

Wetlands Bureau Decision Report

Decisions Taken
11/13/2006 to 11/19/2006

DISCLAIMER:

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

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

APPEAL:

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

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

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

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

MAJOR IMPACT PROJECT

**2004-02313 ABENAQUI COUNTRY CLUB, PHIL COLLINS JR., PRES
RYE Unnamed Wetland**

Requested Action:

Request amendment to dredge and fill an additional 9,750 sq. ft. of previously impacted (trees & shrubs cut to stumps) wetlands, leaving a 15-foot wide vegetated streambed and embankments intact, to provide proper play-through of the par 5 17th Hole.

Inspection Date: 05/07/2004 by Frank D Richardson
Inspection Date: 09/20/2006 by Frank D Richardson

APPROVE AMENDMENT:

Approve amendment to dredge and fill an additional 9,750 sq. ft. of previously impacted wetlands, leaving a 15-foot wide vegetated streambed and embankments intact, for a total of 36,626 sq. ft. (including 2,000 sq. ft. of temporary impact) of impacts to palustrine forested/scrub-shrub/emergent wetlands for work associated with the relocation and reconstruction of golf course hole #s 17 & 18 including access ways, drainage and installation of water quality treatment structures.

39,044 sq. ft. of wetland creation and 16,081 sq. ft. of wetland enhancement/pond construction will be provided as compensatory mitigation for wetland impacts.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated September 22, 2004 as received by the Department on September 24, 2004 and revised plan sheet #s WP-1 and C-4 by Altus Engineering, Inc. each dated November 10, 2004, as received by the Department on November 10, 2004.
- 1a. Approved amendment shall be in accordance with plan submitted by Patrick Kelly, Golf Course Superintendent for Abenauqui Country Club on 9/28/2006 following field inspection with DES Southeast Region staff on September 20, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. 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 Pease Field Office in Portsmouth, N.H. 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, professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. 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. Wetland replication of temporary 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.
13. Monitoring reports documenting the seasonal activities of amphibians and other wildlife utilizing vernal pools A & B and potential vernal pools C & D, as located on the approved plans and described in the project narrative, shall be submitted annually (August 1st of each year) to the DES Wetlands Bureau and the Rye Conservation Commission for a period of five (5) years

(duration of the permit).

14. Work shall be done during low flow.

15. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.

COMPENSATORY WETLAND MITIGATION:

1. This permit is contingent upon the creation of 39,044 sq. ft. of wetlands and 16,081 sq. ft. of enhancement/pond creation in accordance with plans and narrative received September 24, 2004 and additional information and revised plans received November 10, 2004.
2. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The schedule for construction of the mitigation area(s) shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
4. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
5. Wetland creation and enhancement areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands impacted by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
6. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation 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.
7. The permittee shall notify DES and the Rye Conservation Commission in writing of their intention to commence construction no less than five (5) business days prior to construction.
8. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
9. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
10. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
11. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
12. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
13. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c)to: Dredge and fill a total of 26,876 sq. ft. (including 2,000 sq. ft. of temporary impacts) of palustrine forested/scrub-shrub/emergent wetlands for work associated with the relocation and reconstruction of golf course hole #s 17 & 18 including access ways, drainage and installation of water quality treatment structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted field inspections of the proposed project on May 7, 2004. Field inspection w/ representatives from NH Soil Consultants and the Abenaki Country Club Greenskeeper found the project reasonable as proposed. Monitoring reports on seasonal vernal pool activities on site as well as for wetland creation areas will be required for the duration of the permit.
- 5a. Field inspection for the amendment request on September 20, 2006 determined the dredge and fill of an additional 9,750 sq. ft. of previously impacted wetlands (trees & shrubs cut to ground level) which bisects the fairway on the par 5 hole #17 causing

problems for proper play of the golf hole is reasonable and should be approved since this area is a relatively low quality relict wetland fragment within the golf course fairway serving primarily to allow the transference of surface flows across the site. A 15 foot wide open vegetated streambed and embankments will remain undisturbed to carry flows across the site.

6. The Atlantic White Cedar trees proposed to be removed are small clusters of trees and are not part of a contiguous stand of trees that would constitute an ecological community or habitat of special concern.
7. Replacement Atlantic White Cedar trees will be planted in appropriate locations elsewhere on the property.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of the palustrine wetland ecosystem in the environs.
9. The mitigation plan currently in place adequately compensates for any loss of wetland functions and values associated with the 9,750 sq. ft. of low value wetlands impacted by this amended permit.

2005-02988 BRETTON WOODS LAND HOLDINGS LLC
CARROLL Ammonoosuc River

Requested Action:

Approve name change to: Bretton Woods Land Holdings, LLC, Mt Washington Resort, Route 302, Bretton Woods NH 03575 per request received 11/14/2006. Previous owner Wayne Presby.

Inspection Date: 06/06/2006 by Kirsten Pulkkinen

APPROVE NAME CHANGE:

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

2006-00336

LAVIN, THOMAS & IRENA

MEREDITH Lake Winnepesaukee

Requested Action:

Permanently remove an existing 6 ft by 30 ft seasonal dock and 6 ft by 40 ft wharf and walkway. Install 2 seasonal PWC lifts and seasonal access stairs to the waterbody from the remaining concrete pad, construct three, 6 ft by 30 ft permanent piling supported docks connected by a permanent walkway in a "W" configuration, and install three, 3 pile ice clusters, and 2 seasonal boatlifts with two 14 ft by 30 ft seasonal canopies in the center slips, accessed by steps constructed over the bank on an average of 443 ft of frontage on Lake Winnepesaukee, in Meredith.

Conservation Commission/Staff Comments:

Con Com has no concerns

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

APPROVE PERMIT:

Permanently remove an existing 6 ft by 30 ft seasonal dock and 6 ft by 40 ft wharf and walkway. Install 2 seasonal PWC lifts and seasonal access stairs to the waterbody from the remaining concrete pad, construct three, 6 ft by 30 ft permanent piling supported docks connected by a permanent walkway in a "W" configuration, and install three, 3 pile ice clusters, and 2 seasonal boatlifts with two 14 ft by 30 ft seasonal canopies in the center slips, accessed by steps constructed over the bank on an average of 443 ft of frontage on Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated January 30, 2006, as received by the Department on February 17, 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. Repairs shall maintain existing size, location and configuration.
6. 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 existing docks shall be completely removed prior to the construction of the approved docking structure.
8. The docks shall not extend more than 30 ft lakeward at full lake elevation of 504.32.
9. The minimum clear spacing between piles shall be 12 feet.
10. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
11. Boatlifts and PWC lifts shall be of seasonal construction type which shall be removed for the non-boating season.
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 any docking system that exceeds the design and construction criteria discussed at Env-Wt 402.01 for minimum impact docks classified under Env-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 applicant has submitted photographic evidence substantiating the need for permanent docks in this location.
6. The applicant has an average of 443 feet of shoreline frontage along Lake Winnepesaukee.
7. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
8. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

**2006-00926 OLDE PORT DEVELOPMENT GROUP LLC
PORTSMOUTH North Mill Pond**

Requested Action:

Impact a total of 29,578 sq. ft. of undeveloped upland tidal buffer zone, including 17,806 sq. ft. of permanent impact over two abutting lots totalling 2.6 acres, for construction of two 4-unit condominiums, one 2-car garage, one 6-car garage, associated driveways, walkways, and 11,772 sq. ft. of temporary impact for utility installation and construction staging.

Inspection Date: 11/13/2006 by Dori A Wiggin

APPROVE PERMIT:

Impact a total of 29,578 sq. ft. of undeveloped upland tidal buffer zone, including 17,806 sq. ft. of permanent impact over two abutting lots totalling 2.6 acres, for construction of two 4-unit condominiums, one 2-car garage, one 6-car garage, associated driveways, walkways, and 11,772 sq. ft. of temporary impact for utility installation and construction staging.

With Conditions:

1. All work shall be in accordance with revised plans by Ambit Engineering Inc. dated 9/11/2006, as received by the Department on 9/12/2006, with the following exceptions:
 - a. on Sheet C3, "Utility and Grading Plan": the 3' wide treatment swale proposed to be constructed to the north of the 6-car garage and within 50' of the reference line/highest observable tide line is not approved. The permittee shall coordinate with DES Site Specific Program upon relocation of the swale landward of the 50' primary building setback, or design an alternative storm water treatment.
 - b. Sheet C1 "Existing Conditions Site Plan" depicting tree removal in the protected shoreland, is not approved. The permittee shall meet with DES in an on-site inspection to determine which trees shall be removed in order to preserve a well-distributed stand particularly on the shoreline edge.
2. This permit is contingent upon receipt and approval by DES of revised plans which reflect design changes associated with permit conditions 1a. and 1b. above.
3. This permit is contingent on approval by the DES Site Specific Program, per the requirements of RSA 483-B:6, I (d).
4. The permittee shall coordinate with DES Site Specific Program on stormwater treatment relative to the required use of the standard "Green Book" versus the use of technologies such as gravel wetlands, rain gardens, etc. available through the direction of the UNH Stormwater Center. Where practicable, the most effective technology shall be applied, to increase protection to the North Mill Pond tidal estuary.
5. 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 Pease District Office in Portsmouth, N.H. 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.
6. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Area shall be regraded to original contours following completion of work.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(b), projects within 100 feet of the highest observable tide line that alter undeveloped uplands.
2. A public hearing was held on 8/10/2006.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Developable uplands with public street access exist on the property within the upland tidal buffer zone ("tbz") landward of the 50' primary building setback.
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, as follows:
 - a. The applicant has confined all permanent work to beyond the 50' primary building setback as required by RSA 483-B, maintaining a natural 50' buffer between the development area and the tidal North Mill Pond.
 - b. The applicant has proposed one unit less than City density requirements would allow on the two lots.
 - c. The applicant is further preserving open space within the undeveloped tbz by donating a third abutting lot to the City of Portsmouth as a public park.

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 Portsmouth Conservation Commission recommends neither approval or denial of the project; concerns they have conveyed have been addressed through the application review and permit conditions, or otherwise answered at the City review level.
7. NH Heritage Bureau reported no species of concern with respect to this location.
8. NH Fish and Game Department stated in an email dated 8/9/2006 copied to DES, that they are opposed to any development of undeveloped tidal buffer zone. Other testimony submitted to the record reflects the use of the estuary and its shoreline by species such as the great blue heron; photos submitted to DES on 9/2/2006 document use of the shoreline trees as resting locations for bald eagles. DES finds that this proposal confines development to the area which already exists largely as mowed lawn; maintains a 50' buffer to the estuary, and the permit conditions included herein allow DES to direct the permittee as to which trees are reasonable to remove to maintain a well-distributed stand and buffer zone integrity for species observed to use the site.
9. The application has received federal Programatic General Permit coordination review, and found to be eligible for the PGP approval.
10. The permit has been conditioned to eliminate the proposed storm water swale from within the 50' buffer, and to require the permittee to coordinate with DES Site Specific and UNH Stormwater Center to achieve the most effective storm water protections practicable and available to protect the estuary.
11. DES Staff conducted a field inspection of the proposed project on 11/13/2006.
12. This approval complies with the requirements of RSA 482-A and RSA 483-B, the Comprehensive Shoreland Protection Act, and is consistent with other approvals granted for similar projects in the upland tidal buffer zone.

2006-01484 SHAWS REALTY COMPANY
LONDONDERRY Unnamed Wetland

Requested Action:

Dredge and fill 28,500 sq. ft. of palustrine emergent and scrub-shrub wetlands for construction of 3 commercial facilities, associated access, parking and stormwater treatment, detention and infiltration structures.

APPROVE PERMIT:

Dredge and fill 28,500 sq. ft. of palustrine emergent and scrub-shrub wetlands for construction of 3 commercial facilities, associated access, parking and stormwater treatment, detention and infiltration structures.

With Conditions:

1. All work shall be in accordance with plans by TF Moran Inc., plan sheets 2, 3, and 4 of 7 dated October 6, 2006, plan sheet 5 and 6 of 7 dated September 1, 2006 and plan sheet 7 of 7 date June 1, 2006, as received by the Department on October 5, 2006.
2. This permit is contingent on the applicant making a one time donation payment of \$56,760.00 to the Town of Londonderry's Open Space Protection Fund prior to the commencement of any site development.
3. Prior to the start of construction the DES Wetlands Bureau shall be provided with a copy of the deposit slip documenting the transfer of funds to the Town of Londonderry Open Space Protection Fund.
4. This permit is contingent on approval by the DES Site Specific Program.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
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. 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.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. 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.

12. 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.

13. Proper headwalls shall be constructed within seven days of culvert installation.

14. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

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

With Findings:

1. This is a 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;

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 Town of Londonderry requested that the applicant provide stormwater treatment for the existing commercial facility adjacent to the property.

6. The applicant looked a multiple site designs, however, they were limited in site options due to the Town's request to provide stormwater treatment for the adjacent commercial site and the Town's prohibition of using underground stormwater facilities.

7. The proposed wetlands impact area appears to be wetlands created by stormwater runoff from the adjacent commercial development and roadways.

8. The proposed development will provide stormwater treatment, detention and infiltration for the currently untreated stormwater runoff from the adjacent commercial facility.

9. The proposed development site is a highly developed and fragmented commercial development area with limited wetlands functions and values. 10. The New Hampshire Fish and Game Department, Nongame and Endangered Species Program provided comments stating that they do not expect impacts to New England cottontail or wood turtle as a result of the proposed project because the habitat is either fragmented and/or is not likely to provide habitat for the two species.

11. The Londonderry Conservation Commission recommended approval of the Dredge and Fill application.

12. The proposed project is for permanent wetlands impacts that are 10,000 square feet or more. This requires the applicant to provide compensatory mitigation in accordance with Administrative Rules, Chapter Env-Wt 800.

13. The applicant reviewed various mitigation options and worked with the Londonderry Conservation Commission on mitigation options.

14. After discussion by the applicant with the Conservation Commission it was determined that a donation to The Town of Londonderry's Open Space Protection Fund would be the best mitigation option.

15. The applicant met with the Department on September 19, 2006 to discuss a donation being submitted to the Town as a mitigation option.

16. The Department determined the application was received prior to the aquatic resource mitigation program was adopted and the Department would allow a payment to the Town if it was determined to be the best mitigation option available.

17. The Department recommended a proposed donation payment be equivalent to the payment structure reflected in RSA 482-A:30.

18. The applicant has proposed a \$56,760.00 donation to the Town of Londonderry's Open Space Protection Fund.

19. The Chairman of the Londonderry Conservation Commission provided a letter to the Department in support of the donation due to the limited mitigation options.

20. The public hearing is waived for this project because the proposed project will impact low function and value wetlands within a highly developed commercial area and the proposed stormwater treatment structures will replicate the currently limited functions and values of the onsite wetlands.

2006-01618 THE STABILE COMPANIES
NASHUA Unnamed Wetland Nashua River

Requested Action:

Re-development of an a existing industrial site to construct a 160 unit condominium community with accompanying site improvements, pedestrian walkway (river-walk) and conduct nuisance plant species control and native plantings adjacent to prime wetlands (Nashua River).

APPROVE PERMIT:

Re-development of an a existing industrial site to construct a 160 unit condominium community with accompanying site improvements, pedestrian walkway (river-walk) and conduct nuisance plant species control and native plantings adjacent to prime wetlands (Nashua River).

With Conditions:

1. All work shall be in accordance with plans by Hayner/Swanson Inc., plan sheets revision dated October 16, 2006, as received by the Department on October 27, 2006 and narratives by Wetland Consulting Services as received by the Department on June 27, 2006
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval of a "Shoreland Waiver" (Wetlands Bureau File #2006-1533) by the DES Shoreland Protection Program.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
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. There shall be no substitutions made for the "River Bank Planting" plant species specified on the approved plan for replanting purposes without prior written approval from DES.
7. All planted vegetation shall be in accordance with the Plans, native, and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive species is strictly prohibited.
8. Any River Bank Planting proposed on the Plans shall have at least 90% survival success rate after two full growing seasons or the areas shall be replanted until the 90% success rate is achieved.
9. Implementation of the River Bank Planting component of the Plans shall be done prior to or concurrently with the construction of the buildings.
10. River Bank Planting monitoring reports shall be submitted to DES following the first full and second growing seasons, to review the success of the plantings and schedule remedial actions if necessary. The first report shall be submitted no later than September 15, 2008, and the second report no later than September 15, 2009. Such reports shall be submitted to DES with photographs demonstrating the conditions of the plantings, include any necessary remedial actions and contain a schedule for completing the remedial actions.
11. A permit shall be obtained from the NH Department of Agriculture before any herbicides are used for invasive plant species control.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. The boundaries of the wetlands shall be clearly marked prior to construction, shall be remain marked until construction is complete and the area is fully stabilized.
15. Orange construction fencing shall be placed at the limits of construction; siltation/erosion controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
16. A professional engineer and certified wetland scientist shall inspect the project to insure compliance with approved plans and permit conditions.
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. 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).

21. 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.

22. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

23. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

24. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.

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 his/her project, as approved and conditioned, 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 detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.

6. The applicant has proposed installing stormwater treatment and management systems.

7. The proposed stormwater treatment will improve the quality of the existing stormwater leaving the site.

8. This permit is contingent on approval by the DES Site Specific Program.

9. This permit is contingent on approval of a "Shoreland" waiver (Wetlands Bureau File #2006-1533) by the Shoreland Protection Program.

10. The proposed project calls for removal of invasive and dead plant species along approximately 1,300 linear feet of shoreline and replacing with native shrub and tree plantings.

11. The applicant's proposal will result in 39,497 square feet of vegetated area on the property.

12. The applicant's proposal provides a public access along the river via a walkway which will connect to other public walkways in the area and the historic Cotton Transfer Bridge.

13. A public hearing was held at the Department on October 4, 2006. No one in opposition to this project attended the public hearing.

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

Any party may apply for reconsideration with respect to any matter determined in this action within 20 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

2006-01636 STEMSKA, MATTHEW & RITA
HAMPTON Unnamed Wetland

Requested Action:

Retain 45 linear feet of bulkhead for the replacement of a failed bulkhead within the same footprint, size, and configuration adjacent to the Hampton River tidal marsh on 45 linear feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission does not oppose the granting of an after-the-fact approval with comments.

Inspection Date: 07/12/2006 by Eben M Lewis

APPROVE AFTER THE FACT:

Retain 45 linear feet of bulkhead for the replacement of a failed bulkhead within the same footprint, size, and configuration adjacent to the Hampton River tidal marsh on 45 linear feet of shoreline frontage.

With Conditions:

1. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
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. The owner shall plant smooth cordgrass (*Spartina alterniflora*) after the wall is constructed in accordance with condition no.13.
4. Work on the salt marsh shall occur during the months of August through the following April. No work on the marsh shall occur after April 30 unless a waiver of this condition is issued from the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters [low tide], and that results in no change in height, length, location, or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01., as the existing bulkhead failed.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03., as the wall will be replaced in-kind.
5. The failed bulkhead had backfill spilling out onto the adjacent tidal marsh.
6. This project is consistent with other recent approvals by the Bureau to replace deteriorated wooden bulkheads with concrete or block retaining walls in the region.
7. The Hampton Conservation Commission (HCC) does not oppose the granting of the permit. However, the HCC would like the owner to plant smooth cordgrass (*Spartina alterniflora*) after the wall is constructed.
8. DES personal inspected the site on July 12, 2006.
9. NH Natural Heritage Bureau (NHNHB) has identified High salt marsh and related communities as an exemplary natural communities. DES review of this application and field inspection finds that the NHNHB identified communities will not be impacted as a result of this project.
10. NH Fish and Game, Nongame and Endangered Species Program recommends restoration of tidal wetlands to the fullest extent possible.

2006-01858 VAN SLOOTEN, PAUL
ALTON Lake Winnepesaukee

Requested Action:

Remove existing 6 ft x 40 ft seasonal dock and fill 1150 sq ft with 165 cu yd of rock to construct 66 linear ft of breakwater, with a 6 ft gap at the shoreline, a 4 ft x 24 ft cantilevered pier, and a 4 ft x 24 ft cantilevered pier, constructed in an "dog-leg" configuration, accessed by a 4 ft x 8 ft walkway and a 6 ft x 14 ft 8 in walkway on an average of 100 ft of frontage on Barndoor Island in Alton on Lake Winnepesaukee.

APPROVE PERMIT:

Remove existing 6 ft x 40 ft seasonal dock and fill 1150 sq ft with 165 cu yd of rock to construct 66 linear ft of breakwater, with a 6 ft gap at the shoreline, a 4 ft x 24 ft cantilevered pier, and a 4 ft x 24 ft cantilevered pier, constructed in an "dog-leg" configuration, accessed by a 4 ft x 8 ft walkway and a 6 ft x 14 ft 8 in walkway on an average of 100 ft of frontage on Barndoor Island in Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revised November 7, 2006 as received by the Department on November 9, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. 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.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
9. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remain stockpiled on the frontage for a period longer than 60 days. Rocks shall not be stockpiled with 20 ft of any property line or the extension of any property line over the water.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. The breakwater shall have an irregular face to dissipate wave energy.
15. 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 major impact project per Administrative Rule Env-Wt 303.02(j), 1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of a breakwater.
2. DES Staff conducted a field inspection of the proposed project on October 3, 2006. Field inspection determined site meets criteria for a breakwater.
3. The applicant has an average of 100 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12 Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2 and therefore meets Rule Env-Wt 402.12.
6. Public hearing is waived based on field inspection, by NH DES staff, on October 3, 2006, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. Field inspection on October 3, 2006 found no obvious evidence of sand migration along this shoreline.

-Send to Governor and Executive Council-

2006-01940 LOON MOUNTAIN RECREATION CORP., RICK KELLY
LINCOLN East Branch Of Pemigewasset River

Requested Action:

Dredge and fill 2,287 square feet of wetlands and 2,906 square feet within perennial streams (impacting 1,246 combined linear feet within the bed and banks, of which 1,011 linear feet will be restored through the removal of existing culverts and replacement with bottomless arch pipes) to construct access roads and 22 condominium units as part of the Phase II expansion of the South Mountain area owned by Loon Mountain Recreation Corp. Temporarily impact 170 square feet of wetland and stream (impacting 45 linear feet) for construction access. Mitigate permanent stream impacts by upgrading 4 existing culverts with bottomless pipes to restore proper stream function, by removing existing culverts and restoring the natural stream bed, and by stabilizing the banks along an

existing eroded stream channel utilizing native plantings.

Inspection Date: 06/29/2006 by Craig D Rennie

APPROVE PERMIT:

Dredge and fill 2,287 square feet of wetlands and 2,906 square feet within perennial streams (impacting 1,246 combined linear feet within the bed and banks, of which 1,011 linear feet will be restored through the removal of existing culverts and replacement with bottomless arch pipes) to construct access roads and 22 condominium units as part of the Phase II expansion of the South Mountain area owned by Loon Mountain Recreation Corp. Temporarily impact 170 square feet of wetland and stream (impacting 45 linear feet) for construction access. Mitigate permanent stream impacts by upgrading 4 existing culverts with bottomless pipes to restore proper stream function, by removing existing culverts and restoring the natural stream bed, and by stabilizing the banks along an existing eroded stream channel utilizing native plantings.

With Conditions:

1. All work shall be in accordance with plans by plans by Horizons Engineering dated July 2006, as received by the Department on July 28, 2006; and in accordance with bank stabilization plans by Pioneer Environmental Associates dated October 11, 2006, as received by the Department on October 17, 2006.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit is contingent on approval by the DES Site Specific Program.
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. 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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Work within streams shall be done during low flow conditions.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. 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).
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).
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
17. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

MITIGATION CONDITIONS:

18. This permit is contingent upon the restoration and stabilization of perennial streams as described in the application proposal prepared by Pioneer Environmental Associates dated July 21, 2006, as received by DES on July 28, 2006.
19. The schedule for construction of the stream restoration areas shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.

- 20. Stream restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning and stable stream channels.
- 21. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the stream restoration areas are constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
- 22. The permittee or a designee shall conduct a follow-up inspection after the first full growing season, to review the success of the stream restoration areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.
- 23. Bank plantings shall have at least 75% successful establishment of woody vegetation after one (1) growing season, or shall be replanted and re-established until a stable stream bank is replicated in a manner satisfactory to the DES Wetlands Bureau.
- 24. Future phases of development within the South Mountain expansion area that require permanent wetland impacts shall prepare and present to DES an overall mitigation plan that incorporates clear long-term land use planning and protection in order to ensure that compensation is considered on an entire landscape perspective and not isolated per phase.

With Findings:

- 1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.02(i), as perennial stream impacts within the bed and banks is greater than 200 linear feet.
- 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 June 29, 2006. Field inspection determined that most of the stream crossings for the new roadway already exist as there is a gravel access road with undersized culverts, and that the proposal includes several opportunities to restore proper stream function and long-term stability.
- 6. The applicant is proposing to mitigate permanent stream impacts by upgrading 4 existing culverts with bottomless pipes to restore proper stream function, by removing existing culverts and restoring the natural stream bed, and by stabilizing the banks along an existing eroded stream channel utilizing native plantings.
- 7. Public hearing is not required with the finding that the project does not have substantial public interest, as the wetland impact areas are not areas that are considered to be of special value from a local, regional, or state perspective pursuant to Env-Wt 101.87.

MINOR IMPACT PROJECT

**2002-00312 HEMLOCK HILLS LLC
GREENVILLE Unnamed Wetland**

Requested Action:

Approve name change to: Hemlock Hills, LLC/DBA Hemlock Hills of Greenville & New Ipswich, PO Box 985, Acton MA 01720 per request received 11/13/2006. Previous owner: Little MacKenzie Dev, LLC.

Conservation Commission/Staff Comments:

Letter dated February 21, 2002, New Ipswich Con. Com. recommends work cease until erosion controls are in place and State has the opportunity to evaluate the present impacts.

May 20, 2002, letter from Greenville Con Com expressed concerns about the large number of wetlands contained within the proposed project site. Con Com will coordinate inputs with the Planning Board to address concerns about wetland areas during subdivision approval process.

New Ipswich Con Com expressed concerns about the potential increase in impacts to wetlands during a phone conversation with DES staff on November 11, 2002. Requested a new site visit be conducted by DES staff.

Inspection Date: 12/04/2002 by Jeffrey D Blecharczyk

Inspection Date: 04/09/2002 by Jocelyn S Degler

APPROVE NAME CHANGE:

Fill approximately 16,940 square feet (2,100 in New Ipswich and 14,840 in Greenville) of palustrine forested wetlands to provide access to a 68-Lot subdivision known as Hemlock Hills. Preserve 13.8 acres of land in a conservation easement, consisting of approximately 4 acres of jurisdictional wetlands and 9.8 acres of contiguous upland buffer, as compensatory mitigation for project related wetlands impacts.

With Conditions:

1. All work shall be in accordance with Subdivision plans by Meridian Land Services, Inc. dated June 16, 2002 for impacts within New Ipswich and dated October 10, 2002, for impacts within Greenville, both plans received by the Department on December 4, 2002; and the Preliminary Wetland Mitigation Area plan by Meridian Land Services, Inc. dated September 3, 2002, as received by the Department on September 10, 2002.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #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. Work shall be done during low flow.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
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. 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.
15. Silt fencing must be removed once the area is stabilized.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Wetland preservation:

17. This permit is contingent upon the establishment of a conservation easement on 13.8 acres to serve as compensatory mitigation for project related wetlands impacts, as depicted on plans by Meridian Land Services, Inc. dated October 10, 2002, as received by the Department on December 4, 2002. Said conservation easement shall consist of approximately 4 acres of jurisdictional wetlands and 9.8 acres of contiguous upland buffer
18. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
19. Draft conservation easement language shall be submitted to the Wetlands Bureau and local Conservation Commission for review and approval within 90 days of the approval date of this permit.
20. 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.

21. The conservation easement shall be consistent with a report prepared by Meridian Land Services, Inc. submitted to the Department on September 10, 2002, summarizing existing conditions within the conservation area. Said report contained photographic documentation of the easement area, and should be submitted to the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
22. The 13.8 acres of conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
23. Signs to indicate the location of and restrictions on the 13.8 acres of the conservation easement area shall be posted every 150 feet along the boundary of the conservation area prior to construction.
24. There shall be no removal of the existing vegetative undergrowth within the 13.8 acres of the conservation easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
25. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

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

2004-00309 WELDON, DANIEL
EPSOM Unnamed Wetland

Requested Action:

Dredge and fill an additional 1,690 sq. ft. of wetlands/intermittent drainage areas identified during an additional site investigation. Work includes 1,210 sq. ft. of impact for culvert installation and associated grading for individual driveways to lots 6-16 and 6-17 and 520 sq. ft. of impact for culvert installation and associated grading for a driveway for lot 16-23.

Conservation Commission/Staff Comments:

1. Epsom Conservation Commission signed the application.
2. DES did not receive any comments regarding the proposed amendment.

APPROVE AMENDMENT:

Dredge and fill a total of 4,538 sq. ft. of palustrine forested/scrub-shrub wetlands and intermittent drainages to construct a roadway and driveways for a 40-lot residential subdivision on a 122.95 acre parcel of land of which 43 acres are designated open space.

With Conditions:

1. All work shall be in accordance with the overview plan prepared by Robert G. Rook, P.E., Consulting Engineer, dated November 11, 2003, as received by the Department on February 26, 2004, subdivision plan by Joseph M. Wichert, L.L.S., Inc., dated November 19, 2003 as received by the Department on April 06, 2004 and amended plans prepared by Beaver Brook Environmental Consultants, LLC., "Wetland Impact Plan" dated October 31, 2005 and "Proposed Driveway Plan", dated October 17, 2006 as received by the Department on October 17, 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 Merrimack County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. Work shall be done during low flow.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 13 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. 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.

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).

16. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

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's agent discussed the proposed amendment and new delineation with the Department.

5. The agent felt that these areas are jurisdictional and should be identified because they provide intermittent drainage connecting the adjacent wetland areas.

6. The agent reviewed all non-built lots and determine that no additional wetlands impacts would be required.

7. The additional driveways access the previously proposed build-able/upland areas of the site and is not a substantial change from the previously approved project.

8. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2005-01538 WENDELL, JON
GREENLAND Great Bay

Requested Action:

Impact a total of 4,989 sq. ft. within NH DES Wetlands jurisdiction to include 3,399 sq. ft. of permanent impacts and 1,590 sq. ft. of temporary impacts within the previously developed 100-foot upland Tidal Buffer Zone to expand an existing dwelling by constructing a breezeway to an attached 28-foot by 38-foot garage with additional living space above. Construct 130 linear feet of 1.5 foot high rock retaining wall to stabilize and prevent further undermining of a highly eroded embankment on a single family residential lot of 1.4 acres on Great Bay having 264 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Greeland Conservation Commission did not comment on the project.

Inspection Date: 11/09/2006 by Frank D Richardson

Inspection Date: 06/28/2006 by Eben M Lewis

APPROVE PERMIT:

Impact a total of 4,989 sq. ft. within NH DES Wetlands jurisdiction to include 3,399 sq. ft. of permanent impacts and 1,590 sq. ft. of temporary impacts within the previously developed 100-foot upland Tidal Buffer Zone to expand an existing dwelling by constructing a breezeway to an attached 28-foot by 38-foot garage with additional living space above. Construct 130 linear feet of 1.5 foot high rock retaining wall to stabilize and prevent further undermining of a highly eroded embankment on a single family residential lot of 1.4 acres on Great Bay having 264 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated April 2005 (last revised March 23, 2006), as

received by the Department on September 12, 2006.

2. This permit supercedes the previous NH DES Wetlands permit #2004-1264.
3. There shall be no further alteration of areas within NH DES Wetlands jurisdiction for lot development or for any other construction related activities.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. This approval does not allow waterward expansion of the existing primary structure toward the highest observable tideline.
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. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. All surface area of the existing gravel driveway within the 100 foot upland tidal buffer zone are to remain permeable by installing 'geo-block' or similar pavers.
9. All planting along the shoreline for bank stabilization and aesthetics shall be native species per table 1 "planting specifications" as per the approved site plan. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
10. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03 (k) Projects that disturb between 50 and 200 linear feet, measured along the shoreline (for the rock retaining wall/ shoreline stabilization component of the project).
2. Per Env-Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant as the Town of Greenland does not allow living space to be constructed within an outbuilding as proposed in the previous permit(#2004-1264). Therefore, to gain additional living space an addition must be constructed by expanding the existing dwelling. The proposed rock retaining wall will prevent further erosion; therefore it is necessary to protect the embankment from being further undermined resulting in the probable loss of existing trees along the shoreline.
3. Per Env-Wt 302.03, 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 as the proposed addition is landward of the existing dwelling and will be constructed in previously developed upland tidal buffer zone.
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. All new construction will be landward of the existing primary structure and located in the previously developed upland tidal buffer zone .
6. DES Staff conducted field inspections of the proposed project on June 28, 2006 and November 9, 2006.

2005-01773 MONMANEY, JR., KEITH
CANAAN Unnamed Wetland

Requested Action:

Approve name change to: Keith D Monmaney, Jr., PO Box 72, Canaan NH 03741 per request received 11/14/2006. Previous owner: Joseph Lindsay, Jr.

Conservation Commission/Staff Comments:

The Canaan Conservation Commission requested a site visit by the Department.

Inspection Date: 11/07/2005 by Kirsten Pulkkinen

APPROVE NAME CHANGE:

Dredge and fill 9,874 square feet of wetlands for access to a 12 lot subdivision further described as follows: permanently impact 7,567 square feet of wetlands (approximately 68 linear feet of intermittent stream) for road construction and temporarily impact 2,307 square feet of wetlands for construction envelopes.

With Conditions:

1. All work shall be in accordance with plans by Brown Engineering dated October 20, 2004, as received by the Department on November 3, 2005 and plans by Brown Engineering dated November 8, 2005, as received by the Department on November 8, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. 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. Temporary wetland impacts associated with the proposed crossings shall be restored in-kind.
8. Work shall be done in dry conditions.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. 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.
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culverts shall be laid at original grade.
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).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

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

2006-00233 JOY, CATHLEEN
NEW DURHAM Unnamed Wetland

Requested Action:

Fill 1,186 sq. ft. of wetland and installation of a 36 in. HDPE culvert for the construction of a shared driveway to access uplands for the construction of a two-lot subdivision on 4.04 acres.

APPROVE PERMIT:

Fill 1,186 sq. ft. of wetland and installation of a 36 in. HDPE culvert for the construction of a shared driveway to access uplands for the construction of a two-lot subdivision on 4.04 acres.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying and Engineering dated January 4, 2006 as received by the Department on August 8, 2006.
2. 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 and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
3. This permit is contingent upon DES Subsurface approval.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

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

With Findings:

1. This is a minor project pursuant to Administrative Rule Env-Wt 303.03(l), projects which exceed 50 linear feet but which do not exceed 200 linear feet of impact to an intermittent stream as measured along its thread.
2. The applicant has adequately addressed abutter concerns regarding the stream that runs through the abutter's property as it relates to DES Wetlands Bureau jurisdiction. As outlined in a report prepared by Berry Surveying & Engineering, the applicant has provided buffers around existing wetlands to ensure a small percentage of cutting on the property; a shared driveway is proposed for the two lots to ensure the smallest amount of stream bed disturbance; and driveways have been designed to maximize the sheet flow off the site, and through vegetated buffers to reduce the velocity of storm water runoff.
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(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00470 BOW EQUESTRIAN VILLAGE LLC

BOW Unnamed Wetland

Requested Action:

Dredge and fill 8428 square feet of palustrine forested wetland and restore 276 square feet of intermittent stream and associated wetland for access in the subdivision of 35.948 acres into 12 single family residential lots and one open space lot.

APPROVE PERMIT:

Dredge and fill 8428 square feet of palustrine forested wetland and restore 276 square feet of intermittent stream and associated wetland for access in the subdivision of 35.948 acres into 12 single family residential lots and one open space lot.

With Conditions:

1. All work shall be in accordance with plans by Provan and Lorber Inc dated November 2005, and plan sheet C1.2 revised through September 2006, as received by the Department on September 21, 2006, and plan sheet C1.3 revised through October 2006, as received by the Department on November 2, 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 recorded 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. Work shall be done during periods of non-flow.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. All material removed during work activities shall be removed down to the level of the original hydric soils.
13. All material removed during work activities shall be placed out of DES's jurisdiction.

14. Mulch within the restoration area shall be straw.
15. 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.
16. 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.
17. 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.
18. Silt fencing must be removed once the area is stabilized.
19. 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).
20. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), 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 Wt 303.04(f).
2. The impacts are for access to the upland portions of the site.
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.

2006-01406 AIKENS JR, PETER
RYE Wallis Creek / Tidal Buffer

Requested Action:

Applicant requests to amend permit to include: Impact a total of 2,450 square feet within the previously developed 100-foot tidal buffer zone to include 664 square feet of impact within 50-feet of salt marsh to allow for the removal of the existing shed, garage, and dwelling to construct a new single-family dwelling, garage, and permeable pavers driveway on a single-family residential lot of 0.99 acres.

Conservation Commission/Staff Comments:

The Rye Conservation Commission did not comment on the project.

APPROVE AMENDMENT:

Impact an additional 12 square feet which will total 2,450 square feet within the previously developed 100-foot tidal buffer zone to include 664 square feet of impact within 50-feet of salt marsh to allow for the removal of the existing shed, garage, and dwelling to construct a new single-family dwelling, garage, and permeable pavers driveway on a single-family residential lot of 0.99 acres.

With Conditions:

1. All work shall be in accordance with the Wetland Permit Plan by Ames MSC dated June 8, 2006 and revised on October 16, 2006, as received by the Department on October 18, 2006.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. 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.
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. All gutters on the garage and dwelling shall drain away from the marsh.
- 8. The driveway shall be constructed of permeable pavers only.
- 9. There will be no water, sewer or septic system hook-up for the garage which shall be used only for garaging and storage and will at no time ever be used as a dwelling or living quarters even on a temporary basis.
- 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 minor impact project per Administrative Rule Env-Wt 303.03(b), as this project is within 50 feet of salt marsh.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01., as the applicant intends to remove the existing structures on the lot and construct a new garage and dwelling
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03., as the two existing structures closest to the marsh will be demolished and a new garage with a smaller foot print will be constructed in their place further from the salt marsh.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a)and (c) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The applicant owns the lot identified as Rye Tax Map 17.3 Lot 6, therefore the applicant does not have to obtain written concurrence for those impacts within 20-feet of their property.
- 6. NH Natural Heritage Bureau (NHNHB) has record of four state threatened plant species within the project vicinity, Beach Grass (*Ammophila breviligulata*), Salt-loving Spike-rush (*Eleocharis uniglumis*), Salt-marsh Gerardia (*Agalinis maritima*), Tall Wormwood (*Artemisia campestris* ssp.). NHNHB also has record of one plant vertebrate species of special concern within the project vicinity, Virginia Rail (*Rallus limicola*). Lastly, NHNHB identified five exemplary natural communities, High salt marsh, Low salt marsh, Saline/brackish subtidal channel/bay bottom, Tidal creek bottom.
- 7. DES finds that none of the NHNHB identified items will be impacted as a result of this project, as the property is currently fully developed and does not support the listed plant species. In addition, the storm water from the roofs and driveway will be managed with gutter draining away from the marsh and permeable pavers, respectively.
- 8. DES finds that the construction of the garage (664 s.f.) meets Env-Wq 1405.04, as the applicant will be demolishing two grandfathered out buildings, totaling 680s.f., located within 15 feet of the highest observable tide line, thereby decreasing the total square footage within 50-feet of the salt marsh.
- 9. On October 18, 2006 DES received a request to amend the original impacts. An additional 12 square feet of impact will result due to the enlargement of the garage on the lot. The garage will not encroach closer to the marsh.

2006-01413 LARRERE REVOC TRUST, TERESA LARRERE TTEE
GILFORD Lake Winnepesaukee

Requested Action:

Dredge 5.5 cubic yards from 444 sq ft of lakebed to provide depth in exterior slips, repair/replace an existing 38 ft 4 in x 47 ft 4 in boathouse "in-kind", excavate 400 sq ft along 22 linear ft of shoreline, and relocate rocks on 32 sq ft of lakebed to construct a 20 ft x 20 ft perched beach on 251 ft of frontage on Lake Winnepesaukee in Gilford.

APPROVE PERMIT:

Dredge 5.5 cubic yards from 444 sq ft of lakebed to provide depth in exterior slips, repair/replace an existing 38 ft 4 in x 47 ft 4 in boathouse "in-kind", excavate 400 sq ft along 22 linear ft of shoreline, and relocate rocks on 32 sq ft of lakebed to construct a 20 ft x 20 ft perched beach on 251 ft of frontage on Lake Winnepesaukee in Gilford.

With Conditions:

- 1. All work shall be in accordance with plans by Beckwith Builders Inc. as received by the Department on October 30, 2006.
- 2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
- 3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall

remain until the area is stabilized.

4. This permit does not allow for annual maintenance dredging.
5. 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.
6. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas.
7. 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.
8. 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.
9. Repair shall maintain existing size, location and configuration.
10. All construction related material and debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Material dredged for boat slips shall not be moved to deeper water, but shall be deposited completely outside Wetlands and Shoreland jurisdiction.
12. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
13. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable).
14. The steps installed for access to the water shall be located completely landward of the normal high water line.
15. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
16. This permit shall be used only once, and does not allow for annual beach replenishment.
17. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
18. 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.
19. Dated photographic documentation of the entire project shall be submitted to the Wetlands Bureau as a notification of completion of the project.
20. 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(g), dredge of no more than 20 cubic yards.
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.

2006-01474 MIEDICO, JOSEPH
SUNAPEE Lake Sunapee

Requested Action:

Remove existing 6 ft x 40 ft seasonal dock and install a 6 ft x 50 ft seasonal dock in the same location on 80 ft of frontage on Lake Sunapee in Sunapee.

APPROVE PERMIT:

Remove existing 6 ft x 40 ft seasonal dock and install a 6 ft x 50 ft seasonal dock in the same location on 80 ft of frontage on Lake Sunapee in Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Joseph Miedico, as received by the Department on November 8, 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

- recorded permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Seasonal dock shall be removed from the lake for 5 months during the non-boating season.
 4. No portion of the pier shall extend more than 50 feet from the shoreline at full lake elevation.
 5. 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.
 6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
 7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
 8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d)(3) construction of a seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has 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.

2006-01859 KING, JOHN
NEW LONDON Lake Sunapee

Requested Action:

Construct two 6 ft by 40 ft seasonal docks on an average of 235 ft of frontage on Lake Sunapee, New London.

Conservation Commission/Staff Comments:

Con Com has not submitted comments by 11/02/06

APPROVE PERMIT:

Construct two 6 ft by 40 ft seasonal docks on an average of 235 ft of frontage on Lake Sunapee, New London.

With Conditions:

1. All work shall be in accordance with plans by John King, as received by the Department on August 22, 2006 and dock location plan as received by the Department on August 10, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. These shall be the only structure on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
6. 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 Env-Wt 402.01 for minimum impact docks classified under Env-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 an average of 235 feet of shoreline frontage along Lake Sunapee.
5. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
6. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

**2006-02242 MANCHESTER-BOSTON REGIONAL AIRPORT, RICHARD FIXLER
MANCHESTER Merrimack River & Little Cohas Brook**

Requested Action:

Request amendment to condition #5 to allow construction activity until December 15th.

Conservation Commission/Staff Comments:

Londonderry Cons. Comm. concerned of discharges to the river and NPDES

Inspection Date: 06/14/2006 by Gino E Infascelli

APPROVE AMENDMENT:

Install a 36" pipeline from the airport to the river crossing a tributary to the Little Cohas Brook for discharge of stormwater impacting a total of 2,690 sq. ft. (490 sq. ft. temporary) of banks, riverine and palustrine wetlands.

With Conditions:

1. All work shall be in accordance with plans by:
 - a. The Smart Associates, as received by the Department on October 10, 2006 and
 - b. Weston Solutions. Inc. as received by the Department on September 28, 2006
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. 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. Orange construction fencing shall be placed at the limits of construction to prevent damage to the trees and other vegetation that shall remain.
5. All work within 0.2 miles of the river shall be completed by December 15th unless otherwise agreed to by both the US Fish and Wildlife Service and the NH Fish and Game Department.
6. Native trees and shrubs shall be planted along the bank.
7. Contingent on any landowner approval required for work on any property.
8. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
10. 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.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
13. 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.
14. 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.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas

cleared of vegetation to be revegetated as quickly as possible.

- 18. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
- 19. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
- 20. The impacts associated with the temporary work shall be restored immediately following construction.
- 21. The Applicant shall not increase the load of oxygen demanding deicing fluids discharged to the Merrimack River beyond those based on existing deicing practices.
- 22. The Applicant shall maintain records of deicing fluid usage at the Activity, and shall make the records available to the DES upon request.
- 23. The Applicant shall comply with the requirements of the EPA multisector general NPDES stormwater permit.

With Findings:

- 1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of stream or river channel and its banks.
- 2. The amendment request has been coordinated with the New Hampshire Fish and Game Dept. and the U.S. Fish and Wildlife Service.

MINIMUM IMPACT PROJECT

**2003-01697 BUTLER, JAMES
EPSOM Unnamed Wetland Northwood Lake**

Requested Action:

Retain 500 square feet of impact to a forested wetland including a 12-inch x 32 foot culvert for access to a single family home.

APPROVE AFTER THE FACT:

Retain 500 square feet of impact to a forested wetland including a 12-inch x 32 foot culvert for access to a single family home.

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 need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. In accordance with Env-Wt 302.05, applications received after work is completed shall be subjected to the same review as any other application.

**2006-01504 PERRON, WILLIAM & RUSSELL
DEERFIELD Unnamed Stream**

Requested Action:

Dredge and fill 2,025 sq. ft. of intermittent stream and wetlands to install a 36" x 40' culvert to retain and upgrade existing woods crossing, to provide a shared driveway to two residential lots.

APPROVE PERMIT:

Dredge and fill 2,025 sq. ft. of intermittent stream and wetlands to install a 36" x 40' culvert to retain and upgrade existing woods crossing, to provide a shared driveway to two residential lots.

With Conditions:

1. All work shall be in accordance with plans by Robert G. Rook, P.E. dated 7/16/2004, as received by the Department on 6/19/2006, and per subdivision plan by James E. Franklin, L.S.S., dated 9/1/2004, as received by the Department on 10/16/2006.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Culvert outlets shall be properly rip rapped.
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. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Work shall be done during low flow.
9. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of swamps or wet meadows, and per Rule Env-Wt 030.04(n), projects that disturb less than 50 linear feet of an intermittent stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Three individual dwellings existed on a 113-acre parcel of land, which has since been subdivided to provide each dwelling its own lot. The existing woods road, which had been in place for some time with an existing deteriorated culvert, is now the access for two of the three lots and needs to be replaced.
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 access is confined to an existing woods road and crossing.
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 Deerfield Conservation Commission did not report.
6. NH Fish and Game Department reported Blandings turtles in the greater vicinity of the project; the applicant's wetland scientist evaluated the area of the existing crossing and found it to be unsuitable turtle habitat, and states that the 36" culvert size at this location should not impede turtle passage.

2006-01759

CARBONE, RICHARD & LAURIE

BRENTWOOD Unnamed Wetland

Requested Action:

Dredge and fill 1,765 sq. ft. of palustrine forested wetlands to construct a roadway/ culvert crossing to provide access to a 24-unit senior housing development on a 9.01 acre parcel of land.

Conservation Commission/Staff Comments:

No report received from the Brentwood Conservation Commission.

APPROVE PERMIT:

Dredge and fill 1,765 sq. ft. of palustrine forested wetlands to construct a roadway/ culvert crossing to provide access to a 24-unit senior housing development on a 9.01 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Eric C. Mitchell & Associates, Inc. dated May 2006 (last revised 10-12-06), as received by the Department on Nov. 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. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
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. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.

With Findings:

1. This is a minimum impact project per Administrative Rule 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(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-02241 DEERFIELD, TOWN OF DEERFIELD Nichols Brook

Requested Action:

Replace an existing 7.5' high x 5.5' wide x 25' long concrete box culvert with a 6' high x 10' wide x 25' long box culvert on perennial Nichols Brook; total impact 500 sq. ft.

APPROVE PERMIT:

Replace an existing 7.5' high x 5.5' wide x 25' long concrete box culvert with a 6' high x 10' wide x 25' long box culvert on perennial Nichols Brook; total impact 500 sq. ft.

With Conditions:

1. All work shall be in accordance with plans by Frederick J. McGarry, P.E. dated 8/14/2006, as received by the Department on 8/24/2006.
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. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. 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.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam

is fully effective, confined work can proceed without restriction.

7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum by the department based on the degree of environmental impact. The dimensions of the proposed replacement culvert represent a minimal change over the existing culvert dimensions, and the increase in culvert size in terms of width will improve the hydrology of the brook.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing 50 year old culvert is in a public road and is deteriorated.
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 new culvert is an upgrade in terms of brook flow.
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 were no NH Natural Heritage Bureau or NH Fish & Game Dept. species of concern reported for this project.
5. The Deerfield Conservation Commission did not report.

2006-02363 LARSON, DONALD
MEREDITH Lake Winnepesaukee

Requested Action:

Temporarily impact a total of 40 sq ft of lake bed to install a submarine cable to supply electricity to Beaver Island on Lake Winnepesaukee in Meredith.

APPROVE PERMIT:

Temporarily impact a total of 40 sq ft of lake bed to install a submarine cable to supply electricity to Beaver Island on Lake Winnepesaukee in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated October 28, 2006, as received by the Department on November 3, 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. 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. No more than 5 cubic yards of material shall be disturbed.
7. Cable shall be partially buried to avoid becoming a boating hazard.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ae), Installation of residential utility lines and associated temporary impacts to permit utility services for a single family building lot.
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.

FORESTRY NOTIFICATION

2006-02805 HERZL-BETZ, LOUISE
LANCASTER Unnamed Stream

COMPLETE NOTIFICATION:
Lancaster Tax Map R15, Lot# 1

2006-02862 KING, ELIZABETH
ALTON Unnamed Stream

COMPLETE NOTIFICATION:
Alton Tax Map 15, Lot# 23

2006-02874 DS NOBLE REALTY LLC
WEARE Unnamed Stream

Conservation Commission/Staff Comments:
11/13/06 - In looking at the Future Subdivision plan sheet, highlighted in green & yellow is a course that could be used to avoid wetland and stream crossings all together. In calling Caron's office, I spoke with Matt, who is a wetland scientist who believes the first delineation was incorret and that this area is part of the wetland.

COMPLETE NOTIFICATION:
Weare Tax Map 407, Lot# 155

2006-02875 LYMAN BREWER PROPERTIES LLC, C/O JIM LYMAN
BELMONT Unnamed Stream

COMPLETE NOTIFICATION:
Belmont Tax Map 209, Lot 2

2006-02905 WESTON, HOWARD
WEARE Unnamed Stream

COMPLETE NOTIFICATION:

Weare Tax Map 402, Lot# 49

2006-02906 RAE, MARY
LYNDEBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Lyndeboro Tax Map 1, Lot# 54-3

2006-02907 SCHMITZ, PATRICIA
MONT VERNON Unnamed Stream

COMPLETE NOTIFICATION:
Mont Vernon Tax Map 3, Lot# 28

EXPEDITED MINIMUM

2006-01836 HARRISON, RONALD & DEBORAH
TUFTONBORO Unnamed Wetland

Requested Action:
Dredge and fill 940 square feet of palustrine forested wetland including installation of a 12-inch x 18 foot culvert for access to a proposed septic system location.

APPROVE PERMIT:
Dredge and fill 940 square feet of palustrine forested wetland including installation of a 12-inch x 18 foot culvert for access to a proposed septic system location.

With Conditions:

1. All work shall be in accordance with plans by Beckworth Builders dated July 13, 2006, as received by the Department on July 24, 2006, and plans received by the Department on October 18, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).
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. Work shall be conducted during low water conditions.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
25. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

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

2006-01887 COOPER, RENEE
HAMPTON Atlantic Ocean

Requested Action:

Impact 453 square feet within the previously-disturbed 100-foot tidal buffer zone for the repair and replacement of an existing dwelling within the existing foot print on the Atlantic Ocean with approximately 99 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 453 square feet within the previously-disturbed 100-foot tidal buffer zone for the repair and replacement of an existing dwelling within the existing foot print on the Atlantic Ocean with approximately 99 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by TMS Architects dated September 11, 2006 and revised on October 23, 2006, as received by the Department on November 15, 2006.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
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. 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(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01., as the applicant wished to renovate the existing dwelling.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03., as the impacts will occur within the existing foot print of the dwelling.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with Env-Wt 304.04, the application received written concurrence from the abutter whose property is within 20-feet of the impacts.
6. NH Fish and Game Dept.(NHFG) currently has record of the Common tern being a state endangered, sensitive species in the vicinity of the project. NHFG does not expect impacts to the aforementioned species as long as the existing foot print of the dwelling is utilized and not expanded.
7. DES find that the NHFG species mentioned above will not be impacted as a result of this project as the construction will remain within the existing foot print of the dwelling.

2006-02339 HOCKMAN REVOC TRUST, MERLE
SUNAPEE Lake Sunapee

Requested Action:

Repair/replace existing "Y-shaped" crib supported permanent docking facility "in-kind" on 100 ft of frontage on Sunapee Lake in Sunapee.

APPROVE PERMIT:

Repair/replace existing "Y-shaped" crib supported permanent docking facility "in-kind" on 100 ft of frontage on Sunapee Lake in Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Richard Green as received by the Department on September 13, 2006.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit does not allow beach construction or replenishment.
4. No sand shall be deposited within the protected shoreland without a permit.
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. 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.
8. 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.
9. 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.
10. 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.
11. Repairs shall maintain existing size, location and configuration.
12. All construction related material and debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v) Maintenance, replair, and replacement in kind of existing docking structures, shuch as breakwaters, docks, boat houses, piers, wharves, walkways, boat ramps, tie-off pilings, ice clusters, etc.
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.

2006-02343 GIESE, ROGER & MARY ANN
CONWAY Paquaket Pond

Requested Action:

Stabilize an existing slope beach frontage by constructing two perched beaches and using no more than a total of 10 cubic yards of sand on Pequawket Pond, Conway.

Conservation Commission/Staff Comments:
Con Com signed Expedited application

APPROVE PERMIT:

Stabilize an existing slope beach frontage by constructing two perched beaches and using no more than a total of 10 cubic yards of sand on Pequawket Pond, Conway.

With Conditions:

1. All work shall be in accordance with plans by Roger Giese dated as received by the Department on October 27, 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. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line. Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
5. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. 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.
9. 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.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

2006-02403 MIDDLETON CONSERVATION COMMISSION
MIDDLETON Unnamed Stream Wetlands

Requested Action:

Dredge and fill a total of 2,720 sq. ft. of wetland for the replacement of seven culverts within existing gravel roadways in seven different locations on 75 acres. Restore 564 sq. ft. of wetlands for the removal of a makeshift wooden bridge over a portion of wetland on the property.

APPROVE PERMIT:

Dredge and fill a total of 2,720 sq. ft. of wetland for the replacement of seven culverts within existing gravel roadways in seven different locations on 75 acres. Restore 564 sq. ft. of wetlands for the removal of a makeshift wooden bridge over a portion of wetland on the property.

With Conditions:

1. All work shall be in accordance with plans by Joseph J. Curtin of the Middleton Conservation Commission dated November 12, 2006, as received by the Department on November 15, 2006.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Construction equipment shall not be located within surface waters.
4. 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.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices

for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

- 6. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
- 7. 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.

2006-02410 STEPPOE, GREGORY
SUNAPEE Mt View Lake

Requested Action:

Replace an existing 10 ft by 10 ft dock supported by a 6 ft by 6 ft crib and accessed by an 3 ft by 15 ft walkway on Mt View Lake, Sunapee.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replace an existing 10 ft by 10 ft dock supported by a 6 ft by 6 ft crib and accessed by an 3 ft by 15 ft walkway on Mt View Lake, Sunapee.

With Conditions:

- 1. All work shall be in accordance with plans as received by the Department on November 01, 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 recorded 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 Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
- 4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
- 5. 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.
- 6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
- 7. 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.
- 8. Repair shall maintain existing size, location and configuration.
- 9. 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.

2006-02452 TAGLINO, ANTHONY
NEWBURY Lake Sunapee

Requested Action:

Repair/replace existing 8 ft x 28 ft crib supported docking structure on 110 ft of frontage on Sunapee Lake in Sunapee.

APPROVE PERMIT:

Repair/replace existing 8 ft x 28 ft crib supported docking structure on 110 ft of frontage on Sunapee Lake in Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Richard L. Green as received by the Department on October 31, 2006.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. This permit does not allow for maintenance dredging.
5. 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.
6. 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.
7. 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.
8. 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.
9. Repairs shall maintain existing size, location and configuration.
10. All construction related material and debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Seasonal boatlift shall be removed annually for 5 months during the non-boating season.
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(v), Maintenance, repair, and replacement in-kind of existing docking structures.
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.

**2006-02528 GLENDON, ROBERT & YVONNE
WEBSTER Pillsbury Lake**

Requested Action:

Replenish 900 square feet of an existing beach with less than 10 cubic yards of sand on Pillsbury Lake, Webster.

APPROVE PERMIT:

Replenish 900 square feet of an existing beach with less than 10 cubic yards of sand on Pillsbury Lake, Webster.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on November 02, 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 shall remain until the area is stabilized.
4. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

7. Work shall be done during drawdown.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa), replenishment of an existing beach.

2006-02572 KATZ, MARLA
NEW CASTLE Tidal Buffer Zone

Requested Action:

Impact a total of 842 s.f. within the previously-disturbed 100-foot tidal buffer zone which includes 235 s.f. of permanent impact, 607 s.f. of temporary impact for the construction of an addition to the existing dwelling, and impact 235 s.f. for planting native species along the shoreline to mitigate for the permanent impacts on the Piscataqua River with 192 linear feet of shoreline frontage.

Conservation Commission/Staff Comments:

The New Castle Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 842 s.f. within the previously-disturbed 100-foot tidal buffer zone which includes 235 s.f. of permanent impact, 607 s.f. of temporary impact for the construction of an addition to the existing dwelling, and impact 235 s.f. for planting native species along the shoreline to mitigate for the permanent impacts on the Piscataqua River with 192 linear feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with the following plans by NHSC, Inc.:
 - a.) TBZ Impact Plan dated September 2006, as received by the Department on October 6, 2006;
 - b.) Buffer Zone Planting Plan dated September 2006, as received by the Department on November 9, 2006.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
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. Temporary impact areas shall be regraded to original contours upon the completion of the project and stabilized.
6. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 30 days of the completion of construction.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. 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(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01., as the applicant wishes to construct an addition to the existing dwelling.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03., as the area of permanent impact will be mitigated with a native planting bed of equal area on the shoreline.
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.

2006-02574 WILLIAMS, BARRY
SANBORNVILLE Lovell Lake

Requested Action:

Repair 88 ft of existing retaining wall in kind on 120 linear ft of frontage on Lovell Lake, Sanbornville.

Conservation Commission/Staff Comments:

Con Com did not sign the Exp Application

APPROVE PERMIT:

Repair 88 ft of existing retaining wall in kind on 120 linear ft of frontage on Lovell Lake, Sanbornville.

With Conditions:

1. All work shall be in accordance with plans by Barry Williams as received by the Department on November 13, 2006, and lot survey plan by Kevin McEaney dated July 18, 1990, as received by the Department on October 06, 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. Repair shall maintain existing size, location and configuration.
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. Area shall be regraded to original contours following completion of work.
6. Dredged material shall be placed 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).

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.

2006-02623 ARMANDI, SILVIO & JOAN
MIDDLETON Sunrise Lake

Requested Action:

Replace existing 46 linear ft. wooden retaining wall landward of existing beach with concrete block in same footprint; replenish existing beach with less than 10 cubic yard of sand above the high water line of Pleasant Lake.

APPROVE PERMIT:

Replace existing 46 linear ft. wooden retaining wall landward of existing beach with concrete block in same footprint; replenish existing beach with less than 10 cubic yard of sand above the high water line of Pleasant Lake.

With Conditions:

1. All work shall be in accordance with plans by Silvio Armandi dated 8/23/2006, as received by the Department on 10/11/2006.
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 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.
4. Work shall be done during drawdown.
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair or replacement of existing retaining walls performed in the dry with no change in dimensions or configuration; and per Env-Wt 303.04(aa) replenishment of sand on an existing beach above the high water line.
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 Middleton Conservation Commission signed the expedited application; all work is to occur above the high water line.

2006-02646 SULLIVAN, TOWN OF
SULLIVAN Ferry Brook

Requested Action:

Impact 305 square feet within the bed and banks of Ferry Brook to replace the Price Road bridge with a 6'x12' box culvert for safe vehicular passage.

Conservation Commission/Staff Comments:

The Sullivan Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 305 square feet within the bed and banks of Ferry Brook to replace the Price Road bridge with a 6'x12' box culvert for safe vehicular passage.

With Conditions:

1. All work shall be in accordance with plans by Beaver Tracks, LLC, as received by the Department on October 13, 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. 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. Prior to commencing work on a substructure located within Ferry Brook, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Temporary cofferdams shall be entirely removed immediately following construction.
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. 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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
14. Faulty equipment shall be repaired prior to entering jurisdictional areas.

15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01., as the existing bridge was damaged during recent flooding.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03., as cobble-sized stone will be place within the box culvert to maintain continuity of the brook substrate.
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 replacement of the existing bridge with the box culvert will enable safe vehicular passage.

2006-02675 OBRIEN, PAUL & KAREN
DOVER Unnamed Wetland

Requested Action:

Dredge and fill 395 sq. ft. of wetlands to construct a driveway to a single family house lot, including 1) 245 sq. ft. of crossing fill; and 2) 150 sq. ft. to install a 12" x 22' culvert.

APPROVE PERMIT:

Dredge and fill 395 sq. ft. of wetlands to construct a driveway to a single family house lot, including 1) 245 sq. ft. of crossing fill; and 2) 150 sq. ft. to install a 12" x 22' culvert.

With Conditions:

1. All work shall be in accordance with plans by McEneaney Survey Assoc. Inc. dated 8/1/2006 as received by the Department on 10/18/2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. No fill shall be done for lot development.
8. No fill shall take place in Atlantic white cedar swamps.
9. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. 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.
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), alteration installation of a culvert for access to a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant needs to cross wetlands at some location to
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 Dover Conservation Commission signed the expedited application.

2006-02682 TERRA FIRMA REAL ESTATE LLC, JOHN GAGNON
LONDONDERRY Unnamed Wetland Little Cohas Brook

Requested Action:

Dredge and fill 1,540 sq. ft. of forested wetlands for construction of a common access driveway to a two lot subdivision. Work in wetlands consists of installation of a 15 in. x 45 ft. CPP culvert, culvert headwalls, outlet protection, sewer line installation and associated road fill and grading.

APPROVE PERMIT:

Dredge and fill 1,540 sq. ft. of forested wetlands for construction of a common access driveway to a two lot subdivision. Work in wetlands consists of installation of a 15 in. x 45 ft. CPP culvert, culvert headwalls, outlet protection, sewer line installation and associated road fill and grading.

With Conditions:

1. All work shall be in accordance with plans by Eric C. Mitchell & Assoc. Inc., dated May 5, 2005, as received by the Department on October 19, 2006.
2. This permit is contingent on submittal to and approval by the Department of a construction sequence and erosion and sedimentation control plan for the proposed project, prior to the commencement of work.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. 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. No work shall be conducted that is contrary to the existing conservation easement (noted on submitted surveyed plan as R.C.R.D. BK 4656 PG. 2490) on lot 15-3.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. 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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

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 sq. ft. in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that

no previous department permit has placed restrictions on the property of the applicant.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The New Hampshire Natural Heritage Bureau identified two State threatened species, swamp azalea and eastern hognose snake and a species of special concern, New England cottontail near the proposed project site.
6. The nearest species identified to the proposed wetlands impact area is approximately .75 miles.
7. Lot 15-3 (17.38 acres) contains a 14.95 acre conservation easement on the west side of the lot.
8. The Department spoke with the applicant's agent on November 17, 2006 and was informed that the current work proposed for lot 15-3 is allowed and work is only being conducted on the remaining 2.43 acres of the 17.38 acre lot (14.95 acre contiguous easement remains).
9. The Conservation Commission signed the application waiving their right to intervene.

2006-02702 JEAN, ROBERT & NANCY
DUBLIN Unnamed Stream

Requested Action:

Dredge and fill 1,182 square feet of forested wetlands along 35 linear feet of intermittent stream to install a 18-inch x 35-foot HDPE culvert for common driveway access to two(2) lots of a 3-lot subdivision.

APPROVE PERMIT:

Dredge and fill 1,182 square feet of forested wetlands along 35 linear feet of intermittent stream to install a 18-inch x 35-foot HDPE culvert for common driveway access to two(2) lots of a 3-lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Sanford Surveying and Engineering dated March 17, 2006, as received by the Department on October 20, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 3 of this approval.
5. Work shall be done during low flow conditions.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culverts shall be laid at original grade.
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. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetlands; and Env-Wt 303.04(n), alteration of less than 50 linear feet of an 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.

**2006-02704 BROWN, KENNETH
NEWBURY Unnamed Pond**

Requested Action:

Dredge and fill 450 square feet along 30 linear feet to repair existing dam spillway and construct a flow device for beaver control.

APPROVE PERMIT:

Dredge and fill 450 square feet along 30 linear feet to repair existing dam spillway and construct a flow device for beaver control.

With Conditions:

1. All work shall be in accordance with plans by Blakeman Engineering dated August 30, 2005, and revised through September 13, 2006, as received by the Department on October 20, 2006.
2. This permit is contingent on approval by the DES Dam Safety Program.
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 during drawdown.
6. Work authorized shall not occur in fish spawning or nursery areas during the reproductive season, or within waterfowl nursery areas during the critical nesting period.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. 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.
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. 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.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Repair shall maintain existing size, location and configuration.
16. 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.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

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

**2006-02706 CHARLESTOWN, TOWN OF
CHARLESTOWN Unnamed Wetland**

Requested Action:

Dredge and fill 2,760 square feet of scrub-shrub and emergent wetlands to install four(4) 15-inch x 25-foot CMP culverts beneath Hackett Swamp Road and replace an existing 18-inch x 25-foot CMP driveway culvert with a 30-inch x 25-foot CMP culvert.

Inspection Date: 06/28/2006 by Christine Bowman

APPROVE PERMIT:

Dredge and fill 2,760 square feet of scrub-shrub and emergent wetlands to install four(4) 15-inch x 25-foot CMP culverts beneath Hackett Swamp Road and replace an existing 18-inch x 25-foot CMP driveway culvert with a 30-inch x 25-foot CMP culvert.

With Conditions:

1. All work shall be in accordance with plans by Darrow Civil Engineering dated October 16, 2006, as received by the Department on October 20, 2006.
2. Work shall be done during low water conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
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(f), alteration of less than 3,000 square feet of wetlands.
2. Culvert installation and replacement is needed to improve road drainage.
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(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-02709 PHILBRICK, BRENDAN
MILFORD Unnamed Stream**

Requested Action:

Dredge and fill 110 square feet of intermittent stream including installation of a 24-inch x 18 foot culvert for access to a proposed single family residence.

APPROVE PERMIT:

Dredge and fill 110 square feet of intermittent stream including installation of a 24-inch x 18 foot culvert for access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services dated June 29, 2006, and revised through September 15, 2006, as received by the Department on October 23, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during periods of non-flow.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. 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. 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).
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

AGRICULTURE MINIMUM

2006-02720 ENEGUESS, DANIEL
PETERBOROUGH Unnamed Wetland

Requested Action:

Dredge and fill 3,952 sq. ft. of wet meadow wetlands for agricultural access. Work in wetlands includes installation of a 36 in. x 30 ft. ADS culvert and associated grading.

APPROVE PERMIT:

Dredge and fill 3,952 sq. ft. of wet meadow wetlands for agricultural access. Work in wetlands includes installation of a 36 in. x 30 ft. ADS culvert and associated grading.

With Conditions:

1. All work shall be done in accordance with plans by Site Succor Design, dated October 6, 2006, and received by DES on October 24, 2006. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, dated July 16, 1993, amended September 1998.
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. 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. 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 improvements of existing crop or pasture for continued agricultural use.
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 County Conservation District Manager signed the Minimum Impact Agricultural Project application.
6. The Conservation Commission approved of the proposed project.

TRAILS NOTIFICATION

2006-02863 ONEIL, WAYNE
COLEBROOK Unnamed Stream

COMPLETE NOTIFICATION:
Colebrook Tax Map R9, Lot# 60

SHORELAND VARIANCE / WAIV

2006-02744 SD & C DEVELOPMENT COMPANY
RAYMOND Lamprey River

PERMIT BY NOTIFICATION

2006-02607 HABIG, JOHN
WEBSTER Lake Winnipocket

Requested Action:
Repair existing boathouse foundation.

PBN IS COMPLETE:
Repair existing boathouse foundation.

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.

2006-02619 QUA, GARY
TUFTONBORO Lake Winnepesaukee

Requested Action:
fix shoreline structures

PBN IS COMPLETE:
fix shoreline structures

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.

2006-02731 SIARTO, ANDREW & SUE ANNE
BRADFORD West Branch Of The Warner River

Requested Action:
In-kind repair/replacement of damaged north abutment at private road along the West Branch of the Warner River.

PBN IS COMPLETE:
In-kind repair/replacement of damaged north abutment at private road along the West Branch of the Warner River.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), in-kind maintenance, repair, or replacement of a nondocking structure such as a bridge.
2. The bridge is along a private road accessing three properties.
3. The damaged abutment restricts the use of the bridge by emergency vehicles.

**2006-02746 ROWSE, SAMUEL
NEW LONDON Unnamed Wetland**

Requested Action:

Dredge and fill approximately 500 sq. ft. of forested wetlands to construct an access road to a proposed barn. Work in wetlands includes installation of 12 in. x 28 ft. HDPE culvert, headwalls and associated grading.

Conservation Commission/Staff Comments:

The Conservation Commission signed the PBN form waiving its right to intervene, pursuant to RSA 482-A:11.

PBN IS COMPLETE:

Dredge and fill approximately 500 sq. ft. of forested wetlands to construct an access road to a proposed barn. Work in wetlands includes installation of 12 in. x 28 ft. HDPE culvert, headwalls and associated grading.

**2006-02772 SHARON LAKESIDE DEVELOPMENT LLC
ALTON Lake Winnepesaukee**

Requested Action:

Repair 300 sq ft of breakwater.

PBN IS COMPLETE:

Repair 300 sq ft of breakwater.

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.

**2006-02774 LLK TRUST
WOLFEBORO Unnamed Wetland Lake Wentworth**

Requested Action:

Disqualify PBN to dredge and fill 80 square feet of wetland for access in a proposed subdivision.

PBN DISQUALIFIED:

Disqualify PBN to dredge and fill 80 square feet of wetland for access in a proposed subdivision.

With Findings:

1. The request is to fill for access to a proposed subdivision.
2. DES is required to place certain conditions on subdivisions per Env-Wt 304.09.
3. There is no provision for adding conditions to a PBN, they have already been set.

**2006-02857 STARRETT, DOUGLAS
GILFORD Lake Winnepesaukee**

Requested Action:

Repair/Replace existing ice cluster.

PBN IS COMPLETE:
Repair/Replace existing ice cluster.

With Findings:

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

2006-02859 ELBERS, ANTON
ALSTEAD Wet Meadow

Requested Action:

Dredge and fill 1,228 sq. ft. of wet meadow wetlands within an existing agricultural access road to upgrade the access for a single family home on the 15 acre lot. Work includes installation of an approximately 18 in. x 28 ft. HDPE culvert, outlet protection and associated grading.

PBN IS COMPLETE:

Dredge and fill 1,228 sq. ft. of wet meadow wetlands within an existing agricultural access road to upgrade the access for a single family home on the 15 acre lot. Work includes installation of an approximately 18 in. x 28 ft. HDPE culvert, outlet protection and associated grading.

2006-02865 331 LAKE AVE REALTY TRUST, SHERRY A RICE
SUNAPEE Lake Sunapee

Requested Action:

Repair existing docking facility northerly crib support.

PBN IS COMPLETE:

Repair existing docking facility northerly crib support.

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.

2006-02867 MITCHELL, ALFRED
LACONIA Lake Winnepesaukee

Requested Action:

Fix perched beach and existing retaining walls.

PBN IS COMPLETE:

Fix perched beach and existing retaining walls.

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.

