

Wetlands Bureau Decision Report

Decisions Taken
09/10/2007 to 09/16/2007

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

MAJOR IMPACT PROJECT

2006-02552 FORTIER, JOSEPH & ALYSSA
CHESTERFIELD Connecticut River

Requested Action:

Dredge and fill approximately 4,240 sq. ft. (360 linear ft.) of failing river bank (Connecticut River) for river bank stabilization and install a 6 ft. x 22 ft. seasonal dock with a 4 ft. x 14 ft. (188 sq. ft.) walkway and 6 ft. wide stairs on the bank. River bank stabilization will consist of rip-rap toe protection with bio-stabilization including live stake plantings, loaming, seeding and tree and shrub plantings.

Inspection Date: 12/29/2006 by Jocelyn S Degler

APPROVE PERMIT:

Dredge and fill approximately 4,240 sq. ft. (360 linear ft.) of failing river bank (Connecticut River) for river bank stabilization and install a 6 ft. x 22 ft. seasonal dock with a 4 ft. x 14 ft. (188 sq. ft.) walkway and 6 ft. wide stairs on the bank. River bank stabilization will consist of rip-rap toe protection with bio-stabilization including live stake plantings, loaming, seeding and tree and shrub plantings.

With Conditions:

1. All work shall be in accordance with plans and narratives by Connecticut Valley Environmental Services, Inc., plans amended date March 23, 2007, narratives dated April 10, 2007, as received by DES on April 13, 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. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require approval by the Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Work shall be done during low flow.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. There shall be no excavation or operation of construction equipment in flowing water. Construction equipment shall work from the bank and top of bank.
11. 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.
12. A post-construction report prepared by a NH Certified Wetland Scientist (CWS) documenting the status of the bank stabilization area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction and after one full growing season (no later than November 1, 2008). The report shall include the success of the proposed plantings and bank stabilization and if supplemental plantings or bank repairs are needed.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. 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.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02 (i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or 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 December 29, 2006. It was determined during the field inspection that the proposed stabilization area is failing and needs to be stabilized to prevent future erosion of the bank and additional loss of uplands.
6. The Conservation Commission submitted comments. They agree that the bank is eroding, however, it does not threaten the house. They discussed possibly installing a buried wall 20 ft. from the shoreline and suggested an inspection by DES.
7. DES inspected the site, a buried wall would not stop the current erosion problem and would result in a retaining wall shoreline after the erosion progressed landward.
8. The Wantastiquet Region River Subcommittee submitted comments. The subcommittee commented on the risk shoreland construction puts on the riverbank, commended proposed buffer plantings, suggested native plantings, commented on fertilizer near water and the Shoreland Protection Act 483-B (CSPA) requirements, concerns of erosion from high water and boat wakes and commented on the length of the proposed dock being over 30 feet.
9. The house placement meets the current CSPA primary building setback. The applicant has proposed native plantings and revised the project plans and narratives for fertilizer use. The proposed plans are stamped by a licensed engineer and it is DES's expectation that the proposed rip-rap and bio-stabilization will withstand flow and wave action. The proposed dock is L shaped which is preferred by DES on rivers and the parallel length of the dock to the bank is only 22 feet, which is approvable by DES.
10. A public hearing was not held because the proposed impacts will not significantly impair the resources and should improve water quality and bank habitat/vegetation by stabilizing the eroding slope.
11. The United States Fish and Wildlife Service commented that they currently have no records of federally-listed or proposed, threatened or endangered species or critical habitat under their jurisdiction in the project area.
12. The New Hampshire Natural Heritage Bureau searched their database for records of rare species and exemplary natural communities near the area and no records were found.
13. The applicant has addressed the Wetlands Bureau Compliance Section's requirements related to the access drive.

2006-02836 FREEDOM VILLAGE CONDOMINIUM ASSOCIATION
FREEDOM Ossipee Lake

Requested Action:

Remove 6 to 8" of sand above the high water mark and replace with clean sand and fix run off area.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny insufficient and untimely response: to remove 6 to 8" of sand above the high water mark and replace with clean sand and fix run off area.

With Findings:

1. A request for additional information dated (date of More Information Request), addressed to the applicant or 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.
2. 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.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2006-03232 BRISTOL, TOWN OF
BRISTOL Pemigewasset River

Requested Action:

Dredge and fill a total of 14330 square feet along 272 linear feet within the bed and banks of the Pemigewasset River to replace an existing bridge further described as follows: Temporarily impact 10,615 square feet for construction access and erosion controls, and permanently impact 3715 square feet for installation of rip rap and stone stairs.

APPROVE PERMIT:

Dredge and fill a total of 14330 square feet along 272 linear feet within the bed and banks of the Pemigewasset River to replace an existing bridge further described as follows: Temporarily impact 10,615 square feet for construction access and erosion controls, and permanently impact 3715 square feet for installation of rip rap and stone stairs.

With Conditions:

1. All work shall be in accordance with plans by SEA Consultants Inc dated September 12, 2007, as received by the Department on September 12, 2007.
2. Copies of all the recorded easements for work within our jurisdiction shall be submitted to the NH DES Wetlands Bureau prior to the start of construction.
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. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans and bridge demolition plans. Those plans shall detail the timing and method of stream flow diversion during construction, include timing and methods of removal for the existing structure and show temporary siltation/erosion/turbidity control measures to be implemented.
6. 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.
7. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
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. 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. No equipment shall enter the water, unless written agreement from NH DES has been received for the work activity.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
12. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
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 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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
19. The proposed granite steps within the bank shall be no greater than 6 feet in width.
20. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
21. Planted rip rap shall be installed on either side of the river per the detail received.

- 22. Above the Q50 elevation on the New Hampton side of the river bio-mats and vegetation shall stabilize the upper river bank and no rip-rap stone shall be used in this area.
- 23. The applicant shall provide appropriate Compensatory Flood Storage to meet the US Army Corps of Engineers requirements.
- 24. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
- 25. 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.
- 26. 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.
- 27. 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.
- 28. 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.
- 29. Silt fencing must be removed once the area is stabilized.

With Findings:

- 1. This is a major impact project per Administrative Rule Env-Wt 303.02
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The Pemigewasset LAC has no concerns regarding this project provided the proposed abutments occupy the same foot print as the existing abutments.
- 6. The approved plans place the proposed abutments approximately 1 foot wider than the existing structure.
- 7. The bridge was categorized as critically deficient in December 2002 and is on the NH DOT Red List for Municipal Bridges.
- 8. The proposed bridge ranges between 9 and 11 feet higher than the existing bridge therefore providing a larger hydrologic opening.
- 9. The applicant has provided a letter of written authorization from the Army Corps of Engineers for work proposed on their property.
- 10. The applicant has provided a recorded easement from Public Service of New Hampshire for proposed work on their property.
- 11. The applicant has attempted to provide stormwater treatment and the proposal should improve the quality of the water discharging into the Pemigewasset River.
- 12. The proposed granite steps will utilize the existing granite abutments therefore working to fulfill the requirements of The Department of Historical Resources.
- 13. The proposed project is for the replacement of an existing structure and therefore mitigation is not required in accordance with the provisions of Env-Wt 302.03(c)(2)c.
- 14. The proposed impacts project is also not required to submit mitigation in accordance with the provisions of Env-Wt 302.03(d), as 10,615 square feet of impact are proposed to be temporary.

2007-00731 SKILLINGS ROUTE 13 VENTURE LLC
BROOKLINE Unnamed Wetland

Requested Action:

Dredge and fill approximately 2900 sq. ft. of wetlands adjacent to Brookline Prime Wetland No. 12, for the construction of an access roadway to a warehouse, storage buildings and bank.

APPROVE PERMIT:

Dredge and fill approximately 2900 sq. ft. of wetlands adjacent to Brookline Prime Wetland No. 12, for the construction of an access roadway to a warehouse, storage buildings and bank.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc., plan sheet 2 of 2, dated April 1, 2007, plan sheets 2, 3, 4, 5, 8, 9 and 10 of 10, revision dated July 6, 2007, as received by DES on July 10, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. 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.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed area for development is currently a historically disturbed site from use as a lumber yard, gravel movement and storage of heavy equipment.
6. The proposed development will improve the quality of water runoff that currently drains to the adjacent Prime Wetland.
7. The applicant has received a permit from the DES Alteration of Terrain Program.
8. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
9. The approved plans depict that the Prime Wetland area is approximately 100 ft. from the proposed commercial site.
10. The proposed project area is separated from the Prime Wetland by a property not controlled by the applicant.
11. 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.
12. A public hearing was held at DES on August 23, 2007. No one spoke in opposition to the proposed project
13. Based on findings #1 through #12 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.

2007-01462 **DRED**
RYE Isle Of Shoals - Atlantic Ocean

Requested Action:

Reconstruct the boat launch ramp/ marine railway and replace winch mount structure impacting a total of 1,000 sq. ft. in the

intertidal zone & tidal buffer zone to provide safe boat launching and hauling at White Island, Isles of Shoals.

Conservation Commission/Staff Comments:

The Rye Conservation Commission has reviewed the application and ..."does not object to the following proposal for the dock request given the conditions set forth by the letter from NH Fish and Wildlife: DRED, White Island # 2007-01462

APPROVE PERMIT:

Reconstruct the boat launch ramp/ marine railway and replace winch mount structure impacting a total of 1,000 sq. ft. in the intertidal zone & tidal buffer zone to provide safe boat launching and hauling at White Island, Isles of Shoals.

With Conditions:

1. All work shall be in accordance with plans by DRED Planning & Development dated Feb 12, 2006, as received by DES on June 28, 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/or further permitting by the Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. Construction shall not occur during the tern breeding season, April 15 - September 1.
6. Non-disruptive on-site preparations for construction may begin after August 15, subject to approval by and coordination with the NH Fish & Game Department and the US Fish & Wildlife Service.
7. The permittee shall install 1.5 in. x 2 ft. steel rods into the ledge at five (5) specific locations as requested by NH Fish & Game upon which to attach sign posts during the tern breeding season.
8. Construction activities shall be contained within the fence line prescribed in condition #7 above. No activities associated with the construction of the marine railway or otherwise shall in any way threaten or interfere with the nesting terns outside the fence line.
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), if utilized, must be removed immediately following construction.
10. Work in the intertidal zone shall be done during low tide periods.
11. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a)&(b).
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) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. This project is necessary to provide safe boat launching and hauling across the treacherous rocky intertidal zone to gain access to and egress from the island and White Island Lighthouse.

-Send to Governor and Executive Council-

**2007-01882 PSNH - JACKMAN HYDRO STATION
HILLSBOROUGH Unnamed Wetland**

Requested Action:

Dredge and fill 22,165 square feet of wetlands (1,425 square feet of permanent impact to naturally occurring palustrine forested, scrub-shrub, and emergent wetlands; 140 square feet of temporary perennial stream impact; and 20,600 square feet permanent impact to artificially flooded riverine wetlands) for the replacement of an approximate 1,000-linear foot section of an existing 4,900-linear foot wooden penstock with a fiberglass penstock and associated access for demolition and construction, Phase II of a

two-phase project.

APPROVE PERMIT:

Dredge and fill 22,165 square feet of wetlands (1,425 square feet of permanent impact to naturally occurring palustrine forested, scrub-shrub, and emergent wetlands; 140 square feet of temporary perennial stream impact; and 20,600 square feet permanent impact to artificially flooded riverine wetlands) for the replacement of an approximate 1,000-linear foot section of an existing 4,900-linear foot wooden penstock with a fiberglass penstock and associated access for demolition and construction, Phase II of a two-phase project.

With Conditions:

1. All work shall be in accordance with plans by Todd Land Use Consultants dated June 20, 2007, as received by the DES Wetlands Bureau on August 06, 2007.
2. This permit is contingent on compliance with Wetlands and Non-Site Specific Permit 2005-02123 and all amended versions.
3. This permit is contingent upon receipt and approval of the compensatory mitigation proposal and easement language (for Phase I and Phase II) prepared by a qualified professional per the requirements of Env-Wt 800.
4. This permit is contingent upon the receipt of a narrative and supporting photographs documenting the success of the Phase I restoration areas and a report outlining any required remedial follow-up measures and a schedule for completing the remedial work to be submitted by December 1, 2007. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each restoration site.
5. A post-construction report documenting the status of the completed project (Phase II) with photographs shall be submitted to the DES Wetlands Bureau within 60 days of the completion of construction..
6. The temporary wetland impacts associated with Phase II shall be restored in-kind by the end of the first growing season following the completion of construction and a post-construction report documenting the status of the restored temporary impact areas shall be submitted to the DES Wetlands Bureau by December 1 of that year.
7. Work shall be done during low flow.
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 until the area is stabilized.
10. Silt fence(s) must be removed once the area is stabilized.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. 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.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
16. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a major impact project per 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. This project is Phase II of a two-phased project for the replacement upgrade of an existing serviceable penstock. The capacity and operation of the penstock will not change.

3. Phase I was approved under Wetlands and Non-Site Specific Permit 2005-02123.
4. DES Wetlands Bureau Staff conducted a field inspection of Phase I of this two-phased project on October 7, 2005.
5. The proposed work is being conducted in the utility right-of-way and as such, the applicant is not required to notify abutters in writing per Env-Wt 501.01(c).
6. This permit is contingent on compliance with Wetlands and Non-Site Specific Permit 2005-02123 and all amended versions.
7. This permit is contingent upon receipt and approval of the compensatory mitigation proposal and easement language (for Phase I and Phase II) prepared by a qualified professional per the requirements of Env-Wt 800.
8. This permit is contingent upon the receipt of a narrative and supporting photographs documenting the success of the Phase I restoration areas and a report outlining any required remedial follow-up measures and a schedule for completing the remedial work to be submitted by December 1, 2007. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each restoration site.
9. A post-construction report documenting the status of the completed project (Phase II) with photographs shall be submitted to the DES Wetlands Bureau within 60 days of the completion of construction..
10. The temporary wetland impacts associated with Phase II shall be restored in-kind by the end of the first growing season following the completion of construction and a post-construction report documenting the status of the restored temporary impact areas shall be submitted to the DES Wetlands Bureau by December 1 of that year.
11. On August 22, 2007, the DES Wetlands Bureau received correspondence from the Hillsborough Conservation Commission (HCC) stating they do not have any objections to the project and that PSNH and the HCC have reached an agreement on the terms of the conservation easement.
12. Of the total permanent wetland impacts for Phase II, 20,600 square feet occur in wetlands that were artificially created and sustained by leaking of the penstock. Replacement of the leaking structure will change the hydrology by removing the primary source of water which sustains the wetlands.
13. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.
14. Of the total permanent wetland impacts of Phase II, 1,425 square feet occur in wetlands that are naturally occurring, that is, the hydrology is not dependent on water leaking from the penstock.
15. Of the total wetland impacts of Phase II, 140 square feet are temporary impacts associated with a temporary perennial stream crossing.
16. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 17. 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.

MINOR IMPACT PROJECT

2005-00474 CONCORD COUNTRY CLUB INC
CONCORD Unnamed Wetland

Requested Action:

Deny amendment request to remove condition no.'s 2 & 3 of Wetlands and Non-Site Specific Permit 2005-00474.

Conservation Commission/Staff Comments:

Please see findings.

Inspection Date: 08/17/2005 by Kirsten Pulkkinen

DENY AMENDMENT:

Deny amendment request to remove condition no.'s 2 & 3 of Wetlands and Non-Site Specific Permit 2005-00474.

With Findings:

Findings of Law:

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 Wt 303.04(f) and Wt 303.03(l) projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
3. In accordance with Rule Env-Wt 302.04(a)(1), Requirements for Application Evaluation, the applicant shall demonstrate the need for the proposed project.
4. In accordance with both Rules Env-Wt 302.04(a)(2) and Env-Wt 302.03, Avoidance, Minimization, and Mitigation, 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.
5. In accordance with Rule Env-Wt 302.04(d), the Department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the Department's jurisdiction or the project will cause random or unnecessary destruction of wetlands.
6. In accordance with Rule Env-Wt 302.04(e)(2), the Department shall not grant a permit if the applicant fails to meet the requirements of Rule Env-Wt 302.03, or address all of the requirements of Rule Env-Wt 302.04.

Findings of Fact:

7. On March 11, 2005, the Department received a Standard Dredge and Fill Application to impact 9,830 square feet of wetlands, including 3,350 square feet of impact for pond creation, 6,480 square feet of impact for clearing and grubbing of trees, and 1,100 square feet of impact for stream restoration, required to improve playability and challenge at the Concord Country Club.
8. On August 18, 2005, the Department issued a Request for More Information, the request included but was not limited to stream restoration information on the sinuosity of the stream, the belt with, and the pool and riffle distances. Also, a vegetated buffer of low shrubs on either side of the stream restoration was requested to protect the water quality of the stream.
9. On August 25, 2005, the Department received a response to the August 18, 2005, Request for More Information.
10. On September 02, 2005, the Department conducted a site inspection. Discussions included, but were not limited to the installation of 7 clumps (8 bushes each) of lowbush blueberry randomly placed to be planted along the stream edge.
11. On September 02, 2005, the Department received revised plans that included stream restoration plans that specified the lowbush blueberry plantings.
12. On September 02, 2005, the Department approved a permit to dredge and fill a total of 9,830 square feet of wetland, including 180 linear feet of previously disturbed intermittent stream for pond construction, and golf course expansion and restore 1,100 square feet along 110 linear feet of the same intermittent stream.
13. Permit condition no. 2 states, "Stream restoration shall be in accordance with plans by Schauer Environmental Consultants, LLC, signed by Peter Schauer on September 2, 2005 as received by the Department on September 2, 2005.
14. Permit condition no. 3 states, "Stream restoration will also include seven clumps of eight lowbush blueberry (*Vaccinium angustifolium*) plantings to be planted at or near the lower portion of the outer bends of the stream channel.
15. On January 30, 2007, the Department received a Monitoring Report from Schauer Environmental Consultants stating the wetland restoration had been completed. Submitted photographs did not illustrate lowbush blueberry plantings.
16. On May 21, 2007, the Department issued a letter indicting an enforcement file had been opened and that it appeared the stream restoration did not comply with condition no. 3 of the permit. To bring the property into compliance the Department requested the Applicant vegetate the area with seven clumps of eight lowbush blueberry plants total 56 shrubs, continue to submit monitoring reports per condition no. 15 of the permit, and have all work completed by July 02, 2007.
17. On June 14, 2007, the Department conducted a site inspection and confirmed the lowbush blueberry bushes were not planted and the Department recommended the restoration be completed by July 02, 2007.
18. On July 02, 2007, the Department received an amendment request to remove permit conditions no.'s 2 & 3.
19. On July 10, 2007, the Department conducted a site-inspection and confirmed the lowbush blueberry bushes had not planted.

Findings in Support of Denial:

20. Pursuant to Env-Wt 302.03, the conditions set forth in the permit were included to minimize and avoid potential impacts to the

maximum extent possible.

21. The constructed project is not in compliance with the conditions set forth in the permit.

22. The applicant failed to address Env-Wt 302.03 and therefore, the application 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.

23. The applicant has failed to address Env-Wt 302.04(a) and therefore, the application is denied in accordance with Env-Wt 302.04(d)(2), as the project would cause or contribute to significant degradation of waters of the state.

2006-02111 MESPELLI, PETER
CAMPTON Quimby Brook

Requested Action:

Deny permit request to dredge and fill 2955 square feet along 120 linear feet along the perennial stream Quimby Brook for access to three single family residential lots.

DENY PERMIT:

Deny permit request to dredge and fill 2955 square feet along 120 linear feet along the perennial stream Quimby Brook for access to three single family residential lots.

With Findings:

1. This is a Minor Impact Project per NH Code of Administrative Rule Env-Wt 303.03(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
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. 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.

Findings of Fact:

8. On April 28, 1987, the Wetlands Board issued permit M-1420 to construct a subdivision road and driveway for the proposed crossing, work was never completed.
9. The Department received a Standard Dredge and Fill application on August 15, 2006.
10. The Department issued A Request for Additional Information on November 2, 2006.
11. The Department issued a Second Request for Additional Information on March 29, 2007.
12. The final request for additional information dated March 29, 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:

13. The applicant has not addressed Env-Wt 302.01(b) to the Department's Satisfaction, and therefore is denied in accordance with Env-Wt 302.04(d)(3) as the project causes unnecessary destruction of wetlands.
14. 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.

15. DES did not receive a complete response to our letter within the 120 days and therefore the application has been denied pursuant to RSA 482-A:3, XIV(b).

**2006-02176 POLLI, DAVID
HANOVER Unnamed Stream Wetlands**

Requested Action:

Dredge and fill 1,249 square feet of palustrine emergent wetlands to regrade, riprap line and relocate a section of an existing channel and replace a 12-inch x 39-foot culvert with a 18-inch x 39-foot HDPE culvert to allow for construction of a yard and access to and around a proposed single-family residence.

Conservation Commission/Staff Comments:

8/14/07 Request for Reconsideration received from Natural Resource Consulting Services (3 extra copies)

APPROVE RECONSIDERATION:

Dredge and fill 1,249 square feet of palustrine emergent wetlands to regrade, riprap line and relocate a section of an existing channel and replace a 12-inch x 39-foot culvert with a 18-inch x 39-foot HDPE culvert to allow for construction of a yard and access to and around a proposed single-family residence.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates dated November 15, 2006, and revised through August 10, 2007, as received by the Department on August 14, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid at original grade.
10. 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).
11. 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.
12. Post-construction photographs documenting the status of the completed project shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The applicant has redesigned the project to reduce the area of the proposed relocation to only a section of the existing channel that is adjacent to the northwest corner of the house, which is the area where the channel is nearest to the footprint of the house.
3. The applicant has provided a waiver request per Env-Wt 204.03, to waive the written abutter permission requirement for projects within 20 feet of abutting property lines as required by Env-Wt 304.04.
4. The proposed impacts within the 20-foot setback are down gradient of the abutter's property.
5. The lot is an existing, non-conforming lot of record; town ordinances require the house is constructed in the existing footprint.
6. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting

properties that is more significant than that which would result from complying with the Env-Wt 304.04.

7. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
8. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-02224 GALVIN, LEONARD
ALTON Lake Winnepesaukee**

Requested Action:

Amend permit to install two, 3 pile ice clusters adjacent to docking system.

Conservation Commission/Staff Comments:

Con Com submitted comments about abutters view with canopy, the agent submitted a signed notarized letter from the abutter who is also the applicant.

APPROVE AMENDMENT:

Amend permit to read: Construct two 6 ft by 30 ft permanent piling supported docks connected by a 4 ft by 12 ft permanent walkway accessed by a 4 ft wide stairway constructed over the bank, install a 14 ft by 30 ft seasonal canopy over the center slip, install two tie off piles in the northern slip and two tie off piles in the southern slip, install two, 3 pile ice clusters, on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated August 21, 2006, as received by the Department on August 24, 2006 and amendment request plans by Winnepesaukee Marine Construction dated July 11, 2007, as received by the Department on August 20, 2007.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. This permit does not allow for maintenance dredging.
6. Installation of this docking structure or access steps shall not require modification, regarding, recontouring, of the shoreline.
7. This shall be the only structure on this water frontage.
8. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
9. The minimum clear spacing between pile bents shall be 12 feet.
10. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
11. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 slip docking system.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 199 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.

6. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
7. The site is exposed to sufficient northeasterly fetch to meet the requirements of Rule Env-Wt 402.05.

2006-02676 WATSON, DOMA
STEWARTSTOWN Big Diamond Pond

Requested Action:

Retain approximately 2,600 sq. ft. of fill in palustrine forested wetlands associated with road construction facilitating upland access to an existing single family residence and restore approximately 3,261 sq. ft. of wetlands.

Conservation Commission/Staff Comments:

No Con-Com comments were received.

APPROVE AFTER THE FACT:

Retain approximately 2,600 sq. ft. of fill in palustrine forested wetlands associated with road construction facilitating upland access to an existing single family residence and restore approximately 3,261 sq. ft. of wetlands.

With Conditions:

1. 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.
2. This permit is contingent upon the restoration of 3,261 sq. ft. of wetlands in accordance with plans entitled: Existing Conditions Wetlands Restoration Plan, by Beaver Brook Environmental Consultants, LLC, dated June 1, 2007, Revise Plan dated 8/16/07, as received by the Department on September 12, 2007.
3. The restoration shall be completed under low flow conditions and no later than September 30, 2007.
4. The restoration shall be done according to the Restoration Plan and as conditioned by this Restoration Plan Approval. Any changes or alterations to the Restoration Plan must be requested in writing and approved by DES in writing prior to implementing any such changes or alterations.
5. All persons involved in restoration activities on the Property shall have read and become familiar with the provisions of the Restoration Plan and this Restoration Plan Approval prior to beginning restoration work on the Property. A copy of the Restoration Plan and this Restoration Plan Approval shall be kept posted at the Property during the time restoration work continues on the Property.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. All steps shall be taken during the restoration necessary to ensure that no water quality violations occur on the Property.
8. All material removed during restoration activities shall be removed down to the level of the original soils.
9. All material removed during restoration activities shall be placed out of DES's jurisdiction.
10. Mulch within the restoration area shall be straw.
11. Seed mix within the restoration areas shall be a perennial rye grass seed mix and native vegetation will be allowed to succeed.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. An initial monitoring report with photographs shall be provided to DES no later than October 15, 2007. The initial monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report. Photographs should depict all stages of restoration sequencing.
14. DES reserves its right to revoke this after-the-fact approval should restoration not be completed as specified in this approval.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
16. No stumps shall be removed within 50 feet of the reference line as per RSA 483-B.

With Findings:

1. This is a Minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of

alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has agreed to restore and remove the excess fill within jurisdiction as per the approved plans.
6. The proposed restoration plan and application will satisfy the terms and conditions as stated in the Letter of Deficiency issued by DES on January 17, 2007. No further enforcement action is required.
7. The work as previously conducted and as proposed has been determined to be consistent with the Comprehensive Shoreline Protection Act.

2007-00194 BILODEAU, BRIAN
SANDWICH Unnamed Wetland

Requested Action:

Dredge and fill 4,238 square feet of palustrine scrub-shrub and forested wetlands to install a 12-inch x 20-foot, 18-inch x 35-foot, and 18-inch x 30-foot CPP culvert (3 crossings) for driveway access to a single family residence.

APPROVE PERMIT:

Dredge and fill 4,238 square feet of palustrine scrub-shrub and forested wetlands to install a 12-inch x 20-foot, 18-inch x 35-foot, and 18-inch x 30-foot CPP culvert (3 crossings) for driveway access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Gerard Land Surveying dated September 25, 2006, and revised through August 15, 2007, as received by the Department on August 17, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid at original grade.
10. 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).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), 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 subject parcel is a result of a subdivision that occurred in 2001.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. Env-Wt 302.03(a)(1) requires the applicant to demonstrate that "Potential impacts have been avoided to the maximum extent practicable;"
7. In accordance with Env-Wt 101.68, "Practicable" means available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.
8. Information contained in the file demonstrates that other upland areas located closer to Upper Road do not conform with local land use regulations and therefore are not available, or practicable, as an alternative house site.

2007-00439 SNOW III, HARRY
NEW LONDON Unnamed Wetland

Requested Action:

Dredge and fill 4,400 square feet of palustrine-forested wetlands, including 30 linear feet of intermittent stream for the construction of two (2) driveways (4 crossings) for access to two (2) lots of a 7-lot subdivision on 41.41 acres; and dredge and fill 2,015 square feet of palustrine forested wetlands for fire pond construction.

APPROVE PERMIT:

Dredge and fill 4,400 square feet of palustrine-forested wetlands, including 30 linear feet of intermittent stream for the construction of two (2) driveways (4 crossings) for access to two (2) lots of a 7-lot subdivision on 41.41 acres; and dredge and fill 2,015 square feet of palustrine forested wetlands for fire pond construction.

With Conditions:

1. All work shall be in accordance with plans by Blakeman Engineering, Inc. dated January 22, 2007, as received by the Department on March 07, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low flow conditions.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. 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.
10. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
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. Culverts shall be laid at original grade.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 square feet of nontidal wetlands, which exceeds the criteria of Env-Wt 303.04(f).

2. In correspondence dated April 09, 2007, NHFG stated they did not support the conversion of scrub-shrub and forested wetlands habitat to lower quality open water habitat and questioned if the project would impact vernal pools.
3. A letter dated August 30, 2007, from the Town of New London, Selectmen's Office, provided evidence of support for the fire pond.
4. The applicants NH certified wetland scientist has confirmed there are no vernal pools on the site.
5. Development is not proposed within 250 feet of Messer Pond reference line.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2007-00400 FLEMING, BOB & GAIL
WOLFEBORO Lake Winnepesaukee

Requested Action:

Stabilize eroded bank with riprap

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Stabilize eroded bank with riprap

With Findings:

1. A request for additional information dated March 20, 2007, addressed to the applicant or 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.
2. 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.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2007-00507 MOONEY, JOHN
GILFORD Lake Winnepesaukee

Requested Action:

Construct a perched beach and replace existing stairs.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Construct a perched beach and replace existing stairs.

With Findings:

1. A request for additional information dated April 16, 2007, addressed to the applicant or 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.
2. 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.

3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2007-00633 LAURION, KENNETH
WAKEFIELD Unnamed Wetland**

Requested Action:

Retain dredge and fill of 380 sq. ft. of wetlands and installation of two 18" x 30' culverts for construction of a driveway crossing to a single family lot.

APPROVE PERMIT:

Retain dredge and fill of 380 sq. ft. of wetlands and installation of two 18" x 30' culverts for construction of a driveway crossing to a single family lot.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated 3/20/2007, as received by DES on 4/2/2007, and per narrative statement and photos received from the applicant on 7/30/2007.
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert or bridge for access to a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
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.

**2007-00977 NH FISH & GAME DEPARTMENT
TUFTONBORO Melvin River Dam**

Requested Action:

Confirm Emergency Authorization issued on May 16, 2007, to dredge and fill 645 square feet within the bank of the Melvin River for construction of a new 20 ft-long x 11 ft-high x 2ft-wide ft cutoff wall, on existing dam and installation of rip rap in a 20 x 10 square foot area behind the new wall, to improve water circulation in flood conditions.

CONFIRM EMERGENCY AUTHORIZATION:

Dredge and fill 645 square feet within the bank of the Melvin River for construction of a new 20 ft-long x 11 ft-high x 2ft-wide ft cutoff wall, on existing dam and installation of rip rap in a 20 x 10 square foot area behind the new wall, to improve water circulation in flood conditions.

With Conditions:

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

With Findings:

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

2. The project was necessary to improve the flow of water over the dam during flood conditions.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on May 16, 2007.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.
5. The Tuftonborough Conservation Commission has no concerns with the project as it was constructed. They do have concerns with the navigational integrity of the river, and claim that the amount of sediment released from the dam opening resulted in a major sand bar down river.
6. The DES Chief Engineer responded to allegations that the state owned dam caused this damage on August 31, 2007, clarifying that they did not agree with these allegations and suggesting that the sedimentation may be the result of bank erosion during the storm event.
7. DES Wetlands has reviewed Aerial photographs of the site from 1998 and 2007, and significant changes in the sediment bars in the area are not apparent.

2007-01172 HAMPSTEAD, TOWN OF
HAMPSTEAD Island Pond

Requested Action:

Impact 240 sq. ft. of jurisdictional wetlands to reconstruct, widen, deepen and stabilize existing drainage swale.

Conservation Commission/Staff Comments:

No report or comments received from the Hampstead Conservation Commission.

APPROVE PERMIT:

Impact 240 sq. ft. of jurisdictional wetlands to reconstruct, widen, deepen and stabilize existing drainage swale.

With Conditions:

1. All work shall be in accordance with plans by Town of Hampstead, DPW dated June 2007, as received by DES on June 08, 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/or further permitting by the Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
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 low flow.

2007-01395 MARTIN-NADEAU, KIMBERLY
HAMPTON Atlantic Ocean

Requested Action:

Remove an existing temporary riprap seawall to replace a failed concrete seawall and patio in-kind and install a stone riprap armor at the base of footing of the seawall along a total of 156 linear feet of shoreline on the Atlantic Ocean on four (4) adjoining residential property frontages to provide ocean storm wave attenuation and dispersion for protection against shoreline erosion.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission does not oppose the project.

Inspection Date: 04/16/2007 by Eben M Lewis

APPROVE PERMIT:

Remove an existing temporary riprap seawall to replace a failed concrete seawall and patio in-kind and install a stone riprap armor

at the base of footing of the seawall along a total of 156 linear feet of shoreline on the Atlantic Ocean on four (4) adjoining residential property frontages 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 the H.L. Turner Group Inc. dated June 15, 2007 and revised September 4, 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.

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. 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.

**2007-01487 SALEM, TOWN OF
SALEM Unnamed Stream Wetland**

Requested Action:

Dredge and fill a total of 2,900 sq. ft. of palustrine forested/ scrub-shrub/ emergent wetlands for work associated with the reconstruction and upgrade of two(2)existing municipal roadways.

Conservation Commission/Staff Comments:

The Salem Conservation Commission has reviewed this application, including a site visit, and recommends approval of plan and application.

APPROVE PERMIT:

Dredge and fill a total of 2,900 sq. ft. of palustrine forested/ scrub-shrub/ emergent wetlands for work associated with the reconstruction and upgrade of two(2)existing municipal roadways.

With Conditions:

1. All work shall be in accordance with plans by Stantec Consulting Services, Inc. dated 05-31-07, as received by the DES on June 29, 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/or further permitting by the Bureau.
3. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per 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. 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. No portion of this project is located adjacent to designated prime wetlands.

2007-01751 TRAHAN, COLIN
LITTLETON Unnamed Wetland

Requested Action:

Retain approximately 300 sq. ft. impact to palustrine forested wetland including the two associated culverts for access in a proposed two lot residential subdivision of 9.5 acres and as continued access to a deeded Right of Way for the adjacent lot.

Conservation Commission/Staff Comments:

The Conservation commission did not comment on this file, but they did sign off on the Minimum Impact Expedited Form.

APPROVE AFTER THE FACT:

Retain approximately 300 sq. ft. impact to palustrine forested wetland including the two associated culverts for access in a proposed two lot residential subdivision of 9.5 acres and as continued access to a deeded Right of Way for the adjacent lot.

With Conditions:

1. Permanent impacts permitted are indicated on plan entitled: Colin Trahan, Colin Ridge Road Off NH Route 135, Wetland Application Plan For Two Existing Culverts, Prepared by Associated Consulting Civil Engineers PLLC, dated 7/27/07, as received by the Department on August 02, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Applications received after the work is completed shall be subject to the same review as given any other application, per Rule Env-Wt 302.05.

2007-01862 NEEDHAM, GERRY
WINDSOR Black Pond Brook

Requested Action:

Dredge and fill approximately 480 sq. ft. of streambed and bank to repair failed headwalls on an existing 6 ft. x 15 ft. corrugated metal culvert with stone headwalls, clean sediment from the culvert inlet area and remove a large boulder that is blocking the culvert outlet. Work in jurisdiction includes adding a 6 ft. x 8 ft. culvert extension to provide an area for new stone headwalls, rip-rap side slopes and additional roadway width for safety. In addition, remove accumulated sediment from the streambed, removal of a large boulder that blocks the end of the culvert outlet and create a new stormwater drainage and treatment swale along the existing roadway.

Conservation Commission/Staff Comments:

There is no Conservation Commission in the Town of Windsor.

Inspection Date: 09/07/2007 by William A Thomas, Cws

APPROVE PERMIT:

Dredge and fill approximately 480 sq. ft. of streambed and bank to repair failed headwalls on an existing 6 ft. x 15 ft. corrugated metal culvert with stone headwalls, clean sediment from the culvert inlet area and remove a large boulder that is blocking the culvert outlet. Work in jurisdiction includes adding a 6 ft. x 8 ft. culvert extension to provide an area for new stone headwalls, rip-rap side slopes and additional roadway width for safety. In addition, remove accumulated sediment from the streambed, removal of a large boulder that blocks the end of the culvert outlet and create a new stormwater drainage and treatment swale along the existing roadway.

With Conditions:

1. All work shall be in accordance with plans and narratives by Gerald Needham, as received by DES on August 10, 2007.
2. The applicant shall obtain written agreements from affected landowners prior to the start of work (if applicable).
3. Additional requests to dredge and/or fill in this area for road upgrades or for repairs resulting from ongoing erosion or washouts may not be considered or approved until a complete analysis and assessment has been conducted by the applicant to determine a more effective long-term solution, which alleviates the problem, such as the installation of a spanning structure, i.e. a bridge, open-bottomed culvert, or oversized culvert.
4. The bottom of the culvert extension inlet shall be set at or below the top of the natural streambed.
5. No rip-rap shall be used in the bed of the stream.
6. Work shall be done during low flow.
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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
10. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired 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(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. DES Staff conducted a field inspection of the proposed project on September 7, 2007. The area is a stream that appears to be controlled by an up gradient dam and receives intermittent flows under normal conditions. The existing culvert headwalls have failed from recent storm events and a large accumulation of sediment from the adjacent roadway has accumulated at the inlet side of the culvert. The repairs are needed immediately to prevent ongoing erosion and collapse of the roadway side slopes. The roadway is the only access to multiple homes located on the east side of the stream. The culvert extension, headwall repairs, sediment removal and new drainage swale is needed to provide safe access for residents and safety equipment and to help alleviate the accumulation of sediment in the stream channel.
4. The function and values of the stream appear to be historically impacted from the reduced flows due to the up gradient dam.
5. There was no flow in the stream at the time of the inspection.
6. The proposed repairs are being financed from donations and volunteer labor from the local community.
7. The New Hampshire Fish and Game Department did not submit comments regarding the proposed project.

FORESTRY NOTIFICATION

2007-02090 SPNHF, GEOFF JONES
STODDARD Unnamed Stream

COMPLETE NOTIFICATION:
Stoddard Tax Map 405, Lot# 5

2007-02093 WOODWARD, STEPHEN
DUMMER Unnamed Stream

COMPLETE NOTIFICATION:
Dummer Tax Map R14, Lot# 12

2007-02097 BROWN, KEN & CAROLE
EPSOM Unnamed Stream

COMPLETE NOTIFICATION:
Epsom Tax Map U4, Lot# 51

2007-02157 PATTEN, MARJORIE
CONCORD Unnamed Stream

COMPLETE NOTIFICATION:
Concord Tax Map 120, Lot# 1-2

2007-02158 JOHNSON JR TRUST, SAMUEL
EPSOM Unnamed Stream

COMPLETE NOTIFICATION:

Epsom Tax Map R15, Lot# 17

2007-02159 LAMBERT, ARTHUR
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:

Sandwich Tax Map 4, Lot# 25

2007-02160 MCWATTER, ROBERT
DEERING Unnamed Stream

COMPLETE NOTIFICATION:

Deering Tax Map 240, Lot# 15

2007-02161 REDDEN, LAURENCE & LORETTA
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:

Ctr Sandwich Tax Map R8, Lot# 30B

2007-02162 WINNIPESAUKEE LINES INC
STRATFORD Unnamed Stream

COMPLETE NOTIFICATION:

Stratford Tax Map R32, Lot# 5

2007-02164 LOKER, SUSAN
FARMINGTON Unnamed Stream

COMPLETE NOTIFICATION:

Farmington Tax Map R52, Lot# 13

2007-02166 PLUM CREEK MAINE TIMBERLANDS LLC
ERROL Unnamed Stream

COMPLETE NOTIFICATION:

Errol Tax Map R15, Lot# 4

2007-02167 CURRY FAMILY, PAULA CURRY DUCHANO
DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Deerfield Tax Map 408, Lot# 45 & 46

EXPEDITED MINIMUM

**2006-02856 MONAHAN FAMILY LAND PRES, LONDA MONAHAN
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Repair and restack stone jetty and shoal damaged by ice

PBN DISQUALIFIED:

Repair and restack stone jetty and shoal damaged by ice

With Findings:

Untimely response to incomplete letter.

**2006-03173 LACONIA, CITY OF
LACONIA Lake Winnepesaukee**

Requested Action:

Request for amendment to add 75 square feet of rip rap at the termination of the swale to maintain the shape of the existing swale.

APPROVE AMENDMENT:

Dredge and fill total of 185 square feet further described as follows: Reset rocks and existing riprap along 37 linear feet of Summit Ave, to repair existing roadway and construct a treatment swale with a rip rap outlet in the bank of Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by The City of Laconia Public Works dated February 2007, and revised through August 21, 2007, as received by the Department on AUGust 21, 2007.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be conducted during low water conditions.
5. Work authorized shall not occur in fish spawning or nursery areas during the reproductive season, or within waterfowl nursery areas during the critical nesting period.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
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. 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.
9. No White Pines shall be removed as part of this project.
10. All work shall be done from the top of the bank. No equipment shall enter jurisdictional areas.
11. No rip-rap shall be placed below elevation 504.32.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 7 days by seeding and mulching.

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

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

With Findings:

The department reaffirms findings 1-7 of the original approval.

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m) Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided documentation from NH Fish and Game and US Fish and Wildlife indicating that there will be no impacts to Bald Eagles as a result of this project.
6. The applicant proposes to stabilize the proposed ditch with vegetation and not rip rap.
7. The greater majority of trees was avoided with the relocation of the swale to the east.

and makes the following additional finding.

8. The applicant has provided evidence that the existing swale outlet within the bank is not holding it's form and is causing erosion into Lake Winnepesaukee.

**2007-01358 SCOPPETTONE INC, PETER
LEBANON Unnamed Wetland**

Requested Action:

Proposal to dredge and fill 950 sq. ft. of intermittent stream and associated forested wetlands for access to one lot of a previously approved two lot subdivision.

APPROVE PERMIT:

Dredge and fill 650 sq. ft. of intermittent stream and associated forested wetlands for access to one lot of a previously approved two lot subdivision. Work in wetlands consists of installation of a 24 in. x 35 ft. culvert with associated stone headwalls, filling and grading.

With Conditions:

1. All work shall be in accordance with "Topographic Plan" by Bruno Associates Inc. P.C., with crossing information "Drawn By: Peter Scoppettone 8/13/07" and "Minor Subdivision Plan", revision dated July 20, 2006, as received by DES on August 16, 2007.
2. Work shall be done during low flow.
3. 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.
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. 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.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.

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

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses
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 applicant reduced the proposed wetlands impacts from 950 square feet to 650 square feet. 6. The lot was created and received subdivision approval from DES on March 1, 2006.
7. The Town Conservation Commission signed the "Minimum Impact Expedited Application".

2007-01471 KEEHBLER, CHRISTIN
RYE Unnamed Wetland

Requested Action:

Dredge and fill 175 square feet of forested wetland to install an 18-inch culvert for the construction of a driveway crossing to a single family residential dwelling.

Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 175 square feet of forested wetland to install an 18-inch culvert for the construction of a driveway crossing to a single family residential dwelling.

With Conditions:

1. All work shall be in accordance with plans by Beals Associates PLLC dated June 14, 2007 and revised through June 27, 2007, as received by DES on July 2, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. Work shall be done during seasonal low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The current location of the existing driveway does not allow for easy access of emergency response vehicles. Relocating the drive will enable access of said vehicles, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The crossing will occur at the narrowest portion of wetlands, therefore the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant obtained a letter of support from the Rye Fire Chief for the proposed driveway location.

2007-01563 BROWN, ERNEST
SANDOWN Unnamed Wetland

Requested Action:

Dredge and fill a total of 720 square feet of forested wetland to include the installation of a 12-inch HDPE culvert for the construction of a driveway for access to a single family residential lot off of Phillips Road impacting 45 square feet of wetland and the installation of a 15-inch by 50-foot RCP culvert associated with the construction of a roadway impacting 675 square feet of wetland as part of a 19-lot residential subdivision of 42 acres.

Conservation Commission/Staff Comments:

The Sandown Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill a total of 720 square feet of forested wetland to include the installation of a 12-inch HDPE culvert for the construction of a driveway for access to a single family residential lot off of Phillips Road impacting 45 square feet of wetland and the installation of a 15-inch by 50-foot RCP culvert associated with the construction of a roadway impacting 675 square feet of wetland as part of a 19-lot residential subdivision of 42 acres.

With Conditions:

1. All work shall be in accordance with plans by James M. Lavelle Associates, LLC received by DES on July 13, 2007.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, septic setback, or for any other construction related activities.
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 Rockingham 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.
8. Work shall be done during seasonal low flow conditions.
9. 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.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

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 jurisdictional forested wetland.
2. Access is necessary for residential dwellings, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impact areas occur at the narrowest portion of wetland, therefore the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were received from the Exeter River Advisory Committee.

2007-01653 CANDIA, TOWN OF
CANDIA Unnamed Wetland Seasonal Stream

Requested Action:

Impact a total of 890 square feet within the bed and banks of a perennial stream to include 620 square feet of temporary impact for the construction of cofferdams and 270 square feet of permanent impact for the replacement of an undersized 30-inch culvert with a 3-foot by 6-foot concrete box culvert beneath South Road for safe vehicular passage.

Conservation Commission/Staff Comments:

The Candia Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 890 square feet within the bed and banks of a perennial stream to include 620 square feet of temporary impact for the construction of cofferdams and 270 square feet of permanent impact for the replacement of an undersized 30-inch culvert with a 3-foot by 6-foot concrete box culvert beneath South Road for safe vehicular passage.

With Conditions:

1. All work shall be in accordance with the following plans by Stantec Consulting Services, Inc. dated July 2007, as received by DES on July 23, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES 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. Silt fence(s) must be removed once the area is stabilized.
5. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Within three days of final grading 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.

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

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

15. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet
2. The existing culvert does not allow for sufficient flowage under storm conditions, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. This project will be done under no flow conditions with the use of cofferdams to isolate the work area, therefore the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2007-01696 LANGLEY, PATRICIA
RYE Atlantic Ocean

Requested Action:

Replace, reposition and reconstruct stone riprap armor along 150 linear feet of shoreline of the Atlantic Ocean to repair the dislocated riprap armor located at a residential property to provide ocean storm wave attenuation and dispersion for protection against shoreline erosion.

Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Replace, reposition and reconstruct stone riprap armor along 150 linear feet of shoreline of the Atlantic Ocean to repair the dislocated riprap armor located at a residential property 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 July 19, 2007, as received by DES on July 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 riprap seawall along this property has been continually compromised from large storm events. Most notably, the seawall sustained considerable damage from the storms during April 2007. The existing footing of this seawall 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.

2007-01727 NEWBURY, TOWN OF
NEWBURY Unnamed Stream

Requested Action:

Replace four (4) failed undersized culverts along intermittent streams at town roads, Mountain Side Road and Winding Brook Road.

APPROVE PERMIT:

Replace four (4) failed undersized culverts along intermittent streams at town roads, Mountain Side Road and Winding Brook Road.

With Conditions:

1. All work shall be in accordance with plans by the Town of Newbury as received by the Department on August 01, 2007.
2. All deposited sediment and debris shall be removed from surface waters and wetlands.
3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, Shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culverts shall be laid at original grade.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. This permit is contingent on review and approval, by the DES Wetlands Bureau, of photographic evidence of stable and unblocked stream channels, to be submitted within thirty (30) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance, repair, or replacement of a nondocking structure such as a culvert.
2. Culvert diameters will be increased, but culvert lengths will not.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

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

2007-01872 HOLLIS, TOWN OF
HOLLIS Witches Brook

Requested Action:

Impact a total of 786 square feet within the bed and banks of Witches Brook to include 244 square feet of temporary impact for the construction of cofferdams and 542 square feet of permanent impact for the in-kind replacement of concrete box culvert beneath Ames Road for safe vehicular passage.

Conservation Commission/Staff Comments:

The Hollis Conservation Commission signed the Minimum Impact Expedited Application.

With Conditions:

1. All work shall be in accordance with the following plans received by DES on August 13, 2007:
 - a.) Ames Road Culvert Repair Plan by R.L. Ouellette-Construction Management Services dated July 24, 2007;
 - b.) Town of Hollis, NH Ames Road Layout, Elevations, and Assembly Details Plan (DWG No. 1-3) dated August 1, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Unconfined work within the Witches Brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Within three days of final grading 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.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge,

- dam, residential utility line, or rip-rap slope of less than 50 linear feet
- 2. The existing culvert lacks the structural integrity for safe vehicular passage as the footings have been undermined by flooding, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. This project will be for the in-kind replacement of the existing box culvert, therefore the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The applicant requested a waiver of Env-Wt 304.04 as the owner of lot # 3 did not retain the letter of authorization.
- 6. DES finds that this project is for the public benefit and hereby waives Env-Wt 304.04.

2007-02015 COOK JR, ROBERT
LONDONDERRY Scobie Pond

Requested Action:

Construct a 900 sq ft perched beach with less than 10 cubic yards of sand on Scobie Pond, Londonderry.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 900 sq ft perched beach with less than 10 cubic yards of sand on Scobie Pond, Londonderry.

With Conditions:

- 1. All work shall be in accordance with plans by Lamarine Technical Land Services dated November 28, 2005, amended date January 12, 2006, as received by DES on August 27, 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. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
- 4. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 375). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
- 5. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
- 6. This permit shall be used only once, and does not allow for annual beach replenishment.
- 7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
- 8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
- 9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

LAKES-SEASONAL DOCK NOTIF

2007-02128 CROSS, THOMAS
WASHINGTON Ashuelot Pond

COMPLETE NOTIFICATION:
Washington, NH Tax map 14 Lot 187
Ashuelot Pond

ROADWAY MAINTENANCE NOTIF

2007-02117 NHDOT
SUTTON Unnamed Stream

COMPLETE NOTIFICATION:
Dig out sand at outlet and Rebuild header

2007-02119 NHDOT
JEFFERSON Unnamed Stream

COMPLETE NOTIFICATION:
Replace 24" Steel culvert with 30" Plactic Same location USE BMP 4,7,12

2007-02120 NHDOT
CAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
Replace 24" Culvert approx. 60' at intersection of Quimby / Mason Road

2007-02124 NHDOT
LANCASTER Unnamed Stream

COMPLETE NOTIFICATION:
Routine ditch maintenance 450'- Dredge to orig dimensions use BMP # 7 & 8

2007-02125 NHDOT
ORANGE Unnamed Stream

COMPLETE NOTIFICATION:
Replace fifty (50)feet of 18" culvert under Rt 4 in Orange. Located 30 feet west of NET&T pole number 97

2007-02127 NHDOT
WARREN Unnamed Stream

COMPLETE NOTIFICATION:
Replace forty (40) feet of 15" culvert with same under Rt. 25

2007-02129 NHDOT
DIXVILLE Unnamed Stream

COMPLETE NOTIFICATION:

Replace plugged culvert, same location, same size, use BMP 4,7,8,10,12

2007-02134 NHDOT
COLUMBIA Unnamed Stream

COMPLETE NOTIFICATION:

Culvert replacement same size & location use BMP #7,8

2007-02136 NHDOT
LEBANON Unnamed Stream

COMPLETE NOTIFICATION:

Dig out existing ditch line parallel to Rte 4

2007-02138 NHDOT
LEBANON Unnamed Stream

COMPLETE NOTIFICATION:

Dig out existing ditch line parallel to Rte. I-89 South bound

2007-02139 NHDOT
PEMBROKE Unnamed Stream

COMPLETE NOTIFICATION:

Conduct roadside ditch maintenance along the West side of Route 106 for approximately 50 ft in a northerly direction - And the cleaning of the outlet of a 24" R.C.P.

2007-02140 NHDOT
CONCORD Unnamed Stream

COMPLETE NOTIFICATION:

Conduct roadside ditch maintenance along the West side off Route 106 for approximately 20 feet. And the cleaning of the outlet of a 12" C.M.P.

2007-02142 NH DEPT OF TRANSPORTATION
CONCORD Unnamed Stream

COMPLETE NOTIFICATION:

Conduct roadside ditch maintenance approximately 30' alone Route 106 & cleaning the outlet of a 15' RCP on the North, East side of Route 106

**2007-02143 NHDOT
DOVER Unnamed Stream**

COMPLETE NOTIFICATION:
Replace first section of CMP with RCP

**2007-02145 STRAFFORD, TOWN OF
STRAFFORD Unnamed Stream**

COMPLETE NOTIFICATION:
Replace two culverts and clean Roadside ditch

**2007-02149 NHDOT
PEMBROKE Unnamed Stream**

COMPLETE NOTIFICATION:
Conduct roadside ditch maintenance along the North Eastern side of Route 3 (Corner of Route 3 and Route 106 Pembroke) for approximately 35 feet. And the cleaning of a 15 inch R.C.P.

**2007-02152 BEECH RIVER ACRES PROPERTY OWNER'S ASSOCIATION
CENTER OSS�PEE Unnamed Stream**

Conservation Commission/Staff Comments:
cc: Ossipee Board of Selectmen &
Ossipee Conservation Commission

COMPLETE NOTIFICATION:
Culvert #1 - Replace A 12" x 30' CMP with A 12" x 30'HDPE Culvert #2 - Replace A 12" x 40' CMP with A 12" x 40' HDPE Both
CMP's have rotted on the bottom

PERMIT BY NOTIFICATION

**2005-02196 SIMANO, NORMAN
CHESTER Unnamed Pond**

Requested Action:
Maintenance dredge 19,200 square feet of an existing man-made pond for continued usefulness.

Conservation Commission/Staff Comments:
The Chester Conservation Commission signed the PBN.

PBN IS COMPLETE:
Maintenance dredge 19,200 square feet of an existing man-made pond for continued usefulness.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways.

2007-01861 GAVIAT GREEN LLC
NORTHWOOD Unnamed Wetland

Requested Action:

Dredge and fill 1,096 sq. ft. of wetlands and install a 12" x 24' culvert for a driveway crossing to a single family lot.

Conservation Commission/Staff Comments:

Conservation Commission signed PBN.

PBN IS COMPLETE:

Dredge and fill 1,096 sq. ft. of wetlands and install a 12" x 24' culvert for a driveway crossing to a single family lot.

2007-02002 MONT VERNON, TOWN OF
MONT VERNON Unnamed Stream

Requested Action:

In-kind replacement of an existing 5-foot by 40-foot culvert beneath Gregory and Brooks Roads for safe vehicular passage.

Conservation Commission/Staff Comments:

The Mont Vernon Conservation Commission signed the PBN.

PBN IS COMPLETE:

In-kind replacement of an existing 5-foot by 40-foot culvert beneath Gregory and Brooks Roads for safe vehicular passage.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.

2007-02083 MCGLOIN, B MARK
WOLFEBORO Lake Winnepesaukee

Requested Action:

Install a 6 ft x 40 ft seasonal dock on 100 ft of frontage in Wolfeboro on Kensington Island on Lake Winnepesaukee.

PBN IS COMPLETE:

Install a 6 ft x 40 ft seasonal dock on 100 ft of frontage in Wolfeboro on Kensington Island on Lake Winnepesaukee.

With Findings:

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

