

Wetlands Bureau Decision Report

Decisions Taken
09/17/2007 to 09/23/2007

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

**2006-03219 MANCHESTER-BOSTON REGIONAL AIRPORT
MANCHESTER Unnamed Wetland**

Requested Action:

Request to amend the permit that includes the addition of two level spreaders for an additional impact of 0.2 acres and a reduction in the amount of wetland restoration and conservation easement area.

APPROVE AMENDMENT:

Amend permit to read: Dredge and fill approximately 5.2 acres of emergent, scrub-shrub, and forested wetlands for the construction of a 600 foot runway safety area at the eastern end of Runway 6-24 at Manchester Boston Regional Airport. The work includes the relocating a segment of South Willow Street to the east, around the end of the proposed runway safety area, and reworking the intersections with Perimeter Road and Harvey Road. Proposed mitigation includes approximately 4.3 acres of restoration/enhancement and approximately 20 acres of upland preservation adjacent to the Cohas Brook red maple swamp area listed as a New Hampshire Natural Heritage Bureau exemplary natural community.

With Conditions:

With amended conditions:

1. All work shall be in accordance with application materials submitted to the file and plans prepared by Edwards and Kelcey, April, 2007 received by the Department on April 12, 2007, plans prepared by Fay, Spoffard & Thorndike received August 27, 2007, and as conditioned below.
2. This permit is contingent on approval by the NHDES Alteration of Terrain Program.
3. This permit is contingent on issuance of a Water Quality Certificate by DES.
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. Manchester Boston Regional Airport will comply with the provisions of the Section 401 Water Quality certification upon its issuance and noncompliance shall be considered a violation of the conditions of this permit.
6. As part of this project, acquisition of properties has been necessary. DES shall be informed of the completion of the acquisitions and no work on those properties shall occur until these are finalized.
7. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless otherwise approved for use in the wetland restoration areas.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. 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.
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. Matting and pinning shall stabilize 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. Extreme precautions to be taken within riparian areas and areas in proximity to the Cohas Brook to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated as quickly as possible.

16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Extraordinary precautions shall be taken to prevent import or transport of seed stock from nuisance and invasive species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*).
18. A copy of the deed(s) shall be submitted to the DES Wetlands Bureau following the applicant's purchase of the properties necessary to be acquired for the project.
19. The final mitigation plans, including a planting schedule and deadlines for completion for the restoration and enhancement of approximately 4.3 acres of wetlands, shall be submitted to the Wetlands Bureau for review and approval.
20. The schedule for mitigation construction shall be submitted to the Wetlands Bureau for review and approval.
21. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland construction site. In other areas the permittee considers spreading the spoils, the potential for the establishment of the invasive species should be considered to limit its further establishment.
22. Wetland restoration, enhancement and construction areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
23. Wetland restoration, enhancement and construction areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
24. The permittee shall monitor the initial construction of the mitigation area to assure the work is accomplished in accordance with the plan, and that the necessary soil, water and vegetation is present upon completion of work. Site monitoring shall include a plan for removing invasive species and shall be reviewed by the Wetlands Bureau prior to implementation.
25. The permittee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of each mitigation site. After at least five full growing seasons, the permittee shall delineate the wetlands within the mitigation site and document the delineation with data forms and depict the delineation as an overlay of the final as built plans.
26. At least 48 hours prior to the start of each construction contract, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this NHDES wetlands permit, the NHDES Alteration of Terrain permit, the NHDES Water Quality Certificate, and any environmental commitments stated in the approved documents. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, the contract administrator(s), wetlands scientist(s), wildlife professional, and the contractor(s) responsible for performing the work.

Wetland construction:

27. This permit is contingent upon the restoration/enhancement/creation of approximately 4.3 acres of wetlands in accordance with plans prepared by The Smart Associates, Environmental Consultants, Inc. received March 20, 2007, and revised plans received August 27, 2007 that includes details on existing and proposed site conditions, grading and planting specification, soil erosion and sediment controls details, details on level spreaders, and cross sections.
28. The schedule for mitigation construction shall coincide with site development unless otherwise considered and authorized by the Wetlands Bureau to occur subsequent to site construction. The mitigation construction shall be completed no later than one year following the start of construction.
29. The acreage of wetland restoration/enhancement/creation, wetland preservation, and upland preservation for the selected sites shall be consistent with that described in the plans and materials received on March 20, 2007, April 12, 2007, and August 27, 2007.
30. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plans. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
31. The mitigation areas shall be properly constructed, monitored, managed in accordance with approved final mitigation plans, and the entire mitigation area shall be preserved from future development.
32. The applicant shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

Wetland preservation:

- 33. This permit is contingent upon the execution of legal agreements for the purposes of protection and preservation similar to conservation easement(s) and herein after called "preservation areas", on approximately 20 acres as depicted on plans received March 20, 2007 and August 27, 2007.
- 34. The legal agreements that may be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this legal agreement(s).
- 35. Draft protection and preservation language shall be submitted to the Wetlands Bureau for review and approval prior to final recordation.
- 36. The plan noting the preservation areas with a copy of the final protective and preservation language shall be recorded with the Registry of Deeds Office for each appropriate lot and a copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau.
- 37. The preservation areas:
 - a. Shall be marked by stakes and signs indicating the location and restrictions of the area;
 - b. The boundaries of the protected properties shall be surveyed by a licensed surveyor, and marked by permanent markers/signs for purposes of monitoring; and
 - c. The legal agreements for the preservation area shall be completed within one year of permit issuance.
- 38. The DES shall be notified in writing of any transfers of the preservation lands and mitigation sites to another organization that has been retained for management purposes and the name of the entity responsible to continue long-term management and/or stewardship of the lands.
- 39. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
- 40. Activities in contravention of the legal agreements for the preservation areas shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).
- 41. Failure to execute the mitigation components in a timely or successful manner will be subject to permit revocation and restoration of permitted impact areas.

With Findings:

- 1. The request is to amend the permit for the addition of stone level spreaders at each of the three outlets along South Willow Street.
- 2. The addition of the level spreaders were added to provide water quality treatment as required by the Section 401 Water Quality Certification and the NHDES pollutant loading model analysis.
- 3. The level spreaders result in an additional 0.2 acres of wetland impact and slightly decreases the area of wetland restoration and conservation easement.
- 4. The addition of the level spreaders benefit the surrounding wetlands by removing contaminants from stormwater runoff from South Willow St. and runway 6-24 therefore the impacts to wetlands and loss of restoration area are reasonable.

2007-00448 **NH DEPARTMENT OF TRANSPORTATION**
ALTON **Merrymeeting River**

Requested Action:

Replace a 28 ft. span bridge with a 40 ft. span bridge and improve roadway approaches impacting 19,913 sq. ft. (11,707 sq. ft. temporary) of riverine and palustrine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Replace a 28 ft. span bridge with a 40 ft. span bridge and improve roadway approaches impacting 19,913 sq. ft. (11,707 sq. ft. temporary) of riverine and palustrine wetlands. NHDOT project #13802.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated February 22, 2007, as received by the Department on March 8, 2007 and amended plan (sheet 2 of 29) received May 24, 2007.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau for review and approval. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. This permit is contingent upon the submission of stamped engineering plans in accordance with and specific to Rule Wt 404.04.
4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Construction equipment shall not be located within surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
17. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
18. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
19. The impacts associated with the temporary work shall be restored immediately following construction.
20. Wetland restoration area (temporary impacts) shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), disturbance of more than 200 linear feet of impacts to a river and its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The replacement of the bridge will be with a longer span and will improve public safety.
6. DES Staff finds that this project will not have a significant impact on these palustrine and riverine resources and are not at areas of substantial public interest where issues have been raised pursuant to RSA 482-A:1, therefore, a public hearing is not required.

**2007-01506 ST PAULS SCHOOL
CONCORD Turkey River, Library Pond & Lower School Pond**

Requested Action:

Dredge and fill a total of 3300 square feet within the bed and banks of Lower School Pond, Library Pond and the Turkey River to improve the peak discharge of key structures for flood control further described as follows:(a) Permanently impact 780 square feet for the installation of two 32 ft wide x 57 ft long x 8 ft high precast concrete open bottom arch structures and temporarily impact 850 square feet for construction access and temporary water diversion to improve the hydrologic connection between Lower School Pond and Library Pond.

(b) Permanently impact 550 square feet for the installation of a 16 ft wide x 55 ft long x 8 ft wide box culvert with a flood control gate and enlarge existing dam spillway to increase the peak flow rate between Library Pond and the Turkey River and temporarily impact 1120 square feet for construction access and temporary water diversion.

APPROVE PERMIT:

Dredge and fill a total of 3300 square feet within the bed and banks of Lower School Pond, Library Pond and the Turkey River to improve the peak discharge of key structures for flood control further described as follows:(a) Permanently impact 780 square feet for the installation of two 32 ft wide x 57 ft long x 8 ft high precast concrete open bottom arch structures and temporarily impact 850 square feet for construction access and temporary water diversion to improve the hydrologic connection between Lower School Pond and Library Pond.

(b) Permanently impact 550 square feet for the installation of a 16 ft wide x 55 ft long x 8 ft wide box culvert with a flood control gate and enlarge existing dam spillway to increase the peak flow rate between Library Pond and the Turkey River and temporarily impact 1120 square feet for construction access and temporary water diversion.

With Conditions:

1. All work shall be in accordance with plans by VHB Inc dated June 26, 2007, and revised through August 7, 2007, as received by the Department on August 10, 2007.
2. This permit is contingent on review of plans for the changes at the dam by the DES Dam Safety Program.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
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. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. Work shall be done during drawdown. Drawdown shall not occur during the winter months to maintain the pond elevation for possible hibernating species of concern.
7. Trees removed as part of the proposed project will be replanted with native species following construction.
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 equipment shall enter the water.
10. All work shall be done from the top of the bank.
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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
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.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

17. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
18. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
19. 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.
20. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
21. Proper headwalls shall be constructed within seven days of culvert installation.
22. Area of temporary impact shall be regraded to original contours following completion of work.
23. 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.
24. 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.
25. 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.
26. Silt fencing must be removed once the area is stabilized.
27. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
28. The proposed box culvert at the Hargate Dam shall only be opened in the event of a large storm event and the elevation of Library Pond shall be maintained.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.03(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 June 8, 2007. Field inspection determined the proposed impacts are reasonable.
6. The box culvert at the Hargate Dam will be activated only during large storm events maintaining the existing water level of Library Pond.
7. Downstream impacts are not anticipated as flood waters back up to the base of the Hargate Dam.
8. The Department has determined that the proposed flood wall is in compliance with Env-Wt 483-B.
9. The timeframe of the drawdown is limited due to the presence of a species of concern.

MINOR IMPACT PROJECT

2003-02624 MCKAY, THOMAS
GILFORD Lake Winnepesaukee

Requested Action:

Request to amend permit to add two fender piles.

Conservation Commission/Staff Comments:

ConComm signed expedited application.

Amendment will be permitted as proposed if notarized statements from abutters agree with project, otherwise canopy must be constructed as standard size (per CA).

Site inspection on 4/20/04 showed water depth would not be a hardship.

A second amendment request to drive two additional pilings was received 5/23/07

APPROVE AMENDMENT:

Amend permit to read: Replace two existing ice clusters (six pilings), reduce an existing 6 ft x 31 ft pier to 6 ft x 30 ft and drive 6 pilings to support a boatlift and install a 14 ft X 30 ft seasonal canopy adjacent to the southern side of an existing 4 ft x 31.2 ft piling pier and dug-in boat slip on 155 ft of frontage on Governors Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans dated November 12, 2003 by Watermark Marine as revised on August 20, 2007, and received by the Department on August 23, 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. 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. The 6 ft x 31 ft pier shall be reduced to 6 ft x 30 ft prior to the driving of the 6 new pilings.
5. Repair shall maintain existing size, location and configuration.
6. Work authorized shall be carried out to avoid or minimize impacts to spawning and nursery areas during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
9. This permit does not allow for maintenance dredging.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(m), installation of new tie-off piles, and Rule Wt 303.03(d), modification of a docking system that does not meet standard construction criteria described in WT 402.
2. The need for the proposed impacts has been demonstrated by the applicant per 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 Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. A site inspection completed by DES staff on April 8, 2003, found the proposed canopy will not obstruct views of adjacent properties or interfere with boating or swimming safety per Wt 402.08.

**2004-00313 SARGENT WOODS LLC
NEWTON Unnamed Wetland**

Requested Action:

Approve name change to: Sargent Woods LLC, 19 Page Hill Rd., New Ipswich, NH 03071 per request received 9/20/2007.
Previous owner: White Fences Development Corp.

Conservation Commission/Staff Comments:

No comments received from the Newton Conservation Commission.

APPROVE NAME CHANGE:

Fill approximately 9,191 square feet within forested wetlands and within the bed and banks of an intermittent stream to construct roadways to provide access to an 80-unit elderly housing development on approximately 65.97 acres.

With Conditions:

1. All work shall be in accordance with the following plans by True Engineering:
 - a) The Consolidation Plan (Sheets 2 & 3 of 32), and the Existing Conditions Plan (Sheets 4 & 5 of 32) dated November 20, 2003 and revised July 21, 2004, as received by the Department on July 27, 2004;
 - b) The Roadway Plan and Profiles (Sheets 8-14, 16, 17 & 20 of 32), the Grading Plan (Sheets 22-25 of 32), the Sign and Roadway Details (Sheet 26 of 32), the Soil and Erosion Control Details (Sheet 27 of 32) and the Drainage Details (Sheet 28 of 32) dated November 20, 2003 and revised May 18, 2004, as received by the Department on June 28, 2004; and
 - c) The Roadway Plan and Profiles (Sheets 15, 18 & 19 of 32) and the Grading Plan (Sheet 21 of 32) dated November 20, 2003 and revised June 14, 2004, as received by the Department on June 28, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. 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.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Newton Conservation Commission of the date project construction is proposed to begin.
7. Work shall be conducted during low flow conditions.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate erosion, siltation and turbidity controls shall be installed 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. 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. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. 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.
16. 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.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

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

2004-01308
SANDWICH

BATES, GEORGE

Requested Action:

Amend permit to reset rock from one of the original rock barbs and install the third rock barb as DES originally suggested in 2004, impacting an additional 75 square feet of the Whiteface River.

Conservation Commission/Staff Comments:

The conservation commission did not comment on the proposed application however, the chair of the conservation commission attended the site inspection and was supportive of the proposed concept.

APPROVE AMENDMENT:

Dredge and fill a total of 225 square feet of the bed and banks of the Whiteface River further described as follows: New work to include resetting rock from one of the original rock barbs and install a third rock barb and retain previously approved impacts of 150 square feet to stabilize 30 linear feet of bank utilizing stream restoration techniques, dredge to remove large stump from the center of the channel and place on the bank and cut existing log causing scour at the base leaving the roots.

With Conditions:

1. All work shall be in accordance with plans by RJA dated September 17, 2004, as received by the Department on July 5, 2007 and the narrative dated September 17, 2004 as received by the Department on September 20 and narrative received via e-mail September 30, 2004.
2. 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.
3. Work shall be done during low flow.
4. 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.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
8. Precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access.
9. The Permittee shall monitor the weather and will not commence work within flowing water when rain is in the forecast.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering jurisdictional areas. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. Construction Equipment shall not enter flowing waters.
14. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
15. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
16. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
17. 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.
18. A post-construction report documenting the status of the restored streambed and banks, including photographic documentation shall be submitted to the Wetlands Bureau and the Conservation Commission within 60 days of the completion of construction.
19. The permittee or a designee shall conduct a follow-up inspection the July following the completion of construction, to review the success of the stabilization effort and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by August 1 of that year. Similar inspections, reports and remedial actions shall be undertaken for the second and third years.

With Findings:

1. This is a minor impact project per Administrative Rule 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 Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per 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 Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on September 10, 2004. Field inspection determined the proposed project is needed to protect the existing roadway. There is a log and a stump in the channel which are contributing to the

bank erosion.

- 6. DES has consulted with NH Fish and Game and the Whiteface River has a native population of Brook Trout.
- 7. The proposal will be monitored by the permittee or a designee and is designed to improve fish habitat as well as protect the roadway.
- 8. The Chair of the Sandwich Conservation Commission attended the site inspection and was supportive of the proposal.
- 9. The Department originally suggested the installation of the third rock barb that is permitted in this approval.

2006-01388 M & A DEV GROUP LLC
WOLFEBORO Lake Winnepesaukee

Requested Action:

Approve name change to: M & A Dev Group LLC, 26 Hunnewell St., Wellesley Hills, Ma 02481 per request received 9/10/2007.

Previous owner: David & Louise Horton.

Conservation Commission/Staff Comments:

Con Com submitted comments about lack of plans.

APPROVE NAME CHANGE:

Construct two 6 ft by 61 ft permanent docks connected by a 6 ft by 24 ft permanent walkway, install a 26 ft by 36 ft seasonal canopy over the center slip, install (2) three pile ice clusters at the end of each dock, on Lake Winnepesaukee, Wolfeboro.

With Conditions:

- 1. All work shall be in accordance with plans by Lakeshore Construction dated October 11, 2006, as received by the Department on October 13, 2006.
- 2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
- 3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
- 4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
- 5. Repairs shall maintain existing size, location and configuration.
- 6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
- 6. This permit does not allow for maintenance dredging.
- 7. The dock shall not extend more than 30 ft lakeward at full lake elevation of 504.32.
- 8. The minimum clear spacing between piles shall be 12 feet.
- 9. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
- 10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

2006-03239 16 ANTRIM ROAD LLC
HILLSBOROUGH Unnamed Wetland

Requested Action:

Dredge and fill 8,618 square feet of excavated palustrine forested, scrub-shrub, and emergent wetlands and 640 square feet of palustrine forested wetlands for the construction of a ±76,000 square foot commercial truck accessory sales and installation facility within the protected shoreland.

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

APPROVE PERMIT:

Dredge and fill 4,979 square feet of palustrine forested, scrub-shrub, and emergent wetlands and temporarily impact 753 square feet of palustrine scrub-shrub and excavated wetlands for the construction of a ±76,000 square foot commercial truck accessory sales and installation facility within the protected shoreland.

With Conditions:

1. All work shall be in accordance with plans by Moser Engineering dated December 20, 2006, and revised through August 13, 2007, as received by the Department on August 24, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. Work shall be done during low flow conditions.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. 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.
8. 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.
9. Prior to commencing work within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
11. 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.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Culverts shall be laid at original grade.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. 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.

RESTORATION:

19. This permit is contingent upon the restoration of 753 square feet of temporary wetlands impact in accordance with plans received August 24, 2007.
20. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands DES within sixty (60) days of the completion of construction.
21. The wetland restoration area shall have at least 75% successful establishment of wetlands vegetation after one (1) growing season, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
22. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 square feet of wetlands.
2. The applicant has received written consent from the owners of Lots 314 and 318 (tax map 11L), abutters to the property on which project activities will take place, for work within 20 feet of their property lines, in accordance with Env-Wt 304.04(a).
3. The applicant has received a slope and drainage easement from the owner of abutting property tax map/lot 11L/314.
4. In a letter dated February 03, 2007, the Contoocook and North Branch Rivers Local Advisory Committee (CNBRLAC) asked DES look review methods of avoiding drainage of pollutants from the vehicles into the Contoocook River and expressed concern regarding an existing storage tank exhaust pipe.
5. In a letter dated January 26, 2007, the Hillsborough Conservation Commission (HCC) requested DES consider secondary wetland impacts, compensatory mitigation, and water quality impacts.
6. In a letter dated May 22, 2007, the applicant's engineer indicated the owner does not have knowledge of a storage tank.
7. The proposed project requires DES Alteration of Terrain Program approval, this program reviews project to ensure the control of soil erosion and the management of stormwater runoff from developed areas. This review will address some concerns of the CNBRLAC and HCC.
8. Pursuant to Env-Wt 302.03(b), this project does not require mitigation.
9. Project impacts will not occur within the 150-foot natural woodland buffer.
10. A vernal pool survey was completed by a certified wetlands scientist, who determined the wetlands on-site did not meet the current accepted definition of a vernal pool.
11. DES Staff conducted a field inspection of the proposed project on July 09, 2007. Field inspection determined avoiding permanent impacts to the pond area was appropriate.
12. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
13. 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.
14. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00435 VELA, GEORGE
THORNTON Unnamed Wetland

Requested Action:

Dredge approximately 19,000 sq. ft. of forested wetlands for construction of a wildlife pond with 4 vegetated planting zones.

APPROVE PERMIT:

Dredge approximately 15,800 sq. ft. of forested wetlands for construction of a wildlife pond with 4 vegetated planting zones.

With Conditions:

1. All work shall be in accordance with plans and narratives by Lobdell Associates, Inc., Construction Sequence, received by DES on March 2, 2007, Response to Request for More Information and Planting Plan narrative, dated June 29, 2007, "George Vela Pond" plan (Figure 3), revision dated June 18, 2007, "Vegetative Zones" plan (Figure 7), as received by DES on August 20, 2007.
3. A New Hampshire Certified Wetland Scientist (CWS) shall monitor the project during construction to assure the pond is constructed in accordance with the approved plans and narratives.
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.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. A post-construction report documenting the status project area with photographs shall be prepared by a CWS and submitted to the Wetlands Bureau within 60 days of the completion of the pond construction.
8. 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.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. 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.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. 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.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(e) Construction of a pond with less than 20,000 square feet of impact in a wetland or surface waters, which does not meet the criteria of Env-Wt 303.04(p).
2. 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.
3. The pond location is dictated by the adjacent steep upland slopes, the location of an intermittent stream and the location of adequate hydrology and soil conditions.
4. The applicant has reduced their original request of 19,000 sq. ft. of wetlands impact to 15,800 sq. ft. of impact.
5. The pond revision included moving the pond further from the adjacent intermittent stream.
6. The adjacent intermittent stream does not enter the proposed pond.
7. The proposed pond will be a wildlife pond (approximately 4 to 8 ft. deep) with multiple plantings zones to increase wildlife habitat.
8. The project would have qualified as minimum impact project per Administrative Rule Env-Wt 303.04(p), however, a portion of the pond includes very poorly drained soils.
9. The New Hampshire Fish and Game Department did not submit comments.
10. The United Fish & Wildlife Service submit comments, however, they determined that no filling of wetlands was proposed and they withdrew their request for further review.

2007-00684 DAWKINS, ROBERT
BOW Unnamed Wetland

Requested Action:

Dredge 12,940 square feet of forested wetland to create a wildlife pond.

Conservation Commission/Staff Comments:

Although the Bow Conservation Commission requested an extension to review the application on 4/18/07, no further information was sent to DES thereafter.

APPROVE PERMIT:

Dredge 12,940 square feet of forested wetland to create a wildlife pond.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, Inc. dated March 8, 2006, as received by DES on April 6, 2007.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
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. 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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

8. The pond shall be monitored and a written report documenting its condition shall be submitted to the Wetlands Bureau by July 15 of the year following construction. The construction report shall include photographic documentation. The Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the pond is not adequately stabilized and planted.

9. The plants identified on the approved plan for planting shall have at least 75% successful establishment after two (2) growing seasons, or those plants shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

10. The pond creation shall not be considered successful if the site is invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found within the pond during this same period.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(e) construction of a pond with less than 20,000 square feet of impact in a wetland or surface waters, which does not meet the criteria of Env-Wt 303.04(p).
2. The applicant wishes to construct a wildlife pond, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. Alternatives were explored and this site best suites the pond construction as the area is shallow to bedrock, 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(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Fish and Game Dept., Nongame and Endangered Wildlife program ("NHFG") identified the Blanding's turtle as a species of concern within the vicinity of the project. Furthermore, the NHFG contends that this project represents a direct loss of habitat for the turtle.
6. DES finds that the Blanding's turtle will not be adversely affects as the construction of this pond includes an aquatic shelf habitat with numerous plantings that the Blanding's turtle may use. By including the aquatic shelf, the pond will enable diverse use of the pond by many herptilians of which the Blanding's may predate.

2007-01284 CRAWFORD, STEVEN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Approve name change to: Steven S. Crawford, 28 Avon Rd., Bronxville, NY 10708 per request received 9/19/2007. Previous owner: James Crawford.

APPROVE NAME CHANGE:

Remove 62.5 sq ft of permanent docking facility and install a seasonal boatlift and 2 seasonal personal watercraft lifts adjacent to the remaining docking facility which will consist of a 5 ft 6 in x 25 ft pier supported by two 4 ft x 8 ft cribs connected to an 8 ft x 25 ft pier supported by two 6 ft x 8 ft cribs by an 11 ft 7 in x 24 ft walkway supported by two 6 ft x 8 ft cribs accessed by a 4 ft 6 in x 30 ft 6 in walkway on an average of 246 ft of frontage on Moultonborough Bay, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated April 24, 2007, as received by DES on June 5, 2007.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall

remain until the area is stabilized.

6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

2007-01449 MCLAREN, JOHN & ARLENE
MOULTONBOROUGH Squam Lake

Requested Action:

Install two 6 ft x 40 ft seasonal piers connected by a 6 ft x 10 ft walkway in a "U" configuration, construct a 18 ft x 20 ft perched beach and dredge 1 cubic yard of rock material for beach lake access on 237.8 ft of frontage in Moultonborough on Squam Lake.

APPROVE AMENDMENT:

Install two 6 ft x 40 ft seasonal piers connected by a 6 ft x 10 ft walkway in a "U" configuration, construct a 18 ft x 20 ft perched beach and dredge 1 cubic yard of rock material for beach lake access on 237.8 ft of frontage in Moultonborough on Squam Lake.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design dated June 12, 2007, as received by DES on June 25, 2007.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
6. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. 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 562.5). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
8. The steps installed for access to the water shall be located completely landward of the normal high water line.
9. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. No more than 1 cubic yard of rock material shall be removed for the installation of lake access stairs.
13. 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.
14. 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.
15. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

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.

2007-01488 HOWLAND, ROBERT
CHARLESTOWN Benware Brook

Requested Action:

Dredge approximately 750 square feet of deposited sediment from Benware Brook.

APPROVE PERMIT:

Dredge approximately 750 square feet of deposited sediment from Benware Brook.

With Conditions:

1. All work shall be in accordance with plans by Robert C. Howland dated August 18, 2007, as received by the Department on August 24, 2007.
2. Work shall be done during low flow conditions.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. 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.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the DES Wetlands Bureau.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Prior to commencing work within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
11. 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.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
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.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. 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.
18. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
19. 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.
20. A post-construction report documenting the status of the completed construction shall be submitted to the DES Wetlands

Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of a perennial stream channel or its banks.
2. Removal of deposited material is required to unblock the outlet of and allow flow from an existing pond outlet culvert.
3. The applicant has provided a waiver request per Env-Wt 204.03, to waive wetland delineation by a certified wetland scientist, per Env-Wt 301.01.
4. The stream boundaries are well defined and abutted by uplands.
5. The project will not alter the boundaries of the stream.
6. It would be an economic hardship for the owner to retain a certified wetland scientist.
7. 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 304.09(a).
8. 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.
9. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
10. 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.
11. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2007-01690 **CLARK, KEVIN & JEANINE**
TUFTONBORO Lake Winnepesaukee

Requested Action:

Remove 5 sq ft of crib pier, repair the remaining 10 ft x 41 ft 6 in crib pier, and install two new fender pilings on 420 ft of frontage in Tuftonboro on Lake Winnepesaukee.

APPROVE PERMIT:

Remove 5 sq ft of crib pier, repair the remaining 10 ft x 41 ft 6 in crib pier, and install two new fender pilings on 420 ft of frontage in Tuftonboro on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on September 17, 2007.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. The 5 sq ft of crib pier shall be removed prior to the installation of the tie off pilings.
5. The dock shall extend no more than 41 ft 6 inches from the reference line.
6. This permit does not allow for maintenance dredging.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
9. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
10. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
11. Future repairs shall be maintained at this permitted size, location and configuration.

- 12. All construction related material and debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 13. No more than 2 new tie-off piles shall be driven.
- 14. 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(m) installation of new tie-off piles.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2007-00408 OBRIEN, SALLY
JAFFREY Gilmore Pond

Requested Action:

Amend permit to change Specific Condition # 3 to allow the dock within 8 feet of the abutting property line as indicated on the approved plan and add the correct expiration date on the permit.

Conservation Commission/Staff Comments:

Con Com signed Exp Application and page of comments

APPROVE AMENDMENT:

Construct a 6 ft x 45 ft seasonal dock with a 6 ft x 10 ft dock in a "L" configuration at the lakeward end, construct a 253 sq ft perched beach with 4 ft access stairs to the waterbody on 400 ft of frontage on Gilmore Pond, in Jaffrey.

With Conditions:

- 1. All work shall be in accordance with plans by Davies & Bibbins, Architects dated August 09, 2007, as received by DES on August 13, 2007.
- 2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
- 3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 8 ft from abutting property lines or the imaginary extension of those lines into the water.
- 4. Seasonal pier shall be removed from the lake for the non-boating season.
- 5. No portion of the pier shall extend more than 45 feet from the shoreline at full lake elevation.
- 6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 7. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
- 8. 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 1052). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
- 9. The steps installed for access to the water shall be located completely landward of the normal high water line.
- 10. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
- 11. This permit shall be used only once, and does not allow for annual beach replenishment.
- 12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
- 13. 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.

14. 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(a), construction of a seasonal pier or wharf if no more than 2 slips, including previously existing slips, are proposed, and all criteria of Env-Wt 402 are met.
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 an average of 395 feet of shoreline frontage along Gilmore Pond.
6. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The proposed docking facility will provide 1 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
8. The applicant submitted a signed notarized letter from the abutter for the placement of the dock within the abutters 20 ft setback.

2007-01443 LEWIS, KEVIN & ROBIN
WHITEFIELD Unnamed Wetland

Requested Action:

Dredge and fill approximately 2,194 sq. ft. of wetlands to upgrade an existing road to include: replacement of four existing culverts with 18 in. by 35 ft. long corrugated metal culverts and install one new 18 in. by 20 ft. long culvert, to facilitate access to a proposed four lot residential subdivision.

Conservation Commission/Staff Comments:

No comments or objections from the Con-Com to date.

APPROVE PERMIT:

Dredge and fill approximately 2,194 sq. ft. of wetlands to upgrade an existing road to include: replacement of four existing culverts with 18 in. by 35 ft. long corrugated metal culverts and install one new 18 in. by 20 ft. long culvert, to facilitate access to a proposed four lot residential subdivision.

With Conditions:

1. All work shall be in accordance with plans entitled Wetland Delineation and Permitting Plans for Kevin and Robin Lewis, Old East Road, Whitefield, New Hampshire, Prepared by Colin F. Sutherland, as received by the Department on June 25, 2007 and plans entitled Lewis Subdivision Whitefield Culvert Detail as received by the Department on September 25, 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 number 3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done during periods of non-flow.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. 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).
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 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. DES had concerns regarding the age of the existing road and Right of Way to Lot 12.
6. Based on a response received by the Department on September 20, 2007, we have been informed that the existing road and Right of Way was historic and used for the purposes of logging and as access for a small Maple Sugar operation.

2007-01467 HARTFORD, HOWARD
FREMONT Unnamed Stream Brown Brook

Requested Action:

Dredge and fill 800 sq. ft. of palustrine forested wetlands and within a seasonal stream to install a 4 ft. x 8 ft. box culvert to construct a driveway crossing to access a single family house lot on a 5.43 acre parcel of land.

Conservation Commission/Staff Comments:

The Fremont Conservation Commission originally expressed concerns regarding the proposed culvert installation. These concerns have been addressed and abated following the requested field inspection.

Inspection Date: 09/07/2007 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill 800 sq. ft. of palustrine forested wetlands and within a seasonal stream to install a 4 ft. x 8 ft. box culvert to construct a driveway crossing to access a single family house lot on a 5.43 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Landry Surveying, LLC and detail of box culvert dated May 2007, as received by DES on June 28, 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, for septic setback or other construction activities.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow.

With Findings:

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

FORESTRY NOTIFICATION

**2007-02169 SEIDEL, JAMES
LYMAN Unnamed Stream**

COMPLETE NOTIFICATION:
Lyman Tax Map 170, Lot# 146

**2007-02174 DRED - TRAILS BUREAU
BERLIN Unnamed Stream**

COMPLETE NOTIFICATION:
Berlin Tax Map 402, Lot# 31

**2007-02175 DRED - TRAILS BUREAU
BERLIN Unnamed Stream**

COMPLETE NOTIFICATION:
Berlin Tax Map 407, Lot# 18

EXPEDITED MINIMUM

**2007-01350 PELLETIER, RICHARD
WINDHAM Unnamed Wetland**

Requested Action:
Dredge and fill 1,530 square feet of forested wetland for the construction of a driveway and associated turn-around for a single family residential dwelling.

Conservation Commission/Staff Comments:
The Windham Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:
Dredge and fill 1,530 square feet of forested wetland for the construction of a driveway and associated turn-around for a single family residential dwelling.

With Conditions:
1. All work shall be in accordance with the following plans by Meridian Land Services, Inc.:
a.) Wetland Impact Plan (Sheet 1 of 1) dated May 17, 2007, as received by DES on June 19, 2007;
b.) Tree Count Plan (Sheet 1 of 1) dated August 9, 2007, as received by DES on August 15, 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. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. Work shall be done during seasonal low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland
2. The impacts are necessary for access to buildable upland, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The DRED-Natural Heritage Bureau ("NHB") identified three (3) vertebrate species within the vicinity of the project: Banded Sunfish (*Enneacanthus obesus*), Swamp Darter (*Etheostoma fusiforme*), and a State-threatened species, Common Loon (*Gavia immer*).
6. The applicant provided drainage calculations of the off-site drainage into Canobie Lake that shows an insignificant increase of off-site drainage.
6. Therefore DES finds that none of the aforementioned species will be adversely affect by the impacts in the upland wetlands.

2007-01353 MASON, TOWN OF
MASON Unnamed Pond

Requested Action:

Maintenance dredge 800 square feet of deposited sediment from an existing fire pond in Rocky Brook.

APPROVE PERMIT:

Maintenance dredge 800 square feet of deposited sediment from an existing fire pond in Rocky Brook.

With Conditions:

1. All work shall be in accordance with plans by the Town of Mason dated June 11, 2007, and revised through August 20, 2007, as received by the Department on August 21, 2007.
2. All work shall be done in or low water of frozen conditions.
3. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Prior to commencing work located within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
6. Work within the surface waters, 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.
7. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Machinery shall not be located within surface waters, where practicable.
10. Machinery shall be staged and refueled in upland areas.
11. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.
13. Within three calendar 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(k), maintenance dredging, when necessary to provide continued usefulness of nontidal man-made ponds.
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.

2007-01413 HALSTEAD, ROBERT
MILFORD Unnamed Stream

Requested Action:

Dredge and fill 265 square feet of forested wetland to install a 24-inch by 20-foot HDPE culvert for the construction of a driveway for access to a single family residential dwelling on approximately 16.7 acres.

Conservation Commission/Staff Comments:

The Milford Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 265 square feet of forested wetland to install a 24-inch by 20-foot HDPE culvert for the construction of a driveway for access to a single family residential dwelling on approximately 16.7 acres.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated May 22, 2007 and revised through August 9, 2007 as received by DES on August 10, 2007.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
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. 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 impacts are necessary to gain access to buildable uplands, 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.

2007-01468 COOK, PEARL
NOTTINGHAM Unnamed Wetland

Requested Action:

Dredge and fill 1,004 sq. ft. of wetlands and install a 15" x 20' culvert for construction of a driveway crossing to a single family lot.

APPROVE PERMIT:

Dredge and fill 1,004 sq. ft. of wetlands and install a 15" x 20' culvert for construction of a driveway crossing to a single family lot.

With Conditions:

1. All work shall be in accordance with plans by Landry Surveying LLC dated May 2007, as received by DES on July 3, 2007.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
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.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Culvert outlets shall be properly rip rapped.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert and associated fill for construction of a driveway crossing to a single family house 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.
5. The Nottingham Conservation Commission signed the expedited application.

2007-01533 WINDHAM, TOWN OF
WINDHAM Hitty Titty Brook

Requested Action:

Impact 360 square feet within the bed and banks of Hitty Titty Brook to replace four (4) existing culverts with a 12-foot wide by 30-foot long by 4-foot high bottomless box culvert beneath Doiron Road.

Conservation Commission/Staff Comments:

The Windham Conservation Commission signed the Minimum Impact Expedited Application.s

APPROVE PERMIT:

Impact 360 square feet within the bed and banks of Hitty Titty Brook to replace four (4) existing culverts with a 12-foot wide by

30-foot long by 4-foot high bottomless box culvert beneath Doiron Road.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc. Inc. dated September 2005, as received by DES on July 11, 2007.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
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. Unconfined work within Hitty Titty Brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. 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.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

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 four (4) culverts at this location do not adequately convey flow beneath Doiron Road, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. A bottomless box culvert will be used in place of these culverts to better address drainage issues at this particular site. The width of the box culvert will be the same as the previous culverts, 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.

2007-01864 RUMFELT, PAUL & JOCELYN SCARPETTI
MANCHESTER Unnamed Pond

Requested Action:

Maintenance dredge approximately 20,000 sq. ft. of an existing man-made pond. Work includes installation of erosion, sedimentation and turbidity controls, temporary access and removal of approximately 1 to 2 ft. of accumulated sediments from the bed of the pond.

APPROVE PERMIT:

Maintenance dredge approximately 20,000 sq. ft. of an existing man-made pond. Work includes installation of erosion, sedimentation and turbidity controls, temporary access and removal of approximately 1 to 2 ft. of accumulated sediments from the bed of the pond.

With Conditions:

1. All work shall be in accordance with plans prepared by Natalie M. Duval and narratives, as received by DES on August 1, 2007.

2. Work shall be done during drawdown.
3. Work shall be done during low flow.
4. A New Hampshire Certified Wetland Scientist (CWS) shall monitor the project during construction to assure the pond maintenance is conducted in accordance with the approved plans and narratives.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. 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. 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.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The 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.
12. 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.
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 refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways, provided that:
 - (1) The work is done within the original bounds of a legally-constructed project;
 - (2) The project is not located in or adjacent to prime wetlands;
 - (3) The work does not exceed 20,000 square feet; and
 - (4) For man-made ponds, the pond has not been abandoned as defined in Env-Wt 101.01;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed project will remove sediments and debris that have accumulated in the pond from the May 2006 and April 2007 flood events.
6. The sediment removal is expected to restore impaired functions and values of the pond.
7. The New Hampshire Fish and Game Department did not submit comments.
8. The Manchester Conservation Commission signed the Minimum Impact Expedited Application.
9. The applicant obtained a written agreement from an abutter to the project in accordance with Administrative Rule Env-Wt 304.04(a).
10. The proposed project will be conducted when the pond is dry due to drawdown of the Merrimack River.

Requested Action:

Impact a total of 718 square feet within the bed and banks of Gumpas Pond Brook to include 186 square feet of temporary impact to construct a sandbag cofferdam to be done in conjuncture with the installation of a temporary 24-inch HDPE culvert and permanently impact 532 square feet to remove the existing stone box culvert, install a new bottomless box culvert, and widen Gumpas Hill Road for safe vehicular passage.

Conservation Commission/Staff Comments:

The Pelham Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 718 square feet within the bed and banks of Gumpas Pond Brook to include 186 square feet of temporary impact to construct a sandbag cofferdam to be done in conjuncture with the installation of a temporary 24-inch HDPE culvert and permanently impact 532 square feet to remove the existing stone box culvert, install a new bottomless box culvert, and widen Gumpas Hill Road for safe vehicular passage.

With Conditions:

1. All work shall be in accordance with the Wetland Impact Plan (Sheet 7 of 9) by T.F.Moran, Inc. dated August 8, 2007 and revised August 14, 2007, as received by DES on August 17, 2007.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
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, 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. Prior to commencing work on a substructure located within Gumpas Pond Brook, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Unconfined work within the Gumpas Pond Brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of seasonal low flow conditions.
7. 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.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. The composition of the bed of Gumpas Pond Brook beneath the bottomless box culvert shall be restored to the condition of the upstream and downstream sections of Gampus Pond Brook.
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. 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).
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
15. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. 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.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The existing stone culvert beneath Gumpas Hill Road is failing. In addition, the road will widened to allow emergency vehicle

access, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The existing stone culvert will be replaced with a bottomless box culvert and retaining are proposed for the shoulders, 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.

TRAILS NOTIFICATION

2007-02173 DRED - TRAILS BUREAU
BERLIN Unnamed Stream Wetlands

COMPLETE NOTIFICATION:
Berlin Tax Map 407, Lot# 3 & 9

LAKES-SEASONAL DOCK NOTIF

2007-02180 LEES/ DOWNING, MICHAEL & CYNTHIA
MOULTONBOROUGH Lees Pond

COMPLETE NOTIFICATION:
Moultonborough, NH Tax map 75 Lot 20
Lees Pond

2007-02181 LEES/ DOWNING, MICHAEL & CYNTHIA
MOULTONBOROUGH Lees Pond

COMPLETE NOTIFICATION:
Moultonborough, NH Tax map 75 Lot 20 Block 1
Lees Pond

2007-02182 LEES/ DOWNING, MICHAEL & CYNTHIA
MOULTONBOROUGH Lees Pond

COMPLETE NOTIFICATION:
Moultonborough, NH Tax map 75 Lot 20 Block 2
Lees Pond

2007-02183 BENNETT, SPENCER
HENNIKER Pleasant Pond

COMPLETE NOTIFICATION:
Henniker, NH Tax map 1 Lot 720
Pleasant Pond

2007-02184 GOLD, RICHARD
CENTER CONWAY Conway Lake

COMPLETE NOTIFICATION:
Center Conway, NH Tax map 273 Lot 23
Conway Lake

2007-02207 PEACE, RICHARD & JUDY
CENTER CONWAY Conway Lake

COMPLETE NOTIFICATION:
Center Conway, NH Tax map 268 Lot 152 Block 4
Conway Lake

ROADWAY MAINTENANCE NOTIF

2007-02228 TOWN OF HANCOCK/FIRST CONGREGATIONAL CHURCH
HANCOCK Unnamed Stream

COMPLETE NOTIFICATION:
Replace a failed 15" Culvert with an 18" HOPE Culvert. The outlet end will be relocate 10' to the west of the existing outlet to avoid removal of several large appletrees

PERMIT BY NOTIFICATION

2007-02030 CRABB, DOUGLAS
CANTERBURY Unnamed Pond

Requested Action:
Dredge and fill approximately 30 square feet of a man made pond to install a dry hydrant for municipal fire protection purposes.

PBN IS COMPLETE:
Dredge and fill approximately 30 square feet of a man made pond to install a dry hydrant for municipal fire protection purposes.

2007-02144 THAYER, GERALD & CANDACE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair existing docking facility, perched beach, and lake access stairs.

PBN IS COMPLETE:

Repair existing docking facility, perched beach, and lake access stairs.

With Findings:

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

2007-02192 HAYES REALTY TRUST, DIANE
ALTON Lake Winnepesaukee

Requested Action:

Repair existing docking facility.

PBN IS COMPLETE:

Repair existing docking facility.

With Findings:

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