Wetlands Bureau Decision Report

Decisions Taken
07/02/2007 to 07/08/2007

DISCLAIMER:

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

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

APPEAL:

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

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

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

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

MAJOR IMPACT PROJECT

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2005-02488 NHDOT
BOSCAWEN Unnamed Stream

Requested Action:
Stabilize and restore the slopes of a ravine upslope of an 18 in. culvert by placing two feet thick class B stone underlain by non-woven geotextile impacting 11,800 sq. ft. of stream and banks (2,000 sq. ft. temporary).
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Conservation Commission/Staff Comments:
Conservation Commission reports that the emergency work conducted by the DOT exacerbated the erosion and steep bank instability, the pipe is undersized and leaving the trees and slash in the ravine will clog the culvert perpetuating the problem.

Inspection Date: 06/28/2007 by Gino E Infascelli

APPROVE PERMIT:
Stabilize and restore the slopes of a ravine upslope of an 18 in. culvert by placing two feet thick class B stone underlain by non-woven geotextile impacting 11,800 sq. ft. of stream and banks (2,000 sq. ft. temporary). NHDOT project #14540P.

With Conditions:
1. All work shall be in accordance with plans by NHDOT as received by the Department on October 11, 2006.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction as well as existing cut trees currently in the stream or on the banks.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Work shall be done during no flow or low flow.
10. The existing stone to be underlain with non-woven geotextile, as located on the generalized cross section plan.
11. Per rule Env-Wt 404.04 stamped engineering plans and details shall be submitted to the file prior to construction.

With Findings:
1. This is a major impact project per Wt 302.02(i) as the project impacts more than 200 linear feet of a stream and its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 28, 2007. Field inspection determined the project would impact approximately 170 linear feet of the stream. The outlet of the 18 in. culvert connects to a man made drainage system. The higher rack lines found on the existing bank was estimated to be about 20 feet in elevation above the outlet of the 18 in. culvert. Most of the bank areas are pure sand 10 to 30 feet in depth and are at such a steep slope it is unlikely a vegetative treatment would be successful.

6. The total permanent impacts to areas in jurisdiction are less than 10,000 sq. ft., which does not require mitigation per rule Wt 302.03.
7. DES Staff finds that this project will not have a significant impact on these 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.

2006-00836 NH DEPT OF TRANSPORTATION
ENFIELD Unnamed Stream

Requested Action:
Dredge the channel of the previously constructed streambed and construct a stone lined area for sediment trapping impacting 28,330 sq. ft. (200 sq. ft. temporary) of riverine and palustrine wetlands to restore the stream channel area to the original design.
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Conservation Commission/Staff Comments:
Cons. Comm. no comment

Inspection Date: 09/14/2006 by Gino E Infascelli

APPROVE PERMIT:
Dredge the channel of the previously constructed streambed and construct a stone lined area for sediment trapping impacting 28,330 sq. ft. (200 sq. ft. temporary) of riverine and palustrine wetlands to restore the stream channel area to the original design. NHDOT project #M224-1.

With Conditions:
1. All work shall be in accordance with plans by NHDOT, as received by the Department on April 13, 2006.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Invasive species including Phragmites to be buried and/or properly disposed of.
4. Low shrubs located along the highway embankment, that is too steep to mow, should be left to provide some nesting for song birds.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; 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.
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. 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).
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. 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.
10. Work shall be done during low flow.

With Findings:
1. This is a major project per Administrativeb Rule Env-Wt 302.02(i) as it will impact more than 200 linear feet of stream and its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on September 14, 2006. Field inspection determined that the project was previously allowed under permit 1992-01762, although never executed. The project will reduce the ability for water to

overtop the driveway, keep the flow away from the highway slope and will allow free flow from the catch basin. Also separate mitigation should not be required as the removal of the invasive species, sediment and iron ladden soil should improve the riverine system.
6. DES Staff finds that this project will not have a significant impact on these 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.

2006-00908 ANDOVER, TOWN OF
ANDOVER Prime Wetland B1 / Elbow Pond

Requested Action:
Dredge and fill a total of 1100 square feet within the Elbow Brook Prime Wetland for the replacement of two existing 30-inch and 36-inch x 24-foot culverts with two proposed 6 foot wide x 2.5 to 3 feet high x 24 feet long open bottom structures further described as follows: Temporarily impact 860 square feet to remove existing road fill from the prime wetland and for construction envelope; and permanently impact 240 square feet for installation of culverts and rounded river stone for scour protection.
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Conservation Commission/Staff Comments:
6/6/07 1 cassette hearing tape filed in cassette drawer by date. - np

APPROVE PERMIT:
Dredge and fill a total of 1100 square feet within the Elbow Brook Prime Wetland for the replacement of two existing 30-inch and 36-inch x 24-foot culverts with two proposed 6 foot wide x 2.5 to 3 feet high x 24 feet long open bottom structures further described as follows: Temporarily impact 860 square feet to remove existing road fill from the prime wetland and for construction envelope; and permanently impact 240 square feet for installation of culverts and rounded river stone for scour protection.

With Conditions:
1. All work shall be in accordance with plans by LC Engineering Company LLC dated February 12,2007, as received by the Department on February 22, 2007.
2. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
3. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
5. Prior to the commencement of construction the permittee shall install orange construction fencing to define the work zone within the designated prime wetlands.
6. Work 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. 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.
10. Extreme precautions shall be taken within work areas to limit unnecessary removal of vegetation during road reconstruction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
11. No equipment shall enter the water.
12. 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.
13. The Permitee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
14. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
15. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
20. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
21. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
22. 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.
23. Temporary cofferdams shall be entirely removed immediately following construction.
24. 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.
25. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:
1. 1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that the project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
6. The erosion controls, water velocity controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.
7. 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.
8. The project is for the replacement and improvement of the existing culverts within the prime wetland and involves minor environmental impacts.
9. Based on findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

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

2006-01209 BEAVER BROOK DEVELOPMENT OF HOOKSETT LLC
HOOKSETT Unnamed Wetland

Requested Action:
Deny permit request to dredge and fill 53760 square feet of emergent and palustrine wetland in the subdivision of 139.26 acres into 93 single family lots.
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DENY PERMIT:
Deny permit request to dredge and fill 53760 square feet of emergent and palustrine wetland in the subdivision of 139.26 acres into 93 single family lots.

With Findings:
1. This is a Major Impact Project per NH Code of Administrative Rule Env-Wt 303.02(c), projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. 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 approval of any alteration of nontidal wetlands per Rule Env-Wt 302.01.
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(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. According to 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, or if the applicant proposes unnecessary destruction of wetlands.
7. The Department shall limit the location of a project to at least 20 feet from an abutting property line unless it receives written agreement from the affected abutter concurring with any impact that may result relative to the abutter's interests, per Env-Wt 304.04(a).
8. Applications for subdivisions shall supply all of the information required by Env-Wt 304.09.
9. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
10. Where preservation of the upland buffer is proposed the applicant shall provide the information required by Env-Wt 501.06(a).

Findings of Fact:
11. The Department received a Standard Dredge and Fill application on May 15, 2006.
12. The Department issued A Request for Additional Information on July 27, 2007.
13. The Department and NH Fish and Game conducted a site inspection of the property on August 15, 2006.
14. The Department issued a Second Request for Additional Information on September 28, 2007.
15. The Department issued a Third Request for Additional Information on March 6, 2007.
16. The final request for additional information dated March 6, 2007, addressed to the applicant and copied to the agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.

Findings in Support of Denial:
17. The applicant has not addressed Env-Wt 302.01(a) 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.
18. The applicant failed to address Env-Wt 302.03 and Env-Wt 302.04(a)(1) and (2), 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.
19. The applicant has failed to address Env-Wt 304.04(a) and therefore is denied in accordance with Env-Wt 302.04(e)(2), as the applicant did not consider impact upon abutting owners.
20. The application does not meet the requirements of Env-Wt 501.06(a), as a letter from an Easement Holder was not received, and a Stewardship Plan has not been submitted.
21. The applicant did not supply all of the information required by Env-Wt 304.09.
22. DES did not receive a complete response to our letter within the 120 days and therefore the application has been denied.

2007-00751 ANTRIM, TOWN OF
ANTRIM Great Brook

Requested Action:
Dredge and fill 2,090 square feet, restore 2,100 square feet and temporarily impact 1,720 square feet (work space) of Great Brook to install a 20-foot (17-foot hydraulic capacity) x 5-foot x 30-foot precast concrete bridge immediately downstream of a failed 84-inch x 30-foot CMP culvert.
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APPROVE PERMIT:
Dredge and fill 2,090 square feet, restore 2,100 square feet and temporarily impact 1,720 square feet (work space) of Great Brook to install a 20-foot (17-foot hydraulic capacity) x 5-foot x 30-foot precast concrete bridge immediately downstream of a failed 84-inch x 30-foot CMP culvert.

With Conditions:
1. All work shall be in accordance with plans by Quantum Construction Consultants, LLC dated April 02, 2007, and by Meridian Land Services, Inc. dated March 23, 2007, as received by the Department on April 12, 2007.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. Work shall occur during annual low flow conditions.
4. Work shall be done in the dry.
5. There shall be no riprap permanently installed in the stream bed.
6. Appropriate siltation/erosion/ controls shall be in place prior to construction,
shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. There shall be no excavation or operation of construction equipment in flowing water.
11. 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.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. 20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
22. Banks shall restored to their original grades and to a stable condition within three days of completion of construction.
23. 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.
24. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

RESTORATION:
25. This permit is contingent upon the restoration of 2,100 square feet of perennial stream in accordance with plans received April 12, 2007.
26. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.

27. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
28. Native wetland species appropriate to the area shall be planted.
29. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications and shall contain no reed canary grass (Phalaris arundinacea).
30. Mulch used within the restoration areas shall be natural straw or equivalent.
31. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (Lythrum salicaria) and common reed (Phragmites australis) by measures agreed upon by the DES Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
32. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands DES within sixty (60) days of the completion of construction.
33. The post-construction report shall contain photographs that document the in channel sediment has been removed.
34. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to assess the system and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of a perennial stream.
2. The existing 84-inch x 30-foot CMP failed during the October 2005 floods.
3. Temporary repairs included re-installing the damaged 84-inch CMP, headwalls and associated fill and road materials.
4. Restoration includes removing road fill material and exposing ledge; no additional rock is proposed beyond riprap embankments.
5. Existing road material areas depicted as permanent impact are areas proposed for fill removal (restoration).
6. This permit is contingent upon photographs documenting the sediment depicted in the channel in the submitted photographs are no longer present.
7. The riprap shown downstream of the proposed bridge is a temporary check dam.
8. This permit is conditioned there shall be no permanent riprap in the streambed.
9. Edge of flagged wetland is the top-of-bank.
10. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
11. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
12. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00781 LUCIER, RICHARD & LUCY
ALTON Lake Winnipesaukee

Requested Action:
Fill 1325 sq ft to construct 70 linear ft of breakwater, in an "L" configuration, with a 15 ft gap at the shoreline, and a 4 ft x 27 ft cantilevered pier attached to a 4 ft x 25 ft cantilevered pier with a 6 ft x 43 ft crib supported pier in an "F" shaped configuration accessed by a 6 ft x 20 ft walkway, install a seasonal boat lift in the northern slip and a 23 ft x 28 ft seasonal canopy over the center slips, install a personal watercraft lift in the center slip, on average of 180 ft of frontage on Lake Winnipesaukee, Alton.
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Conservation Commission/Staff Comments:
Con Com has no concerns

APPROVE PERMIT:
Fill 1325 sq ft to construct 70 linear ft of breakwater, in an "L" configuration, with a 15 ft gap at the shoreline, and a 4 ft x 27 ft cantilevered pier attached to a 4 ft x 25 ft cantilevered pier with a 6 ft x 43 ft crib supported pier in an "F" shaped configuration accessed by a 6 ft x 20 ft walkway, install a seasonal boat lift in the northern slip and a 23 ft x 28 ft seasonal canopy over the center

slips, install a personal watercraft lift in the center slip, on average of 180 ft of frontage on Lake Winnipesaukee, Alton.

With Conditions:
1. All work shall be in accordance with plans by Beckwith Builders dated April 04, 2007, as received by the Department on April 16, 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 over 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 will not remain 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. The maximum size of cribs shall not exceed 6 feet long by 6 feet wide and of such height as necessary to support the docking structure above the water level. Variance to this condition may be sought if water depth is greater than 6 feet.
15. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
16. The minimum clear spacing between cribs shall be 12 feet.
17. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
18. Boatlifts and personal watercraft lifts shall be of seasonal construction type which shall be removed for the non-boating season.
19. 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 180 feet of frontage along Lake Winnipesaukee, Alton.
4. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
5. The proposed docking facility will provide 3 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 July 6, 2007, with the finding that the project impacts will not significantly impair the resources of Lake Winnipesaukee.
7. Field inspection on July 6, 2007 found no evidence of sand migration along this shoreline.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

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2005-02452 MCQUADE BROOK, LLC
BEDFORD Unnamed Wetland

Requested Action:
Dredge and fill 3608 square feet for the removal and replacement of the existing dam structure with a lower crest elevation.
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APPROVE PERMIT:
Dredge and fill 3608 square feet for the removal and replacement of the existing dam structure with a lower crest elevation.

With Conditions:
1. All work shall be in accordance with plans by HTE Northeast sheets 1-4 dated March 15, 2007, and sheet WLS 1 dated April 9, 2007, as received by the Department on April 12, 2007.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work shall be done during low flow.
6. Work shall be done during drawdown.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. No equipment shall enter the water.
9. The Permitee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
15. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
16. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
17. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
18. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c) Projects that involve dredge, fill, or construction of a permanent structure in a stream or marsh that do not meet the criteria of Env-Wt 303.02, except those projects in streams which meet the criteria of Env-Wt 303.04(g), (i), (j), (n), (x), (y), or (z).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The reconstruction of the dam will lower the spillway crest half a foot.
4. The photos provided and the narritive provided indicate that the reduction in the spillway crest will not adversly impact other jurisdictional areas.

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 redesign of the dam will comply with DES Dam Safety Standards, where the current dam does not.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00566 NH DEPT OF TRANSPORTATION
BELMONT Unnamed Wetland

Requested Action:
Remove vegetation and sediment along a channel starting from the outlet of a marsh for 144 feet including the removal of an adjacent berm to facilitate a positive flow and reduce flooding of the adjacent parking area impacting approximately 864 sq. ft.
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Conservation Commission/Staff Comments:
Cons. Comm.- no comment

Inspection Date: 08/11/2006 by Gino E Infascelli
Inspection Date: 01/16/2007 by Gino E Infascelli
Inspection Date: 05/15/2007 by Gino E Infascelli

APPROVE PERMIT:
Remove vegetation and sediment along a channel starting from the outlet of a marsh for 144 feet including the removal of an adjacent berm to facilitate a positive flow and reduce flooding of the adjacent parking area impacting approximately 864 sq. ft. NHDOT project #M314-4.

With Conditions:
1. All work shall be in accordance with plans by NHDOT dated 6/7/07 as received by the Department on June 11, 2007 and as conditioned below.
2. The channel shall not be 12 feet wide and be constructed as narrow as possible in order to move sediment.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Construction equipment shall not be located within surface waters.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. 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).
8. 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.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Work shall be done during low flow.

2006-02227 RZEPA, WILLIAM
NEW IPSWICH Unnamed Wetland

Requested Action:
Dredge and fill 1,200 square feet of palustrine forested wetlands associated with a perennial stream to install a 2-foot x 8-foot x 50-foot open-bottomed box culvert for road access; and dredge and fill 600 square feet of palustrine forested wetlands associated with a perennial stream to install a 9-foot x 36-foot open-bottomed box culvert, retain 650 square feet of palustrine forested

wetlands impact for installation of a 18-inch x 33-foot HDPE culvert, and retain 800 square feet of palustrine forested wetlands impact for installation of a 18-inch x 36-foot HDPE culvert for common driveway to two (2) lots of a proposed 13-lot subdivision on 53.8 acres.
****

Conservation Commission/Staff Comments:
call owner if photographs are insufficient

APPROVE PERMIT:
Dredge and fill 1,200 square feet of palustrine forested wetlands associated with a perennial stream to install a 2-foot x 8-foot x 50-foot open-bottomed box culvert for road access; and dredge and fill 600 square feet of palustrine forested wetlands associated with a perennial stream to install a 9-foot x 36-foot open-bottomed box culvert, retain 650 square feet of palustrine forested wetlands impact for installation of a 18-inch x 33-foot HDPE culvert, and retain 800 square feet of palustrine forested wetlands impact for installation of a 18-inch x 36-foot HDPE culvert for common driveway to two (2) lots of a proposed 13-lot subdivision on 53.8 acres.

With Conditions:
1. All work shall be in accordance with plans by Rogers Engineering Solutions dated October 04, 2006, and revised through April 11, 2007, and plans dated March 01, 2007, as received by DES on April 16, 2007; and plans dated January 04, 2007, and revised through April 23 & 24, 2007, as received by the Department on April 27, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is contingent on compliance with Restoration Plan Approval dated October 03, 2006
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 5 of this approval.
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 registered permit shall be submitted to the DES Wetlands Bureau.
8. The schedule for construction of the restoration areas shall occur prior to site construction. With exception of restoration of the 36-inch culvert that provides common driveway access; of which restoration is required immediately after completion of construction of the common driveway box culvert.
9. Work shall be done during annual low flow conditions.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction,
shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. There shall be no excavation or operation of construction equipment in flowing water.
14. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the DES Wetlands Bureau.
15. 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.
16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
17. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
18. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
19. Temporary cofferdams shall be entirely removed immediately following construction.
20. Proper headwalls shall be constructed within seven days of culvert installation.
21. 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).

22. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
23. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
24. 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.
25. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
26. Banks shall restored to their original grades and to a stable condition within three days of completion of construction.
27. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
28. 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. A complaint for activities on this parcel was received by the DES Wetlands Bureau on August 23, 2006.
3. DES enforcement staff conducted a field inspection of the site on September 13, 2006.
4. The September 26, 2006, Letter of Deficiency instructed the applicant to, within 90 days, submit a restoration plan approval and Standard Dredge and Fill Application.
5. A Restoration Plan Approval was issued October 30, 2006.
6. The Standard Dredge and Fill Application for the perennial stream road crossing (1,200 square feet) was received October 18, 2006.
7. A second Standard Dredge and fill application for an additional three (3) driveway crossings was received on March 08, 2007.
8. All proposed permanent impacts for this parcel will be approved under this application.
9. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
10. The applicant has provided open-bottomed box culverts that span the top-of-bank width at both of the perennial stream crossings.
11. The New Ipswich Conservation Commission submitted intent to intervene on October 19, 2006, in order to complete a site-inspection and submit comment.
12. In a letter dated November 15, 2006, the New Ipswich Conservation Commission indicated the application for the proposed perennial stream road crossing only has been reviewed and approved
13. In a letter dated March 21, 2007, the New Ipswich Conservation Commission requested the application (for the proposed three driveway crossings) be held until a site inspection could be conducted.
14. To date no additional comments from the New Ipswich Conservation Commission have been received.
15. Wetland delineation plans that are stamped by a NH Certified Wetland Scientist were received by the DES Wetlands Bureau on June 15, 2006, and March 08, 2007.
16. Road topographical plans that are stamped by a professional engineer were received by the DES Wetlands Bureau on October 18, 2006.
17. This permit is contingent on compliance with Restoration Plan Approval dated October 03, 2006
18. This permit is conditioned schedule for construction of the restoration areas shall occur prior to site construction. With exception of restoration of the 36-inch culvert that provides common driveway access; of which restoration is required immediately after completion of construction of the common driveway box culvert.
19. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 20. 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.
21. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2006-02806 JUBINVILLE, GERARD & JEANNETT
GOFFSTOWN Unnamed Wetland

Requested Action:
Dredge and fill 3,373 sq. ft. of forested wetlands to construct an access road to a proposed 10-lot subdivision (includes 2 existing lots and one open space lot).

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APPROVE PERMIT:
Dredge and fill 3,373 sq. ft. of forested wetlands to construct an access road to a proposed 10-lot subdivision (includes 2 existing lots and one open space lot).

With Conditions:
1. All work shall be in accordance with plans by Woodland Design Group Inc., plan sheet 18 of 18, revision dated October 2, 2006, plan sheets 1, 2 3, 5, 7, 10, 11 and 14 of 18, revision dated December 22, 2006, plan sheets 13 and 16 of 18, revision dated January 24, 2007, plan sheet 15 of 18 revision dated February 14, 2007, plan sheets 4, 6, 8, 9, 12 and 17 of 18, revision dated June 1, 2007, as received by DES on June 6, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. 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. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 sq. ft. of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed wetlands impacts are within an old road and have been impacted from historical use.
6. The New Hampshire Fish and Game Department did not submit comments regarding the proposed project.

2007-00142 SOUTH MAMMOTH HOMES LLC
MANCHESTER Unnamed Wetland

Requested Action:
Dredge and fill 9,905 sq. ft. of forested wetlands for construction of a 10-lot subdivision (previously consisted of 4 lots with two

homes). Work in wetlands consists of the installation of a 3 ft. high x 5 ft. wide x 56 ft. long embedded box culvert, associated filling, grading and headwalls for the main access road, side slope grading for a driveway access to one lot, installing of a 24 in. (18 in. rise) x 36 ft. steel arch culvert, associated grading, filling and headwalls for a common driveway for two lots and installation of an outlet structure for the proposed stormwater treatment area.
****

APPROVE PERMIT:
Dredge and fill 9,905 sq. ft. of forested wetlands for construction of a 10-lot subdivision (previously consisted of 4 lots with two homes). Work in wetlands consists of the installation of a 3 ft. high x 5 ft. wide x 56 ft. long embedded box culvert, associated filling, grading and headwalls for the main access road, side slope grading for a driveway access to one lot, installing of a 24 in. (18 in. rise) x 36 ft. steel arch culvert, associated grading, filling and headwalls for a common driveway for two lots and installation of an outlet structure for the proposed stormwater treatment area.

With Conditions:
1. All work shall be in accordance with plans and narratives by TFMoran Inc., Existing Conditions plan sheet 2 of 18, dated March 5, 2007, as received by DES on March 22, 2007, plan sheets 1, 7, 9, 10 and 17 of 19, revision dated May 25, 2007 and narratives dated May 30, 2007, as received by DES on June 8, 2007 and narratives by Schauer Environmental Consultants, L.L.C., dated June 6, 2007, as received by DES on June 8, 2007.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Work shall be done during low flow.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. 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. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 sq. ft. of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES issued a permit (File# 2000-02032)for 1,115 sq. ft. of wetlands impact on one of the lots in the new subdivision. The

proposed wetlands impacts were partially constructed and will be restored as part of the new application. The previous impacts/project was located on only one lot, the new subdivision incorporates four existing lots that currently contain a total of two dwellings.
6. The applicant has provided an embedded box culvert and an arch culvert to reduce impacts to wetlands and has provided a stormwater management/treatment area to detain and treat stormwater prior to entering adjacent wetlands. 7. The New Hampshire Fish and Game Department did not submit comments regarding the proposed project.

2007-00698 BISHOP OF PROTESTANT EPISCOPAL CHURCH OF NH, C/O A WOLFEBORO Unnamed Wetland

Requested Action:
Dredge and fill 4040 square feet of palustrine forested wetland for access and parking lot development on an existing developed site.
****

APPROVE PERMIT:
Dredge and fill 4040 square feet of palustrine forested wetland for access and parking lot development on an existing developed site.

With Conditions:
1. All work shall be in accordance with plans by White Mountain Survey dated April l1, 2007, and revised through July 6, 2007, as received by the Department on July 6, 2007.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be conducted during low water conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Silt fencing must be removed once the area is stabilized.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. There shall be no snow storage within the wetlands on site.
14. There shall be no use of salt within the parking areas on site.
15. The storm drainage from the site shall be allowed to sheet flow and vegetated buffer strips shall be maintained between the parking areas and the wetlands.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The proposal is for the interconnectivity of two parking areas on this lot.

3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The proposed 3:1 side slopes will increase the length of the vegetated buffer prior to dischage of the stormwater into the wetlands.
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 provided a veriable width vegetated buffer strip between the parking area and the wetland to provide some stormwater treatment.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
8. This permit is conditioned that there shall be no salt use on this property in an effort to protect water quality within the wetland and Cresent Lake.

2007-00760 25 PISCATAQUA DRIVE LLC
NEWINGTON Unnamed Wetland

Requested Action:
Dredge and fill a total of 9,862 sq. ft. of wetlands including 9,564 sq. ft. of impact in a degraded shrub/scrub drainage area, for expansion of an existing manufacturing facility, and 298 sq. ft. of temporary impact for construction work area.
****

APPROVE PERMIT:
Dredge and fill a total of 9,862 sq. ft. of wetlands including 9,564 sq. ft. of impact in a degraded shrub/scrub drainage area, for expansion of an existing manufacturing facility, and 298 sq. ft. of temporary impact for construction work area.

With Conditions:
1. All work shall be in accordance with plans by NHSC Inc. dated 4/2007, as received by DES on 4/13/2007.
2. This permit is contingent on approval by the DES Alteration of Terrain Program, if applicable.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. 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).
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Wetland replication area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq. ft. in the aggregate in non-tidal wetlands which exceed Administrative Rule Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. This is an established manufacturing facility in need of expansion located in a commercial/industrial area of Newington. Constraints of the property and the manufacturing process within the facility make this impact the only alternative.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The area of wetland that will be impacted consists of a degraded shrub/scrub drainage swale, the main function of which is flood storage and filtration. The applicant is constructing a vegetated retention basin to maintain these functions on the property. The retention basin vegetation will be more diverse and of higher quality than the degraded wetland to be lost.

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. There were no species of concern reported relative to this project by the NH Natural Heritage Bureau. The applicant is maintianing the on-site flood storage that the existing wetland provided through the retention basin construction plan.
5. The Newington Conservation Commission recommends approval of this project.

MINIMUM IMPACT PROJECT

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2007-00219 FOURNIER, DOUGLAS & LINDA
NEWPORT Unnamed Stream Man-made Ditch

Requested Action:
Retain 438 square feet of roadside ditch wetlands impact for the installation of two (2) 18-inch x 30-foot CMP culverts for the construction of two (2) driveway crossings for access to two (2) lots of a 2-lot subdivision on 5.95 acres.
****

APPROVE AFTER THE FACT:
Retain 438 square feet of roadside ditch wetlands impact for the installation of two (2) 18-inch x 30-foot CMP culverts for the construction of two (2) driveway crossings for access to two (2) lots of a 2-lot subdivision on 5.95 acres.

With Conditions:
1. This approval is contingent on approval by the DES Subsurface Systems Bureau.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 2 of this approval.
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.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. The 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.

2007-00397 SWARTZ, GUTHRIE & ELIZABETH
PORTSMOUTH South Mill Pond

Requested Action:
Temporarily impact a total of 590 sq. ft. of wetlands jurisdiction, including 570 sq. ft. in the developed upland tidal buffer zone, and 20 sq. ft. in an isolated freshwater wetland pocket, to install an underground foundation drain pipe and drywell. The drywell will release accumulated foundation drain water back into the ground away from the dwelling.
****

APPROVE PERMIT:
Temporarily impact a total of 590 sq. ft. of wetlands jurisdiction, including 570 sq. ft. in the developed upland tidal buffer zone, and

20 sq. ft. in an isolated freshwater wetland pocket, to install an underground foundation drain pipe and drywell. The drywell will release accumulated foundation drain water back into the ground away from the dwelling.

With Conditions:
1. All work shall be in accordance with plans by Ames MSC dated 2/22/2007, as received by DES on 2/27/2007, and per abutter setback authorization dated 6/1/2007 as received by DES on 6/4/2007.
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. 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), projects in the previously developed upland tidal buffer zone 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 applicant has foundation water issues relative to a dwelling in the upland beyond the upland tidal buffer zone, and needs to convey the water away from the dwelling.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposal represents temporary impact to install the pipe and dry well; and will allow the water to be reinfiltrate into the ground without impact.
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 project has been designed to relocate excess foundation drain water to a different location without causing an external discharge point or changing the nature of the tidal buffer zone at this location.
5. The Portsmouth Conservation Commission recommended approval of this project.
6. The abutter, Gary Lowe, who is less than 20' from the project location has provided written consent for the project to occur within the 20' abutter setback, per letter dated 6/1/2007, received by DES on 6/4/2007.

2007-00417 WHITE, SPENCER/TONYA
TROY Unnamed Wetland

Requested Action:
Dredge and fill 100 square feet of palustrine forested wetlands associated with a perennial stream to install headwalls at an existing 24-inch CMP; and dredge and fill 1,896 square feet of palustrine forested wetlands to install a 30-inch x 70-foot HDPE culvert and a 15-inch x 35-foot HDPE culvert for road and driveway access to a 9-lot subdivision on 36.2 acres.
****

APPROVE PERMIT:
Dredge and fill 100 square feet of palustrine forested wetlands associated with a perennial stream to install headwalls at an existing 24-inch CMP; and dredge and fill 1,896 square feet of palustrine forested wetlands to install a 30-inch x 70-foot HDPE culvert and a 15-inch x 35-foot HDPE culvert for road and driveway access to a 9-lot subdivision on 36.2 acres.

With Conditions:
1. All work shall be in accordance with plans by True Engineering, Inc. dated December 08, 2006, and revised through June 01, 2007, as received by the Department on June 08, 2007.
2. Work shall be done during annual low flow conditions.
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 registered permit shall be submitted to the DES Wetlands Bureau.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. This permit is contingent on approval by the DES Alteration of Terrain Program.
8. 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.
and/or
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. There shall be no excavation or operation of construction equipment in flowing water.
12. In the event stream diversion is required for the perennial stream 24-inch culvert headwall installation; a stream diversion plan shall be submitted to the department prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
13. 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.
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 twenty (20) feet of undisturbed vegetated buffer.
15. 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.
16. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
17. Temporary cofferdams shall be entirely removed immediately following construction.
18. Culverts shall be laid at original grade.
19. Proper headwalls shall be constructed within seven days of culvert installation.
20. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
22. 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.
23. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
24. Banks shall restored to their original grades and to a stable condition within three days of completion of construction.
25. 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.
26. 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(l), alteration of less than 200 linear feet of a perennial stream.
2. A NH certified wetland scientist has confirmed the project will not impact any streams, except for the grandfathered perennial stream crossing headwall installation.
3. A NH certified wetland scientist has confirmed the project will not impact any vernal pools and no vernal pools were identified in the 2005 delineation.
4. The applicant has received written consent from the owners of Lot 19 (Tax Map 19), abutters to the property on which project activities will take place, for work within 20 feet of their property lines, in accordance with Env-Wt 304.04(a).
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00719 LANDAFF, TOWN OF
LANDAFF Tributary To Mill Brook

Requested Action:
Repair and replace a failing 6 ft. x 35 ft. corrugated metal culvert (CMP) and repair associated headwalls in-kind.
****

APPROVE PERMIT:
Repair and replace a failing 6 ft. x 35 ft. corrugated metal culvert (CMP) and repair associated headwalls in-kind.

With Conditions:
1. All work shall be in accordance with plans and narratives by Lobdell Associates Inc., as received by DES on April 9, 2007.
2. The Town shall obtain temporary construction easements or written permission from affected landowners outside of the existing road right-of-way (if applicable) and shall supply copies to DES Wetlands File No. 2007-00719 prior to construction.
3. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work shall be done during low flow.
6. 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.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior immediately.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), repair and replacement of a nondocking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed project is replacement in-kind of a failing culvert. The culvert replacement is needed to provide safe passage.

2007-01089 CHASE, PAUL & MARTHA
RYE Atlantic Ocean

Requested Action:

Replace, reposition and reconstruct 5,940 sq. ft. of stone riprap armor along 337.7 linear feet of shoreline of the Atlantic Ocean to repair the dislocated riprap armor located at the footing of the concrete seawalls of four (4) adjoining residential properties to provide ocean storm wave attenuation and dispersion for protection against shoreline erosion.
****

Conservation Commission/Staff Comments:
The Rye Conservation Commission stated, "the plans presented appreared to be the best design for this recurring problem."

APPROVE PERMIT:
Replace, reposition and reconstruct 5,940 sq. ft. of stone riprap armor along 337.7 linear feet of shoreline of the Atlantic Ocean to repair the dislocated riprap armor located at the footing of the concrete seawalls of four (4) adjoining residential properties to provide ocean storm wave attenuation and dispersion for protection against shoreline erosion.

With Conditions:
1. All work shall be in accordance with plans by Haight Engineering, PLLC and Waterfront Engineers, LLC dated May 11, 2007, as received by DES on June 27, 2007.
2. Any future work on these properties that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
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. Siltation/erosion/turbidity controls must be removed once the area is stabilized.
5. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering jurisdictional areas.
6. Faulty equipment shall be repaired prior to entering jurisdictional areas (the beachfront).
7. 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.
8. All refueling of equipment shall occur outside of jurisdictional areas during construction.
9. Any impacts that occur as a result of this project to the jurisdictional areas within the right-of-way that will be used for access/egress to the work site shall be restored to its original state following construction including the replanting any vegetation impacted.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c) Repair or replacement of existing retaining walls that is performed “in the dry” and that results in no change in height, length, location, or configuration.
2. Over the course of a two-year period, the existing concrete seawalls along these properties have been continually compromised from large storm events. Most notably, the seawall sustained considerable damage from the storms during April 2007. The existing footing of these seawalls no longer has adequate protection from erosion, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03, as the new stone amour riprap will no encroach further onto the beach than existing conditions.
4. The NH Natural Heritage Bureau (NHB) identified two rare, State threatened plant species within the vicinity of the project: Beach Grass (Ammophila breviligulata) and Tall Wormwood (Artemisia campestris ssp. caudata).
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES finds that neither of the aforementioned species will be adversely affected from this project.

2007-01189 MILTON, JAMES & BRENDA
NORTHWOOD Bow Lake

Requested Action:
Replenish 250 sq ft of existing sloped beach with 8 cubic yards of sand on Bow Lake, Northwood.
****

Conservation Commission/Staff Comments:
No comments from Con Com by July 06, 2007

APPROVE PERMIT:
Replenish 250 sq ft of existing sloped beach with 8 cubic yards of sand on Bow Lake, Northwood.

With Conditions:
1. All work shall be in accordance with plans as received by DES on June 14, 2007.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. No more than 8 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. 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.

FORESTRY NOTIFICATION

****

2007-01457 KELLY, BARRY
DALTON Unnamed Stream

COMPLETE NOTIFICATION:
Dalton Tax MAp 404, Lot# 18.1

2007-01458 MCVETTY HEIRS, GEORGE
DALTON Unnamed Stream

COMPLETE NOTIFICATION:
Dalton Tax Map 404, Lot# 18

2007-01459 WEBSTER, HEIRS OF RICHARD
EAST CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
East Conway Tax Map 210, Lot# 1.1

EXPEDITED MINIMUM

****

2007-01199 NICKERSON, ERIC & ELLEN
WINDHAM Canobie Lake

Requested Action:
Install a 14 ft x 26 ft seasonal canopy adjacent to a previously permitted 4 ft x 30 ft seasonal dock on Canopy Lake, Windham.
****

Conservation Commission/Staff Comments:
Con Com signed Exp Application

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

APPROVE PERMIT:
Install a 14 ft x 26 ft seasonal canopy adjacent to a previously permitted 4 ft x 30 ft seasonal dock on Canopy Lake, Windham.

With Conditions:
1. All work shall be in accordance with plans as received by DES on May 30, 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. 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. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.

2007-01266 WESTON, SANDRA
CENTER BARNSTEAD Upper Suncook Lake

Requested Action:
Repair or replace an existing 77 ft of retaining wall with no change in location or configuration on Upper Suncook Lake, Barnstead.
****

Conservation Commission/Staff Comments:
Con Com signed Exp Application

APPROVE PERMIT:
Repair or replace an existing 77 ft of retaining wall with no change in location or configuration on Upper Suncook Lake, Barnstead.

With Conditions:
1. All work shall be in accordance with plans by R Weston dated June 01, 2007, as received by DES on June 08, 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. Repair shall maintain existing size, location and configuration.

4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during drawdown.
6. No equipment shall operate on the lakebed or in areas of the Departments jurisdiction.
7. 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(c), repair of existing retaining wall that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

GOLD DREDGE

****

2007-01479 LAWTON JR, TIMOTHY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

LAKES-SEASONAL DOCK NOTIF

****

2007-01480 AVERY, STEVEN
ALTON Lake Winnipesaukee

COMPLETE NOTIFICATION:
Alton, NH Tax map 75 Lot 35
Lake Winnipesaukee

2007-01481 CORREIA, GEORGE
MOULTONBOROUGH Berry Pond

COMPLETE NOTIFICATION:
Moultonborough, NH Tax map 24 Lot 6
Berry Pond

PERMIT BY NOTIFICATION

****

2007-01153 CROOKE, ARTHUR
ALTON Lake Winnipesaukee

Requested Action:
Replace one dock piling.
****

PBN IS COMPLETE:
Replace one dock piling.

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.

2007-01412 MURRAY POND ASSOCIATION
NEW LONDON Little Lake Sunapee

Requested Action:
Project is not "in-kind" replacement.
****

PBN DISQUALIFIED:
Project is not "in-kind" replacement.

With Findings:
1. Project does not meet the criteria for PBN review pursuant to Rule Env-Wt 506.01(a)(2).