

Wetlands Bureau Decision Report

Decisions Taken
11/20/2006 to 11/26/2006

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

2006-00953 KUZIOMKO, HENRY
DOVER Piscataqua River

Requested Action:

Construct a 6' x 40' permanent pier to a 3' x 30' ramp to a 10' x 20' float, overall structure length 88', providing two under-sized slips on 193' of frontage on the Piscataqua River.

Inspection Date: 07/14/2006 by Dori A Wiggin

Inspection Date: 09/11/2006 by Dori A Wiggin

APPROVE PERMIT:

Construct a 6' x 40' permanent pier to a 3' x 30' ramp to a 10' x 20' float, overall structure length 88', providing two under-sized slips on 193' of frontage on the Piscataqua River.

With Conditions:

1. All work shall be in accordance with revised plans by Pickering Marine dated 4/25/2006, as received by the Department on 4/27/2006, as supported by field data supplied by Pickering Marine dated 9/21/2006, as received by the Department on 9/25/2006.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the tidal marsh or 1:1 ratio of deck height to width as appropriate, and shall have 3/4-inch spacing between the decking planks.
4. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. 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.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
11. The float shall be constructed such as to rest on float stops at low tide to prevent the float from sitting on the mud at low tide. Design of the float stops shall be coordinated among DES, National Marine Fisheries Service ("NMFS"), and the applicant, or applicant's marine contractor.
12. Silt fence installed in association with permit # 2004-641 shall be removed from within the inter-tidal zone at low tide prior to the commencement of construction of this dock. DES shall be notified upon removal, and shall verify removal in the field prior to commencement of dock construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The applicant currently has a deteriorated grandfathered non-conforming docking structure on the property that will be removed. The new structure will be placed in a new location on the frontage, and complies with current regulations and policy.
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. The permanent pier is designed at one foot of height for each foot of structure width, with 3/4 inch spacing between decking to prevent shading of the tidal vegetation; has a seasonal ramp and float; and is the minimum length necessary to reach usable water on the Piscataqua River.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. There were no NH Natural Heritage Bureau reported species for the project property. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation in the channel, per letter dated 5/22/2006; and the dock is located greater than 20 feet off the abutting property lines. The Dover Conservation Commission intervened but did not report further.
5. This application has received review of the federal PGP Joint Processing Meeting on 5/18/2006. National Marine Fisheries ("NMFS") commented that the application was eligible as proposed. NMFS personnel also inspected the site with DES personnel on 9/11/2006.
5. This dock is consistent with other tidal dock approvals in the seacoast.
6. DES staff field inspection on 7/14/2006 found that greater inter-tidal marsh vegetation was present in the proposed project location than at other areas along the frontage. Subsequent observations by DES and by Pickering Marine found that over the course of the growing season the vegetation had grown in to create a consistent width along the frontage, making the need to relocate the proposed dock on the frontage unnecessary.
7. The permit has been conditioned to include the installation of float stops concurrent with comments received from National Marine Fisheries Service, the design of which is to be done in coordination with DES.

-Send to Governor and Executive Council-

2006-02596 ONE PARKE PLACE LLC
NASHUA Wetlands

Requested Action:

Construct a 21-unit elderly housing complex and associated parking adjacent to a designated prime wetland (Nashua River).

APPROVE PERMIT:

Construct a 21-unit elderly housing complex and associated parking adjacent to a designated prime wetland (Nashua River).

With Conditions:

1. All work shall be in accordance with plans by Maynard & Paquette Engineering Associates, LLC, dated June 12, 2006 and narratives by Wetland Consulting Services, dated September 28, 2006, as received by the Department on September 29, 2006.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. The 75 foot buffer around the designated prime wetlands shall be left in its natural state (approved restoration work allowed).
4. The boundaries of the 75 foot prime wetlands buffer shall be clearly marked with permanent monuments/markers noting that it is a prime wetlands buffer.
5. Orange construction fencing shall be placed at the limits of construction and remain in place until work is complete and site is stable.
6. Erosion control and construction sequence notes on the approved plans shall be explicitly followed.
7. A New Hampshire Certified Wetland Scientist shall inspect the project to insure compliance with approved plans and permit conditions.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

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

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

With Findings:

1. 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 erosion controls, water velocity controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.
7. No work will be conducted within wetlands or surface waters or bank.
8. The applicant is restoring approximately 7,200 sq. ft. of impervious surface (existing tennis court) back to a vegetation and is restoring approximately 1,500 sq. ft. of lawn area adjacent to the river with trees and shrubs.
9. The approved plans and conditions of the permit provide for a 75 foot buffer around the prime wetland area.
10. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, water treatment system and maintenance program offsets impact from any increased runoff created by the development.
11. The Nashua Conservation Commission approved the project with conditions.
12. The New Hampshire Fish and Game Department (NHFG) did submit comments requesting a 100 ft. buffer zone due to an identified species of concern, Spotted turtle, in the vicinity of the site. DES discussed the project and existing habitat with NHFG and it was determined that the 75 foot Prime Wetland buffer addressed their concerns.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
14. A public hearing was held at the Department on November 15, 2006. No one in opposition to this project attended the public hearing.
15. 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.
16. The applicant has provided a waiver request per Env-Wt 204, to waive the hold on the permit until the end of the appeal period as required by 704.01.
17. Pursuant to Env-Wt 204 the Department hereby grants the waiver of Env-Wt 704.01 for the following reasons:
 1. Findings #1-15 demonstrate that the project will not have an adverse effect to the environment or natural resources of the state, public health, or safety.
 2. Strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
 3. The applicant has received local permits and no opposition has been submitted to the Department regarding the project and no one in opposition to the project was present at the public hearing.

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.

MINOR IMPACT PROJECT

2005-00198 SLEEPER VILLAGE LLC
LEBANON Mascoma River

Requested Action:

Approve name change to: Sleeper Village, LLC, 200 Nyala Farms Rd., Westport, Ct. 06880 per request received 11/14/2006.

Previous owner: Alex & Bonnie Iskandar.

Conservation Commission/Staff Comments:

Conservation commission requested DES suspend actions for 40 days per RSA 482-A:11,III.

On March 28, 2005, the planning office on behalf of the conservation commission submitted meeting minutes with motions and votes included.

APPROVE NAME CHANGE:

Dredge and fill 8,980 square feet of palustrine scrub-shrub and emergent wetlands to provide access to a 140 unit residential cluster subdivision known as Sleeper Village

With Conditions:

1. All work shall be in accordance with plans by Bruno Associates:
Sheet WE-2 dated 3/28/05, Sheet WE-3 dated 4/28/05, Sheet X-2, and Permit Plans-Final Subdivision sheets, as received by the Department on May 3, 2005;
Erosion Control plans ECP-1 thru ECP-6 dated 8/05/05, Off-Site Water Plan & Profile Sheet SW-1 revised 8/2/054 and Road Plan & Profile sheet R-10 revised 8/19/05.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. This permit is contingent on approval by the DES Site Specific Program.
4. Wetlands and surface waters impacts associated with the development of abutting Lots 143802, 803, and 900 (Lebanon Tax Map 74-1) will be considered cumulatively with wetlands impacts authorized by this permit and may require compensatory mitigation.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. 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, 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.
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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. All wetlands approved to be impacted by construction of the water and sewer lines shall be re-flagged during pre-construction preparation in accordance with the United States Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1.
11. Construction for water and sewer lines shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
12. The applicant shall notify NHDES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
13. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.

14. Topsoil in temporary wetland impact areas shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
15. Temporary wetland impact areas shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
16. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within six weeks of the completion of construction.
17. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
18. 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).
19. 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.
20. 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.
21. 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.
22. 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).
23. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

2005-02473 UNITY, TOWN
UNITY Little Sugar River

Requested Action:

Impact 250 square feet within the bed and banks of the Little Sugar Rive to stabilize the existing bridge abutments and Confirm emergency authorization issued on December 14, 2005, to dredge and fill 250 square feet to install a gabion headwall to replace the existing failed headwall.

APPROVE PERMIT:

Impact 250 square feet within the bed and banks of the Little Sugar Rive to stabilize the existing bridge abutments and Confirm emergency authorization issued on December 14, 2005, to dredge and fill 250 square feet to install a gabion headwall to replace the existing failed headwall.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers titled "Abutment Section" sheet 1 of 3 dated 10/25/05 as received by the department 9/27/06, and "Scour Protection (Impacts)" sheets 1 and 2 dated 9/19/06 and received by the department on 9/27/06.
2. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. 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. All equipment shall work from the top of the bank.
8. 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.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Work 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.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Stones placed within the river channel for stabilization and channel reconstruction shall be rounded native stone.
14. The scour hole shall be regraded to the original channel grades.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. 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 project is classified as a Minor impact project per Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. The project was necessary to stabilize the existing bridge.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on October 18, 2005.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
8. DES Staff conducted a field inspection of the proposed project on March 28, 2006, and August 17, 2006. Field inspection determined work was necessary and appropriate it also determined that work done was in compliance with the original authorization.

2006-00257

HOYT REALTY TRUST

SANDOWN Unnamed Wetland Exeter River

Requested Action:

Dredge and fill a total of 11,455 sq. ft. of palustrine forested/ shrub-scrub wetlands to construct roadway culvert crossings to access a 43-lot single-family residential subdivision on a 166 acre parcel of land of which 27.7 acres, including frontage along the Exeter River, will be placed in a conservation easement with the Town of Sandown.

Conservation Commission/Staff Comments:

No comments received from the Sandown Conservation Commission.

APPROVE PERMIT:

Dredge and fill a total of 11,455 sq. ft. of palustrine forested/ shrub-scrub wetlands to construct roadway culvert crossings to access a 43-lot single-family residential subdivision on a 166 acre parcel of land of which 27.7 acres, including frontage along the Exeter

River, will be placed in a conservation easement with the Town of Sandown.

With Conditions:

1. All work shall be in accordance with plans by James M. Lavelle Associates dated June 7, 2004 & June 25, @004 as received by the Department on February 06, 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. Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
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. 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 properly rip rapped.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

Land Resources Preservation:

1. This permit is contingent upon the execution of a conservation easement on 27.7 acres as depicted on plans received February 07, 2006.
2. The conservation easement 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.
3. 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 Rockingham County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments prior to construction.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed 27.7 acre conservation easement provides compensatory mitigation for wetlands impacts associated with this project.

2006-00901 WOODHOUSE, ROBERT
NEWTON Unnamed Wetland

Requested Action:

Dredge and fill a total of 3,805 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a roadway with culvert crossings to access a 19-lot single-family residential subdivision on a 51 acre parcel of land.

Conservation Commission/Staff Comments:

No report or comments received from the Newton Conservation Commission.

APPROVE PERMIT:

Dredge and fill a total of 3,805 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a roadway with culvert crossings to access a 19-lot single-family residential subdivision on a 51 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by James M. Lavelle Associates, LLC dated March 27, 2006, as received by the Department on April 21, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the 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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
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.

2006-01093 DEFRANCESCO, ANTHONY
ALTON Lake Winnepesaukee

Requested Action:

Repair "in-kind" 50 linear ft of shoreline retaining wall on 141 ft of frontage in Alton on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con Com has submitted comments on whether a permanent dock is needed and will the structure exceed the criteria for boatslips

APPROVE PERMIT:

Repair "in-kind" 50 linear ft of shoreline retaining wall on 141 ft of frontage in Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction dated March 28, 2006 as received by the Department on May 8, 2006.
2. Repair shall maintain existing size, location and configuration.
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. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
8. Shall replacement wall fail within a 6 year period from date of completion, the landowner shall file a new application for retaining wall replacement with stamped plans prepared by a certified professional in erosion and sediment control and site may be subject to further stormwater evaluation and control.
9. The new replacement wall shall be maintained such that the structure shall conform to reasonable safety standards. Failure to maintain a structure in a safe condition shall be considered a violation as per Administrative Rule Env-Wt 402.10.
10. Wall shall not reflect or re-direct currents towards adjacent wetlands or structures, or otherwise contribute to erosion.
11. 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(j), repair or replacement of a retaining wall that requires work in the water.
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.

2006-01425 HALLETT, CHRISTINE/MATTHEW
BEDFORD Unnamed Wetland Mcquade Brook

Requested Action:

Dredge and fill 6,770 sq. ft. of forested wetlands and intermittent stream to construction of drive access to a three lot subdivision.

Conservation Commission/Staff Comments:

1. The Conservation Commission did not recommend approval of the first application.
2. The Conservation Commission approved the revised application.
3. The New Hampshire Fish and Game Department did not submit comments.

APPROVE PERMIT:

Dredge and fill 3,340 sq. ft. (includes 335 sq. ft. of temporary impact) of forested wetlands and intermittent stream for access to two lots of a two lot subdivision (includes two additional lots with lot line adjustments). Work in wetlands consists of the following: Two driveway access crossings for lot 14 which consist of Impact "C", 1,850 sq. ft. (includes 125 sq. ft. temporary impact) of forested wetlands impacts for the installation of an 18 in. x 25 ft. CPP culvert, and associated grading and Impact "D" 640 sq. ft. (includes 100 sq. ft. temporary impact) of stream and associated forested wetland impacts for installation of a 49 in. x 33 in. x 25 ft. arch CMP culvert backfilled with natural stream bed material, and installation of headwalls and associated grading; One driveway access crossing for lot 14-1 which consists of Impact "E", 850 sq. ft. (includes 110 sq. ft. temporary impact) of stream and associated forested wetland impacts for installation of a 49 in. x 33 in. x 30 ft. arch CMP culvert backfilled with natural stream bed

material, and installation of headwalls and associated grading.

With Conditions:

1. All work shall be in accordance with plans by Sanford Surveying and Engineering Inc., plan sheet "Wetland Impact Plan" revision dated October 18, 2006 as received by the Department on October 23, 2006, sheet 2 of 2 "Wetland Impact Notes & "Details" dated September 6, 2006 and individual impact plan sheets for impact areas "C", "D" and "E" and cross section plan for impact area "E", as received by the Department on September 12, 2006 and cross section plan for impact area "C" and "D" as received by the Department on June 9, 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. 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. 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. Work shall be done during low flow or no flow.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. Substrate used to recreate the channel bottom within the culvert shall be native material similar to that found in the up and downstream reaches of the stream. No angular rip-rap shall be used.
11. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
12. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. 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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.05(n).
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 provided stream crossings that are approximately 1.4x bank full width as commonly requested by the New Hampshire Fish and Game Department.
6. The approved impacts have been reduced from 6,770 sq. ft. of wetlands and stream impacts, that included two wetlands crossings and three stream crossings for three proposed lots, to 3,340 sq. ft. of wetlands and stream impacts that include one wetland and two stream crossings for two lots.

**2006-02229 NH DES WATER DIVISION, DAM BUREAU
PITTSFIELD Suncook River**

Requested Action:

Dredge and fill a total of 1710 square feet along 50 linear feet of bank of the Suncook River to stabilize existing eroded slope utilizing bio-stabilization measures.

APPROVE PERMIT:

Dredge and fill a total of 1710 square feet along 50 linear feet of bank of the Suncook River to stabilize existing eroded slope utilizing bio-stabilization measures.

With Conditions:

1. All work shall be in accordance with plans by NHDES Dam Bureau Maintenance Section dated July 21, 2006 and revised through September 28, 2006, as received by the Department on October 24, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be conducted during low water conditions.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Equipment shall work from the top of the bank and shall not enter jurisdictional areas.
7. No material shall be placed below the high water line.
8. River bank grades shall be reconstructed to pre-May conditions.
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. 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(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. 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.

**2006-02271 MORRELL CORPORATION
BARTLETT Queen Pond**

Requested Action:

Dredge and fill 5,000 square feet of an unnamed pond bed and bank to replace an existing earthen outlet with a concrete outlet structure and replace/repair existing earthen embankment.

APPROVE PERMIT:

Dredge and fill 5,000 square feet of an unnamed pond bed and bank to replace an existing earthen outlet with a concrete outlet structure and replace/repair existing earthen embankment.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated June 5, 2006, as received by the Department on September 1, 2006.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. The applicant shall notify the NHDES Wetlands Bureau in writing no less than five (5) days prior to the commencement of construction.
4. Work shall be done in the dry and under drawdown conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
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. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. A post-construction report documenting status of the repaired dam shall be submitted to the Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

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

2006-02340 BEAN, AARON
WHITEFIELD Unnamed Wetland

Requested Action:

Dredge and fill 3,249 square feet of forested wetlands to install three (3) 15-inch x 20-foot HDPE corrugated culverts for driveway access to a single family residence.

APPROVE PERMIT:

Dredge and fill 3,249 square feet of forested wetlands to install three (3) 15-inch x 20-foot HDPE corrugated culverts for driveway access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Vander-Heyden Land Surveying, LLS dated August 2006, as received by the Department on September 07, 2006.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culverts shall be laid at original grade.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. 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(h), alteration of between 3,000 and 20,000 square feet of wetlands.
2. The proposed access is to a single family residence.
3. The existing 50-foot right-of-way through lot 12 was intended for farming purposes only and is limited by topography and wetlands.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2006-02524

FLEMING, JOHN & JOAN

HAMPTON Atlantic Ocean

Requested Action:

Retain 540 square feet of impact within the previously disturbed 100-foot tidal buffer zone to raise the existing dwelling for the construction of a concrete block foundation.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission does not oppose the granting of an ATF with conditions noted in the findings.

APPROVE AFTER THE FACT:

Retain 540 square feet of impact within the previously disturbed 100-foot tidal buffer zone to raise the existing dwelling for the construction of a concrete block foundation.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on October 13, 2006.
2. DES staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. The foundation shall remain within the existing foot print of the dwelling.
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. There shall be no further alteration of jurisdictional area for lot development, driveways, culverts, or for any other construction related activity.

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 existing dwelling foundation was in disrepair.
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 foundation will remain in 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. The Hampton Conservation Commission (HCC) does not oppose the granting of the permit with the following conditions: a.) the area around the tidal creek is cleaned up of debris including any yard waste; b.) Lawn care must follow the Comprehensive Shoreland Protection Act and grass clippings will not be placed in the buffer, nor in the wetlands; c.) The foundation will remain on the original footprint of the house; d.) There are to be no additional structures on the property; d.) The HCC is notified in writing upon commencement and completion.
6. DES personnel inspected the site on September 29, 2006.
7. DES makes the following findings in response to the HCC comments: DES has conditioned this approval to include all comments from the HCC.
8. The NH Natural Heritage Bureau (NHNHB) found record of the following six exemplary natural communities within the vicinity of the project: Brackish marsh; High salt marsh; Low salt marsh; Saline/brackish intertidal flat; Saline/brackish subtidal channel/bay bottom; and tidal creek bottom.
9. DES finds that none of the aforementioned NHNHB exemplary communities will be affected as the project is located within previously developed tidal buffer zone.

MINIMUM IMPACT PROJECT

2005-02860 DOWNING WAY LIMITED PARTNERSHIP
SALEM Unnamed Wetland

Requested Action:

Approve name change to: Downing Way Limited Partnership, 70 Telfer Circle, Salem, NH 03079 Per request received 11/21/2006. Previous Owner: Housing Authority of the Town of Salem, NH.

Conservation Commission/Staff Comments:

The Salem Conservation Commission has reviewed the project and recommends approval of the application.

APPROVE NAME CHANGE:

Dredge and fill 454 sq. ft. of palustrine scrub-shrub wetlands in an isolated pocket to provide access to a proposed senior housing project.

With Conditions:

1. All work shall be in accordance with plans by Jeffrey C. Orchard Environmental Consultant, as received by the Department on November 30, 2005.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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.

With Findings:

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

2006-00462 **CHAN, LOUIS & ANNA**
DUNBARTON Unnamed Wetland

Requested Action:

Dredge and fill approximately 955 sq. ft. of forested wetlands to upgrade a "class VI" town road (Gile Hill Road) to access a 5-lot subdivision (with one 43.57 acre open space lot donated to the Town of Dunbarton "Town Forest" and one 12.62 acre lot to contain an existing house). Work in wetlands consists of installation of 18 in. x 40 ft. HDPE culvert, headwalls and associated grading.

Conservation Commission/Staff Comments:

1. The Dunbarton Conservation Commission submitted a report stating they had no issues with the project.

Inspection Date: 08/18/2006 by William A Thomas

APPROVE PERMIT:

Dredge and fill approximately 955 sq. ft. of forested wetlands to upgrade a "class VI" town road (Gile Hill Road) to access a 5-lot subdivision (with one 43.57 acre open space lot donated to the Town of Dunbarton "Town Forest" and one 12.62 acre lot to contain an existing house). Work in wetlands consists of installation of 18 in. x 40 ft. HDPE culvert, headwalls and associated grading.

With Conditions:

1. All work shall be in accordance with plans by J.E. Belanger Land Surveying P.L.L.C., plan sheets 3 and 4 of 4 titled "Five Lot Subdivision" revision dated June 28, 2006, as received by the Department on July 5, 2006 and plans by A.C. Engineering & Consultants, plan sheet titled "Erosion Control Devices" dated September 19, 2006, as received by the Department on September 21, 2006 and "Wetland Impact Plan" dated October 23, 2006, as received by the Department on October 25, 2006.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading 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. 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).

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 prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department 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 Fish & Game Department, Nongame and Endangered Wildlife Program, submitted comments regarding concerns of a State species of special concern, Blanding's turtle identified near the site. They requested open bottom box culverts for any perennial stream crossings.
6. There are no perennial stream crossings proposed.
7. The Department inspected the site on August 18, 2006 and found that the proposed impact area is an existing road crossing that is subject to erosion and sedimentation due to the current traffic on the non-maintained town road.
8. The applicant has provided a 43.57 lot to be donated to the Town of Dunbarton as Town Forest. This will provide for protection of wetlands and uplands near the east side of Bela Brook and associated wetlands.
9. The applicant provided letter signed by the Town of Dunbarton Selectman approving the proposed town road improvements.
10. The applicant has provided a signed agreement from an abutter within twenty feet of the proposed wetlands impacts in accordance with Env-Wt 304.04(a).
11. On March 6, 2006, the Department received a 5-lot subdivision plan stamped by a certified wetland scientist and a licensed land surveyor in accordance with Env-Wt 304.09(a).

2006-01665 DAMPHOUSSE, DAVID/KENDRA
RAYMOND Unnamed Wetland

Requested Action:

Retain 116 sq. ft. of fill in palustrine forested/ scrub-shrub wetlands to construct a driveway/ culvert crossing to access a single-family residential building site.

Conservation Commission/Staff Comments:

"The Raymond Conservation Commission has reviewed the after the fact ... permit application for a culvert and has no concerns.

APPROVE AFTER THE FACT:

Retain 116 sq. ft. of fill in palustrine forested/ scrub-shrub wetlands to construct a driveway/ culvert crossing to access a single-family residential building site.

With Conditions:

1. All work shall be in accordance with plans by Blaisdell Survey, LLC dated 6/19/06, as received by the Department on June 28, 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, for septic setback or other construction activities.
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. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.

2006-02776 NH DEPT OF TRANSPORTATION
LEBANON Mascoma River

Requested Action:

Install a concrete toe wall around a damaged stone pier for stabilization impacting 160 sq. ft. (80 sq. ft. temporary) of river.

Conservation Commission/Staff Comments:

Cons. Comm. recommends approval.

APPROVE PERMIT:

Install a concrete toe wall around a damaged stone pier for stabilization impacting 160 sq. ft. (80 sq. ft. temporary) of river.

NHDOT project #66021.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Rail and Transit dated 10-16-06 as received by the Department on October 19, 2006.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Work shall be done during low flow and shall be coordinated with the DES Dam Safety Bureau.
10. There shall be no impacts to the riverbanks.
11. 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(o), projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 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.

2006-02832 IRWIN, ALEXANDRINA
BELMONT Lake Winnisquam

Requested Action:

Repair/replace existing concrete dock, and reface and repair portions of existing retaining wall on 186 ft of frontage in Belmont on Lake Winnisquam.

APPROVE PERMIT:

Repair/replace existing concrete dock, and reface and repair portions of existing retaining wall on 186 ft of frontage in Belmont on Lake Winnisquam.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants LLC dated October 26, 2006 as received by the Department on November 1, 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 dock repair work.
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. 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 is completely avoided.
6. Repair shall maintain existing size, location and configuration.
7. This permit does not allow for maintenance dredging.
8. 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.
9. 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.
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(x) maintenance, repair, or replacement of a nondocking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2006-02934 WHITTERMORE, GAYLE
PEMBROKE Unnamed Stream

COMPLETE NOTIFICATION:
Pembroke Tax Map 937, Lot# 22

2006-02935 HOWARD, DENNIS & CONNIE
CROYDON Unnamed Stream

COMPLETE NOTIFICATION:
Croydon Tax Map 8, Lot# 560

2006-02939 VARS, RON & FRANK ITALIA
LANCASTER Unnamed Stream

COMPLETE NOTIFICATION:

Lancaster Tax Map R1, Lot# 22

2006-02940 VARS, RON & FRANK ITALIA
NORTHUMBERLAND Unnamed Stream

COMPLETE NOTIFICATION:
Northumberland Tax Map 13, lot# 47

2006-02955 FREEDOM, TOWN OF
FREEDOM Unnamed Stream

COMPLETE NOTIFICATION:
Freedom Tax Map 258, 260, Lot# 5,4

2006-02956 BANCROFT, CHRISTOPHER
WAKEFIELD Unnamed Stream

COMPLETE NOTIFICATION:
akefield Tax map 130, Lot# 2, 3, 3-1

2006-02957 CRAIG HARTSHORNE TRUST, C/O CARY FLANAGAN
MADISON Unnamed Stream

COMPLETE NOTIFICATION:
Madison Tax Map 13, Lot# 5

2006-02960 WASHBURN, MALCOLM
PITTSBURG Unnamed Stream

COMPLETE NOTIFICATION:
Pittsburg Tax Map B3, Lot# 504

2006-02961 WASHBURN, MALCOLM
PITTSBURG Unnamed Stream

COMPLETE NOTIFICATION:
Pittsburg Tax Map A1, Lot# 24

2006-02967 HUDZIEC, ERNIE
GILMANTON Unnamed Stream

COMPLETE NOTIFICATION:
Gilmanton Tax Map 22 / 23, Lot# 52 / 3

OTHER BUSINESS

**2006-01491 NEWMARKET, TOWN OF
NEWMARKET Prime Wetlands**

Requested Action:

Per Env-Wt 702.03 Accept the Town of Newmarket Designation of Prime Wetlands.

Original Newmarket Prime Wetland Designation Study received July 27, 2004 followed by the Wetland Evaluation Sheets for Newmarket Prime Wetlands Designation Received August 26, 2004. Revised maps received August 12, 2005. Request to have the DES approve Newmarket Prime Wetlands Designation received June 16, 2006.

Conservation Commission/Staff Comments:

The Town of Newmarket submitted a revised package for Prime Wetlands Designation dated August 4, 2005. Previous submission of the Newmarket Prime Wetlands Designation Study was received July 27, 2004 followed by the Wetland Evaluation Data Sheets received on August 26, 2004. Application to have the Prime Wetlands Designation for the Town of Newmarket approved by the DES was received June 23, 2006.

OTHER:

Per Env-Wt 702.03 Accept the Town of Newmarket Designation of Prime Wetlands.

Original Newmarket Prime Wetland Designation Study received July 27, 2004 followed by the Wetland Evaluation Sheets for Newmarket Prime Wetlands Designation Received August 26, 2004. Revised maps received August 12, 2005. Request to have the DES approve Newmarket Prime Wetlands Designation received June 16, 2006.

With Conditions:

Letter of acceptance sent November 24, 2006.

EXPEDITED MINIMUM

**2006-01495 SCHEFFY, BRACKETT
SUNAPEE Perkin's Pond**

Requested Action:

Construct a 6 ft by 30 ft seasonal dock on Perkins Pond, Sunapee.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 6 ft by 30 ft seasonal dock on Perkins Pond, Sunapee.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on June 16, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to installation.

3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

2006-02357 CANAAN, TOWN OF
CANAAN Mascoma River

Requested Action:

Temporarily impact 20 square feet of Mascoma River bank for temporary bridge construction.

APPROVE PERMIT:

Temporarily impact 20 square feet of Mascoma River bank for temporary bridge construction.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers, Inc. as received by the DES Wetlands Bureau on September 15, 2006 and plans dated October 31, 2006, as received by the DES Wetlands Bureau on November 01, 2006.
2. This permit is contingent upon the receipt of evidence of construction easements or written agreement from the affected property owners concurring with any impact that may result relative to the owners interests for work on their properties.
3. This permit is contingent upon the restoration of 20 square feet of wetlands in accordance with plans received November 01, 2006.
4. There shall be no further impacts to wetlands or surface waters for construction of temporary bridge or access road.
5. Work shall be done during low flow.
6. All work shall be done from the top of the bank.
7. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation shall be revegetated with native vegetation within three days of the completion of this project.
8. 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.
9. 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.
10. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Area of temporary impact shall be regraded to original contours following completion of work.
13. Only native plant species shall be utilized to renegotiate the riverbank.
14. Mulch used within the wetland restoration areas shall be natural straw or equivalent.
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.
16. Native live plantings shall be installed by September 15th on previously stabilized banks, and dormant willows shall be planted in the spring by June 1st, or in the fall by October 30th.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. 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 restoration area during construction and during the early stages of vegetative establishment.
19. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after one (1) growing

seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

20. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The 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.

21. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.

22. A post-construction report documenting the status of the completed temporary bridge construction, including photographs shall be submitted to the Wetlands DES within 60 days of the completion of construction.

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

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(h), installation of a bridge.
2. The proposed project is upstream of the convergence of the Mascoma and Indian Rivers; and therefore, the proposed bridge construction will not impact the Mascoma River in an area that is classified as fourth order.
3. The existing River Road bridge is closed to all vehicles over three(3) tons, including school buses and emergency vehicles.
4. The proposed temporary bridge is required for the replacement of the permanent River Road bridge and will allow for the passage of emergency vehicles and school buses.
5. NHDOT funding for the permanent bridge replacement is scheduled for the fiscal year 2009-2010.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-02504 CROPPER, DAVID
HAMPTON Atlantic Ocean**

Requested Action:

In-kind repair/replacement of the existing fish shack with no change in footprint, size or configuration as currently located within Ruth Simpson Park and with no permanent impact to the surrounding sand dune vegetation.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission signed the Minimum Impact Expedited Application.

Inspection Date: 03/08/2006 by Eben M Lewis

APPROVE PERMIT:

In-kind repair/replacement of the existing fish shack with no change in footprint, size or configuration as currently located within Ruth Simpson Park and with no permanent impact to the surrounding sand dune vegetation.

With Conditions:

1. All work shall be in accordance with plans by William Ritchie dated August 1, 2006, as received by the Department on September 29, 2006.
2. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. All refuse materials from the repairs/ reconstruction shall be disposed of outside of the jurisdiction of the DES Wetlands Bureau.
4. Repair shall maintain existing size, location and configuration.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. Precautionary measures shall be taken to avoid impacting the dune vegetation.

7. Any dune vegetation impacted as a result of this project shall be replanted as necessary to restore existing conditions.
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(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01., as the existing fish shack is in disrepair.
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 fish shack will be resplaced in-kind.
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. DES personel inspected this site on March 8, 2006.

**2006-02522 C&D REALTY TRUST, DANIEL WELDON TTEE
ALTON Unnamed Wetland**

Requested Action:

Dredge and fill 1900 square feet including installation of a 55 foot x 18-inch culvert for access in the subdivision of 11.68 acres into 7 building lots and a 4.3 acre conservation easement lot.

APPROVE PERMIT:

Dredge and fill 1900 square feet including installation of a 55 foot x 18-inch culvert for access in the subdivision of 11.68 acres into 7 building lots and a 4.3 acre conservation easement lot.

With Conditions:

1. All work shall be in accordance with plans by Robert G Rook PE dated June 23, 2006, and revised through August 28, 2006, as received by the Department on October 30, 2006 and Subdivision Plans by Joseph M Wichert LLS dated April 21, 2006, and revised through August 6, 2006, as received by the Department on October 30, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Work shall be done during periods of non-flow.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
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. Silt fencing must be removed once the area is stabilized.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control

Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. 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.

2006-02589 ASHUELOT POND DAM VILLAGE DISTRICT
WASHINGTON Ashuelot River

Requested Action:

Riprap stabilize approximately 180 square feet along 6 linear feet of the Ashuelot Pond Dam outlet channel embankment.

APPROVE PERMIT:

Riprap stabilize approximately 180 square feet along 6 linear feet of the Ashuelot Pond Dam outlet channel embankment.

With Conditions:

1. All work shall be in accordance with plans by HTE Northeast, Inc. dated August 23, 2006, as received by the Department on October 10, 2006.
2. Work shall be done under low flow conditions.
3. There shall be no excavation or operation of construction equipment in flowing water.
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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
6. 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.
7. Post-construction photographs documenting the status of the completed repairs shall be submitted to the DES Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance, repair, or replacement of a dam.
2. The applicant and the DES Dam Bureau have indicated the proposed dam repairs do not require DES Dam Bureau approval.
3. The Ashuelot River Local River Advisory Committee stated there is support for the project, but submitted concerns regarding plans to remove vegetation from the non-overflow embankment sections, regrade, and fill.
4. The proposed repairs for the non-overflow embankment sections or top of dam have been removed from the scope of work.
5. The applicant has indicated the proposed repairs will not impact jurisdictional areas within 20-feet of abutting property lines.
6. The proposed repairs will occur on the dam structure only and will not impact the protected shoreline.
7. Downstream flows will be maintained through the spillway(s) during construction.
8. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-02719 LANCEY, SUSAN
BARRINGTON Unnamed Wetland

Requested Action:

Dredge and fill 900 sq. ft. of wetland including installation of a 24" x 30' culvert for construction of a driveway crossing for a single family building lot.

APPROVE PERMIT:

Dredge and fill 900 sq. ft. of wetland including installation of a 24" x 30' culvert for construction of a driveway crossing for a single family building lot.

With Conditions:

1. All work shall be in accordance with plans by Groover Septic Design dated 9/12/2006, as received by the Department on 10/24/2006.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
5. There shall be no further alteration of wetlands for lot development, driveways, or additional culverts.
6. No fill shall take place in Atlantic white cedar swamps.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill for access to a single family building lot.
 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01: the applicant must cross the wetland, which runs along the side of the road, to access the buildable upland area of the lot.
 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- The Barrington Conservation Commission signed the expedited application; no species of concern were reported by the NH Natural Heritage Bureau or NH Fish and Game Department.

2006-02740

CASELDEN, EDWARD & DONNA

MEREDITH Lake Winnepesaukee

Requested Action:

Replace an existing 44 ft of retaining wall with 44 ft of dry set retaining wall, remove and vegetate an existing 17 ft by 27 ft patio and repair an existing 3 ft by 26 ft 9 in seasonal dock connected to a 3 ft by 51 ft 7 in seasonal dock by a 3 ft by 12 ft 6 in seasonal

walkway, accessed from a 10 ft by 10 ft deck over the bank on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replace an existing 44 ft of retaining wall with 44 ft of dry set retaining wall, remove and vegetate an existing 17 ft by 27 ft patio and repair an existing 3 ft by 26 ft 9 in seasonal dock connected to a 3 ft by 51 ft 7 in seasonal dock by a 3 ft by 12 ft 6 in seasonal walkway, accessed from a 10 ft by 10 ft deck over the bank on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated October 16, 2006, as received by the Department on October 25, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded 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. Repair shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. The patio area shall be stabilized with vegetation.
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 project is classified as a minimum impact project per Rule Envy-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
2. The applicant is proposing to remove a patio and replant the area with vegetation.

2006-02872 FABER, KLAUS & INGRID
GILFORD Lake Winnepesaukee

Requested Action:

Repair/Replace existing water line "in-kind" on 151 ft of frontage in Gilford on Lake Winnepesaukee.

APPROVE PERMIT:

Repair/Replace existing water line "in-kind" on 151 ft of frontage in Gilford on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans prepared by Robert Brown as received by the Department on November 13, 2006.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
3. 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.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl, particularly loons', breeding and nesting areas shall be avoided.
5. Repair shall maintain existing size, location and configuration.
6. This permit does not allow for maintenance dredging.
7. This permit does not allow for beach replenishment.
8. This permit does not allow work on docks, breakwaters, patios, retaining walls, access ways, etc.
9. This permit to replace or repair of the water line and 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 any of the "existing structures" were not previously permitted or grandfathered.

10. 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.

11. Replacement shall be "in-kind" including temporary impacts, with no change in dimensions, location, or configuration.

12. Work shall not degrade uncontained water quality. Erosion/Siltation/Turbidity controls shall not be removed until area is completely stabilized.

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(x), repair or replacement of nondocking 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.

TRAILS NOTIFICATION

**2006-02909 DRED
ALLENSTOWN**

COMPLETE NOTIFICATION:
Allenstown Tax Map 5, Lot# 28A-0

LAKES-SEASONAL DOCK NOTIF

**2006-02972 CHALIFOUR, DANIEL
WHITEFIELD Mirror Lake**

COMPLETE NOTIFICATION:
Whitefield NH Tax Map# 10 Lot# 30-3 Mirror Lake

PERMIT BY NOTIFICATION

**2006-02866 BURKE, WILLIAM
CHESTER Unnamed Wetland**

Requested Action:

Impact 590 square feet of forested wetland for the utilization of an existing woods road and 24-inch culvert within a perennial stream to construct a driveway for access to a single family residential lot on 2.5 acres.

Conservation Commission/Staff Comments:

The Chester Conservation Commission signed the PBN.

PBN IS COMPLETE:

Impact 590 square feet of forested wetland for the utilization of an existing woods road and 24-inch culvert within a perennial stream to construct a driveway for access to a single family residential lot on 2.5 acres.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), impacts associated with the construction of a driveway to access buildable uplands for a single family dwelling.

2006-02887 FLAHERTY, JOSEPH
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair/Replace rip-rap area.

PBN IS COMPLETE:

Repair/Replace rip-rap area.

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.

2006-02888 HEMLOCK HOLLOW REALTY TRUST, RICHARD CHURCHILL JR
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair retaining wall.

PBN IS COMPLETE:

Repair retaining wall.

With Findings:

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

2006-02889 CHURCHILL JR, RICHARD & MARIA
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair retaining wall.

PBN IS COMPLETE:
Repair retaining wall.

With Findings:

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

2006-02890 SCIOLA, ANTHONY
ALTON Lake Winipесаaukee

Requested Action:
Replace boathouse "in-kind".

PBN IS COMPLETE:
Replace boathouse "in-kind".

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.

2006-02891 WINTERS, HERBERT & GAIL
CENTER BARNSTEAD Unnamed Stream

Requested Action:
Impact 155 sq. ft. for replacement in-kind of existing culvert 36" x 30' driveway culvert.

PBN IS COMPLETE:
Impact 155 sq. ft. for replacement in-kind of existing culvert 36" x 30' driveway culvert.

2006-02901 POLENCHAR, JOSEPH
HUDSON Merrimack River

Requested Action:
install a seasonal dock.

PBN IS COMPLETE:
install a seasonal dock.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a) installation of a seasonal dock.

2006-02902 GREEN, JOANNE
TUFTONBORO Lake Winnipесаaukee

Requested Action:
Rip-Rap the shoreline.

PBN DISQUALIFIED:
Rip-Rap the shoreline.

With Findings:

1. Rip-rap proposals do not qualify under the Permit By Notification process unless it is for a repair in-kind. Applicant proposed new rip-rap in two different areas on the property.

**2006-02903 TUFTONBORO, TOWN OF
TUFTONBORO Unnamed Wetland**

Requested Action:

Disqualify Permit by Notification as the plans illustrate fill within a public water and the project is considered a major impact project per Env-Wt 303.02(n).

PBN DISQUALIFIED:

Disqualify Permit by Notification as the plans illustrate fill within a public water and the project is considered a major impact project per Env-Wt 303.02(n).

**2006-02941 WADE TRUST, ROBERT
LACONIA Unnamed Stream**

Requested Action:

Dredge and fill 46 square feet of intermittent stream/roadside drainage to remove accumulated sediment and replace existing 12-inch culvert in kind.

PBN IS COMPLETE:

Dredge and fill 46 square feet of intermittent stream/roadside drainage to remove accumulated sediment and replace existing 12-inch culvert in kind.