

# Wetlands Bureau Decision Report

Decisions Taken  
06/18/2007 to 06/24/2007

## **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**

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**2006-03006                    OLD FARM GOLF COURSE LLC, AUBREY BARRETT  
MILFORD   Souhegan River**

Requested Action:

Dredge and fill approximately 5,500 square feet (550 linear feet) within the bank of the Souhegan River to stabilize an eroding segment of riverbank adjacent to an existing farm field. Project activities include stumps along the toe, riprap below the normal high water mark, and installation of live stakes within bank.

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APPROVE PERMIT:

Dredge and fill approximately 5,500 square feet (550 linear feet) within the bank of the Souhegan River to stabilize an eroding segment of riverbank adjacent to an existing farm field. Project activities include stumps along the toe, riprap below the normal high water mark, and installation of live stakes within bank.

With Conditions:

1. All work shall be in accordance with plans by Brickstone Masons, Inc., dated November 07, 2006, as received by the DES Wetlands Bureau on February 23, 2007.
2. Any conversion of tax map/lot 7/10 to a non-agricultural use, as defined by the Department of Agriculture, shall comply with RSA 483-B, Comprehensive Shoreland Protection Act, as in effect at the time of conversion.
3. Any conversion of tax map/lot 7/10 to a non-agricultural use, as defined by the Department of Agriculture, will require a minimum 50-foot protected riparian buffer from the top-of-bank, to be allowed to revegetate to and be maintained in a natural state.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the bank stabilization areas are constructed in accordance with the plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
6. The permittee shall notify in writing the DES Wetlands Bureau, the Milford Conservation Commission and the Souhegan River Local Advisory Committee at least 7 days prior to the commencement of project construction.
7. Work shall be done during annual low flow conditions and during the months of May through September.
8. No machinery shall enter the water.
9. All work shall be done from the top of the bank.
10. Bank stabilization shall not be done to extend land into the river channel.
11. There shall be no excavation or operation of construction equipment in flowing water.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
13. 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.
14. 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.
15. 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.
16. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
17. 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.
18. 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 twenty (20) feet of undisturbed vegetated buffer.
19. 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.

20. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
21. Temporary cofferdams shall be entirely removed immediately following construction.
22. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
23. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
24. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
25. Excavated material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
26. All temporarily stockpiled material shall be placed out any area that is within the jurisdiction of the DES Wetlands Bureau.
27. 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.
28. Only native plant species shall be utilized to renegotiate the riverbank.
29. 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.
30. 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.
31. Mulch used within the wetland restoration areas shall be natural straw or equivalent.
32. Riverbank stabilization areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional riverbank is replicated in a manner satisfactory to the DES Wetlands Bureau.
33. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the DES Wetlands Bureau if the species is found in the stabilization areas during construction and during the early stages of vegetative establishment.
34. A post-construction report documenting the status of the restored jurisdictional area, including photographs during and post construction shall be submitted to the Wetlands DES within sixty (60) days of the completion of construction.
35. 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(i), alteration of more than 200 linear feet of a river channel or its banks.
2. Wetlands and Non-Site Specific Permit 2003-00179 issued for this property (tax map/lot 7/10), approved the stabilization of 3,000 square feet of severely eroded embankment along 300 linear feet of the Souhegan River utilizing root wad (tree stumps) bioengineering techniques and loaming, seeding and planting with speckled alders to be maintained along the river bank.
3. Cumulative impacts for Wetlands and Non-Site Specific Permit 2003-00179 and impacts approved under this permit total 8,500 square feet (850 linear feet) of impact within the bank of the Souhegan River.
4. DES Alteration of Terrain Program approval (WPS-7455) for tax map/lot 7/10 was issued on April 10, 2006, for a proposed golf course; Old Farm Golf Links.
5. Supplemental application materials received on February 23, 2007, stated, "This proposed project involves an existing agricultural field. RSA 483-B:3 Paragraph III exempts all agricultural activities from the provisions of Chapter 483-B."
6. Supplemental application materials received on February 23, 2007, stated if future golf course plans are finalized there will be no impacts to wetlands associated with its construction and that the proposed stabilization project areas are, "...an existing farm field and will remain in agriculture for the foreseeable future."
7. This permit is conditioned that any conversion of use of tax map/lot 7/10 to a non-agricultural use, as defined by the Department of Agriculture, shall comply with RSA 483-B, Comprehensive Shoreland Protection Act, as in effect at the time of conversion.
8. The NHFG Nongame and Endangered Wildlife Program recommends a minimum 50-foot protected riparian buffer of natural vegetation to provide habitat for wood turtle.
9. In a letter dated January 02, 2007, the Milford Conservation Commission recommended approval of the project.
10. In a letter dated January 18, 2007, the Souhegan River Local Advisory Committee: a) stated there is no need for the proposed stabilization; b) recommended the 50-foot natural buffer that is already required by Milford is kept in its natural state; c) stated boating safety concerns regarding tree stump installation; d) requested denial of the proposed project; e) requested a comprehensive plan for the parcel; f) requested alternatives; and g) suggested requiring mitigation.
11. The submitted photographs depict ongoing erosion.

12. Supplemental application materials received on May 24, 2007, stated a 50-foot buffer "will be maintained by the course when and if it is built".
13. Milford town ordinances currently require a 50-foot buffer from designated water bodies: no structures, preserve natural vegetation.
14. This permit is conditioned that any conversion of tax map/lot 7/10 to a non-agricultural use, as defined by the Department of Agriculture, will require a minimum 50-foot protected riparian buffer from the top-of-bank, to be allowed to revegetate to and be maintained in a natural state.
15. Per Env-Wt 302.03(c)(2)(d), projects that involve only bank stabilization by exclusively incorporating bioengineering methods do not require mitigation.
16. Riprap installation is limited to below the ordinary high water mark.
17. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
18. 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.
19. 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.
20. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine system.

**2007-00292                      3A DEVELOPMENT CO LLC**

**HOOKSETT   Unnamed Wetland**

Requested Action:

Dredge and fill 1370 square feet of palustrine forested wetland for construction of 204 residential apartments and associated amenities on 27 acres.

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APPROVE PERMIT:

Dredge and fill 1370 square feet of palustrine forested wetland for construction of 204 residential apartments and associated amenities on 27 acres.

With Conditions:

1. All work shall be in accordance with plans by Brown Engineering dated December 19, 2006, and revised through January 30, 2007 as received by the Department on February 12, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback within this phase of the University Heights Subdivision.
4. The deed which accompanies the sales transaction for each of the units 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 and the limits of the existing conservation easement boundary to prevent accidental encroachment on wetlands or into the easement area.
10. Work shall be done during low flow.
11. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. Silt fencing must be removed once the area is stabilized.

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

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(l) Projects which, when taken in the aggregate with previous work on the property within the last 5 years, would be considered major.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has sought and been granted a variance from the Town of Hooksett to increase the number of units in each building decreasing the overall number of buildings on the site and the wetland impacts.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. The project impacts will not significantly impair the resources of this wetland ecosystem therefore no public hearing was held.
7. The resources being impacted by this application are small in size and are isolated.
8. NH Fish and Game has provided an e-mail to the agent which states their concurrence with the proposed project.
9. The Hooksett Conservation Commission has provided a letter stating their approval of the proposed project.
10. The impacts associated with this project were mitigated as part of the previous permits 2002-02449, 2005-00083, and 2005-00519.
11. The mitigation for the previous permits is currently in compliance with RSA 482-A and Administrative Rules Env-Wt 100-800.

**MINOR IMPACT PROJECT**

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**2004-00766                      MCQUADE BROOK, LLC**  
**BEDFORD   Unnamed Wetland**

Requested Action:

Name change and request to impact an additional 885 sq. ft. of scrub shrub wetlands as part of the town road upgrade for the associated subdivisions.

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Conservation Commission/Staff Comments:

The Bedford Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE AMENDMENT:

Dredge and fill approximately 1,024 sq. ft. of intermittent stream for installation of 2 15"x28' culverts for a roadway and 1,324 sq. ft. of intermittent stream for installation of 2 18"x49' culverts to provide access to a lot of 2.15 acres as part of a 19-lot subdivision on approximately 29.07 acres with 7.48 acres designated as open space. In addition, dredge and fill approximately 885 sq. ft. of scrub shrub wetlands along Campbell Road as part of Town required roadway upgrades for the associated subdivisions. Work includes extending an existing 18 in. culvert 8 ft., associated, grading, filling and slope stabilization.

With Conditions:

1. All work shall be in accordance with the following plans by Bedford Design Consultants dated April 16, 2004 with revisions through April 16, 2004 as received by the Department on June 8, 2004:
  - a. Wetland Impact Existing Conditions (Sheet 3);
  - b. Plan and Profile (Sheet P2 of P5 & Sheet P5 of P5).
  - c. Plan and Profile sheet (Sheet P8 of P8) by Bedford Design Consultants, revision dated February 10, 2007, as received by the Department on April 16, 2007.
2. This permit is contingent on approval by the DES Site Specific Program.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. 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.
8. Work shall be done during low flow conditions.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 sq. ft. of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f)
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was previously approved as a minimum impact project, per Administrative Rule Wt 303.04(n), projects that alter less than 50 linear feet of an intermittent stream.
6. The Town required offsite roadway improvements raises the project to just over 3,000 sq. ft. of wetlands impact, which reclassifies the project to a Minor Project.

**2004-02981                      DECASTRO, JEAN**  
**WOLFEBORO Lake Winnepesaukee**

Requested Action:

Amend permit to install 65 linear feet of 5 foot high retaining wall 1.5 feet back from the high water line, and stabilize utilizing bio-stabilization measures and plantings approximately 625 square feet within the bank of Lake Winnepesaukee, Wolfeboro.

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Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission does not have any objections to this permit.

**APPROVE AMENDMENT:**

Relocate existing shed to original position within the bank and install 65 linear feet of 5 foot high retaining wall 1.5 feet back from the high water line, and stabilize utilizing bio-stabilization measures and plantings approximately 625 square feet within the bank of Lake Winnepesaukee, Wolfeboro.

**With Conditions:**

1. All work shall be in accordance with plans by NHSC dated November 15, 2004, and revised through March 23, 2005, as received by DES on June 14, 2007.
2. This permit shall not be effective until it has been recorded with the Carroll 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. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the bank stabilization areas are constructed in accordance with the 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. 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.
5. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
6. No work shall be done in the water.
7. 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.
8. 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.
9. Precautions shall be taken within bank areas to limit removal of vegetation to provide temporary construction access.
10. Excavated material and construction debris shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
11. All temporarily stockpiled material shall be placed out any area that is within the jurisdiction of the DES Wetlands Bureau.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
13. Only native plant species shall be utilized to revegetate the bank.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. 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.
16. 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 30 days of the completion of construction.
17. 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.
18. 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(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.02.
2. The existing bank is in failure and has been eroding into Lake Winnepesaukee since March of 2004.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The applicant has attempted to conduct flows down the bank using a culvert to reduce the surface water over the bank.
5. The applicant is proposing a 5 foot high wall behind the high water line to stabilize the base of the slope but the majority of the bank shall be stabilized utilizing native plantings.
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 June 14, 2007. Field inspection determined that the bank was in failure and was sending sediment into Lake Winnepesaukee.

**2006-02761                      BLACKWATCH PROPERTIES LLC, THOMAS MARKEY III**  
**SEABROOK   Black Water River**

Requested Action:

Retain 518 square feet of temporary impact within previously developed 100-foot tidal buffer zone within 50-feet of a salt marsh for the removal of an antiquated septic tank and the installation of a sewer main and restore 2,738 square feet of wetland buffer with plantings.

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Conservation Commission/Staff Comments:

No comments were received from the Seabrook Conservation Commission.

APPROVE PERMIT:

Retain 518 square feet of temporary impact within previously developed 100-foot tidal buffer zone within 50-feet of a salt marsh for the removal of an antiquated septic tank and the installation of a sewer main and restore 2,738 square feet of wetland buffer with plantings.

With Conditions:

1. All work shall be in accordance with plans by Millennium Engineering, Inc. dated February 7, 2007, as received by DES on May 23, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

Restoration Plan Approval

1. Approximately 2,738 square feet of tidal buffer shall be restored, monitored and managed in accordance with the Restoration Plan and all project descriptive details submitted to DES on May 23, 2007 by Millennium Engineering, Inc.
2. The construction/restoration shall be done according to the Restoration Plan and as conditioned by this Restoration Plan Approval. Any changes or alterations to the Restoration Plan must be requested in writing and approved by DES in writing prior to implementing any such changes or alterations.
3. All persons involved in restoration activities on the Property shall have read and become familiar with the provisions of the Restoration Plan and this Restoration Plan Approval prior to beginning restoration work on the Property. A copy of the Restoration Plan and this Restoration Plan Approval shall be kept posted at the Property during the time restoration work continues on the Property.
4. A qualified wetlands consultant shall supervise the restoration activities on the Property to ensure that the restoration is accomplished pursuant to this Restoration Plan Approval.
5. All wetlands restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or the areas shall be replanted until a functional wetland is established to the satisfaction of the DES Wetlands Bureau.
6. No machinery shall be used within DES jurisdictional areas on the Property during the restoration.
7. Invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) shall be controlled by measures agreed upon by the Wetlands Bureau if the species is found in the restoration areas during construction and during the early stages of vegetative establishment.
8. All material removed during restoration activities shall be placed out of DES's jurisdiction.
9. Siltation, erosion and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. All steps shall be taken during the construction/restoration necessary to assure that no water quality violations occur on the Property.
11. There shall be no substitutions made for the plant species specified on the approved plan for replanting purposes without prior

written approval from DES.

12. This Restoration Plan Approval does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.

13. This Restoration Plan Approval does not relieve the owner from the obligation to obtain other local, state or federal permits that may be required.

14. Transfer of ownership of the Property shall require notification to DES and an agreement on transfer of the rights and obligations of this Restoration Plan Approval, if required, prior to such transfer of ownership.

15. Within three days following the last activity in the restoration area or where restoration activities are suspended for more than three days, all soils exposed by restoration activities shall be stabilized by seeding and mulching.

16. The qualified wetlands consultant shall inspect the restoration areas, and submit an initial monitoring report with photographs to DES within 20 days of the projected restoration compliance date, but in no event shall the initial monitoring report be submitted later than September 1, 2007. The initial monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report. Photographs should depict all stages of restoration sequencing.

17. Subsequent monitoring reports shall be submitted to DES following the end of first and second growing seasons to review the success of the restoration and schedule remedial actions if necessary. Such reports shall be submitted to DES with photographs demonstrating the conditions on the restoration site, include any necessary remedial actions, and contain a schedule for completing the remedial actions by November 1, 2007, with a second follow up inspection scheduled for November 1, 2008.

18. Remedial measures may include, but are not limited to replanting, relocation of plantings, removal of invasive species, altering the soil composition or depths, deconsolidation of soils due to compaction, altering the elevation of the wetland surface, or changing the hydraulic regime.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b) Projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02.
2. The previous septic system was antiquated and in need of replacement, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. By connecting the property to municipal sewer, the owner is effectively minimizing the chance of a septic failure and the impacts are temporary, thereby 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.

**2006-02833                      MAGARIAN DEVELOPMENT LLC, KENNETH MAGARIAN  
 PELHAM Unnamed Wetland**

**Requested Action:**

Dredge and fill 6,800 sq. ft. of forested wetlands for construction of a 40-unit senior housing development, identified as "Virginia Woods" located on an approximately 26 acre parcel. Work in wetlands consists of construction of two access road crossings and one emergency access road crossing. Wetland Crossing #1 consists of 3,500 sq. ft. of wetlands impact for the installation of twin 24 in x 48 ft. HDPP culverts, associated headwalls, grading and outlet protection. Wetland Crossing #2 consists 450 sq. ft. of wetlands impact for roadway construction, grading and retaining wall construction. Wetland Crossing #3 (emergency access) consists of 2,850 sq. ft. of wetlands impact for installation a 24 in. x 26 ft. HDPP culvert, roadway fill, and associated headwalls, grading and outlet protection.

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**APPROVE PERMIT:**

Dredge and fill 6,800 sq. ft. of forested wetlands for construction of a 40-unit senior housing development, identified as "Virginia Woods" located on an approximately 26 acre parcel. Work in wetlands consists of construction of two access road crossings and one emergency access road crossing. Wetland Crossing #1 consists of 3,500 sq. ft. of wetlands impact for the installation of twin 24

in x 48 ft. HDPP culverts, associated headwalls, grading and outlet protection. Wetland Crossing #2 consists 450 sq. ft. of wetlands impact for roadway construction, grading and retaining wall construction. Wetland Crossing #3 (emergency access) consists of 2,850 sq. ft. of wetlands impact for installation a 24 in. x 26 ft. HDPP culvert, roadway fill, and associated headwalls, grading and outlet protection.

With Conditions:

1. All work shall be in accordance with plans by Cuoco & Cormier Engineering Associates, Inc. plan sheets D&F-1 through D&F-4 revision dated May 16, 2007 and plan sheet C-19 and C-20, revision dated March 1, 2007, as received by DES on May 21, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Drinking Water and Groundwater Bureau.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow.
7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
8. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #7 of this approval.
9. 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.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
18. 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(h), projects involving less than 20,000 sq. ft. of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Pelham Conservation Commission voted unanimously to support the proposed wetlands impact application.
6. The applicant/project has received conditional site plan approval from the Town of Pelham.
7. This permit is contingent on approval by the DES Alteration of Terrain Program.
8. This permit is contingent on approval by the DES Drinking Water and Groundwater Bureau.

9. This permit is contingent on approval by the DES Subsurface Systems Bureau.
10. The New Hampshire Fish and Game Department did not submit comments regarding the proposed project.

**2007-00631 MALLARDS LANDING ASSOCIATION  
BELMONT Lake Winnisquam**

Requested Action:

Applicant proposes to rip rap 49 linear feet of shoreline on Lake Winnisquam.

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Conservation Commission/Staff Comments:

No comments from Con Com by 06/19/07

DENY PERMIT:

Applicant proposes to rip rap 49 linear feet of shoreline on Lake Winnisquam.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This project is classified as a minimum impact project in accordance with Rule Env-Wt 303.04(m), projects impacting less than 50 ft of shoreline of a lake or pond.
3. Rule Env-Wt 302.04(d) states that the Department shall not grant a permit if:
  - (1) There is a practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction;
  - (2) The project would cause or contribute to significant degradation of waters of the state;
  - (3) The project will cause random or unnecessary destruction of wetlands; or
  - (4) The requirements of Env-Wt 302.03 are not met or where the applicant has failed to document consideration of factors as required in Env-Wt 302.04(a).
4. Pursuant to Env-Wt 302.01 "for nontidal wetlands, need shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands."
5. Pursuant to Env-Wt 404.01 "shoreline stabilization shall be by the least intrusive but practical method."
6. Pursuant to Env-Wt 404.03 "natural vegetation shall be left intact to the maximum extent possible. If space and soil conditions allow, unstable banks shall be cut back to a flatter slope, seeded, and replanted with native, non-invasive trees and shrubs."
7. Pursuant to Env-Wt 404.04 (a) "rip-rap applications shall be considered only where the applicant demonstrates that anticipated turbulence, flows, restricted space, or similar factors render vegetative and diversion methods physically impractical."
8. Pursuant to Env-Wt 404.04 (b)(7) "a description of anticipated turbulence, flows, restricted space, or similar factors that would render vegetative and diversion methods physically impractical."
9. Pursuant to Env-Wt 404.04 (c) "applications to use rip-rap adjacent to great ponds or water bodies where the state holds fee simple ownership shall include a stamped surveyed plan showing the location of the normal high water shoreline and the footprint of the proposed project."

Findings of Fact

10. On April 02, 2007, the Wetlands Bureau received an application for surface water impacts, on the lot identified as Belmont tax map 110, lot 2, to install 49 linear feet of rip rap on sandy beach frontage on Lake Winnisquam.
11. Photographs submitted to the file and taken during the field inspection of the property on June 7, 2007, do not indicate the occurrence of significant erosion along the shoreline.
12. The Applicant did not provide evidence of the need for the proposed rip-rap.
13. The Applicant did not provide evidence that the proposed rip-rap is the least impacting alternative.
14. The Applicant has not provided evidence that the installation of rip-rap would be the least intrusive method of achieving a

stable shoreline on this frontage.

15. The Applicant has failed to provide evidence that there are factors which would prevent the stabilization of the shoreline by vegetative means.

16. The Applicant failed to submitted stamped surveyed plans showing the proposed rip-rap.

#### Rulings in Support of the Decision

17. The Applicant has failed to provide evidence of the need for the proposed impact and, therefore the project is denied pursuant to Rules Env-Wt 302.04 (d), Env-Wt 302.03, and Env-Wt 302.01.

18. The Applicant has failed to meet the requirements of Part Env-Wt 404, Criteria for Shoreline Stabilization and, therefore, the application is denied.

### **2007-01142                      WROBLEWSKI, RONALD** **EPSOM   Northwood Lake**

#### Requested Action:

Dredge 19.5 cubic yards of sand and debris from a 20 ft x 25 ft area of lakebed and repair and vegetatively stabilize approximately 35 ft of shoreline on 252 ft of frontage in Epsom on Northwood Lake.

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#### APPROVE PERMIT:

Dredge 19.5 cubic yards of sand and debris from a 20 ft x 25 ft area of lakebed and repair and vegetatively stabilize approximately 35 ft of shoreline on 252 ft of frontage in Epsom on Northwood Lake.

#### With Conditions:

1. All work shall be in accordance with plans by Ronald Wroblewski as revised on June 18, 2007 and received by DES on June 18, 2007 with the following conditions.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Dredge shall not exceed 5 ft below the elevation of the wharf.
4. No impacts shall take place outside the indicated 20 ft x 25 ft area.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
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. This permit shall be used only once for dredging activity. Future dredging shall require a separate application and permit.
8. Applications for maintenance dredge shall not occur more than once every six years. Subsequent applications for maintenance dredge within a 6 year period from this permits date of issuance shall be deemed a Major project.
9. 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.
10. No rip-rap or retaining wall shall be used in the restoration and stabilization of the Shoreline.
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(g), removal of no more than 20 cu 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.

**MINIMUM IMPACT PROJECT**

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**2006-00751                      PERRY, CHARLES  
HAMPSTEAD   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 420 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a roadway to access a 31-unit senior housing development on a 24.13 acre parcel of land.

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Conservation Commission/Staff Comments:

Concerns of the Hampstead Conservation Commission have been addressed by the applicant. The total project impact has been reduced from 1173 sq. ft. to 420 sq. ft.

APPROVE PERMIT:

Dredge and fill a total of 420 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a roadway to access a 31-unit senior housing development on a 24.13 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated February 19,2007 (last revised 3/1/07, as received by DES on April 03, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
5. 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.
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. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
8. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

**2006-01986                      TOWN OF RINDGE  
RINDGE   Unnamed Wetland**

Requested Action:

Retain 400 square feet of forested wetlands impact for Old Danforth Road (Class VI) upgrades; the installation of two (2) 24-inch x 20-foot culverts in previously approved road fill and the replacement of two (2) existing culverts with a 12-inch x 20-foot and 15-inch x 20-foot culvert.

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APPROVE AFTER THE FACT:

Retain 400 square feet of forested wetlands impact for Old Danforth Road (Class VI) upgrades; the installation of two (2) 24-inch x 20-foot culverts in previously approved road fill and the replacement of two (2) existing culverts with a 12-inch x 20-foot and

15-inch x 20-foot culvert.

With Conditions:

1. Additional requests to dredge and/or fill in this area for road upgrades or for repairs resulting from ongoing erosion or washouts 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 problem, such as the installation of a spanning structure, i.e. a bridge or open-bottomed culvert.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. Wetlands and Non-Site Specific Permit 2004-01719, approved on August 26, 2004, to fill approximately 1,300 square feet of wetlands associated with a beaver pond to upgrade Old Danforth Road and Install four (4) 24-inch by 20-foot culverts for public safety.
3. Road repairs and additional and replacement culverts were required to repair a washout.
4. This after-the-fact approval is conditioned that additional requests to dredge and/or fill in this area for road upgrades or for repairs resulting from ongoing erosion or washouts 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 problem, such as the installation of a spanning structure, i.e. a bridge or open-bottomed culvert.

**2006-03227                      CLERMONT, RICHARD**  
**HAMPTON   Tide Mill Creek**

Requested Action:

Impact 150 sq. ft. in the previously developed upland tidal buffer zone to construct a 10 ft. x 15 ft. open porch addition to an existing dwelling located more than 50 feet landward of the highest observable tideline. In addition, 1,648 sq. ft. of temporary impact within the developed tbz for underground utilities installation.

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Conservation Commission/Staff Comments:

Concerns expressed by the Hampton Conservation Commission have been addressed by the applicant and plans revised to lessen impacts in the previously developed tidal buffer zone. This project is located more than 50 feet landward of the highest observable tide line.

APPROVE PERMIT:

Impact 150 sq. ft. in the previously developed upland tidal buffer zone to construct a 10 ft. x 15 ft. open porch addition to an existing dwelling located more than 50 feet landward of the highest observable tideline. In addition, 1,648 sq. ft. of temporary impact within the developed tbz for underground utilities installation.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 12/11/06 (last revised 5/14/07), as received by DES on May 21, 2007.
2. Areas temporarily impacted for underground utilities installation shall be regraded to original contours following completion of work.
3. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. There shall be no further alteration of areas in wetlands jurisdiction for lot development or for other construction activities.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
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.

**2007-00291 GALUZZO, COURTNEY  
NEWBURY Unnamed Wetland**

Requested Action:

Request for reconsideration of permit denial issued on May 4, 2007.

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DENY RECONSIDERATION:

Deny request for reconsideration to dredge and fill approximately 1120 sq.ft. of wetlands adjacent to the proposed house and driveway on a lot dominated by poorly drained wetlands adjacent to Blodgetts Brook.

With Findings:

Findings of Law:

1. This is a Minimum Impact Project per NH Code of Administrative Rule (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. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
3. The need for the proposed impacts shall be demonstrated by the applicant prior to Department of Environmental Services Wetlands Bureau (Department) approval of any alteration of nontidal wetlands per Rule Env-Wt 302.01(b).
4. The applicant must provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant must demonstrate by plan and example that each factor listed in Rule Env-Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.
6. In accordance with Rule Env-Wt 302.04(d), the Department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the Department's jurisdiction, the project will cause or contribute to significant degradation of waters of the state, or the project will cause random or unnecessary destruction of wetlands.
7. In accordance with Rule Env-Wt 302.04(e), the Department shall not grant a permit if the project proposes fill of a wetland to achieve septic set back from wetlands to meet department of local requirements.
8. In accordance with Rule Env-Ws 1008.04, Table 1008-2, requires that effluent disposal system septic tanks, be located 75 feet from surface waters, 50 feet from poorly drained wetlands, and 50 feet from culvert openings.
9. In accordance with Env-Ws 1008.04(c), the distance between a septic tank and surface water, open drainage, or a private on-site well may be reduced to 50 feet if pipe having an SDR of 26 or equivalent is used and the tank is sealed and grouted to prevent infiltration and exfiltration.
10. In accordance with Rule Env-Ws 1008.04, Table 1008-2, requires that effluent disposal system leach bed trenches, be located 75 feet from surface waters, 50 feet from poorly drained wetlands, and 75 feet from culvert openings.

Findings of Fact:

11. The Department received a Standard Dredge and Fill Application on February 12, 2007, to fill 1,200 square feet of forested wetlands for sideslopes for proposed loop driveway and house.
12. The Department issued a Notice of Administrative Completeness Standard Dredge and Fill Application letter on February 20, 2007.
13. The DES Subsurface Systems Bureau issued a letter dated November 01, 2006, which states, "Due to new construction, per Env-Ws 1008.01(d)(2), waivers shall not be granted for new construction. Please revise plans accordingly."
14. On May 04, 2007, the Department issued a decision to deny the requested impacts. DES reaffirms findings one (1) through ten (10) of the original denial.
15. On May 25, 2007, the Department received a request for reconsideration stating, "I would like to herewith apply for reconsideration. It seems the gist of your denial was based on the fact that the application was applying to fill wetlands to achieve septic systems setbacks. This is incorrect." The reconsideration also states the applicant has applied for a waiver from the DES Subsurface Systems Bureau and the requested wetlands impact is required for fill adjacent to the house and for the driveway.
16. The plans provided in support of the application illustrate impacts to jurisdictional wetlands within 15 feet of the proposed effluent disposal system.
17. The size of the proposed home and structure appear to exceed the capacity of the lot.

Findings in Support of Denial:

18. The applicant has not addressed Env-Wt 302.01(b) to the Department's Satisfaction, and therefore is denied in accordance with Env-Wt 302.04(d)(3) as the project causes unnecessary destruction of wetlands.
19. The applicant failed to address Env-Wt 302.03 and Env-Wt 302.04(b)(5), and therefore is denied in accordance with Env-Wt 302.04(d)(1), as there may be practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction.
20. The applicant has failed to address Env- Wt 302.04(b)(3), and therefore is denied in accordance with Env-Wt 302.04(d)(2) as the project would cause or contribute to significant degradation of waters of the state.
21. The proposed effluent disposal system does not met the requirements of Env-Ws 1008.04, and therefore the application is denied in accordance with Env-Wt 302.04(e)(1).

**2007-00623                      CITY OF MANCHESTER, PARKS, RECREATION &, CEMETERY**  
**MANCHESTER   Unnamed Wetland**

Requested Action:

Dredge and fill 2,900 sq. ft. of previously disturbed scrub-shrub and wet-meadow wetlands to provide for improvements and handicap access to an existing soccer field at the Hillside Junior High School.

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APPROVE PERMIT:

Dredge and fill 2,900 sq. ft. of previously disturbed scrub-shrub and wet-meadow wetlands to provide for improvements and handicap access to an existing soccer field at the Hillside Junior High School.

With Conditions:

1. All work shall be in accordance with plans by DuBois and King, Inc., dated October 2006, as received by DES on March 30, 2007.
2. This permit is contingent on receipt and approval by DES of an appropriate construction sequence prior to the start of work.
3. Any further alteration of wetlands on this property will require a new application and further permitting by the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. 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.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 sq. ft. in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The proposed project was previously approved by DES on February 18, 2000, however, the project was never completed and the permit expired.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. The Natural Heritage Bureau identified multiple State threatened and endangered plant species off of the project site. The

proposed project area is along an existing city street within a developed area with an existing school, existing soccer field, roads and parking. Additionally, the proposed wetlands impacts are on the edge of the existing soccer field.

**2007-00661                    HARRIET J VANDIS REVOCABLE TRUST**  
**BOW   Unnamed Wetland**

Requested Action:

Dredge and fill 835 square feet of forested wetland for the access and construction for 40-unit industrial condominiums on 7.47 acres.

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Conservation Commission/Staff Comments:

The Bow Conservation Commission did not comment

APPROVE PERMIT:

Dredge and fill 835 square feet of forested wetland for the access and construction for 40-unit industrial condominiums on 7.47 acres.

With Conditions:

1. All work shall be in accordance with plans by Eric C. Mitchell & Assoc. Inc., as received by DES on April 3, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during seasonal low flow conditions.
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. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The impacts are necessary for access and construction, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. By limiting the impacts to the two smaller isolated wetlands, the larger wetland complexes will be avoided, therefore 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.

**2007-00675                    CHARLESTOWN, TOWN OF**  
**CHARLESTOWN   Clay Brook**

Requested Action:

After-the-fact approval for stabilization of 60 linear feet of stream bank (Clay Brook). The approval is in response to work conducted under an Emergency Authorization issued by DES, File 2005-02440. The work was needed to stabilize erosion of the stream bank and adjacent roadway caused by the October 2005 flood events.

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APPROVE AFTER THE FACT:

After-the-fact approval for stabilization of 60 linear feet of stream bank (Clay Brook). The approval is in response to work

conducted under an Emergency Authorization issued by DES, File 2005-02440. The work was needed to stabilize erosion of the stream bank and adjacent roadway caused by the October 2005 flood events.

With Conditions:

1. All work shall be in accordance with plans and narratives by Darrow Civil Engineering, dated March 28 and 29, 2007, as received by DES on April 5, 2007.
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 additional approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum by the department based on the degree of environmental impact.
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 application and approval are a result of an Emergency Authorization issued by DES on October 14, 2005.
6. The impacts were needed to stabilize the stream bank and provide safe roadway passage.
7. The project qualified for monies from the Federal Emergency Management Agency (FEMA).
8. Proximity of the adjacent roadway did not allow for bioengineering techniques or buffer plantings.

**2007-00694 ALTON HIGHWAY DEPT, TOWN OF  
ALTON Unnamed Wetland**

Requested Action:

Dredge and fill a total of 1110 square feet to replace an undersized culvert with a 4 ft x 2 ft x 35 foot box culvert with baffles and a recreated stream bottom in an unnamed perennial stream and widen existing public road for public safety further described as follows: Permanently impact 828 square feet of perennial stream and palustrine wetland and temporarily impact 282 square feet of perennial stream for temporary construction access and water diversion.

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APPROVE PERMIT:

Dredge and fill a total of 1110 square feet to replace an undersized culvert with a 4 ft x 2 ft x 35 foot box culvert with baffles and a recreated stream bottom in an unnamed perennial stream and widen existing public road for public safety further described as follows: Permanently impact 828 square feet of perennial stream and palustrine wetland and temporarily impact 282 square feet of perennial stream for temporary construction access and water diversion. per plans received on 06/21/2007.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers dated September 2006, and revised through February 2007, as received by the Department on April 6, 2007.
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. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. 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 work shall be done from the top of the bank.
9. No equipment shall enter the water.
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. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
13. 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.
14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
16. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
17. Temporary cofferdams shall be entirely removed immediately following construction.
18. Proper headwalls shall be constructed within seven days of culvert installation.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
21. 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(j), projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
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.

**2007-00814  
MADISON**

**MADISON, TOWN OF**

Requested Action:

Emergency Authorization follow-up to replace a failed approximately 3 ft. rise x 6 ft. span x 16 ft. run, stone and wood culvert that failed during April 2007 flood event. The culvert replacement is needed to provide safe passage and to provide access to homes by fire and safety equipment. The failed culvert will be replaced with an approximately 8 ft. x 35 ft. corrugated metal culvert with stone headwalls and associated loamed, seeded and mulched side slopes. The proposed culvert will be embedded approximately 1 to 2 ft. with natural stream bed material. The stream bed material shall be installed to match the immediate down stream and upstream bed surface elevations. In addition, natural stream bed material (rock) will be placed down gradient of the culvert outlet for additional hydrological control. The rock placement shall not impede stream flow or fish passage. No rip-rap shall be used in the stream bed, banks or within the culvert.

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CONFIRM EMERGENCY AUTHORIZATION:

Replace a failed approximately 3 ft. rise x 6 ft. span x 16 ft. run, stone and wood culvert that failed during the April 2007 flood

event. The culvert replacement was needed to provide safe passage and to provide access to homes by fire and safety equipment. The failed culvert was replaced with an approximately 8 ft. x 40 ft. corrugated metal culvert with stone and granite headwalls and associated loamed, seeded and mulched side slopes and a ripe rap treatment swale. The proposed culvert was be embedded with approximately 1 to 2 ft. of natural stream bed material. The stream bed material was installed to match the immediate down stream and upstream bed surface elevations. In addition, natural stream bed material (rock) was placed down gradient of the culvert outlet for additional hydrological control.

With Conditions:

1. The rock placement for hydrological control shall not impede stream flow or fish passage.
2. No rip-rap shall be used in the stream bed, banks or within the culvert.
3. 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.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. 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(o), projects deemed minimum 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 application and subsequent approval are a result of an Emergency Authorization issued by DES on April 24, 2007 in response to severe damage caused by the April 2007 flood events.
4. The impacts were needed to stabilize the stream bank and provide safe roadway passage for residents and fire and safety equipment.
5. DES inspected the site on April 24, 2007 at the request of the Town Selectman. DES directed the Town Highway Department on acceptable crossing methods and further authorization requirements.
6. The New Hampshire Fish and Game Department (NHFG) provided general design comments to the Town.
7. The Town followed DES's requests and incorporated NHFG's design comments.

**2007-00899 MCGREGOR TRUST, GEORGE & BARBARA  
HAMPTON Atlantic Ocean**

Requested Action:

In-kind repair to an existing rip rap seawall to prevent further shoreline erosion and protect the residential dwelling on the Atlantic Ocean with 47 feet of shoreline frontage.

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Conservation Commission/Staff Comments:

The Hampton Conservation Commission 'does not oppose the granting of a dredge and fill permit.'

APPROVE PERMIT:

In-kind repair to an existing rip rap seawall to prevent further shoreline erosion and protect the residential dwelling on the Atlantic Ocean with 47 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans received by DES on May 3, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. Work shall be done during low tide only.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

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. Access/egress shall be from public beach access located off of Ancient Highway only.
8. Any disturbance to the native dune vegetation shall be restored to its original state.
9. All areas within the beach access shall be regraded to original contours.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or jurisdictional areas.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. 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.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. Repair shall maintain existing size, location and configuration.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04((c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.
2. The existing wall was compromised during the storm events of April 16-17, 2007, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The repairs will be done in-kind, therefore, 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.

**2007-01064                      TIMBER BAY ASSOCIATION, LARRY ROTH**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Replace cribs supporting two existing 10 ft x 30 ft piers connected by two 21 ft walkways accessed by an 8 ft x 35 ft walkway in a "Y" configuration with pilings on 356 ft of frontage in Gilford on Lake Winnepesaukee.

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APPROVE PERMIT:

Replace cribs supporting two existing 10 ft x 30 ft piers connected by two 21 ft walkways accessed by an 8 ft x 35 ft walkway in a "Y" configuration with pilings on 356 ft of frontage in Gilford on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on May 21, 2007.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. No change is authorized to the existing 14 ft 10 in x 34 ft boathouse, 10 ft x 88 ft crib pier, and 9 ft 6 in x 40 ft crib pier.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. This permit does not allow for maintenance dredging.
6. 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.
7. 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.
8. Repairs to the "Y" shaped structure may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
9. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.

- 10. Future repairs shall maintain permitted size, location and configuration.
- 11. All construction related material and debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), project that has been deemed minimum impact by the department based on the degree of environmental impact.
- 2. Pursuant to RSA 482-A:3, I. for projects involving the repair, reconstruction, or reconfiguration of an existing diocking structure, the application fee shall be \$100, otherwise known as a minimum impact project.
- 3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**FORESTRY NOTIFICATION**

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**2007-01317                    WHYTE, JOCELYN  
BRIDGEWATER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Bridge water Tax Map 114, Lot# 11

**2007-01318                    KENNEBEC WEST FOREST LLC, JOHN SUTTON  
MILLSFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Millsfield Tax MAp 1620, Lot# 2

**2007-01319                    KENNEBEC WEST FOREST LLC, JOHN SUTTON  
ODELL   Unnamed Stream**

COMPLETE NOTIFICATION:  
Odell Tax Map 1620, Lot# 1

**2007-01320                    KENNEBEC WEST FOREST LLC, JOHN SUTTON  
STARK   Unnamed Stream**

COMPLETE NOTIFICATION:  
Stark Tax Map 419, Lot# 1

**2007-01348                    WOODS WITHOUT GILE LLC  
WILMOT   Unnamed Stream**

COMPLETE NOTIFICATION:

Wilmot Tax Map 10, Lot# 4 & 4-1

**2007-01354 GOVE, SIDNEY & JOYCE  
BRENTWOOD Unnamed Stream**

COMPLETE NOTIFICATION:  
Brentwood Tax Map 6 , Lot# 10

**2007-01376 MEYETTE LIVING TRUST  
CORNISH Unnamed Stream**

COMPLETE NOTIFICATION:  
Cornish Tax Map 11, Lot# 39

**EXPEDITED MINIMUM**

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**2007-00517 WOODHAVEN TRUST, JAMES A WALGREEN  
ALTON Lake Winnepesaukee**

Requested Action:

Repair/replace existing wooden beach retaining walls with rock retaining walls, and install 30 linear ft of new beach retaining wall on 616 average ft of frontage in Alton on Lake Winnepesaukee.

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APPROVE PERMIT:

Repair/replace existing wooden beach retaining walls with rock retaining walls, and install 30 linear ft of new beach retaining wall on 616 average ft of frontage in Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with stamp surveyed plans by White Mountain Survey, as received by DES on June 6, 2007, and side profile diagrams indicating heights by Stuart Stinchfield as received by DES on March 23, 2007.
2. This permit does not authorize any maintenance dredging within Wetlands jurisdiction.
3. New retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
4. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
5. Retaining wall(s) replacements shall not result in any change of height, width, length, and location.
6. Proposed retaining wall shall not exceed a 1 ft width as indicated on the plans.
7. Retaining wall construction shall not result in any change of grade.
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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands and avoids excessive discharges of sediments to fish spawning areas.
10. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
11. Unnecessary removal of vegetation is strictly prohibited.
12. Permit does not authorize beach sand replenishment.
13. Any other work besides retaining wall repair/replacement within Wetlands Bureau jurisdiction shall require a new application

and permit. Future repair in regard to retaining wall(s) can be repaired by the duration of this permit after notifying the Wetlands Bureau and local conservation commission in writing of proposed work.

14. Wall replacement and new retaining walls shall be lined with geo-textile fabric to control siltation, erosion and prevent retaining wall failure.
15. Shall any new wall and/or replacement wall completely 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 NHDES evaluation and requests.
16. Proposed patio extending off the existing nonconforming primary structure shall not extend towards the reference line more than 12 ft from its existing primary building setback, pursuant to RSA 483-B:11, I and shall not be enclosed to create primary living space.
17. Landowner shall be responsible for providing appropriate stormwater diversions, to redirect runoff away from the existing maintained beach area.
18. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), projects that disturb less than 50 linear feet, measured along the shoreline, k of alake or pond or its bank and do not meet the criteria of Wt 303.03 or Wt 303.02.
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.

**2007-00653                      C & C REALTY TRUST, CHARLES MORSE**  
**ATKINSON   Unnamed Wetland**

Requested Action:

Dredge 18,087 square feet of forested wetland for the construction of an irrigation pond.

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Conservation Commission/Staff Comments:

The Atkinson Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge 18,087 square feet of forested wetland for the construction of an irrigation pond.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated February 28, 2007, as received by DES on June 1, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. Work shall be done during seasonal low flow conditions.
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. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The impacts are necessary to provide irrigation for the nursery, therefore 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.

**2007-00655                      SAMOSET AT WINNIPESAUKEE**  
**GILFORD Lake Winnepesaukee**

Requested Action:

Repair/replace pilings, tie-off pilings, and ice clusters on existing major docking facility on 850 ft of frontage in Gilford on Lake Winnepesaukee.

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APPROVE PERMIT:

Repair/replace pilings, tie-off pilings, and ice clusters on existing major docking facility on 850 ft of frontage in Gilford on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscape Company, Inc as received by the Department on June 14, 2007.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. This permit does not allow for maintenance dredging.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
7. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
8. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
9. Future repairs shall maintain permitted size, location and configuration.
10. All construction related material and debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau..
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-00849                      ANDERSON, KIRK**  
**HOLLIS   Unnamed Wetland**

Requested Action:

Dredge and fill 100 square feet of forested wetland for the construction of the driveway and installation of a 15-inch culvert for access to a single family residential lot.

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Conservation Commission/Staff Comments:

The Hollis Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 100 square feet of forested wetland for the construction of the driveway and installation of a 15-inch culvert for access to a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans received by DES on April 27, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. Work shall be done during seasonal low flow conditions.
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. Proper headwalls shall be constructed within seven days of culvert installation.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The impacts are necessary to access buildable uplands, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will occur at the narrowest portion of wetland, therefore 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.

**2007-01060                      CURRIER, CHARLES**  
**WOLFEBORO   Lake Winnepesaukee**

Requested Action:

Repair and/or replace existing 6 ft x 72 ft permanent docking structure on 100 ft of frontage in Wolfeboro on Lake Winnepesaukee.

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APPROVE PERMIT:

Repair and/or replace existing 6 ft x 72 ft permanent docking structure on 100 ft of frontage in Wolfeboro on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on May 21, 2007.

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

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v) maintenance, repair, and replacement in-kind of existing docking facilities.
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.

**2007-01087                      BROWN, WINTHROP & SARAH**  
**CENTER HARBOR   Squam Lake**

Requested Action:

Place 6 rocks and add native vegetation to an existing sloped beach area, add no more than 10 cubic yards of sand above full lake elevation on Squam Lake, Center Harbor.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

**APPROVE PERMIT:**

Place 6 rocks and add native vegetation to an existing sloped beach area, add no more than 10 cubic yards of sand above full lake elevation on Squam Lake, Center Harbor.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscaping Company dated April 24, 2007, as received by DES on May 22, 2007.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 561.0). Those rocks existing at the normal high water line shall

remain otherwise undisturbed such that the natural shoreline remains identifiable.

5. The steps installed for access to the water shall be located completely landward of the normal high water line.
6. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
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(m), projects that disturb less than 50 linear feet measured along the shoreline.

**2007-01114 ALSTEAD, TOWN OF  
ALSTEAD Cold River**

Requested Action:

Stabilize 12,500 sq. ft. (approximately 820 linear feet) of the streambed and bank along the Cold River. Work includes construction of culvert outlet protection, and three areas of rip rap slope protection, which includes backfilling and choking with sand, gravel, seeding and mulching. The site is marked by NRCS engineer as DSR #21A, as identified by the Town of Alstead and qualified by a federal agency's multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.

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APPROVE PERMIT:

Stabilize 12,500 sq. ft. (approximately 820 linear feet) of the streambed and bank along the Cold River. Work includes construction of culvert outlet protection, and three areas of rip rap slope protection, which includes backfilling and choking with sand, gravel, seeding and mulching. The site is marked by NRCS engineer as DSR #21A, as identified by the Town of Alstead and qualified by a federal agency's multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.

With Conditions:

1. All work shall be in accordance with drawings and narratives by the USDA Natural Resources Conservation Service (NRCS) entitled "Streambank Stabilization", Town of Alstead, DSR Site #21A, and Construction Specifications 2, 5, 6, 8, 11, 21, 23, 61, and 95 submitted in support of the permit application as received by the DES Wetlands Bureau on May 24, 2007 and drawings Sheet 1 through 7, dated March 2007, and received by DES Wetlands Bureau on May 24, 2007.
2. Prior to commencing work, the applicant shall submit a final "Pollution Control Plan" to the DES Wetlands Bureau for review and approval.
3. The applicant shall obtain temporary construction easements or written agreements from affected landowners prior to the start of work.
4. The applicant shall notify the DES Wetlands Bureau, the Town Board of Selectman and the Town Conservation Commission of the start work, notification shall be given at least 5 days prior to the start of work.
5. A finalized plan set and follow-up report with photographic documentation shall be filed with the DES Wetlands Bureau within 14 days of the completion of work.
6. Work shall be inspected by NRCS to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
7. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the river. In-stream work shall not exceed five (5) consecutive days in total unless specifically authorized by the DES Wetlands Bureau.
9. The permittee and/or their contractor shall monitor the weather and shall not commence work within flowing water, including the installation of cofferdams, when rain is forecast.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

11. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands and lined with hay bales or other acceptable sediment trapping liners.
12. Material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
13. There shall be no excavation or filling conducted in flowing water.
14. Extreme precautions shall be taken to limit unnecessary removal of vegetation within riparian areas.
15. Cleared areas that will be revegetated shall be replanted with similar native (noninvasive) species.
16. Erosion control structures must be removed once the area is stabilized.
17. Temporary structures installed to isolate the work area and channel flow through the work area during construction shall be entirely removed immediately following construction.
18. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.
19. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
20. 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.  
shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
21. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), restoration of altered or degraded wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has 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.
4. This stabilization site was identified by the Town of Alstead following the October 2005 flooding and qualified by a multi-disciplinary team from the USDA-NRCS to be funded as part of the Emergency Watershed Protection (EWP) program.
5. The shoreline stabilization site was identified by the Town because of the ongoing erosion and potential threat to adjacent and downstream infrastructure and property.
6. There were no Natural Heritage Bureau or New Hampshire Fish & Game threatened, endangered or species of special concern or exemplary natural communities identified through a data review of the project area.

**2007-01126                      GUAY, KATHI**  
**LOUDON   Clough Pond**

Requested Action:

Permanently remove a 8 ft 6 in x 6 ft deck and a 4 ft x 16 ft dock and install a 4 ft by 22 ft seasonal dock in the same location on 100 ft of frontage on Clough Pond, Loudon.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Permanently remove a 8 ft 6 in x 6 ft deck and a 4 ft x 16 ft dock and install a 4 ft by 22 ft seasonal dock in the same location on 100 ft of frontage on Clough Pond, Loudon.

With Conditions:

1. All work shall be in accordance with plans by Kathi Guay as received by DES on May 25, 2007.
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 by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

4. 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.
5. The seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 22 feet from the shoreline at full lake elevation.
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. 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 applicant is removing a non-conforming permanent docking structure and installing a conforming seasonal docking structure impacts 27 sq ft less surface area over public waters than the existing docking structure.
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.

**2007-01181                      PERRINO, JOSEPH**  
**GOSHEN   Unnamed Pond**

Requested Action:

Request to maintenance dredge approximately 2,949 sq. ft. of existing fire pond for use by the Town of Goshen Fire Department.  
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APPROVE PERMIT:

Request to maintenance dredge approximately 2,949 sq. ft. of existing fire pond for use by the Town of Goshen Fire Department.

With Conditions:

1. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
4. Faulty equipment shall be repaired prior to entering jurisdictional areas.
5. 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.
6. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01 as this project is necessary for municipal fire fighting purposes.
2. 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.
3. 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.

**2007-01235                      ALSTEAD, TOWN OF**  
**ALSTEAD   Cold River**

Requested Action:

Stabilize 9,500 sq. ft. (approximately 635 linear feet) of the streambed and bank along the Cold River. Work includes construction of longitudinal stone fill toe protection, and rip rap slope protection, which includes backfilling and choking with sand, gravel,

seeding and mulching. The site is marked by NRCS engineer as DSR #21B, as identified by the Town of Alstead and qualified by a federal agency's multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.

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**APPROVE PERMIT:**

Stabilize 9,500 sq. ft. (approximately 635 linear feet) of the streambed and bank along the Cold River. Work includes construction of longitudinal stone fill toe protection, and rip rap slope protection, which includes backfilling and choking with sand, gravel, seeding and mulching. The site is marked by NRCS engineer as DSR #21B, as identified by the Town of Alstead and qualified by a federal agency's multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.

**With Conditions:**

1. All work shall be in accordance with drawings and narratives by the USDA Natural Resources Conservation Service (NRCS) entitled "Streambank Stabilization", Town of Alstead, DSR Site #21B, and Construction Specifications 2, 5, 6, 8, 11, 21, 23, 61, 95, and 406 submitted in support of the permit application as received by the DES Wetlands Bureau on June 7, 2007 and drawings Sheet 1 through 7, dated March 2007, and received by DES Wetlands Bureau on June 7, 2007.
2. Prior to commencing work, the applicant shall submit a final "Pollution Control Plan" to the DES Wetlands Bureau for review and approval.
3. The applicant shall obtain temporary construction easements or written agreements from affected landowners prior to the start of work.
4. The applicant shall notify the DES Wetlands Bureau, the Town Board of Selectman and the Town Conservation Commission of the start of work, notification shall be given at least 5 days prior to the start of work.
5. A finalized plan set and follow-up report with photographic documentation shall be filed with the DES Wetlands Bureau within 14 days of the completion of work.
6. Work shall be inspected by NRCS to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
7. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the river. In-stream work shall not exceed five (5) consecutive days in total unless specifically authorized by the DES Wetlands Bureau.
9. The permittee and/or their contractor shall monitor the weather and shall not commence work within flowing water, including the installation of cofferdams, when rain is forecast.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands and lined with hay bales or other acceptable sediment trapping liners.
12. Material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
13. There shall be no excavation or filling conducted in flowing water.
14. Extreme precautions shall be taken to limit unnecessary removal of vegetation within riparian areas.
15. Cleared areas that will be revegetated shall be replanted with similar native (noninvasive) species.
16. Erosion control structures must be removed once the area is stabilized.
17. Temporary structures installed to isolate the work area and channel flow through the work area during construction shall be entirely removed immediately following construction.
18. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.
19. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
20. 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.  
shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
21. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), restoration of altered or degraded wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has 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.
4. This stabilization site was identified by the Town of Alstead following the October 2005 flooding and qualified by a multi-disciplinary team from the USDA-NRCS to be funded as part of the Emergency Watershed Protection (EWP) program.
5. The shoreline stabilization site was identified by the Town because of the ongoing erosion and potential threat to adjacent and downstream infrastructure and property.
6. There were no Natural Heritage Bureau or New Hampshire Fish & Game threatened, endangered or species of special concern or exemplary natural communities identified through a data review of the project area.

**2007-01236                      ALSTEAD, TOWN OF**  
**ALSTEAD Cold River**

Requested Action:

Stabilize 8,300 sq. ft. (approximately 800 linear feet) of the streambed and bank along the Cold River. Work includes construction of bendway weirs, and rip rap slope protection, which includes backfilling and choking with sand, gravel, seeding and mulching. The site is marked by NRCS engineer as DSR #21C, as identified by the Town of Alstead and qualified by a federal agency's multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.

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APPROVE PERMIT:

Stabilize 8,300 sq. ft. (approximately 800 linear feet) of the streambed and bank along the Cold River. Work includes construction of bendway weirs, and rip rap slope protection, which includes backfilling and choking with sand, gravel, seeding and mulching. The site is marked by NRCS engineer as DSR #21C, as identified by the Town of Alstead and qualified by a federal agency's multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.

With Conditions:

1. All work shall be in accordance with drawings and narratives by the USDA Natural Resources Conservation Service (NRCS) entitled "Streambank Stabilization", Town of Alstead, DSR Site #21C, and Construction Specifications 2, 5, 6, 8, 11, 21, 23, 61, 95, and 406 submitted in support of the permit application as received by the DES Wetlands Bureau on June 7, 2007 and drawings Sheet 1 through 10, dated March 2007, and received by DES Wetlands Bureau on June 7, 2007.
2. Prior to commencing work, the applicant shall submit a final "Pollution Control Plan" to the DES Wetlands Bureau for review and approval.
3. The applicant shall obtain temporary construction easements or written agreements from affected landowners prior to the start of work.
4. The applicant shall notify the DES Wetlands Bureau, the Town Board of Selectman and the Town Conservation Commission of the start work, notification shall be given at least 5 days prior to the start of work.
5. A finalized plan set and follow-up report with photographic documentation shall be filed with the DES Wetlands Bureau within 14 days of the completion of work.
6. Work shall be inspected by NRCS to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
7. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the river. In-stream work shall not exceed five (5) consecutive days in total unless specifically authorized by the DES Wetlands Bureau.
9. The permittee and/or their contractor shall monitor the weather and shall not commence work within flowing water, including the installation of cofferdams, when rain is forecast.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands and lined with hay bales or

other acceptable sediment trapping liners.

12. Material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.

13. There shall be no excavation or filling conducted in flowing water.

14. Extreme precautions shall be taken to limit unnecessary removal of vegetation within riparian areas.

15. Cleared areas that will be revegetated shall be replanted with similar native (noninvasive) species.

16. Erosion control structures must be removed once the area is stabilized.

17. Temporary structures installed to isolate the work area and channel flow through the work area during construction shall be entirely removed immediately following construction.

18. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.

19. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.

20. 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.

shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.

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

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), restoration of altered or degraded wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has 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.
4. This stabilization site was identified by the Town of Alstead following the October 2005 flooding and qualified by a multi-disciplinary team from the USDA-NRCS to be funded as part of the Emergency Watershed Protection (EWP) program.
5. The shoreline stabilization site was identified by the Town because of the ongoing erosion and potential threat to adjacent and downstream infrastructure and property.
6. There were no Natural Heritage Bureau or New Hampshire Fish & Game threatened, endangered or species of special concern or exemplary natural communities identified through a data review of the project area.

**2007-01237 ALSTEAD, TOWN OF  
ALSTEAD Cold River**

Requested Action:

Stabilize 12,000 sq. ft. (approximately 950 linear feet) of the streambed and bank along the Cold River. Work includes construction of bendway weirs, and rip rap slope protection, which includes backfilling and choking with sand, gravel, seeding and mulching. The site is marked by NRCS engineer as DSR #21D, as identified by the Town of Alstead and qualified by a federal agency's multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.

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APPROVE PERMIT:

Stabilize 12,000 sq. ft. (approximately 950 linear feet) of the streambed and bank along the Cold River. Work includes construction of bendway weirs, and rip rap slope protection, which includes backfilling and choking with sand, gravel, seeding and mulching. The site is marked by NRCS engineer as DSR #21D, as identified by the Town of Alstead and qualified by a federal agency's multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.

With Conditions:

1. All work shall be in accordance with drawings and narratives by the USDA Natural Resources Conservation Service (NRCS) entitled "Streambank Stabilization", Town of Alstead, DSR Site #21D, and Construction Specifications 2, 5, 6, 8, 11, 21, 23, 61, 95, and 406 submitted in support of the permit application as received by the DES Wetlands Bureau on June 7, 2007 and drawings

Sheet 1 through 10, dated March 2007, and received by DES Wetlands Bureau on June 7, 2007.

2. Prior to commencing work, the applicant shall submit a final "Pollution Control Plan" to the DES Wetlands Bureau for review and approval.
  3. The applicant shall obtain temporary construction easements or written agreements from affected landowners prior to the start of work.
  4. The applicant shall notify the DES Wetlands Bureau, the Town Board of Selectman and the Town Conservation Commission of the start work, notification shall be given at least 5 days prior to the start of work.
  5. A finalized plan set and follow-up report with photographic documentation shall be filed with the DES Wetlands Bureau within 14 days of the completion of work.
  6. Work shall be inspected by NRCS to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
  7. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
  8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the river. In-stream work shall not exceed five (5) consecutive days in total unless specifically authorized by the DES Wetlands Bureau.
  9. The permittee and/or their contractor shall monitor the weather and shall not commence work within flowing water, including the installation of cofferdams, when rain is forecast.
  10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
  11. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands and lined with hay bales or other acceptable sediment trapping liners.
  12. Material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
  13. There shall be no excavation or filling conducted in flowing water.
  14. Extreme precautions shall be taken to limit unnecessary removal of vegetation within riparian areas.
  15. Cleared areas that will be revegetated shall be replanted with similar native (noninvasive) species.
  16. Erosion control structures must be removed once the area is stabilized.
  17. Temporary structures installed to isolate the work area and channel flow through the work area during construction shall be entirely removed immediately following construction.
  18. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.
  19. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
  20. 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.
- shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
21. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), restoration of altered or degraded wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has 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.
4. This stabilization site was identified by the Town of Alstead following the October 2005 flooding and qualified by a multi-disciplinary team from the USDA-NRCS to be funded as part of the Emergency Watershed Protection (EWP) program.
5. The shoreline stabilization site was identified by the Town because of the ongoing erosion and potential threat to adjacent and downstream infrastructure and property.
6. There were no Natural Heritage Bureau or New Hampshire Fish & Game threatened, endangered or species of special concern or exemplary natural communities identified through a data review of the project area.

**GOLD DREDGE**

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**2007-01335 COTE, MATTHEW  
(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con Comm

**2007-01336 POIRIER, ROBERT  
(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con Comm

**2007-01337 PETRIE, MICHAEL  
(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con Comm

**TRAILS NOTIFICATION**

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**2007-01349 SOCIETY FOR THE PROTECTION OF NEW HAMPSHIRE FOREST  
NEW DURHAM Unnamed Stream**

COMPLETE NOTIFICATION:  
New Durham Tax Map 6, Lot# 1

**LAKES-SEASONAL DOCK NOTIF**

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**2007-01338 COHN, RICHARD  
NEW LONDON Messer Pond**

COMPLETE NOTIFICATION:  
New London, NH Tax map 119 Lot 18  
Messer Pond

**2007-01339 HOLLAND, MATTHEW & THERESA  
NORTHWOOD Harvey Lake**

COMPLETE NOTIFICATION:

Northwood, NH Tax map 222 Lot 52  
Harvey Lake

**2007-01357                    BASCOM, JAMES/A  
CENTER HARBOR Bear Pond**

COMPLETE NOTIFICATION:

Center Harbor, NH Tax map 2 Lot #18  
Bear Pond

**2007-01384                    CONNER, ELIZABETH  
WAKEFIELD Balch Pond**

COMPLETE NOTIFICATION:

Rye, NH Tax map 77 Lot 43  
Balch Pond

**2007-01390                    WALDEN, KENNETH  
MADISON Silver Lake**

COMPLETE NOTIFICATION:

Madison, NH Tax map 123 Lot 5  
Silver Lake

**SHORELAND VARIANCE / WAIV**

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**2007-00164                    ZYLICH, RONALD/ROBERTA  
STRAFFORD Bow Lake**

Requested Action:

Raze an existing primary structure with a ridgeline height of approximately 20 ft and a footprint of approximately 936 sq ft within the primary building setback (the "Setback"), providing approximately 1324 sq ft of living space within the Setback and build a proposed primary structure that shall have a ridgeline height of approximately 32 ft and a footprint of approximately 95 sq ft within the Setback and shall provide approximately 0 sq ft of living space within the Setback on property with approximately 100 ft of frontage on Bow Lake in Strafford.

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Inspection Date: 03/15/2007 by Thomas Gilbert

APPROVE CSPA WAIVER:

Raze an existing primary structure with a ridgeline height of approximately 20 ft and a footprint of approximately 936 sq ft within the primary building setback (the "Setback"), providing approximately 1324 sq ft of living space within the Setback and build a proposed primary structure that shall have a ridgeline height of approximately 32 ft and a footprint of approximately 95 sq ft within the Setback and shall provide approximately 0 sq ft of living space within the Setback on property with approximately 100 ft of frontage on Bow Lake in Strafford.

With Conditions:

1. All work shall be conducted in accordance with building plans, stormwater control plans, and landscaping plans by David M. Dolan Associates, P.C. dated April 4, 2007 and received by the Department of Environmental Services ("DES") on April 12, 2007.
2. This approval shall not be effective until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded waiver is sent to DES by certified mail, return receipt requested.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. All proposed vegetation shall be planted by July 1 of the year of the projects completion. Plantings shall have a 90% survival success rate by October 31 of the year of the projects completion. An initial monitoring report shall be submitted to DES by November 15 of the year of the projects completion documenting the success of the plantings.
6. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
7. The Applicant shall file a deed restriction with the Carroll County Registry of deeds prohibiting the construction or installation of any new structures within the 50 Setback.
8. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. 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. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
11. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
12. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.1.

With Findings:

1. The existing structure, as identified on the Town of Gilford Tax Map 242A Lot 242-2 is located within the 50 ft Setback to public waters and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act ("CSPA").
2. The existing structure is located approximately 29 ft from the reference line, has a ridgeline height of approximately 20 ft and a footprint of approximately 567 sq ft within the Setback, providing approximately 694 sq ft of living space within the Setback.
3. The proposed structure shall be located approximately 30 ft from the reference line, have a ridgeline height of approximately 42 ft and a footprint of approximately 517 sq ft within the Setback, providing approximately 1188 sq ft of living space within the Setback.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The Applicant has proposed to remove 100 sq ft of wooden patio and 380 sq ft of gravel walkway within the Setback.
6. The Applicant has proposed to install vegetated berms around the existing beach to prevent stormwater from eroding beach sand into the lake.
7. The Applicant has proposed to plant native vegetation including Mountain Laurel and Swamp Azalea along the lake side portion of the proposed structure and within the proposed berms, creating a total of approximately 500 square feet of vegetation.
8. The Applicant proposes to install stormwater controls consisting of a 3 foot wide pea stone buffer around the proposed structure for stormwater infiltration.
9. The Applicant's proposal will reduce the total impervious surface within the Setback by approximately 267 square feet, will increase the setback of the primary structure to the reference line, and improve stormwater management using native plantings and a pea stone buffer around the proposed.
10. The Applicant's proposal provides at least the same degree of protection to the public waters.
11. The Applicant's proposal is more nearly conforming and meets the requirements of RSA 483-B:11, II. Therefore, the waiver is

approved.

**2007-00187                      MURRAY, THOMAS**  
**WINDHAM   Canobie Lake**

Requested Action:

Raze an existing primary structure located approximately 32 ft from the reference line with a ridgeline height of approximately 26 ft and a footprint of approximately 326 sq ft within the primary building setback (the "Setback"), providing approximately 777 sq ft of living space within the Setback and build a proposed primary structure that shall be located approximately 32 ft from the reference line and have a ridgeline height of approximately 35 ft and a footprint of approximately 408 sq ft within the Setback and shall provide approximately 900 sq ft of living space within the Setback on property with approximately 53 ft of frontage on Canobie Lake in Windham.

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Inspection Date: 03/14/2007 by Thomas Gilbert

APPROVE CSPA WAIVER:

Raze an existing primary structure located approximately 32 ft from the reference line with a ridgeline height of approximately 26 ft and a footprint of approximately 326 sq ft within the primary building setback (the "Setback"), providing approximately 777 sq ft of living space within the Setback and build a proposed primary structure that shall be located approximately 32 ft from the reference line and have a ridgeline height of approximately 35 ft and a footprint of approximately 408 sq ft within the Setback and shall provide approximately 900 sq ft of living space within the Setback on property with approximately 53 ft of frontage on Canobie Lake in Windham.

With Conditions:

1. All work shall be conducted in accordance with building plans, stormwater control plans, and landscaping plans by David M. Dolan Associates, P.C. dated April 4, 2007 and received by the Department of Environmental Services ("DES") on April 12, 2007.
2. This approval shall not be effective until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded waiver is sent to DES by certified mail, return receipt requested.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. All proposed vegetation shall be planted by July 1 of the year of the projects completion. Plantings shall have a 90% survival success rate by October 31 of the year of the projects completion. An initial monitoring report shall be submitted to DES by November 15 of the year of the projects completion documenting the success of the plantings.
6. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
7. The Applicant shall file a deed restriction with the Carroll County Registry of deeds prohibiting the construction or installation of any new structures within the 50 Setback.
8. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. 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. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
11. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
12. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.1.

With Findings:

1. The existing structure, as identified on the Town of Gilford Tax Map 242A Lot 242-2 is located within the 50 ft Setback to public waters and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive

Shoreland Protection Act ("CSPA").

2. The existing structure is located approximately 29 ft from the reference line, has a ridgeline height of approximately 20 ft and a footprint of approximately 567 sq ft within the Setback, providing approximately 694 sq ft of living space within the Setback.

3. The proposed structure shall be located approximately 30 ft from the reference line, have a ridgeline height of approximately 42 ft and a footprint of approximately 517 sq ft within the Setback, providing approximately 1188 sq ft of living space within the Setback.

3. The proposed structure shall be located approximately 30 ft from the reference line, have a ridgeline height of approximately 27 ft 4 in, and shall occupy approximately 1,056 sq ft within the Setback, 933 square feet of which shall be living space.

4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."

5. The Applicant has proposed to remove 100 sq ft of wooden patio and 380 sq ft of gravel walkway within the Setback.

6. The Applicant has proposed to install vegetated berms around the existing beach to prevent stormwater from eroding beach sand into the lake.

7. The Applicant has proposed to plant native vegetation including Mountain Laurel and Swamp Azalea along the lake side portion of the proposed structure and within the proposed berms, creating a total of approximately 500 square feet of vegetation.

8. The Applicant proposes to install stormwater controls consisting of a 3 foot wide pea stone buffer around the proposed structure for stormwater infiltration.

9. The Applicant's proposal will reduce the total impervious surface within the Setback by approximately 267 square feet, will increase the setback of the primary structure to the reference line, and improve stormwater management using native plantings and a pea stone buffer around the proposed.

10. The Applicant's proposal provides at least the same degree of protection to the public waters.

11. The Applicant's proposal is more nearly conforming and meets the requirements of RSA 483-B:11, II. Therefore, the waiver is approved.

**PERMIT BY NOTIFICATION**

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**2007-01168                      BARKER, DOUGLAS & ANNE MARIE**  
**CENTER TUFTONBORO   Lower Beech Pond**

Requested Action:

Replace existing 3 ft x 24 ft seasonal dock with a 4 ft x 24 ft seasonal dock hinged to a concrete anchoring pad fixed on top of an existing rock.

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PBN IS COMPLETE:

Replace existing 3 ft x 24 ft seasonal dock with a 4 ft x 24 ft seasonal dock hinged to a concrete anchoring pad fixed on top of an existing rock.

With Findings:

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

**2007-01206                      ZERN, HOWARD**  
**WASHINGTON   Ashuelot River**

Requested Action:

Install a 4 ft x 12 ft seasonal wharf accessed by a 3 ft x 5 ft ramp on 205 ft of frontage on the Ashuelot River in Washington.

\*\*\*\*\*

PBN IS COMPLETE:

Install a 4 ft x 12 ft seasonal wharf accessed by a 3 ft x 5 ft ramp on 205 ft of frontage on the Ashuelot River in Washington.

With Findings:

1. This project meets minimum impact project classification per Rule Env-Wt 303.04 (a).

**2007-01254                    NICOLUDIS, LARRY**  
**BARRINGTON Swains Lake**

Requested Action:

Install seasonal docking structure and anchoring pad.

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PBN IS COMPLETE:

Install seasonal docking structure and anchoring pad.

With Findings:

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

**2007-01314                    EWP & VLP REVOC TRUST, ERIC & VICKI PETERSON**  
**WOLFEBORO Lake Winnepesaukee**

Requested Action:

repair existing breakwater and dock in-kind.

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PBN IS COMPLETE:

repair existing breakwater and dock 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.

**2007-01315                    PRUDHOMME, PATRICIA**  
**ALTON Lake Winnepesaukee**

Requested Action:

Modify existing nonconforming structures.

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PBN DISQUALIFIED:

Modify existing nonconforming structures.

With Findings:

1. Env-Wt 303.02, modification to an existing major docking system shall be deemed major.

**2007-01342                      KANE, MIKE & SUE**  
**SANBORNTON   Lake Winnisquam**

Requested Action:

Remove two existing seasonal docks and install a 6 ft x 40 ft seasonal dock.

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PBN DISQUALIFIED:

Remove two existing seasonal docks and install a 6 ft x 40 ft seasonal dock.

With Findings:

1. Proposed modification to a Minor docking system does not qualify for the Permit By Notification process.

**2007-01370                      BEAULIEU, CHARLES & DIANE**  
**LACONIA   Winnisquam Lake**

Requested Action:

Repair existing structures.

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PBN DISQUALIFIED:

Repair existing structures.

With Findings:

1. Confirmation of Project Completion for PBN has been submitted. Pursuant to Env-Wt 506.01(b) after-the-fact applications shall not qualify for the permit by notification process.