

Wetlands Bureau Decision Report

Decisions Taken
06/25/2007 to 07/01/2007

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

2006-02177 BRENLOVE, CHARLOTTE
ALTON Lake Winnepesaukee

Requested Action:

Fill 890 sq ft to construct 50 linear ft of breakwater, in an "L" configuration, with a 20 ft gap at the shoreline, and a 4 ft x 30 ft cantilevered pier accessed by a 6 ft x 33 ft piling supported dock with a 3 ft x 30 ft piling supported dock in an "F" shaped configuration on an average of 109 ft of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com submitted comments stating the deck and walkway are not permitted by the town.

APPROVE RECONSIDERATION:

Fill 890 sq ft to construct 50 linear ft of breakwater, in an "L" configuration, with a 20 ft gap at the shoreline, and a 4 ft x 30 ft cantilevered pier accessed by a 6 ft x 33 ft piling supported dock with a 3 ft x 30 ft piling supported dock in an "F" shaped configuration on an average of 109 ft of frontage on Lake Winnepesaukee, Alton. per plans received on 06/25/2011.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction dated May 15, 2007, revision date of June 21, 2007 by Charlotte Brenlove, as received by the Department on June 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 recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. 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 major project per Rule Wt 303.02(j), Construction of a Breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.06, Breakwaters.
3. The applicant has an average of 109 feet of frontage along Lake Winnepesaukee, Alton.
4. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A and therefore meets Rule Wt 402.12.

6. Public hearing is waived based on field inspection, by NH DES staff, on February 22, 2007, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. Field inspection found no evidence of sand migration along this shoreline.

-Send to Governor and Executive Council-

2006-02611 KALIL, CHARLES
BARTLETT Saco River

Requested Action:

Applicant requests reconsideration of the Department's May 15, 2007 decision to deny the request to dredge approximately 3,000 square feet within the bed and banks of the Saco River within a created pond (located in an overflow channel and hydrologically connected to the Saco River) to remove gravel washed out/eroded from existing island during flood event.

Conservation Commission/Staff Comments:

Motion for Reconsideration received May 31, 2007 from Chuck W. Kalil

DENY RECONSIDERATION:

Reconsider and reaffirm the decision to deny the request to dredge approximately 3,000 square feet within the bed and banks of the Saco River within a created pond (located in an overflow channel and hydrologically connected to the Saco River) to remove gravel washed out/eroded from existing island during flood event.

With Findings:

Standards for Approval:

1. In accordance with RSA 482-A:10, Appeals, I, "Any person aggrieved by a decision made by the department under RSA 482-A:3 or subject to an order of the department under RSA 482-A:6 may apply for reconsideration by the department".
2. In accordance with RSA 482-A:10, Appeals, II, "A request for reconsideration shall be filed with the department within 20 days of issuance of the department's decision or order. The request for reconsideration shall describe in detail each ground for complaint."
3. In accordance with RSA 482-A:10, Appeals, III, "On reconsideration, the department shall receive and consider any new and additional evidence presented, and shall make findings of fact and rulings of law in support of its decision after reconsideration."

Findings of Fact:

4. DES reaffirms Findings of Fact #1 - 67.
5. On May 15, 2007, DES denied application 2006-2611 to dredge approximately 3,000 square feet within the bed and banks of the Saco River within a created pond (located in an overflow channel and hydrologically connected to the Saco River) to remove gravel washed out/eroded from existing island during flood event.
6. On May 31, 2007, DES received a Motion of Reconsideration for Wetlands File No. 2006-2611 from Chuck W. Kalil. The reconsideration addressed Findings in support of denial #1 -13, which were referred to as paragraph #1 - 13.
7. Mr. Kalil alleges that paragraph #1 is false. NH Wetlands Council Decision & Order Docket No.2002-03 dated August 15, 2002, states the following: "At a recent prehearing conference intended to finalize a settlement in this matter, Mr. Kalil advised the Council's Chairman that the structure upon which the requested repairs were to be performed had been destroyed by recent major flooding of the Saco River and that he was proceeding to determine and evaluate his options in view of this unanticipated development. Accordingly, and since the absence of the structure eliminates the need for a permit for in-place repair, the Council hereby closes its record on this matter as of the date of this Decision & Order."
8. Mr. Kalil alleges that paragraph # 2 is false. Finding in support of denial # 2 was paraphrased from Wetlands Council Decision & Order Docket No.2002-03 dated August 15, 2002, and found that this supported abandonment, per Env-Wt 101.01. The record speaks for itself.
9. Mr. Kalil alleges that paragraph # 3 is "false again". Reference DES record at bate stamp 000290 (for Wetlands File # 99-2592) Finding in Support of Denial # 18, which supports staff inspection finding. The permit denial was not dismissed, but the Council

appeal was closed. See Bureau Administrator letter dated May 21, 2002, which provides that DES was unable to fashion a permit that would be consistent with the application filed given the change in conditions represented in the application plans.

10. Mr. Kalil alleges that paragraph # 4 is "false again". DES record speaks for itself. See Kalil Wetlands Board and DES files: K-432, K-476, K-518, K-530, K-534, 1987-302, 1988-973, 1990-801, 1995-96, 1999-1817, 1999-2592, 2003-1694.

11. Mr. Kalil alleges that paragraph # 5 is "false again". Condition # 7 of Permit 1995-96 issued on March 19, 1996, and subsequent time extensions stated, "This permit is for a one time repair and gravel removal, and is not for continual maintenance in the areas stated in this approval. If these areas continue to fail following completion of this work, time extensions or new approvals may not be considered." Finding in support of denial # 5 asserts that Mr. Kalil manipulated the Saco River through "mechanical means" - not DES.

12. Mr. Kalil agreed that paragraph # 6 is true. Mr. Kalil alleges that all previously approved "improvements" "has done the job", with exception of "what happened in 95-96 as stated in Paragraph 5". The need for continual approvals for repairs in this area of the Saco River contradicts this statement.

13. Mr. Kalil agreed that paragraph # 7 is true. The statements attributed to the Saco River committee are not relevant, as Mr. Kalil was doing repair or maintenance to his pond, which had been abandoned. Additionally, the requirements and intent of RSA 482-A, wetlands statute would still need to be met by the applicant.

14. Mr. Kalil states that DES paragraph # 8 does not apply. Paragraph # 8 is a scientific fact.

15. Mr. Kalil alleges that paragraph # 9 is "false again" and that "No. 9 does not apply." Mr. Kalil also states "This area in not in Saco River." Reference Finding of Fact # 6 above. The record speaks for itself.

16. Mr. Kalil states his ground for reconsideration for paragraph # 10 is the "Same as Paragraph 9". DES Findings in support of denial # 10 references the statutory requirement for referral of major public projects to Governor and Council.

17. Mr. Kalil states that paragraph #11 is "false again". The record speaks for itself.

18. Mr. Kalil makes the same allegation about the falsity of paragraph # 12. The record speaks for itself.

19. Mr. Kalil states that paragraph #13 is "false again" Mr. Kalil alleges he, "...did, in fact, respond to the entire request that was asked in the letter dated May 12, 2007." and that DES did not like his response. DES believes Mr. Kalil intended to reference the January 12, 2007, Request for More Information. DES Finding in support of denial #13 is based on the record.

Findings in Support of Reaffirming Denial:

20. The Applicant has failed to submit any new or additional evidence in support of the original proposal as required per RSA 482-A:10, therefore the DES reaffirms its decision to deny this application based on the original findings.

2006-02790 HANNA, GHASSAN
SALEM Unnamed Wetland

Requested Action:

Dredge and fill a total of 1,632 sq. ft. of palustrine scrub-shrub wetlands to install 112 linear feet of 15 in. dia. perforated culvert pipe, with swales and rip-rap inlet/outlet protection, to provide access to a developed house-lot as well as to accommodate existing drainage and infiltration.

Conservation Commission/Staff Comments:

The Salem Conservation Commission submitted a report to the DES on November 02, 2006 recommending denial of the project. The Salem Conservation Commission was not represented at the prime wetlands public hearing. Inquiry by DES staff on the morning of the public hearing found that the Conservation Commission would not be sending a representative to testify at the hearing and had no further comments.

Inspection Date: 04/27/2007 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 1,632 sq. ft. of palustrine scrub-shrub wetlands to install 112 linear feet of 15 in. dia. perforated culvert pipe, with swales and rip-rap inlet/outlet protection, to provide access to a developed house-lot as well as to accommodate existing

drainage and infiltration.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated July 24, 2006, as received by DES on October 24, 2006.
2. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on adjacent designated prime 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. 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).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to prime wetlands designated under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that 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. A prime wetlands public hearing was held on April 13, 2007.
6. The Salem Conservation Commission submitted a report to the DES on November 02, 2006 recommending denial of the project.
7. The Salem Conservation Commission was not represented at the prime wetlands public hearing. Inquiry by DES staff on the morning of the public hearing found that the Conservation Commission would not be sending a representative to testify at the hearing and had no further comments.
8. DES Staff conducted a field inspection of the proposed project on April 27, 2007. Field inspection determined the project as proposed will not adversely impact the adjacent prime wetlands and will stabilize the site to prevent erosion/ siltation into the adjacent wetlands. Other than its' proximity to a designated prime wetland, this is a minimum impact project.
9. The approved plans and conditions of the permit provide for a ten foot buffer in hydric B soils at the closest point to the designated Prime Wetland area.
10. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, water treatment system and maintenance program offsets impact from any increased runoff created by the development.
11. Based on the inspection conducted on April 27, 2007 by DES Wetlands Bureau Southeast Region staff, the project involves minimum environmental impact.
12. Based on findings # 5 thru 9 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

2007-00627 NH DEPT OF TRANSPORTATION
WALPOLE Cold River

Requested Action:

Construct a 102 ft. single span modern timber bridge to replace the former twin arch bridge impacting 20,676 sq. ft. of river and banks (9,587 sq. ft. temporary).

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

Inspection Date: 11/05/2005 by Gino E Infascelli

APPROVE PERMIT:

Construct a 102 ft. single span modern timber bridge to replace the former twin arch bridge impacting 20,676 sq. ft. of river and banks (9,587 sq. ft. temporary). NHDOT project #14540U.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 10/19/06, as received by the Department on October 27, 2006.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. This permit is contingent upon the submission of stamped engineering plans in accordance with and specific to Rule Wt 404.04.
4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. 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.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Construction equipment shall not be located within surface waters.
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; and 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. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. 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. Matting and pinning shall stabilize slopes steeper than 3:1.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
17. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
18. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
19. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) and (i), disturbance of more than 20,000 sq. ft. of nontidal wetlands or banks and more than 200 linear feet of impacts to a stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application

Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the project area on November 8, 2005. Field inspection determined that the October flooding scoured the wetlands, waterways, and banks causing significant damage to the highways, roadways, bridges and culverts in the watershed.
6. As a result of the widespread damage the DES determined that the mitigation rules would not pertain to restoration of this roadway system.
7. The project will replace a previously existing structure and will improve public safety.
8. Numerous meetings and consultations were held to coordinate projects within the watershed.
9. DES Staff finds that this project will not have a significant impact on these palustrine and riverine resources and are not at areas of substantial public interest where issues have been raised pursuant to RSA 482-A:1, therefore, a public hearing is not required.

MINOR IMPACT PROJECT

2005-01149 LRL DEVELOPMENT PELHAM Unnamed Wetland

Requested Action:

Applicant wishes to amend permit with a decrease in total impact area from 8,396 square feet to 2,706 square feet.

Conservation Commission/Staff Comments:

Conservation Commission did not report.

APPROVE AMENDMENT:

Amend permit description to reflect a decrease in impacts from 8,396 square feet to dredge and fill 2,706 square feet of forested, scrub shrub wetland for the construction of a roadway and installation of a 73 foot, 18 inch RCP culvert for access to a senior housing facility.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Associates, Inc. dated July 2006, as received by the Department on May 29, 2007.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. This permit is contingent on the approval and conditions of the NPDES permit.
4. This permit is contingent on approval by the DES Site Specific Program.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. 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. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Work shall be done during seasonal low flow conditions.
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
12. 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.
13. The culvert installed at wetland impacts #1 and shall incorporate naturalized stream bottoms and be installed at elevations appropriate to facilitate passage of turtles and other aquatic species.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

15. 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.
16. 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.
17. 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.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. Proper headwalls shall be constructed within seven days of culvert installation.
19. 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).
20. Silt fencing must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h, projects involving alteration of less than 20,000 square feet of non-tidal wetlands in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. It is necessary to cross wetlands at some locations on the property to reach various areas of buildable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The applicant has confined the crossing areas to the narrowest locations and incorporated common driveways and cul-de-sac design to maximize use of upland areas.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant's consultant provided project information to NH Fish and Game Department regarding the potential presence of the Blandings Turtle within .5 mile of the site but did not receive a response. The permit has been conditioned to require naturalized stream bottom culverting and installation at an appropriate elevation to facilitate aquatic species passage.
6. Review of the location of this application did not find it to be adjacent to Pelham Prime Wetlands, and no report was received from the Pelham Conservation Commission.
7. Abutter comments dated 6/9/2005 as received by DES on 6/13/2005 relate to planning and zoning issues in the Town of Pelham and are beyond the scope of wetlands bureau jurisdiction.
8. The applicant has submitted a restoration plan to address unauthorized impacts to wetland on the property by test pitting equipment, which will be addressed by DES as a compliance matter under separate cover.
9. On May 29, 2007, DES received a Minimum Impact Expedited Application for this particular project. Due to the Town of Pelham, the applicant revised the impacts on the approval. The impacts are decreased and isolated to one crossing. On June 29, 2007, DES spoke to the agent and clarified that the pending application was indeed an amendment to the permit and will be treated thusly.

2005-02849 DWYER, DAVID
STODDARD Highland Lake

Requested Action:

Dredge 19 cubic yards from 405 sq ft in Highland Lake, Stoddard.

APPROVE PERMIT:

Dredge 19 cubic yards from 405 sq ft in Highland Lake, Stoddard.

With Conditions:

1. All work shall be in accordance with plans by David and Aline Dwyer dated May 28, 2007, as received by DES on June 26,

2007.

2. Work shall be done during drawdown.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. 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.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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 minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of rock, gravel, sand, mud, or other material 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.

2006-02307 WJP DEVELOPMENT LLC
EXETER Unnamed Wetland

Requested Action:

Dredge and Fill a total of 5,385 sq. ft. of degraded palustrine forested/scrub-shrub and emergent wetlands for work associated with the revitalization of an existing shopping plaza to alleviate traffic and pedestrian safety concerns and to improve treatment of stormwater runoff.

Conservation Commission/Staff Comments:

The Exeter Conservation Commission submitted a request to intervene on the application and a non-specific report received by the Bureau on Sept. 29, 2006 stating : "We feel that it is premature to comment until a final plan has been approved [by the Exeter Planning Board]."

A follow-up report was received October 17, 2006 stating the Commission had "substantial objections to the application". The concerns enumerated in this report have been addressed by the applicant and noted in the findings.

The Exeter Conservation Commission requested reconsideration of the permit approval on December 19, 2006.

The permittee revised plans and made changes to reduce impacts and abate concerns about water quality management.

On April 17, 2007 the Exeter Conservation Commission withdrew their request for reconsideration.

Inspection Date: 02/09/2007 by Frank D Richardson

APPROVE AMENDMENT:

Dredge and Fill a total of 5,385 sq. ft. of degraded palustrine forested/scrub-shrub and emergent wetlands for work associated with the revitalization of an existing shopping plaza to alleviate traffic and pedestrian safety concerns and to improve treatment of stormwater runoff.

With Conditions:

1. All work shall be in accordance with revised site plans by Jones & Beach Engineers, Inc. dated 06/20/06 (last revised 3/20/07), as received by the Department on March 29, 2007
2. This permit is contingent on approval by the DES Site Specific Program.

3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. In addition to alleviating traffic and safety concerns, the project also proposes significant improvements to stormwater treatment.
6. Stormwater runoff treatment proposed will significantly reduce the sediment and pollutant load in stormwater that currently flows directly from the site towards the Exeter Reservoir.
7. a) The Exeter Conservation Commission submitted a request to intervene on the application and a non-specific report received by the Bureau on Sept. 29, 2006 stating : "We feel that it is premature to comment until a final plan has been approved [by the Exeter Planning Board]."
b) A follow-up report was received October 17, 2006 stating the Commission had "substantial objections to the application". The concerns enumerated in this report have been addressed by the applicant and noted in the findings.
c) The Exeter Conservation Commission requested reconsideration of the permit approval on December 19, 2006.
d) The permittee revised plans and made changes to reduce impacts and abate concerns about water quality management.
e) On April 17, 2007 the Exeter Conservation Commission withdrew their request for reconsideration.

2006-03238 TROY REDEVELOPMENT GROUP INC
TROY Unnamed Wetland

Requested Action:

Dredge and fill 6,675 square feet of wet meadow (ditched wetlands), 2,110 square feet of forested wetlands and 110 square feet of Rockwood Brook bank for redevelopment of the Troy Blanket Mills to a multi-use facility consisting of age-restricted condominiums, market, fitness center, restaurant and theater. Wetland impacts also incorporate capping a brown field site.

APPROVE PERMIT:

Dredge and fill 6,675 square feet of wet meadow (ditched wetlands), 2,110 square feet of forested wetlands and 110 square feet of Rockwood Brook bank for redevelopment of the Troy Blanket Mills to a multi-use facility consisting of age-restricted condominiums, market, fitness center, restaurant and theater. Wetland impacts also incorporate capping a brown field site.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates dated October 19, 2006, as received by the Department on December 26, 2006.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. Work shall be done during low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.

10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

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

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

13. Culverts shall be laid at original grade.

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

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

16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.

17. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.

18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

19. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 square feet of wetlands.
2. The 1,345 square foot forested wetland impact incorporates capping a brown field site.
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Troy Conservation Commission
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-00163 SALMON BROTHERS REALTY INC
MANCHESTER Unnamed Wetland**

Requested Action:

Dredge and fill 5822 square feet of palustrine scrub shrub wetland including installation of an 18-inch x 82 linear foot culvert for road construction in the subdivision of approximately 8 acres into 8 single family residential lots.

APPROVE PERMIT:

Dredge and fill 5822 square feet of palustrine scrub shrub wetland including installation of an 18-inch x 82 linear foot culvert for road construction in the subdivision of approximately 8 acres into 8 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services dated January 3, 2007, and revised through May 29, 2007, as received by the Department on May 31, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.

6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Work shall be done during low flow.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Silt fencing must be removed once the area is stabilized.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

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

**2007-00438 AMALFITANO REVOC TRUST, ELIZABETH
GILFORD Lake Winnepesaukee**

Requested Action:

Construct two 6 ft x 30 ft piling supported docks connected by a 6 ft x 12 ft permanent walkway in a "U" shaped configuration, install a seasonal boatlift in the center slip, install a 14 ft x 30 ft seasonal canopy over the center slip, install 2 personnel watercraft lifts in the southern slip, install 2 tie off piles in the northern slip, install 2 three pile ice clusters, accessed by a 6 ft x 20 ft walkway over the bank on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com requests written confirmation the abutter view will not be impaired.

DENY PERMIT:

Construct two 6 ft x 30 ft piling supported docks connected by a 6 ft x 12 ft permanent walkway in a "U" shaped configuration, install a seasonal boatlift in the center slip, install a 14 ft x 30 ft seasonal canopy over the center slip, install 2 personnel watercraft lifts in the southern slip, install 2 tie off piles in the northern slip, install 2 three pile ice clusters, accessed by a 6 ft x 20 ft walkway over the bank on Lake Winnepesaukee, Gilford.

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 minor impact per Rule Wt 303.03(d), construction or modification of docking system providing 3 to 4 boat slips.
3. In accordance with RSA 482-A:11,III, "If a conservation commission makes a recommendation to the department in its report, the department shall specifically consider such recommendation and shall make written findings with respect to each issue raised in such report which is contrary to the decision of the department."
4. In accordance with RSA 482-A:11, II "Decisions of the department or council under this chapter shall be consistent with the purposes of this chapter as set forth in RSA 482-A:1... No permit to dredge or fill shall be granted if it shall infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners."
5. In accordance with RSA 482-A:3, XIV, "Within 75 days of the issuance of a notice of administrative completeness for projects where the applicant proposes under one acre of jurisdictional impact and 105 days for all other projects, request any additional information that the department is permitted by law to require to complete its evaluation of the application, together with any written technical comments the department deems necessary.
6. In accordance with Env-Wt 302.04(a)(9), for any major or minor project, the applicant shall demonstrate by plan and example that the extent to which a project interferes with the aesthetic interests of the general public has been considered in the project's design.
7. In accordance with Env-Wt 302.04(a)(11), for any major or minor project, the applicant shall demonstrate by plan and example that the impact upon abutting owners pursuant to RSA 482-A:11, II, has been considered in the project's design.
8. In accordance with Rule Env-Wt 302.04(e), unless a waiver has been granted, the Department shall not grant a permit if the requirements of Rule Env-Wt 302.04(a) are not met.
9. In accordance with Env-Wt 402.07 "Canopies. Canopies shall be constructed so as not to obstruct views from adjacent property or interfere with boating or swimming safety.

Findings of Fact

10. On March 06, 2007, the Wetlands Bureau received an application to construct two piling piers connected in a "U" shaped configuration, with associated lifts, pilings, and a 14 ft x 30 ft seasonal canopy over the center slip on the lot identified as Gilford tax map 217, lot 11,(the "Lot") .
11. On March 13, 2007, the Wetlands Bureau received comments from the Gilford Conservation Commission requesting the applicant provide written acknowledgement of the potential impact to the view the project may have on the abutter.
12. On May 25, 2007 the Wetlands Bureau sent a Request for More Information letter to the Applicant requesting that the Applicant submit signed letters from the Abutters stating that they were aware the proposed canopy may have a potential impact on their view but had no objection no its installation to address the local Conservation Commission concerns.
13. On May 31, 2007 the Wetlands Bureau received a response from the Applicant stating that the abutters had been notified of the proposed construction and had not offered objections. The response did not include the requested signed letters from the Abutters for the location of the canopy on the frontage.

Rulings in Support of the Decision

14. The Applicant has failed to submit the requested information to the file to address the concerns submitted to the file by the Gilford Conservation Commission and in the Request for More Information letter from the Department dated May 25, 2007.
15. The Applicant has not submitted any evidence to the file documenting that the requirements of Rule Env-Wt 302.04(a)(9) and (11) have been addressed and therefore, failed to submit reasonable proof the proposed canopy would not infringe on the property rights of the abutters, therefore the application is denied in accordance with Rule Env-Wt 302.04 (d).

2007-00449 LEBANON, CITY OF LEBANON Unnamed Stream

Requested Action:

Dredge and fill approximately 2,430 sq. ft. of forested and emergent wetlands and perennial stream for replacement of four culverts and roadway bank stabilization as part of the Old Pine Tree Cemetery Roadway Rehabilitation. Work in wetlands consists of the following: Impact Area 1: replacement of and existing approximately 24 in. x 50 ft. corrugated metal culvert and failing headwalls with a 30 in. x 40 ft. HDPE culvert associated headwalls, grading and streambed stabilization, Impact Area 2: reestablishment of a grass lined roadway drainage ditch, Impact Area 3: reestablishment of a grass lined culvert inlet apron for replacement of an

existing 12 in. x 40. ft. culvert with a 15 in. x 40 ft. HDPE culvert, Impact Area 4: replacement of and existing 42 in. x 60 in. x 40 ft. corrugated arch culvert and failing headwalls with a 42 in. x 60 in. x 45 ft. corrugated arch culvert associated headwalls, grading and streambed stabilization, Impact Areas 5: reestablishment of a grass lined drainage ditch, Impact Area 6: installation of a rip-rap slope along the roadway embankment for stabilization and repair of the eroded roadway side slope and stream bank and in-kind replacement of a 12 in. x 50. ft. cross culvert.

Inspection Date: 07/12/2007 by Linda M Magoon

APPROVE PERMIT:

Dredge and fill approximately 2,430 sq. ft. of forested and emergent wetlands and perennial stream for replacement of four culverts and roadway bank stabilization as part of the Old Pine Tree Cemetery Roadway Rehabilitation. Work in wetlands consists of the following: Impact Area 1: replacement of and existing approximately 24 in. x 50 ft. corrugated metal culvert and failing headwalls with a 30 in. x 40 ft. HDPE culvert associated headwalls, grading and streambed stabilization, Impact Area 2: reestablishment of a grass lined roadway drainage ditch, Impact Area 3: reestablishment of a grass lined culvert inlet apron for replacement of an existing 12 in. x 40. ft. culvert with a 15 in. x 40 ft. HDPE culvert, Impact Area 4: replacement of and existing 42 in. x 60 in. x 40 ft. corrugated arch culvert and failing headwalls with a 42 in. x 60 in. x 45 ft. corrugated arch culvert associated headwalls, grading and streambed stabilization, Impact Areas 5: reestablishment of a grass lined drainage ditch, Impact Area 6: installation of a rip-rap slope along the roadway embankment for stabilization and repair of the eroded roadway side slope and stream bank and in-kind replacement of a 12 in. x 50. ft. cross culvert.

With Conditions:

1. All work shall be in accordance with plans by Pathway Consulting, LLC, dated February 12, 2007, as received by DES on March 8, 2007 and revised narratives, bank stabilization detail, culvert cross sections and construction sequence by Pathway Consulting, LLC, dated June 8, 2007, as received by DES on June 11, 2007.
2. Embedded round stone or river rock shall be used in place of rip rap in all proposed streambed impact areas.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. 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.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

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

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

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), Projects that alter or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. A majority of the proposed work is repair and replacement of existing structures that would be needed regardless of the roadway improvement work.
6. A majority of the proposed impacts are temporary impacts associated with the replacement of the culverts and reestablishment of the streambed.
7. The space available for the roadway improvements and stabilization limited project design options.
8. The current roadway slope is eroding into the adjacent stream threatening water quality.
9. DES Staff conducted a field inspection of the proposed project on May 23, 2006.

2007-00709 SCHIFRIN, MARK
MOULTONBOROUGH Squam Lake

Requested Action:

Install a "W-shaped" seasonal docking structure consisting of three 6 ft x 40 ft docks connected by two 6 ft x 10 ft walkways anchored to three 4 ft x 6 ft concrete pads, install two personal water crafts in the most southerly boat slip, and install 4 ft wide lake access stairs within an existing retaining wall on 365 ft of frontage in Moultonborough on Squam Lake.

APPROVE PERMIT:

Install a "W-shaped" seasonal docking structure consisting of three 6 ft x 40 ft docks connected by two 6 ft x 10 ft walkways anchored to three 4 ft x 6 ft concrete pads, install two personal water crafts in the most southerly boat slip, and install 4 ft wide lake access stairs within an existing retaining wall on 365 ft of frontage in Moultonborough on Squam Lake.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated April 3, 2007, as received by DES on April 9, 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 shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal docks and seasonal personal watercraft lifts shall be removed from the lake for five months during the non-boating season.
5. No portion of the dock shall extend more than 40 feet from the shoreline at full lake elevation.
6. Excavated material for lake access stairs shall be placed completely outside NHDES Wetlands jurisdiction.
7. Concrete anchoring pad shall be landward and above the normal high water mark elevation.
8. Lake access stairs shall be landward and above the normal high water mark elevation.
9. Lake access stair work shall be "conducted in the dry."
10. Unnecessary removal of vegetation is strictly prohibited.
11. Landowner shall be responsible for providing appropriate stormwater diversions.
12. 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.

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

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of material from Wetlands Bureau jurisdiction.
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

2005-02008 CARNES, BRENDA
WINDSOR Tributary To White Pond Brook

Requested Action:

Retain 1,800 square feet of forested wetlands impact associated with 20 linear feet of intermittent stream impact to replace an existing 10-inch x 20-foot galvanized culvert with an 18-inch x 20-foot culvert for driveway access to a single family residence.

APPROVE AFTER THE FACT:

Retain 1,800 square feet of forested wetlands impact associated with 20 linear feet of intermittent stream impact to replace an existing 10-inch x 20-foot galvanized culvert with an 18-inch x 20-foot culvert for driveway access to a single family residence.

With Conditions:

1. This permit is contingent on compliance with the Letter of Deficiency WET 06-078 dated August 08, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), alteration of less than 50 linear feet of an intermittent stream.
2. The right-of-way on tax map/lot 5/18 was issued for access to tax map/lot 5/19 to avoid a second wetland crossing and additional wetland impacts on tax map/lot 5/19.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00239 HILLCROFT REALTY LLC, BRIAN COLSIA
LACONIA Paugus Bay & Pickerel Pond

Requested Action:

Dredge and fill 539 square feet of man made isolated palustrine wetland for road side slopes and detention pond construction in the subdivision of 37.66 acres into 16 single family residential lots.

Inspection Date: 12/05/2006 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 539 square feet of man made isolated palustrine wetland for road side slopes and detention pond construction in the subdivision of 37.66 acres into 16 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by MJS Engineering dated December 22, 2005, and revised through May 4, 2006, as received by the Department on May 31, 2006, and Subdivision Plans by DMC Surveyors, as revised through July 6, 2006, as received by the Department on July 7, 2006.
2. This permit is contingent on approval by the DES Alteration of Terrain.
3. This permit is contingent upon complete compliance with the Restoration Approval dated April 6, 2007.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during periods of non-flow.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. Silt fencing must be removed once the area is stabilized.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The wetland proposed to be impacted is an man made isolated wetland with low functions and values.
6. The applicant is restoring the isolated wetland on the abutting property.
7. The applicant is currently in compliance with the Restoration Approval.

**2006-02370 MOONEY, BRETT
WEBSTER Pillsbury Lake**

Requested Action:

After the Fact approval to place 10 cubic yards of sand above full lake elevation on an existing beach on Pillsbury Lake, Webster.

APPROVE AFTER THE FACT:

After the Fact approval to place 10 cubic yards of sand above full lake elevation on an existing beach on Pillsbury Lake, Webster.

With Conditions:

1. All work shall be in accordance with plans as received by DES on April 12, 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. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

2006-02834 BYPASS 28 LLC
HOOKSETT Unnamed Wetland

Requested Action:

Fill 105 square feet of isolated forested wetland for lot development.

APPROVE PERMIT:

Fill 105 square feet of isolated forested wetland for lot development.

With Conditions:

1. All work shall be in accordance with plans by CLD Engineering dated October 2006, as received by the Department on November 2, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent upon the agreement between the property owner and NH Fish and Game to manage 6.1 acres, for the benefit of New England Cottontail.
4. NH Fish and Game shall be allowed to manage this area and no structures shall be erected upon it.
5. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. 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.
8. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Water Division permitting 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.
9. Work shall be conducted during low water conditions.
10. 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.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

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

12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

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

14. Silt fencing must be removed once the area is stabilized.

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

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(k), projects in a wetland that have been identified by Natural Heritage Inventory - Department of Resources and Economic Development as an exemplary natural community, and/or that has documented occurrences of state or federally listed Endangered or Threatened species.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The proposed project impacts a single isolated wetland, that is 105 square feet.

4. The proposed project avoids the large wetland complex to the west of the site which includes a variety of habitats, a perennial stream and includes scrub shrub which could provide habitat for the New England Cottontail.

5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

7. The applicant is proposing to mitigate for the impacts to the New England Cottontail by providing an agreement with NH Fish and Game on 6.1 acres which will be managed for New England Cottontail.

8. The project impacts will not significantly impair the resources of this wetland ecosystem and therefore no public hearing was conducted.

**2007-00469 DOG COVE CORPORATION, MICHAEL MARINO
CENTER HARBOR Squam Lake**

Requested Action:

Repair an existing retaining wall in 5 different locations for a total of 44 linear feet with no change in dimensions, repair an existing 12 ft by 37 ft boat ramp with concrete planks on Squam Lake, Center Harbor.

Conservation Commission/Staff Comments:

Con Com signed Exp application

APPROVE PERMIT:

Repair an existing retaining wall in 5 different locations for a total of 44 linear feet with no change in dimensions, repair an existing 12 ft by 37 ft boat ramp with concrete planks on Squam Lake, Center Harbor.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated February 24, 2007, revision date May 31, 2007, as received by DES on June 01, 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 construction.

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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Work shall be done during draw down.
8. Appropriate siltation/erosion/turbidity controls, including a turbidity curtain, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Upland and bank areas landward of the boat ramp shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into Squam Lake.
10. Repair shall maintain existing size, location and configuration.
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(x), maintenance, repair or replacement of a nondocking structure.

2007-00654 LENNEHAN, ANGELA
UNITY Unnamed Wetland

Requested Action:

Deny permit request to fill 31.1 square feet of wetlands for lot development.

DENY PERMIT:

Deny permit request to fill 31.1 square feet of wetlands for lot development.

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 Env-Wt 501.02(a)(2)(b), along with a completed application, the applicant shall supply at least a drawing or drawings showing, the scale, if any, used on the plan.
8. In accordance with Env- 505.01(h), as part of the expedited minimum impact application, the applicant shall provide an accurate drawing with detailed dimensions clearly annotated to document existing site conditional and to show the impact often proposed activity on areas in department jurisdiction detailing the precise location of the project.
9. In accordance with Rule Env-Wt 505.03, expedited minimum impacts projects shall not allow for fill for lot development.
10. In accordance with Env-Wq 1409.03, for each project within the protected shoreland zone, the applicant shall submit the following information, which may be in the form of plans, in sufficient detail to allow the department to determine whether the requirements of RSA 483-B:9 will be met: (a) The number, location, basal area, and distribution of trees existing within the natural woodland buffer on the property prior to the proposed project; (b) Whether any of the trees identified pursuant to (a), above, is dead, diseased, or otherwise unsafe and, if otherwise unsafe, the basis for the determination; (c) The size and placement of all

primary, accessory, and water-dependent structures planned as part of the project; and (d) Whether the project will result in a residential or commercial use and, if commercial, whether the project will include any facility listed in RSA 483-B:9, II through IV-d.

Findings of Fact:

- 11. On April 06, 2007, the Department received an application to fill 31.1 square feet of wetland for lot development.
- 12. On April 09, 2007, the Department issued a Notice of Administrative Incomplete Minimum Impact Expedited Application, because the application was lacking the town and zip code of an abutter's address.
- 13. On April 12, 2007, the information requested by the April 09, 2007, Notice of Administrative Incomplete Minimum Impact Expedited Application was supplied to the Department.
- 14. On April 12, 2007, the Department issued a Notice of Administrative Completeness Minimum Impact Expedited Application.
- 15. On May 11, 2007, the Department issued a Notice of Project Reclassification, because the project proposes fill for lot development, and therefore does not meet the minimum impact expedited condition rules.
- 16. The submitted application's response to #6 of the Minimum Impact Expedited Application (the purpose of, or the need for, the proposed work) states, "Ms. Lennehan wishes to construct a garage on the only spot that is buildable on her property."
- 17. The plans submitted to support the application, do not communicate the limited buildable portion of the lot as required by Env-Wt 505.01(h), and it appears that there is sufficient upland that could accommodate the intended goals of the project.
- 18. An accurate scale was not included on the plans submitted with the application, as required by Env-Wt 501.02(a)(2)(b).
- 19. The applicant has not submitted the information required by Rule Env-Wq 1409.03.

Findings in Support of Denial:

- 20. 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.
- 21. 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.
- 22. 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.
- 23. The applicant has failed to address RSA 483-B as they did not provide the information required by Env-Wq 1409.03.
- 24. The application is denied as the proposed project does not meet the public purpose as defined in RSA 482-A.

2007-00713 NATURES VIEW AT LACONIA LLC
LACONIA Unnamed Stream

Requested Action:

Temporarily impact 60 square feet of intermittent stream for construction of an open bottom culvert for access in the development of 31.71 acres into 51 single family lots and two open space lots.

APPROVE PERMIT:

Temporarily impact 60 square feet of intermittent stream for construction of an open bottom culvert for access in the development of 31.71 acres into 51 single family lots and two open space lots.

With Conditions:

- 1. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
- 2. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #1 of this approval.
- 3. 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.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided an open bottom structure to maintain the integrity of the stream channel.
4. The impacts proposed with this subdivision are temporary in nature.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. The applicant has had a third party review by a Certified Wetland Scientist for the City of Laconia verifying the wetland lines.
8. The potential increased water located on lot 45-178-65 is not directly down gradient from the wetland crossing location and it appears it may be in a separate micro watershed.
9. The Laconia Conservation Commission has no objections to the issuance of this permit per their report dated April 12, 2007.

2007-00716 DEZAN, LEE
WAKEFIELD Unnamed Wetland

Requested Action:

Retain 700 sq. ft. of wetlands impact and installation of a 12" x 20' culvert associated with construction of driveway crossing to a single family house lot.

APPROVE AFTER THE FACT:

Retain 700 sq. ft. of wetlands impact and installation of a 12" x 20' culvert associated with construction of driveway crossing to a single family house lot.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated 3/12/2007, as received by DES on 4/10/2007.
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. Proper headwalls shall be constructed within seven days of culvert installation.
4. Culvert outlets shall be properly rip rapped.
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(z), installation of a culvert to permit vehicular access to a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant must cross wetlands at some location on the lot to access buildable uplands.
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. This project would have been approvable if properly applied for.

2007-00918 LACONIA, CITY OF
LACONIA Unnamed Stream

Requested Action:

Confirm Emergency Authorization issued on May 8, 2007, to replace existing failed twin 24-inch x 40 foot culverts and repair existing headwalls within an intermittent stream.

CONFIRM EMERGENCY AUTHORIZATION:

Replace existing failed twin 24-inch x 40 foot culverts and repair existing headwalls within an intermittent stream.

With Conditions:

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

With Findings:

1. This project is classified as a Minimum impact project per Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The project was necessary to repair an existing residential roadway that was failing due to culvert undermining.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on May 8, 2007.
4. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

FORESTRY NOTIFICATION

2007-00877 FADDEN, THOMAS
ALTON Unnamed Stream

COMPLETE NOTIFICATION:
Alton Tax Map 5, Lot# 11

2007-01292 GEORGE, ALAN & MARY MACKILLOP
BROOKFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Brookfield Tax Map 6, Lot# 1B

2007-01374 PINKHAM, ALAN
BARNSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Barnstead Tax Map 10, Lot# 15 & 15-1

2007-01377 REED, ALFRED
DANBURY Unnamed Stream

COMPLETE NOTIFICATION:
Danbury Tax Map 406, Lot# 162

2007-01378 **SIEMON FAMILY CHARTITABLE TRUST, CARL**
MILTON Unnamed Stream

COMPLETE NOTIFICATION:
Milton Tax map 17, Lot# 24

2007-01402 **BABSON, DAVID**
OSSIPEE Unnamed Stream

COMPLETE NOTIFICATION:
Ossipee Tax Map 20, Lot# 53, 54, 55, 63 & 66

2007-01404 **WHITNEY HOLDINGS, GEORGE**
ALSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Alstead Tax Map 27, Lot# 3

2007-01405 **GREEN ACRE WOODLANDS INC**
STEWARTSTOWN Unnamed Stream

COMPLETE NOTIFICATION:
Stewartstown Tax Map B3, Lot# 4

2007-01406 **DONER, JULES**
CAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
Campton Tax Map 10, Lot# 3 & 6

2007-01407 **DEARBORN REVOCABLE TRUST, GAIL BEAULIEU**
CAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
Campton Tax Map 10, Lot# 10

EXPEDITED MINIMUM

2005-01560 **HYERS, DONALD/LETA**
CANDIA Unnamed Wetland

Conservation Commission/Staff Comments:

The Candia Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE NAME CHANGE:

Impact a total of 1,512 square feet of forested wetlands to construct two (2) wetland crossings for access to two (2) single family residential lots to include the installation of a 15-inch culvert (792sq.ft. of impact) and a 18-inch culvert (720sq.ft. of impact) as part of a 4-lot subdivision of 21.35 acres.

With Conditions:

1. All work shall be in accordance with plans by James E. Franklin dated April 19, 2005, as received by the Department on September 1, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 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 registered permit shall be submitted to the DES Wetlands Bureau.
6. 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.
7. Work shall be done during low flow conditions.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01 as the applicant wishes to gain access to the buildable portions of upland.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. Both of the crossings will be constructed at the narrowest section of wetland.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Natural Heritage Bureau (NHNHB) has identified one state listed threatened species within the vicinity of the project, Barren Strawberry (*Waldsteinia fragarioides*).
6. An on-site survey was completed by Deborah Lievens and no occurrences of said species were found.
7. On June 20, 2007 DES received a request to change the owner to John L. Cummings, 254 New Boston Road, Candia, NH.

**2007-00086 DOVER, CITY OF
DOVER Cocheo River**

Requested Action:

Impact a total of 2,484 sq. ft. in the previously developed upland tidal buffer zone for renovation of an existing structure to become the Children's Museum of NH, including 458 sq. ft. for addition of a bay window to structure, and 2,026 sq. ft. of site plantings for improved erosion control.

APPROVE PERMIT:

Impact a total of 2,484 sq. ft. in the previously developed upland tidal buffer zone for renovation of an existing structure to become the Children's Museum of NH, including 458 sq. ft. for addition of a bay window to structure, and 2,026 sq. ft. of site plantings for improved erosion control.

With Conditions:

1. All work shall be in accordance with plans by ARQ Architects dated 1/3/2007, as received by DES on 1/18/2007.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), alteration of previously developed upland areas within 100 ft. of the highest observable tide line that are not major or minor.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The proposal is to renovate the existing structure for a new use, and to improve the quality of the vegetated buffer in an urban setting adjacent to the tidal Cocheco River.
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. The work is confined entirely to the urbanized developed upland, and represents no impact whatsoever to any species of concern reported by the NH Heritage Bureau.
5. In compliance with RSA 483-BP11,II, the project received DES Shoreland Waiver 2007-131 on 5/31/2007 allowing work to occur to expand the existing structure within the primary building setback.
6. The Dover Conservation Commission signed the minimum expedited application form.

2007-00711 COBB, KENNETH & DIANE
WAKEFIELD Pine River Pond

Requested Action:

Replenish existing 10 ft x 26 ft beach with 6 cubic yards of sand on 114.5 ft of frontage in Wakefield on Pine River Pond.

APPROVE PERMIT:

Replenish existing 10 ft x 26 ft beach with 6 cubic yards of sand on 114.5 ft of frontage in Wakefield on Pine River Pond.

With Conditions:

1. All work shall be in accordance with plans by Kenneth Cobb as received by the Department on June 20, 2007.
2. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water mark elevation.
3. This permit shall be used only once, and does not allow for annual beach replenishment.
4. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
6. Unnecessary removal of vegetation is prohibited.
7. This permit does not authorize maintenance dredging.
8. Sand deposition shall not encroach upon abutting property line boundaries.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa) beach replenishment, no more than 10 cubic yards.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00863 CHICHESTER, TOWN OF
CHICHESTER Unnamed Wetland

Requested Action:

Dredge and fill 2000 square feet to replace and upgrade existing culverts in an existing public roadway.

APPROVE PERMIT:

Dredge and fill 2000 square feet to replace and upgrade existing culverts in an existing public roadway.

With Conditions:

1. All work shall be in accordance with plans by Brown Engineering dated October 20, 2006 and revised by CLD Engineers, through April 2007, as received by the Department on April 30, 2007 with the exception of culvert 7P which shall be replaced in kind per narrative and impact sheet by CLD Engineers dated June 2007 as received by the Department on June 4, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work within intermittent streams shall be done during periods of non-flow.
6. Work within perennial streams shall be done during low flow.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. No equipment shall enter the water.
10. All work shall be done from the top of the bank.
11. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
12. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
13. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
14. 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.
15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
16. 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).
17. Proper headwalls shall be constructed within seven days of culvert installation.
18. 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.
19. 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.
20. 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.
21. Silt fencing must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(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 application will increase the hydrolic opening of the culverts and maintain the existing lengths of the culverts in most instances.
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 proposed perennial stream crossing will be an improvement over the existing crossing.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2007-01139 LRL DEVELOPMENT
PELHAM Unnamed Wetland

Requested Action:

The impacts file under this application are related to file 2005-1149 and these impacts amend that approval.

Conservation Commission/Staff Comments:

This file is actually an amendment to permit no. 2005-1149.

WITHDRAW APPLICATION:

Close file and reference file 2005-1149 as that file will reflect an amended permit with a decrease in impact area.

LAKES-SEASONAL DOCK NOTIF

2007-01436 JACKSON, BRIAN
OSSIPEE Ossipee Broad Bay

COMPLETE NOTIFICATION:

Ossipee, NH Tax map 32 Lot 52
Ossipee Broad Bay

ROADWAY MAINTENANCE NOTIF

2007-01409 TOWN OF LEE
LEE Unnamed Stream

COMPLETE NOTIFICATION:

replace two 24" Dia. culverts(concrete)that have very little cover over them, are cracked and crushed, and are misaligned. Intend to replace with two 24" elliptical culverts (aluminum). Existing culverts are 33'long. Replacement to be 40'long.

2007-01410 NH DEPT OF TRANSPORTATION
RUMNEY Unnamed Stream

COMPLETE NOTIFICATION:

replace Sixty (60)feet of fifteen (15)inch Culvert Pipe at the intersection of Stinson Lake Pond and Mill Rd.

**2007-01411 NH DEPT OF TRANSPORTATION
RUMNEY Unnamed Stream**

COMPLETE NOTIFICATION:

Replace Fifty(50)feet of Eighteen(18)inch Culvert Pipe under Stinson Lake Rd, Ninety-Three(93)feet South of the Rumney/
Ellsworth Town Line.

**2007-01414 NH DEPT OF TRANSPORTATION
WHITEFIELD Unnamed Stream**

COMPLETE NOTIFICATION:

Replace Culvert same size, same location USE BMP 7,10,12

**2007-01421 NH DEPT OF TRANSPORTATION
NORTHUMBERLAND Unnamed Stream**

COMPLETE NOTIFICATION:

Ditch maintenance & culvert replacement same size and location use BMP #1,7,12

**2007-01429 TOWN OF MASON
MASON Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 30" culvert that was washed out 4/16/07 floods with 36" culvert. Headwalls will be replaced with granite stones from
previous headwalls. Culvert will be 30'long, carrying un-named stream under Jackson rd,about 100'west of where Mason RR trail
bridge crosses Jackson Rd,same location as previously

**2007-01430 NH DEPT OF TRANSPORTATION
ROCHESTER Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 30" RCP with 30".Extend culvert 5'at inlet and 10'at outlet and stabilize embankment on both sides of road

PERMIT BY NOTIFICATION

**2007-01228 HADLEY, RICHARD
NEW LONDON Little Lake Sunapee**

Requested Action:

Replenish 6 cubic yards of sand on a 600 sq ft of beach.

PBN IS COMPLETE:

Replenish 6 cubic yards of sand on a 600 sq ft of beach.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa) replenishment of sand not exceeding 10 cubic yards.

2007-01312 AYERS, SUZANNE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair existing permanent pile supported U-shaped docking facility.

PBN IS COMPLETE:

Repair existing permanent pile supported U-shaped docking facility.

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.

2007-01326 DIONNE, LOIS
GILMANTON IRON WORKS Crystal Lake

Requested Action:

Replenish 20.5 x 35.5 existing beach with 6 cubic yards of sand.

PBN IS COMPLETE:

Replenish 20.5 x 35.5 existing beach with 6 cubic yards of sand.

With Findings:

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

2007-01391 BEGIN HOMES LLC
WEBSTER Unnamed Stream

Requested Action:

Dredge and fill 665 square feet including installation of an 18-inch x 26 foot culvert for access to a proposed single family residence.

PBN IS COMPLETE:

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