20-foot culvert and associated headwalls to construct a driveway for access to a single family building lot.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.

**2006-02650                      MEZZAPELLE, LYNDA**  
**SANBORNTON   Unnamed Stream**

Requested Action:

Dredge and fill 345 square feet including installation of a 36-inch x 18 foot culvert in an intermittent drainage for access to a proposed single family residence.

\*\*\*\*\*

PBN IS COMPLETE:

Dredge and fill 345 square feet including installation of a 36-inch x 18 foot culvert in an intermittent drainage for access to a proposed single family residence.

**2006-02700                      HEBB, FRANCIS**  
**BETHLEHEM   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 716 square feet of forested wetlands along approximately 20 linear feet of intermittent stream to install a 24-inch x 20-foot plastic culvert for access to a single family residence.

\*\*\*\*\*

PBN IS COMPLETE:

Dredge and fill approximately 716 square feet of forested wetlands along approximately 20 linear feet of intermittent stream to install a 24-inch x 20-foot plastic culvert for access to a single family residence.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert and associated fill to permit vehicular access to a piece of property for a single family residence.

**2006-02732                      GARLAND, LAURENCE**  
**JACKSON   Unnamed Stream**

Requested Action:

Replace existing dug well waterline temporarily impacting approximately 20 linear feet (240 square feet) of intermittent stream.

\*\*\*\*\*

PBN IS COMPLETE:

Replace existing dug well waterline temporarily impacting approximately 20 linear feet (240 square feet) of intermittent stream.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), replacement of a residential utility line.

**2006-02750                      DAIGLE, GHISLIAN & MARGARET**  
**GRAFTON   Unnamed Wetland**

Requested Action:

Disqualify Permit by Notification to dredge and fill 150 square feet of palustrine forested wetlands for driveway access to one (1) lot of a 6-lot subdivision.

\*\*\*\*\*

PBN DISQUALIFIED:

Disqualify Permit by Notification to dredge and fill 150 square feet of palustrine forested wetlands for driveway access to one (1) lot of a 6-lot subdivision.

With Findings:

1. The proposed driveway access is associated with a proposed 6-lot subdivision; and therefore, does not meet the criteria of NH Administrative Rule Env-Wt 506.01, Projects Qualifying for Permit by Notification.

**2006-02770                      FOUR SEASONS CONDO ASSOCIATION**  
**LACONIA   Lake Winnepesaukee**

Requested Action:

Repair existing docking facility.

\*\*\*\*\*

PBN IS COMPLETE:

Repair existing docking facility.

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.

**2006-02771                      GARVIN, CLIFTON**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Repair existing docking facility.

\*\*\*\*\*

PBN IS COMPLETE:

Repair existing docking facility.

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.

**2006-02773                      BETTENCOURT JR, JOHN**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Repair existing retaining wall.

\*\*\*\*\*

PBN IS COMPLETE:

Repair 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.