

Wetlands Bureau Decision Report

Decisions Taken
01/08/2007 to 01/14/2007

DISCLAIMER:

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

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

APPEAL:

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

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

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

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

MAJOR IMPACT PROJECT

**2005-00049 WEST ALTON MARINA
ALTON Lake Winnepesaukee**

Requested Action:

Amend permit to increase seasonal canopy length to 34 ft to allow structural support changes.

Conservation Commission/Staff Comments:

Combined with file 2005-47 for one fender piling

APPROVE AMENDMENT:

Amend permit to read: Excavate 5605 sq ft, remove 132 linear ft of bulkhead and walkway, and construct 160 linear ft of retaining wall topped by a 2 ft wide walkway to enlarge an existing boat basin. Relocate three 2 ft x 20 ft finger piers and construct three new 2 ft x 20 ft finger piers in the newly dredged basin. Install 7 pilings to support four 34 ft x 23 ft seasonal canopies within the newly dredged area. Install one fender piling in front of the existing boat ramp near the gas dock to expand and modify an existing marina providing public access to Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with Piling plans by Spaulding Land Planning Associates dated November 30, 2004, as received by the Department on January 6, 2005, marina slip modification plans by Spaulding Land Planning Associates as revised on March 18, 2005 and received by the Department on March 21, 2005, the Amended Canopy Plan revised February 11, 2006, received by the Department on May 9, 2006, and the Abutter Plan dated November 27, 2006 as received by the Department on December 18, 2006.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not be effective until the DES Wetlands Bureau receives written confirmation from the Town of Alton that the proposed modifications and expansion will comply with all local land-use controls as required per Rule Wt 402.16, Commercial Use, Municipal Review.
4. Dredged or excavated material and all construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Canopies shall be of seasonal construction type with a flexible fabric cover and they shall be removed 5 months during the non-boating season.
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. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
9. The applicant accepts that the installation of the approved canopies will preclude the installation of any new canopy(ies) over slips 75A, 75B, 76A, 76B, 77A, 77B, 78A, and 78B. If at any time in the future the owners of the facilities wish to pursue installation of any canopy(ies) over the restricted slips, then these 23 ft x 34 ft canopies shall be reduced to 23 ft x 30 ft.
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 major impact project per Administrative Rule Wt 303.02(d), construction or modification to a major docking system.
2. The increase in the canopy length is proposed to allow coverage of larger watercraft within a commercial facility.
3. The public hearing is waived based on field inspection on March 7, 2005 with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.
4. The Wetlands Bureaus finds that the excavation and reconfiguration of the bulkhead, walkway and existing piers would improve

safety and navigation within the existing marina.

5. The request for the additional 6 boat slips is within the parameters of Rule Wt 402.17, Marinas - Design Standards, which allows for more than the standard one slip per 25 ft of frontage if the facility is enclosed by the land of the applicant.

-Send to Governor and Executive Council-

**2006-01860 RODY, EDWARD & MARGARET
THORNTON Pemigewasset River**

Requested Action:

Dredge and fill approximately 3,850 square feet (70 linear feet) within the bank of the Pemigewasset River to stabilize a severely eroding segment of riverbank. Project activities include a riprap toe, live stakes along the bank, and native top-of-bank plantings.

APPROVE PERMIT:

Dredge and fill approximately 3,850 square feet (70 linear feet) within the bank of the Pemigewasset River to stabilize a severely eroding segment of riverbank. Project activities include a riprap toe, live stakes along the bank, and native top-of-bank plantings.

With Conditions:

1. All work shall be in accordance with plans by Roberge Associates Coastal Engineers, LLC dated December 27, 2005, and revised through May 01, 2006 and plans dated May 01, 2006, as received by the Department on July 18, 2006.
2. This permit is contingent upon the establishment of a vegetated buffer.
3. Additional request to dredge and/or fill in this area of the Pemigewasset River bed or bank shall not be considered or approved until a complete analysis and assessment has been conducted by the applicant to determine a more effective, long-term solution which alleviates the erosion problem, such as methods of intercepting groundwater.
4. The permittee shall notify in writing the DES Wetlands Bureau, the Thornton Conservation Commission and the Pemigewasset River Local Advisory Committee at least 7 days prior to the commencement of project construction.
5. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the stabilization areas are constructed in accordance with the plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
6. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project
7. 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.
8. 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.
9. All work shall be done from the top of the bank.
10. There shall be no excavation or operation of construction equipment in flowing water.
11. Bank stabilization shall not be done to extend land into the river channel.
12. Work shall be done during annual low flow conditions.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering wetland or surface water.
15. Prior to commencing work within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
16. 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.

17. 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.

18. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

19. Temporary cofferdams shall be entirely removed immediately following construction.

20. 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.

21. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.

22. All temporarily stockpiled material shall be placed out any area that is within the jurisdiction of the DES Wetlands Bureau.

23. Only native plant species shall be utilized to renegotiate the riverbank.

24. 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.

25. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturer's specifications.

26. Mulch used within the wetland restoration areas shall be natural straw or equivalent.

27. Riverbank stabilization areas shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established until the riverbank is replicated in a manner satisfactory to the DES Wetlands Bureau.

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

29. The permittee or a designee shall conduct a follow-up inspection after the first full growing season, to review the success of the project and schedule remedial actions if necessary. A report outlining the project status including photographs and any follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second year following the completion of the project.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(m), any project that is related to other applications or permits in the wetlands area or wetlands complex in a manner such that if the proposed action were considered to be in a single application the combined impact would be considered major.

2. The proposed bank stabilization will tie into the existing 343 linear feet of stabilization on abutting property (tax map/lot # 16,1-2), Wetlands and Non-Site Specific Permit 2004-00938.

3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Thornton Conservation Commission.

4. The existing drainage route (in the area of erosion) is not in compliance with Site-Specific Permit # WPS-6048.

5. In a letter received by the Department on August 21, 2006, the Pemigewasset River LAC indicated the river bank repair should be accomplished, and it appears surface water and groundwater runoff were the prime contributors and river scouring secondary. They also indicated the proposal lacked discussion and unless the stabilization is seriously undertaken with possible retention areas, the proposed surface water redirection may relocate the problem.

6. DES Staff conducted a field inspection of the proposed project on April 24, 2006. Field inspection determined groundwater flow appeared to be a significant contributor to bank failure (as was determined for approved bank stabilization on the abutting lot, on which a groundwater interceptor trench was installed, Wetlands and Non-Site Specific Permit 2004-00938) and methods to intercept groundwater should be addressed. Riprap to the normal high water mark is appropriate and biostabilization above.

7. In a letter received by the Department on November 13, 2006, the Pemigewasset River LAC indicated the erosion seems to have been caused almost if not entirely by surface runoff resulting from improper grading during construction and the proposed redirection of surface runoff does not appear to be impacting the area that now carries flow.

8. In a letter to the Department dated December 11, 2006, the applicant stated they are not in agreement with the DES Wetlands Bureau as to the significance of the groundwater flow contribution to the erosion/bank failure for the following reasons: 1) the soils on the subject parcel 35 feet from the property line is blue clay, in contrast to the abutting lot were soils 20 feet from the property line were suitable for a septic system and 2) the professional engineer who designed the proposal did not see the need to address this issue.

9. The proposed redirection of surface water appears similar to the approved drainage route, Site-Specific Permit # WPS-6048.

10. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

11. 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.

12. 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.

MINOR IMPACT PROJECT

2005-00392 LAPLANTE, JOSEPH & GRACE
WHITEFIELD Unnamed Wetland

Requested Action:

Approve name change to: Joseph & Grace LaPlante, 225 Hodgdon Rd, Northfield NH 03276 per request received Nov.6, 2006.

Conservation Commission/Staff Comments:

No comments from the conservation commission submitted.

APPROVE NAME CHANGE:

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

With Conditions:

1. All work shall be in accordance with plans and construction sequence details by Watershed to Wildlife, Inc. dated February 2005, as received by the Department on February 28, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies each of the lots shall contain condition #3 of this approval.
5. Work shall be done during low or non flow.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

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

2006-02687 HOYT REAL ESTATE TRUST, AL HOYT TTEE
DANVILLE Unnamed Wetland

Requested Action:

Dredge and fill a total of 9,780 sq. ft. of palustrine forested/ scrub-shrub/ emergent wetlands, including a perennial stream, to construct a roadway, with a Con-Span bridge crossing and drainage structures, to access a 24-lot single family residential subdivision on a 76 acre parcel of land.

Conservation Commission/Staff Comments:

No Conservation Commission report received.

APPROVE PERMIT:

Dredge and fill a total of 9,780 sq. ft. of palustrine forested/ scrub-shrub/ emergent wetlands, including a perennial stream, to construct a roadway, with a Con-Span bridge crossing and drainage structures, to access a 24-lot single family residential subdivision on a 76 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Gregsak Engineering, Inc. dated July 2004 (last revised 6/6/05), as received by the Department on October 10, 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 by certified mail, return receipt requested, 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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. 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).
14. Work shall be done during low flow.
15. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(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. No vernal pools are reported to be within or adjacent to the wetland impact areas.

2006-02734 ROY FAMILY TRUST
NEWBURY Unnamed Wetland

Requested Action:

Dredge and fill 6578 square feet of palustrine wetland and install two 4-foot x 30 foot culverts and one 4-foot x 21 foot culvert in two crossing locations for driveway construction to a proposed residence on an existing 100 acre lot of record.

APPROVE PERMIT:

Dredge and fill 6578 square feet of palustrine wetland and install two 4-foot x 30 foot culverts and one 4-foot x 21 foot culvert in two crossing locations for driveway construction to a proposed residence on an existing 100 acre lot of record.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs dated October 1, 2006, as received by the Department on October 17, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done during periods of non-flow.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. 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.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has proposed to construct the driveway within the existing logging road footprint rather than the narrower wetland sections.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2006-02749 FELCH, DONALD
SEABROOK Unnamed Wetland

Requested Action:

Dredge and fill a total of 8,900 sq. ft. of palustrine forested wetlands to upgrade an existing woods road to a driveway with three (3) 18 in. culverts installed to access a single-family house lot on a 1.79 acre parcel of land.

Conservation Commission/Staff Comments:

The Seabrook Conservation Commission has "no objections to the proposal".

APPROVE PERMIT:

Dredge and fill a total of 8,900 sq. ft. of palustrine forested wetlands to upgrade an existing woods road to a driveway with three (3) 18 in. culverts installed to access a single-family house lot on a 1.79 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Millennium Engineering, Inc. dated Sept. 28, 2006, as received by the Department on October 18, 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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. 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. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(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 wetlands impacts to construct this driveway are unavoidable. The 3-culvert crossing will assure no impounding of water affecting abutting properties.

2006-02767 HAMLIN, JOANNE
TUFTONBORO Lake Winnepesaukee

Requested Action:

Remove existing permanent "L-shaped" docking system and install a seasonal "U-shaped" docking facility consisting of two 6 ft x 40 ft seasonal docks connected by a seasonal 6 ft x 12 ft walkway, anchored by one existing boulder and a new 4 ft x 6 ft concrete pad on 160 ft of frontage in Tuftonboro on Lake Winnepesaukee.

APPROVE PERMIT:

Remove existing permanent "L-shaped" docking system and install a seasonal "U-shaped" docking facility consisting of two 6 ft x 40 ft seasonal docks connected by a seasonal 6 ft x 12 ft walkway, anchored by one existing boulder and a new 4 ft x 6 ft concrete pad on 160 ft of frontage in Tuftonboro on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on October 20, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. The U shaped pier shall be the only docking structure on this water frontage and all portions of the docking structure shall be at

- least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
- 4. Seasonal docks shall be removed from the lakebed for five months during the non-boating season.
- 5. No portion of either dock shall extend more than 40 feet from the shoreline at the normal high water mark.
- 6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
- 7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
- 8. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
- 9. This permit does not allow maintenance dredging of any kind.
- 10. Old dock materials shall be completely removed from the lakebed and discarded appropriately outside wetlands jurisdiction.
- 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(d), construction of a docking system.
- 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 Tuftonboro Conservation Commission commented that they would like that: "any pressure treated lumber of the old dock removed from the island and be brought to a transfer station for disposal." This is beyond Wetlands jurisdiction to specifically state where applicants can discard building materials.

2006-02777 EVANS, ROBERT
TUFTONBORO Lake Winnepesaukee

Requested Action:

Remove an existing 4 ft x 28 seasonal dock connected to a 8 ft x 16 ft seasonal dock and install two 4 ft x 6 ft concrete pads anchoring two 6 ft x 40 ft seasonal docks connected by a 6 ft x 12 ft walkway on 150 ft of frontage in Tuftonboro on Lake Winnepesaukee.

APPROVE PERMIT:

Remove an existing 4 ft x 28 seasonal dock connected to a 8 ft x 16 ft seasonal dock and install two 4 ft x 6 ft concrete pads anchoring two 6 ft x 40 ft seasonal docks connected by a 6 ft x 12 ft walkway on 150 ft of frontage in Tuftonboro on Lake Winnepesaukee.

With Conditions:

- 1. All work shall be in accordance with plans by Watermark Marine Construction as received by the Department on October 20, 2006.
- 2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
- 3. These shall be the only docking structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
- 4. Seasonal docks shall be removed from the lakebed for five months during the non-boating season.
- 5. No portion of either dock shall extend more than 40 feet from the shoreline at the normal high water mark.
- 6. This permit does not preclude DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
- 7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall

remain until the area is stabilized.

8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
10. This permit does not allow maintenance dredging of any kind.
11. Old dock materials shall be completely removed from the lakebed and discarded appropriately outside wetlands jurisdiction.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking system.
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. Conservation Commission recommendation to have applicant dispose pressure treated wood at the transfer station is beyond Wetland Bureaus jurisdiction.

2006-02812 CORNELL, SCOTT
STRATHAM Unnamed Wetland

Requested Action:

Dredge and fill a total of 7,100 sq. ft. of palustrine forested/ scrub-shrub and emergent wetlands, including 430 sq. ft. of temporary impacts, to construct a roadway to access a 13-lot residential subdivision and to access the man-made pond on-site for maintenance dredging and to install a dry hydrant for fire protection on a 29.62 acre parcel of land.

Conservation Commission/Staff Comments:

No report received from the Stratham Conservation Commission.

APPROVE PERMIT:

Dredge and fill a total of 7,100 sq. ft. of palustrine forested/ scrub-shrub and emergent wetlands, including 430 sq. ft. of temporary impacts, to construct a roadway to access a 13-lot residential subdivision and to access the man-made pond on-site for maintenance dredging and to install a dry hydrant for fire protection on a 29.62 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Emanuel Engineering, Inc. dated Oct. 5, 2006, as received by the Department on October 30, 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 by certified mail, return receipt requested, 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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 14 days by seeding and mulching.

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

11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

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

13. 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).

14. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(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 dredging of the man-made Willow Pond is in compliance with NH HB 457 for maintenance dredging.

**2006-02915 PHIPPARD, CHARLES
STODDARD Granite Lake**

Requested Action:

Dredge 20 cubic yards of sand from lakebed for boat navigation on 100 ft of frontage on Granite Lake in Stoddard.

APPROVE PERMIT:

Dredge 20 cubic yards of sand from lakebed for boat navigation on 100 ft of frontage on Granite Lake in Stoddard.

With Conditions:

1. All work shall be in accordance with plans by Brickstone Masons, Inc, revised on December 27, 2006 as received by the Department on December 28, 2006.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) and other control devices must be removed once the area is stabilized.
4. Dredge work shall not cross over abutting property line boundaries as extended over water during full lake.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that the existing docking structures were not previously permitted or grandfathered.
6. All bank and shore land impact areas and temporary stockpile area shall be restabilized with vegetation.
7. This permit shall be only used once to dredge and does not permit annual dredging.
8. All activity shall be in accordance with the Comprehensive Shore land Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of rock, gravel, sand, mud, or other materials from public waters.

- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. DES Staff conducted a field inspection of the proposed project on December 4, 2006. Field inspection found indications that this may be a significant sand migration area that may be subject to filling up with sand again.

MINIMUM IMPACT PROJECT

2006-01355 PARE, THOMAS
SALEM Arlington Mill Reservoir

Requested Action:

Dredge and fill 1,740 sq. ft. of palustrine scrub-shrub wetlands to construct a driveway, repair an existing drainpipe and install municipal water supply to service an existing house lot. The current dwelling will be razed and a new dwelling constructed in accordance with DES Shoreland Waiver #2006-01432.

Conservation Commission/Staff Comments:

"The Salem Conservation Commission ... has completed its review of the above referenced application, including a site walk, and has voted to recommend approval ..."

APPROVE PERMIT:

Dredge and fill 1,740 sq. ft. of palustrine scrub-shrub wetlands to construct a driveway, repair an existing drainpipe and install municipal water supply to service an existing house lot. The current dwelling will be razed and a new dwelling constructed in accordance with DES Shoreland Waiver #2006-01432.

With Conditions:

- 1. All work shall be in accordance with plans by SFC Engineering Partnership, Inc. dated 05/26/2006, as received by the Department on May 31, 2006.
- 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. Shoreland waiver #2006-1432 issued January 02, 2007.
- 4. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
- 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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 7. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

2006-01900 BURNES, THOMAS
HAMPTON Unnamed Wetland

Requested Action:

Dredge and fill a total of 1,102 sq. ft. (725 sq. ft. permanent impacts, 377 sq. ft. temporary impacts) to an isolated palustrine forested wetland to construct a driveway/ culvert crossing to access a single family house lot.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission had concerns which were addressed by the applicant/ agent with revised plans following the suggestions of the Commission.

APPROVE PERMIT:

Dredge and fill a total of 1,102 sq. ft. (725 sq. ft. permanent impacts, 377 sq. ft. temporary impacts) to an isolated palustrine forested wetland to construct a driveway/ culvert crossing to access a single family house lot.

With Conditions:

1. All work shall be in accordance with plans by Millennium Engineering, Inc. dated April 20, 2006 (last revised 8/22/06), as received by the Department on October 31, 2006.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Proper headwalls shall be constructed within seven days of culvert installation.
4. Culvert outlets shall be properly rip rapped.
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.

**2006-02427 SHAY, JOHN
WHITEFIELD Man-made Farm Pond**

Requested Action:

Withdraw application to dredge an existing farm pond.

WITHDRAW APPLICATION:

Withdraw application to dredge an existing farm pond.

With Findings:

1. Wendy Doran and John Shay submitted a letter dated December 15, 2006, stating, "Wendy Doran and John Shay who reside at 91 Twin Mt. Rd. Whitefield, N.H. 03598 withdraw our application to dredge the pond at our residence."

FORESTRY NOTIFICATION

**2006-02861 SANBORN, ROGER & DOROTHY
BOSCAWEN Unnamed Stream**

COMPLETE NOTIFICATION:

Boscawen Tax Map 94, Lot# 24

**2006-03181 RICHARDS, ROBERT
HENNIKER Unnamed Stream**

COMPLETE NOTIFICATION:

Henniker Tax Map 1, Lot# 97

2006-03190 **ANGELICOLA, FRANCES**
JEFFERSON Unnamed Stream

COMPLETE NOTIFICATION:
Jefferson Tax Map 11, Lot# 12

2006-03250 **ALEXANDER, DANIEL**
ANTRIM Unnamed Stream

COMPLETE NOTIFICATION:
Antrim Tax Map 4, Lot# 110

2006-03251 **TATIO, FRED**
SPRINGFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Springfield Tax map 25, Lot# 474,172

2006-03252 **ANDORRA FOREST**
STODDARD Unnamed Stream

Conservation Commission/Staff Comments:
01/08/07 - Harvest to take place under frozen conditions per Forester. Should conditions changed bush will be placed in this shallow wet depressional area

COMPLETE NOTIFICATION:
Stoddard Tax Map 417, Lot# 3

2006-03253 **FLINT, VIRGINIA**
MILAN Unnamed Stream

COMPLETE NOTIFICATION:
Milan Tax Map 44, Lot# 164

2006-03255 **FLINT, VIRGINIA**
MILAN Unnamed Stream

COMPLETE NOTIFICATION:
Milan tax Map 44, Lot# 161

2006-03288 **WILLIAMS, BRUCE**
PELHAM Unnamed Stream

COMPLETE NOTIFICATION:
Pelham Tax Map 39, Lot# 49

2007-00022 **WEBSTER LAND CORP, C/O WAGNER FOREST MGMT**
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich Tax Map R22, Lot# 15

2007-00027 **OLSEN, RICHARD**
RINDGE Unnamed Stream

COMPLETE NOTIFICATION:
Rindge Tax Map 3, Lot# 68

2007-00028 **KENNEBEC WEST FOREST LLC, JOHN SUTTON**
ERVINGS LOCATIO Unnamed Stream

COMPLETE NOTIFICATION:
Erving's Location Tax Map 1623, Lot# 1

2007-00029 **BEEDE, CARL**
EAST SWANZEY Unnamed Stream

COMPLETE NOTIFICATION:
Swanzey Tax Map 14, Lot# 22

2007-00030 **SHANKAR, SAMARJIT & TARA**
GORHAM Unnamed Stream

COMPLETE NOTIFICATION:
Gorham Tax Map U23, Lot# 8C

2007-00031 **DUBEY, DAVE & JILL**
DUMMER Unnamed Stream

COMPLETE NOTIFICATION:
Dummer Tax Map R20, Lot# 203

2007-00032 **MASSASECUM TIMBER CORP**
BRADFORD Unnamed Stream

COMPLETE NOTIFICATION:
Bradford Tax Map 20, Lot# 31

2007-00033 **ASPINAL, C SCOTT**
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Tamworth Tax Map 414, Lot# 96.1

2007-00034 NEW BOSTON CONSERVATION COMMISSION, BETSY DODGE
NEW BOSTON Unnamed Stream

COMPLETE NOTIFICATION:
New Boston Tax Map 1, Lot# 14

2007-00035 YORK, ARTHUR
MILAN Unnamed Stream

COMPLETE NOTIFICATION:
Milan Tax Map 290, Lot# 41

2007-00036 YANKEE CLIPPER COUNAL / BOY SCOUTS OF AMERICA
NORTHWOOD Unnamed Stream

COMPLETE NOTIFICATION:
Northwood Tax Map 224, Lot# 9

2007-00040 CAMERON, WILLIAM & BERNICE
FARMINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Farmington Tax Map R46, Lot# 3

2007-00050 REYNOLDS, ALAN
LEMPSTER Unnamed Stream

COMPLETE NOTIFICATION:
Lempster Tax Map 14, Lot# 27.135

EXPEDITED MINIMUM

2006-02100 RODAT, ROBERT & MARY DOLAN MILLER
HANCOCK Unnamed Wetland

Requested Action:
Maintenance dredge 7305 square feet of existing man made pond, repair existing dam and expand the pond into an adjacent upland.

APPROVE PERMIT:

Maintenance dredge 7305 square feet of existing man made pond, repair existing dam and expand the pond into an adjacent upland.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services dated November 1, 2005, as received by the Department on August 17, 2006.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
6. Work shall be done during low flow.
7. Work shall be conducted during low water conditions.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. No equipment shall enter the water.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. 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 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 minimum impact project per Administrative Rule Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways; and Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The expansion of the existing pond is into a non jurisdictional upland area.

2006-02737 BOSCAWEN, TOWN OF
BOSCAWEN Merrimack River

Requested Action:

Install concrete porous pavers to upgrade an existing 150 ft long by 8 ft wide car top boat ramp, remove 900 sq ft of accumulated sediment at the toe of the ramp, and repair 60 linear ft of eroded drainage channel with rip rap, for improved access to the Merrimack River, Boscawen.

Inspection Date: 11/14/2006 by Dale R Keirstead

APPROVE PERMIT:

Install concrete porous pavers to upgrade an existing 150 ft long by 8 ft wide car top boat ramp, remove 900 sq ft of accumulated sediment at the toe of the ramp, and repair 60 linear ft of eroded drainage channel with rip rap, for improved access to the Merrimack River, Boscawen.

With Conditions:

1. All work shall be in accordance with plans by Underwood Engineers Inc dated October 2006, as received by the Department on October 25, 2006, and ramp start plans dated December 08, 2006, as received by the Department on December 11, 2006.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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 breeding and nesting areas shall be avoided.
5. Work shall be done at low flow.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
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. 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 proposed project will help stabilize an existing boat launch and repair a damaged drainage swale.

**2006-02756 MATHEWSON REAL ESTATE HOLDING LLC
GREENFIELD Unnamed Wetland**

Requested Action:

Dredge and fill 210 square feet of intermittent stream and including installation of a 24-inch x 20 foot long culvert imbedded into the existing channel in the subdivision of 77 acres into three single family residential lots.

APPROVE PERMIT:

Dredge and fill 210 square feet of intermittent stream and including installation of a 24-inch x 20 foot long culvert imbedded into the existing channel in the subdivision of 77 acres into three single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services dated August 15, 2006, and revised through December 11, 2006, as received by the Department on December 21, 2006, and Subdivision Plans by Dennis McKenney dated January 20, 2006, and revised through September 12, 2006, as received by the Department on December 12, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #x 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. Work shall be done during periods of non-flow.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant; and Env-Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-02950 NUBI RIVER PARTNERS, SHELLY GOGUEN HULBERT
PETERBOROUGH Unnamed Wetland

Requested Action:

Dredge 19,472 square feet of poorly drained soil for pond construction and fill 160 square feet for road expansion.

APPROVE PERMIT:

Dredge 19,472 square feet of poorly drained soil for pond construction and fill 160 square feet for road expansion.

With Conditions:

1. All work shall be in accordance with plans by Christopher K Danforth & Associates LLC dated November 14, 2006, as received by the Department on November 20, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the work areas are constructed in accordance with the approved plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
4. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
5. Work shall be conducted during low water conditions.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. 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. Wetland creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the surface, and changing the hydrologic regime.

9. No equipment shall enter the water.
10. 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.
11. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
15. 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).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 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.

**2006-03040 COTNOIR, FERN
BELMONT Unnamed Wetland**

Requested Action:

Dredge and fill 273 square feet of wetland including installation of a 24-inch x 30 foot culvert for access to a proposed building location in the subdivision of 7.2 acres into two lots.

APPROVE PERMIT:

Dredge and fill 273 square feet of wetland including installation of a 24-inch x 30 foot culvert for access to a proposed building location in the subdivision of 7.2 acres into two lots.

With Conditions:

1. All work shall be in accordance with plans by NHSC dated November 16, 2006, as received by the Department on December 1, 2006, and Subdivision Plans by Harold E Johnson dated October 12, 2006, as received by the Department on December 18, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be done during periods of non-flow.

6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
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. Silt fencing must be removed once the area is stabilized.
13. 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 Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant; and Env-Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-03126 BOUCHARD, KENNETH
MADBURY Unnamed Wetland**

Requested Action:

Dredge and fill a total of 2,562 sq. ft. of wetlands at two locations, including 1,106 sq. ft. of impact to installation of a 12" x 30' culvert; and 1,445 sq. ft. of impact to install a 12" x 26' culvert; for construction of two driveway crossings on two single-family building lots.

APPROVE PERMIT:

Dredge and fill a total of 2,562 sq. ft. of wetlands at two locations, including 1,106 sq. ft. of impact to installation of a 12" x 30' culvert; and 1,445 sq. ft. of impact to install a 12" x 26' culvert; for construction of two driveway crossings on two single-family building lots.

With Conditions:

1. All work shall be in accordance with plans by American Engineering Consultants dated August 14,2006, as received by the Department on December 12,2006.
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(f), projects impacting less than 3,000 sq. ft. of swamp or wet meadow wetlands.
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.
There were no species reported by the NH Natural Heritage Bureau.
5. The Madbury Conservation Commission signed the expedited application.

2006-03135 RIPLEY, CD & NANCY
LANCASTER Unnamed Wetland

Requested Action:

Dredge and fill 1,806 square feet of forested wetlands along 20 linear feet of intermittent stream to install a 30-inch x 20-foot CMP culvert for access to a 12-acre lot.

APPROVE PERMIT:

Dredge and fill 1,806 square feet of forested wetlands along 20 linear feet of intermittent stream to install a 30-inch x 20-foot CMP culvert for access to a 12-acre lot.

With Conditions:

1. All work shall be in accordance with plans by Watershed to Wildlife, Inc. dated December 2006, as received by the Department on December 13, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters.
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 minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. The Natural Heritage Bureau indicated the presence of the Northern harrier (*Circus cyaneus*) in the project vicinity.
3. The NH Fish and Game Department indicated impact to the Northern harrier is not anticipated as a result of the project.
4. The NH Fish and Game Department also indicated the proposed 30-inch CMP will provide adequate passage for aquatic species.
5. The applicant has received written consent from the owners of Lot 13 (Tax Map R7), abutters to the property on which project activities will take place, for work within 20 feet of their property lines, in accordance with Rule Wt 304.04(a).
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.

**2006-03145 MITCHELL, WALTER
GILMANTON Unnamed Wetland**

Requested Action:

Dredge and fill 750 square feet of wetland including installation of two 18-inch culverts for access to a proposed barn.

APPROVE PERMIT:

Dredge and fill 750 square feet of wetland including installation of two 18-inch culverts for access to a proposed barn.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants dated November 13, 2006, and revised through December 8, 2006, as received by the Department on December 14, 2006.
2. Work shall be done during periods of non-flow.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. 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).
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Silt fencing must be removed once the area is stabilized.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

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

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

LAKES-SEASONAL DOCK NOTIF

**2007-00058 NEELEY, THOMAS & NANCY
TUFTONBORO Mirror Lake Dr**

COMPLETE NOTIFICATION:

Tuftonboro NH Tax Map# 52 Lot# 3 Sub# 36
Mirror Lake

ROADWAY MAINTENANCE NOTIF

**2007-00057 NH DEPT OF TRANSPORTATION
PORTSMOUTH Unnamed Stream**

PERMIT BY NOTIFICATION

**2007-00017 GROSS, MARTIN
ALTON Lake Winnepesaukee**

Requested Action:

Repair 4 pilings under existing boathouse.

PBN IS COMPLETE:

Repair 4 pilings under existing boathouse.

With Findings:

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

**2007-00018 WALKER, LEONARD
ALTON Lake Winipesaukee**

Requested Action:

Repair existing docking system.

PBN IS COMPLETE:

Repair existing docking system.

With Findings:

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

2007-00025

DIETZ, DAVID & KATHERINE

TUFTONBORO Lake Winnepesaukee

Requested Action:

Repair existing "L-shaped" docking system "in-kind".

PBN IS COMPLETE:

Repair existing "L-shaped" docking system "in-kind".

With Findings:

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