

# Wetlands Bureau Decision Report

Decisions Taken  
10/08/2007 to 10/14/2007

## **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**

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**2004-01076                      KEEWAYDIN DRIVE REALTY LLC, C/O BROOKS PROPERTIES  
SALEM    Unnamed Wetland Adjacent To Salem Prime Wetland #17**

Requested Action:

Request Permit Amendment to impact an additional 430 sq. ft. of wetlands located in a man-made drainage ditch for the construction of an access way to serve an additional building proposed on the site.

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Conservation Commission/Staff Comments:

Rec'd Feb. 12, 2007, letter from Salem CC stating review of app. is completed, including a site visit and voted to recommend approval of the application and plans as submitted. - nlp

In a letter to the DES Wetlands Bureau dated July 9, 2004 the Salem Conservation Commission recommended approval of the application.

Inspection Date: 04/01/2004 by Christian P Williams

APPROVE AMENDMENT:

Approve Request for Permit Amendment to impact an additional 430 sq. ft. of wetlands located in a man-made drainage ditch for the construction of an access way to serve an additional building proposed on the site on permit to: Fill approximately 5,685 (new total 6,115 sq.ft.)sq. ft. of previously disturbed forested wetlands to construct a 36,920 square-foot Medical Laboratory & Testing Facility and associated access roadway and parking lot, and excavate approximately 4,220 sq. ft. of previously disturbed forested wetlands to construct a stormwater detention basin and improve on-site drainage, adjacent to Salem Prime Wetland #17.

With Conditions:

1. All work shall be in accordance with the following plans by TF Moran, Inc.:
  - a) The Grading and Drainage Plan (Sheet 5 of 14) dated May 6, 2004 and revised June 24, 2004, as received by the Department on July 2, 2004;
  - b) The Wetland Mitigation Plan (Sheet 9 of 14) dated May 21, 2004 and revised June 24, 2004, as received by the Department on July 2, 2004; and
  - c) The Existing Conditions Plan (Sheet 2 of 13) dated May 6, 2004 and revised May 21, 2004, as received by the Department on May 26, 2004.
- 1a. All work approved by this PERMIT AMENDMENT shall be in accordance with plans by SFC Engineering Partnership, Inc. dated 6/7/2007 (last revised 7/3/07) as received by the Department on July 30, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. 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, professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Salem Conservation Commission of the date project construction is proposed to begin.
6. Work shall be conducted during low flow conditions.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. 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.
9. The boundaries of the 100-foot non-disturbance prime wetland buffer shall be clearly marked prior to construction, shall be remain marked until construction is complete and the area is fully 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. The project is categorized as a Major Impact Project, per Administrative Rule Wt 303.02(f), as the project is located adjacent to Salem Prime Wetland #17.
2. Project activities will impact wetlands that have been historically ditched and excavated.
3. The project has been designed to treat post-development stormwater runoff and existing untreated stormwater runoff that discharges directly into wetlands on the property.
4. The applicant is proposing to maintain a minimum of a 100-foot buffer between the limits of construction and the boundary of Salem Prime Wetland #17.
5. The applicant has agreed to preserve approximately 1.33 acres of wetlands and contiguous upland buffer on-site, through execution of conservation easement granted to the Town of Salem. A portion of the conservation easement area borders property currently owned by the Town of Salem.
6. In a memo dated March 26, 2004 the NH Natural Heritage Bureau indicated that a population of state-threatened Wild Lupine had been documented in the project vicinity. Based on review of the map provided by the NH Natural Heritage Bureau showing the known location of the Wild Lupine population, and review of the USGS Map and Tax Map submitted in support of the application, the Department finds that the Wild Lupine population is located approximately 750 feet north of proposed project. As a result, the Department finds that the proposed project will not have an adverse affect on the documented Wild Lupine population.
7. NHDES Wetlands Bureau staff conducted a field inspection of the property on April 1, 2004.
8. Based on observations made during the above-referenced field inspection of the property, the Department finds that the plans submitted in support of the application accurately depict the boundaries of Salem Prime Wetland #17 and other non-prime wetlands on the property.
9. In a letter to the NHDES Wetlands Bureau dated July 9, 2004 the Salem Conservation Commission recommended approval of the application.
10. On August 24, 2004 the NHDES Wetlands Bureau conducted a public hearing for the proposed project, in accordance with Rule Wt 703.03. No concerns or objections were raised during the hearing.
11. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
12. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
13. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
14. The applicant has sufficiently addressed the criteria for approval, defined in Rule Wt 703.01(b), for projects located in or adjacent to designated prime wetlands.
15. Based on the above-referenced findings, the Department finds that there is clear and convincing evidence that this proposal will result in no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Administrative Rule Wt 703.01(b).
16. On August 25, 2004 the NHDES Wetlands Bureau received a letter from the Town of Salem Board of Selectmen, Planning Board and Conservation Commission stating that they had no objection to a waiver of the Department's 28-day hold on permit issuance, as described in Rule Wt 704.01.

Requested Action:

Untimely response 120 denial

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Untimely response 120 denial

**2007-01280                      KATZ, ERIC**  
**NEW CASTLE    Piscataqua River**

Requested Action:

Construct a 6 ft. X 20 ft. permanent pier with a 3 ft. x 20 ft. ramp landing on a 8 ft. x 30 ft. seasonal float to provide water access on 190 linear feet of shoreline frontage on the Piscataqua River.

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Conservation Commission/Staff Comments:

The New Castle Conservation Commission intervened on this application on 06/27/07. No follow-up report was received.

Inspection Date: 07/20/2007 by Frank D Richardson

APPROVE PERMIT:

Construct a 6 ft. X 20 ft. permanent pier with a 3 ft. x 20 ft. ramp landing on a 8 ft. x 30 ft. seasonal float to provide water access on 190 linear feet of shoreline frontage on the Piscataqua River.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated 5/24/07, as received by DES on June 05, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a)and(c), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 20, 2007. Field inspection determined the pier will be constructed from the existing retaining wall. There is no fringe salt marsh at this location. The beachfront is a coarse sand/ gravel strand.
6. This structure will have no adverse impact on the marine resources in the area.
7. The NH PDA Division of Ports and Harbors, Chief Harbor Master has determined that "...the project would have no negative effect on navigation in the channel."

-Send to Governor and Executive Council-

**2007-01521                      PACKARD, JOHN**  
**RYE   Piscataqua River Back Channel**

Requested Action:

Install an additional 6 ft. x 20 ft. seasonal float connected to the existing pier/float by a seasonal 3 ft. x 12 ft. access walk (float) to provide docking for an additional watercraft on 308 linear feet of shoreline frontage on the Piscataqua River Back Channel.

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Conservation Commission/Staff Comments:

The Rye Conservation Commission intervened on this application on July 16, 2007 and then submitted a follow-up report on August 2, 2007 stating "... the [Rye] Conservation Commission does not object to the following proposal for a dock: Packard, 3 Wentworth Road

Inspection Date: 07/20/2007 by Frank D Richardson

APPROVE PERMIT:

Install an additional 6 ft. x 20 ft. seasonal float connected to the existing pier/float by a seasonal 3 ft. x 12 ft. access walk (float) to provide docking for an additional watercraft on 308 linear feet of shoreline frontage on the Piscataqua River Back Channel.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated 6/26/07, as received by DES on July 05, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 20, 2007. Field inspection determined the additional float in the location and configuration requested will have no adverse effect on the marine environment at this location.
6. The NH PDA Division of Ports and Harbors Chief Harbor Master has determined that "... the project would have no negative effect on navigation in the channel."

-Send to Governor and Executive Council-

**2007-02355                      KILWOOD ON KANASATKA CONDOMINIUM ASSN INC**  
**MOULTONBOROUGH   Lake Kanasatka**

Requested Action:

Replenish 3,600 sq ft of an existing community beach with 44 cu yd of sand on property having 1,200 ft of frontage on Lake

**Kanasatka in Center Harbor.**

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**APPROVE PERMIT:**

Replenish 3,600 sq ft of an existing community beach with 44 cu yd of sand on property having 1,200 ft of frontage on Lake Kanasatka in Center Harbor.

**With Conditions:**

1. All work shall be in accordance with plans as received by DES on June 28, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. No more than 44 cu yd of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. Unnecessary removal of vegetation is prohibited.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This project is classified as a major impact project per Rule Wt 303.02 (o).
2. All work shall be conducted above the normal high waterline and, therefore, the approval of the Governor and Executive Council is not necessary.

**MINOR IMPACT PROJECT**

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**2005-02454                      TRINQUE, GARY  
STEWARTSTOWN   Big Diamond Pond**

**Requested Action:**

After-the-Fact application to retain a 2 ft. x 8 ft. concrete dock pad, removal and restoration of approximately 58 linear feet of stone riprap and associated shoreline and restoration of approximately 7,500 sq. ft. of jurisdictional wetlands and approval for the installation of a 6 ft. x 24 ft. seasonal dock.

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**Conservation Commission/Staff Comments:**

No Con-Com comments to date. TC signed 4/19/2007.

**APPROVE AFTER THE FACT:**

After-the-Fact application to retain a 2 ft. x 8 ft. concrete dock pad, removal and restoration of approximately 58 linear feet of stone riprap and associated shoreline and restoration of approximately 7,500 sq. ft. of jurisdictional wetlands and approval for the installation of a 6 ft. x 24 ft. seasonal dock.

**With Conditions:**

1. All work shall be in accordance with plans by Watershed to Wildlife, Inc., plan sheet entitled: Gary Trinque, File # 2005-02454, Restoration and After the fact Permit Areas With Shoreland Protection Act Setback Lines, dated August 2007, as received by DES on September 14, 2007.
2. Work shall be done during low flow.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. 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.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
7. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
8. All refueling of equipment shall occur at least 100 feet from surface waters or wetlands during construction.
9. Wetlands and intermittent stream restoration areas and shoreline area shall be regraded to original contours.
10. The proposed shrub plantings shall be planted a minimum of 10 feet on center and shall consist of native shrub species. The surrounding areas shall be seeded with a native wetlands seed mix and mulched with straw as per plans.
11. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after one full growing season, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
12. A functional and stable streambed and bank shall be re-established to the satisfaction of the DES Wetlands Bureau.
13. Invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) shall be controlled by measures agreed upon by the Wetlands Bureau if the species is found in the restoration areas during construction and during the early stages of vegetative establishment.
14. A qualified wetlands consultant shall supervise the restoration activities on the Property to ensure that the restoration is accomplished pursuant to this Approval.
15. Restoration of the impacted wetlands and intermittent stream areas shall be completed by June 30, 2008.
16. A post-construction/restoration report documenting the status of the restoration areas with photographs shall be submitted to the DES Wetlands Bureau, Enforcement Section, within 30 days of the completion of construction and no later than July 30, 2008. An additional restoration monitoring report shall be submitted to the DES Wetlands Bureau, Enforcement Section, following the end of the first growing season, no later than October 1, 2008. An additional restoration monitoring report shall be submitted to the DES Wetlands Bureau, Enforcement Section, for the following year, and received no later than October 1, 2009.
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
18. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
19. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
20. Transfer of ownership of the Property shall require notification to DES and an agreement on transfer of the rights and obligations of this approval, if required, prior to such transfer of ownership.
21. The deed which accompanies the sales transaction of this lot shall contain conditions 18, 19 and 20 of this approval.
22. The wetland restoration and shoreline restoration work shall be completed entirely in accordance with above conditions prior to the installation of the seasonal dock.
23. This permit shall not preclude DES from further compliance or permitting actions.
24. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
25. Seasonal pier shall be removed from the lake for the non-boating season.
26. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
27. This after-the-fact approval does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
28. This after-the-fact approval does not relieve the applicant from the obligation to obtain other local, state or federal permits that may be required.

With Findings:

1. This is a Minor Impact project per Administrative Rule Env-Wt 303.03(k) and is greater than 3,000 sq.ft. of wetland restoration.
2. DES staff conducted a field inspection of the site on October 13, 2005. It was determined that work had been completed within

- the lake and wetlands on site without DES authorization and that a restoration measures and a restoration plan would be required.
3. On April 30, 2007, the file was determined to be Administratively Complete.
  4. On July 20, 2007, we requested more information to complete our review. We received information in response on September 14, 2007 and the file was determined to be complete for processing.
  5. This office has determined that the proposed restoration plan and application will satisfy the terms and conditions as stated in the Letter of Deficiency issued by DES on March 22, 2006.
  6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
  7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
  8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
  9. The applicant has agreed to restore and remove the excess fill within jurisdiction as per the approved plans.
  10. The work as proposed has been determined to be consistent with the Comprehensive Shoreline Protection Act.
  11. The applicant has received approval from the abutter to conduct restoration in accordance with submitted plans.
  12. New Hampshire Fish and Game had submitted recommendations for the work in regards to impacts to potential Loon habitat in the area, in correspondence dated January 17, 2007. We have determined that the scope of the restoration and the work as proposed will adequately address their concerns, will have no adverse effect to any species of concern and that the work will result in a net environmental gain for resources in and around the site. NH Fish & Games' comments remain part of the record and have been addressed accordingly.

**2005-02558 TRUSTEES OF DARTMOUTH COLLEGE, JOHN GRATIOT  
HANOVER Girl Brook**

**Requested Action:**

Approve permit amendment to revise the installation of a 36-inch x 216-foot HDPE culvert and masonry headwalls to installation of a 12-foot x 10-foot pre-cast concrete arch span and 216 linear feet of stream restoration.

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Inspection Date: 05/16/2006 by Kirsten Pulkkinen

**APPROVE AMENDMENT:**

Dredge and fill approximately 3,850 square feet of wetlands, further described as follows:

1. Dredge and fill 1,150 square feet along approximately 116 linear feet of Girl Brook for bank stabilization; and
2. Maintenance dredge 2,700 square feet (340 cubic yards) along approximately 100 linear feet of intermittent stream to remove deposited sediment; and
3. Replace failed 36-inch CMP culvert with a 36-inch x 15-foot HDPE corrugated culvert along a intermittent stream and install masonry headwalls; and
4. Install a 12-foot x 10-foot pre-cast concrete arch span and restore 216 linear feet of intermittent stream in the area of a failed 12-inch tile culvert.

**With Conditions:**

1. All work shall be in accordance with plans by Pathways Consulting, LLC dated August 26, 2006 and revised through February 10, 2006, as received by the Department on March 28, 2006, and plans dated October 25, 2005, and revised through March 23, 2007 and 2006, as received by the Department on July 31, 2007.
2. Work shall be done during low flow conditions.
3. 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.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. If necessary, 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. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. The 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.

#### RESTORATION:

18. This permit is contingent upon the restoration of 216 linear feet of intermittent stream channel, 116 linear feet of Girl Brook bank stabilization, and 100 linear feet of intermittent stream sediment removal in accordance with plans received July 31, 2007 and March 28, 2006.
19. The schedule for construction of the restoration area shall coincide with site construction unless otherwise considered and authorized by the DES Wetlands Bureau.
20. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration, bank stabilization and sediment removal areas are constructed in accordance with the approved plans. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
21. Materials used to emulate the intermittent stream natural channel bottom must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
22. Only native plant species shall be utilized to renegotiate the riverbank.
23. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
24. A post-construction report documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.
25. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration, sediment removal, and bank stabilization areas 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 Wt 303.03(k), projects that alter the course of or disturb less than 200 linear feet of a perennial stream or its banks.
2. The Hanover Conservation Commission noted their strong support of the project and suggested a 10-foot un-mowed setback from the top of slope at Holes 16 and 17.
3. The NH Department of Fish and Game requested a 25-foot buffer of native vegetation and culverts be sized minimally at stream width.
4. Vegetated buffers along Girl Brook were provided to the greatest extent possible, at a width of 10 feet along the 17th fairway and 20 feet along the 16th fairway.
5. Increased vegetated buffers will deter future bank erosion.
6. The 36-inch culvert replacement is sized for a 25-year storm event. Appropriate masonry headwalls and properly placed and

compacted backfill are proposed to avoid future culvert failure.

7. Approximately 216 linear feet of intermittent stream will be restored in the area of the 12-inch tile culvert failure.
8. The applicant confirmed all jurisdictional areas were mapped by a NH Certified Wetland Scientist and are indicated on the plans.
9. Proposed scour holes are sized to handle a 100-year storm event and will act as energy dissipaters allowing uniform sheet flow.
10. This application is intended for the repair of damages associated with failed drainage structures; the applicant intends to submit a second application for long term bank restoration work.
11. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
12. 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.
13. 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.

**2006-00020                      BENTON, SHIRLEY**  
**THORNTON   Unnamed Stream**

Requested Action:

Untimely response, 120 day denial

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Untimely response, 120 day denial

**2006-01872                      EM-LEW REALTY LLC**  
**LONDONDERRY   Unnamed Wetland**

Requested Action:

Untimely response, 120 day denial

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Untimely response, 120 day denial

**2006-02918                      FRANCIS, JOHN**  
**OSSIPEE   Ossipee Lake & Lovell River**

Requested Action:

Remove an existing 93 linear feet of concrete block placed on the frontage and install 100 linear feet of rock wall capped with a compost filled sock planted with live stakes, install two stairs to the waterbody, install 76 linear feet of rip rap on the Lovell River, Ossipee.

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Conservation Commission/Staff Comments:

Con Com does not recommend approving stabilizing the property at the mouth of the river

APPROVE PERMIT:

Remove 93 linear feet of existing concrete block wall, install 100 linear feet of rock wall capped with a compost filled fabric sock secured with live stakes, install two sets of stairs to the river, and install 76 linear feet of rip rap all on the Lovell River in Ossipee.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey revision dated August 21, 2007, as received by DES on August 24, 2007.

2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until 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 surface waters and wetlands.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
8. Work shall be done during low flow.
9. Work shall be done during drawdown.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
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. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
15. Area shall be regraded to original contours following completion of work.
16. The bank vegetation shall be restored to pre-construction condition.
17. Photographs shall be submitted to DES prior to installation of the rip rap to accurately document the existing vegetation and shoreline conditions.
18. Photographs shall also be submitted to DES after the rip rap has been installed documenting the replacement of the native vegetation.
19. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
20. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).
21. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c).
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 local conservation commission submitted comments stating they are not in favor of stabilizing property at the mouth of the river. However, they offer no alternatives for protecting the property from further damages.
6. New Hampshire Fish and Game Department submitted comments to the file recommending the restoration of a naturally vegetated shoreline a minimum of 35 feet. However, this is not practicable given the configuration of the property. The applicant is being required to demonstrate that vegetation has been replaced upon completion of the work.
7. The proposed project is entirely located on State owned land below elevation 410 and as such will require approval from the governor and executive council.
8. The engineer representing the applicant has submitted written documentation that the proposed project will not be detrimental to other properties in this area of the river.

-Send to Governor and Executive Council-

Requested Action:

Dredge and fill 3,725 square feet of palustrine forested wetlands to install three (3) 18-inch x 30-foot HDPE culverts and impact/restore 1,175 square feet of perennial stream to remove an existing 18-inch culvert, install a 30-inch x 8-foot x 20-foot concrete box culvert, and restore associated perennial streambed to provide driveway access to two (2) lots of a 3-lot subdivision.

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APPROVE PERMIT:

Dredge and fill 3,725 square feet of palustrine forested wetlands to install three (3) 18-inch x 30-foot HDPE culverts and impact/restore 1,175 square feet of perennial stream to remove an existing 18-inch culvert, install a 30-inch x 8-foot x 20-foot concrete box culvert, and restore associated perennial streambed to provide driveway access to two (2) lots of a 3-lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Arthur F. Siciliano dated August 2006, and revised though May 2007, and plans dated May 2007, and revised through July 2007, as received by the Department on August 17, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 3 of this approval.
5. Work shall be done during low flow conditions.
6. In the event there is flow at the time of construction a stream diversion plan shall be submitted to the department prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
9. 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.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. There shall be no excavation or operation of construction equipment in flowing water.
12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
13. 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.
14. 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.
15. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
16. Temporary cofferdams shall be entirely removed immediately following construction.
17. Wetland crossing culverts shall be laid at original grade.
18. Proper headwalls shall be constructed within seven days of culvert installation.
19. 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).
20. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
21. 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.
22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
23. Banks shall restored to their original grades and to a stable condition within three days of completion of construction.
24. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
25. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

RESTORATION:

- 26. This permit is contingent upon the restoration of 575 square feet of perennial stream in accordance with plans received August 17, 2007.
- 27. The schedule for construction of the restoration area shall coincide with site construction unless otherwise considered and authorized by the DES Wetlands Bureau.
- 28. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
- 29. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
- 30. A post-construction report documenting the status of the restored stream 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(1), projects that alter the course of or disturb less than 200 linear feet of a perennial stream channel or its banks that do not meet the criteria of Env-Wt 303.04.
- 2. The applicant has revised plans to include an open-bottom span at the perennial stream crossing and associated perennial stream channel restoration.
- 3. The applicant has provided a waiver request per Env-Wt 204.03, to waive the written abutter permission requirement for projects within 20 feet of abutting property lines as required by Env-Wt 304.04.
- 4. The proposed impacts within the 20 foot setback are downslope of the abutting parcel to which impacts will occur within 20 feet.
- 5. Relocating the impacts to meet the 20 foot setback would increase the overall impacts to the wetland resource and would impact a more valuable portion of the system.
- 6. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.04.
- 7. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
- 8. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-00010                      MOREL, MARK**  
**LANCASTER   Unnamed Stream**

Requested Action:

Install hdpe corrugated culbert for gravel dr, plase rock headwalls, place fill to drive up to grade. More information request dated 3/20/2007.

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**2007-00011                      MOREL, MARK**  
**LANCASTER   Unnamed Stream**

Requested Action:

Untimely response, 120 day denial

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Untimely response, 120 day denial

**2007-00319 PROVOST IV 1993 TRUST, PIERRE & LURA  
LYNDEBOROUGH Unnamed Wetland**

Requested Action:

Untimely response, 120 day denial

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Untimely response, 120 day denial

**2007-00330 NH DEPT OF TRANSPORTATION  
ALEXANDRIA Smith River**

Requested Action:

Insert a pipe lining into a 72 in. x 65 ft. aluminum pipe and add stone around the inlet impacting 513 sq. ft. of stream.

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Conservation Commission/Staff Comments:

Cons. Comm. - no comment

Inspection Date: 08/29/2007 by Gino E Infascelli

APPROVE PERMIT:

Insert a pipe lining into a 72 in. x 65 ft. aluminum pipe and add stone around the inlet impacting 513 sq. ft. of stream. NHDOT project #M-206-7.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 2 dated 2/06/07, as received by the Department on Feb. 20, 2007.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. 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.
5. 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.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
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; 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.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize 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. 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.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. 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.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of banks of a stream.
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. Field inspection by DES on August 29, 2007 accurately located the culvert on a useable map. (USGS).

**2007-00337                      NH DEPT OF TRANSPORTATION**  
**ALEXANDRIA   Smith River**

Requested Action:

Insert a pipe lining into a 66 in. x 100 ft. aluminum pipe and add stone at the outlet impacting 517 sq. ft. of stream (290 temporary).  
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Conservation Commission/Staff Comments:

Cons. Comm. - no comment

Inspection Date: 08/29/2007 by Gino E Infascelli

APPROVE PERMIT:

Insert a pipe lining into a 66 in. x 100 ft. aluminum pipe and add stone at the outlet impacting 517 sq. ft. of stream (290 temporary).  
NHDOT project #M-206-8.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 2 (undated), as received by the Department on Feb. 20, 2007.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. 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.
5. 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.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
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; 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.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

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

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

12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize 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. 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.

15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

16. 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.

**With Findings:**

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of banks of a stream.

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. Field inspection by DES on August 29, 2007 determined that the DES GIS analyst accurately located the culvert on a USGS map.

**2007-00352 NH DEPT OF TRANSPORTATION  
LEE Oyster River**

**Requested Action:**

Install a concrete invert, toe walls and cut off walls in a 14 ft. 6 in. wide x 35 ft. long corrugated steel pipe arch impacting 952 sq. ft. (262 sq. ft. temporary) of riverine wetlands.

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**Conservation Commission/Staff Comments:**

Cons. Comm. - no comment

**APPROVE PERMIT:**

Install a concrete invert, toe walls and cut off walls in a 14 ft. 6 in. wide x 35 ft. long corrugated steel pipe arch impacting 952 sq. ft. (262 sq. ft. temporary) of riverine wetlands. NHDOT project #14843.

**With Conditions:**

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 2/7/07, as received by the Department on February 20, 2007.

2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.

3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.

4. 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.

5. 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.

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

7. Construction equipment shall not be located within surface waters.

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; 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.

9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

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

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

12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize 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. 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.

15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

16. 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.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of banks of a stream.
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.

**2007-00353 NH DEPT OF TRANSPORTATION  
LEE Oyster River**

Requested Action:

Install a concrete invert in a 14 ft. wide x 80 ft. long corrugated steel pipe and add cut off walls impacting 374 sq. ft. (220 sq. ft. temporary) of riverine wetlands.

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Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Install a concrete invert in a 14 ft. wide x 80 ft. long corrugated steel pipe and add cut off walls impacting 374 sq. ft. (220 sq. ft. temporary) of riverine wetlands. NHDOT project #14844.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 2/6/07, as received by the Department on February 20, 2007.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. 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.
5. 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.

6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
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; 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.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize 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. 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.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. 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.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of banks of a stream.
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.

**2007-00354                      HAMPSHIRE CHEMICAL CORPORATION**  
**NASHUA   Unnamed Wetland**

Requested Action:  
Request Name Change to:

PDNED Hampshire Nashua LLC  
c/o Packard Development  
One Wells Avenue  
Newton, MA 02459

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Conservation Commission/Staff Comments:

This project "... received a favorable recommendation from the Nashua Conservation Commission at their meeting on March 17, 2007 ...".

APPROVE NAME CHANGE:  
Approve Name Change to:

PDNED Hampshire Nashua LLC

c/o Packard Development  
One Wells Avenue  
Newton, MA 02459

Requested Action:

Dredge and fill a total of 3,462 sq. ft. of palustrine forested/ scrub-shrub wetlands, having an intermittent stream channel, for work associated with the redevelopment of this former industrial site to provide access and to relocate 801 linear feet of 72-inch culvert and replace it with 856 linear feet of 72-inch culvert and install a flared headwall on the new culvert which carries Spit Brook under a portion of the site.

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APPROVE PERMIT:

Dredge and fill a total of 3,462 sq. ft. of palustrine forested/ scrub-shrub wetlands, having an intermittent stream channel, for work associated with the redevelopment of this former industrial site to provide access and to relocate 801 linear feet of 72-inch culvert and replace it with 856 linear feet of 72-inch culvert and install a flared headwall on the new culvert which carries Spit Brook under a portion of the site.

With Conditions:

1. All work shall be in accordance with plans by Gorrill-Palmer Consulting Engineers, Inc. dated 02/07, as received by DES on February 22, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. 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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
7. Work shall be done during low flow.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Cofferdams (incl. sand bags) 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.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
13. Faulty equipment shall be repaired prior to entering jurisdictional areas.
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.
16. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The work associated with this project is not considered adjacent the nearby designated prime wetland - the Merrimack River.

6. The "stipulations" set forth by the Nashua Conservation Commission in their letter dated March 18, 2007 to Gove Environmental Services (copy cc'd to DES rec'd April 24, 2007) have been agreed to by the applicant, but do not represent a binding condition on this permit.

**2007-00595                    ETCHSTONE PROPERTIES INC**  
**HUDSON   Unnamed Wetland**

**2007-01287                    SCRIMA REVOC TRUST, MARY**  
**HAMPTON   Sand Dune**

Requested Action:

Excavate, regrade and/or otherwise alter terrain over a total of 4,150 sq. ft. of previously impacted sand dune/ upland tidal buffer zone (2,402 sq. ft. of permanent impact and 1,748 sq. ft. of temporary impact to be restored) to construct a single family home with all construction being more than 50 feet landward of the highest observable tide line.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Hampton Conservation Commission intervened on this application and then filed a follow-up report stating that : "The Hampton Conservation Commission opposes the granting of a DES Dredge and Fill application [sic] for the new construction on a piece of previously undeveloped sand dune ..." [discussion on the matter w/ observations] Further stating : "If the DES does grant this application [sic] we would request that : [list of 4 items which have been addressed in conditions and/or findings]".

Inspection Date: 08/30/2007 by Frank D Richardson

APPROVE PERMIT:

Excavate, regrade and/or otherwise alter terrain over a total of 4,150 sq. ft. of previously impacted sand dune/ upland tidal buffer zone (2,402 sq. ft. of permanent impact and 1,748 sq. ft. of temporary impact to be restored) to construct a single family home with all construction being more than 50 feet landward of the highest observable tide line.

With Conditions:

1. All work shall be in accordance with plans by Wetland Consulting Services dated Aug 3, 2007, as received by DES on August 10, 2007.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. There shall be no further alteration of areas within NH DES Wetlands Bureau jurisdiction for lot development or any other construction activities.
4. Areas temporarily disturbed during construction shall be regraded to original contours and planted with American Beach Grass following completion of work.
5. The permittee shall retain a qualified professional to oversee the restoration of areas temporarily disturbed during construction and supervise the planting and subsequent successful establishment of American Beach Grass (*Ammophila breviligulata*) in these areas.
6. The name and qualifications of the professional selected shall be submitted to the Wetlands Bureau and Hampton Conservation Commission for review and acceptance prior to the start of any work on this site.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas of sand dune vegetation to remain undisturbed.
8. All paved surfaces shall be constructed of a permeable material to allow for infiltration of storm water runoff.
9. The actual footprint of the permanent impact area will be staked out on site and witnessed to comply with the approved plans by DES Wetlands Bureau staff and the Hampton Conservation Commission prior to the start of construction.
10. There shall be no impacts, temporary or permanent, authorized for adjacent land owned by the Town of Hampton.
11. DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a).
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 August 30, 2007. Field inspection determined that although native sand dune vegetation has become established on this site it does not represent a naturally occurring sand dune in this setting.
6. Historically, this site and other lots in the vicinity were filled and developed, prior to DES jurisdiction, as reclaimed land for shoreline properties.
7. The sand dune vegetation present on this site is due to soil conditions conducive to the growth of these plants and not to the natural processes associated with geomorphologic sand dune development along the open coastline.

**2007-01387                      CANDIA CROSSING LLC**  
**CANDIA   Unnamed Stream**

Requested Action:

Dredge and fill a total of 8,315 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a roadway with three (3) culvert crossings to access a 41-unit residential development on a 43.7 acre parcel of land.

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Conservation Commission/Staff Comments:

No report or comments were received on this application from the Candia Conservation Commission.

APPROVE PERMIT:

Dredge and fill a total of 8,315 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a roadway with three (3) culvert crossings to access a 41-unit residential development on a 43.7 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Civil Construction Management, Inc. dated June, 2007, as received by DES on June 19, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. 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).
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

- 13. Work shall be done during low flow.
- 14. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

- 1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**MINIMUM IMPACT PROJECT**

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**2006-02467                      JEMCO BUILDER & DEVELOPER, JEAN GAGNON**  
**AUBURN    Unnamed Wetland**

Requested Action:

Untimely response, 120 day denial

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**DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:**

Untimely response, 120 day denial

**2006-03215                      NH DEPT OF TRANSPORTATION**  
**ALEXANDRIA    Newfound Lake**

Requested Action:

Repair damage from the flooding of May 2006 by placing rip rap on the bank in areas requiring stabilization within a 15,120 sq. ft. area (9,450 sq. ft. temporary) to maintain the road and shoulder along 945 linear feet of shoreline.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Cons. comm. - no comment

Inspection Date: 08/29/2007 by Gino E Infascelli

**APPROVE AFTER THE FACT:**

Approve the work already completed to repair damage from the flooding of May 2006 by placing rip rap on the bank in areas requiring stabilization within an approximate area of 3,000 sq. ft. area (approximately 2,000 sq. ft. temporary) to maintain the road and shoulder along 945 linear feet of shoreline. NHDOT project #M206-6.

With Conditions:

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

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), as the project has been inspected and has a minimum impact amount of environment impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The application was submitted by the applicant as a major impact project
6. The DES inspected the project and found that the minimum amount of work already accomplished provided a stabile road embankment and barrier between the road and lake which benefits the traveling public.
7. The inspection found the project, as completed, to be significantly less work in jurisdiction than that applied for estimating the impacts in jurisdiction to be probably less than 1,000 sq. ft. of bank and less than 100 sq. ft. of impact below normal full lake.
8. Most of the rock placed along the bank was on top of other rocks that have been there for quite some time.

**2007-00434 CAIL, RANDALL  
GILFORD Unnamed Wetland**

Requested Action:

Impact 1505 sq ft of forested wetland for proposed driveway to barn with living quarters for single family.

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Impact 1505 sq ft of forested wetland for proposed driveway.

**2007-01252 B & N DESIGNS LLC  
MEREDITH Unnamed Wetland**

Requested Action:

Approve name change to: B & N Designs< LLC, 7 Westview Dr., Litchfield NH 03053 per request received 9/06/2007. Previous owner Mark Knisley

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Conservation Commission/Staff Comments:

The Conservation Commission provided comments and the applicant incorporated them into their project.

APPROVE NAME CHANGE:

Dredge and fill a total of 1700 square feet of wetland for access and utility crossings in the subdivision of 23 acres into 5 single family residential lots further described as follows: Permanently impact 950 square feet for driveway access to 3 lots and temporarily impact 750 square feet for proposed sewer force main crossing.

With Conditions:

1. All work shall be in accordance with plans by R Jeff Burd dated May 26, 2007, and revised through July 14, 2007, as received by the Department on September 6, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Work within the stream shall be done during a no flow period.
8. Work within wetlands shall be at low flow.

9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Area of temporary impact shall be regraded to original contours following completion of work.
13. 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.
14. Banks shall restored to their original grades and to a stable condition within three days of completion of construction.
15. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
16. Native material removed from the streambed shall be stockpiled separately and reused to emulate the natural channel bottom. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
17. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
21. Silt fencing must be removed once the area is stabilized.
22. 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).
23. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

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

**2007-01431 SEABROOK DPW, TOWN OF  
SEABROOK Unnamed Wetland Cains Brook & Farm Brook**

Requested Action:

Dredge and fill a total of 2,900 sq. ft. of jurisdictional wetlands for work associated with the routine maintenance at twenty (20) existing stormwater outfalls including vegetation clearing, debris and sediment removal, rip-rap placement and headwall repair and/or installation.

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Conservation Commission/Staff Comments:

No comments received from the Seabrook Conservation Commission on this municipal public works project.

APPROVE PERMIT:

Dredge and fill a total of 2,900 sq. ft. of jurisdictional wetlands for work associated with the routine maintenance at twenty (20) existing stormwater outfalls including vegetation clearing, debris and sediment removal, rip-rap placement and headwall repair and/or installation.

With Conditions:

1. All work shall be in accordance with plans by Wetland Consulting Services dated April 2007, as received by DES on June 22, 2007.

2. 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).
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.

**2007-01624 BELANGER, RICK**  
**EPSOM Unnamed Stream**

Requested Action:

Deny permit request to culvert 80 square feet along 40 linear feet of intermittent stream for lot development.

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DENY PERMIT:

Deny permit request to culvert 80 square feet along 40 linear feet of intermittent stream for lot development.

With Findings:

1. This is a Minor Impact Project per NH Code of Administrative Rule Env-Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
3. The need for the proposed impacts shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands per Rule Env-Wt 302.01.
4. The applicant must provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant must demonstrate by plan and example that each factor listed in Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. According to Rule Env-Wt 302.04(d), the department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the department's jurisdiction, or if the applicant proposes unnecessary destruction of wetlands.
7. Applications received after the work is completed shall be subject to the same review as given any other application, per Rule Env-Wt 302.05.

Findings of Fact:

8. On June 14, 2007 the applicant came to DES and self reported that they had impacted wetlands.
9. A site inspection was conducted on June 14, 2007, which determined that wetlands were disturbed and requested restoration by July 14, 2007.
10. A second site inspection was conducted on July 10, 2007, this site inspection determined that violations were ongoing on the property.
11. The Department received a request to fill 80 square feet and culvert 40 linear feet of intermittent stream for expansion of a parking area on July 16, 2007.
12. The Department received a report from the Natural Heritage Inventory that specified two species of concern in the vicinity of the project.
13. The Department received a complaint that work had begun on the site from the Epsom Planning Board on July 30, 2007.
14. A third site inspection was conducted on September 28, 2007. This inspection found that the applicant had constructed a parking/staging area adjacent to the wetland and no banking was impacted and the downstream wetland was satisfactorily restored.
15. A letter of compliance was issued on October 2, 2007 by DES Compliance section.
16. An e-mail from NH Fish and Game was received on October 11, 2007 indicating that the culverting of a stream in the proximity of these species of concern may impact the species and they do not support the project.

Findings in support of denial:

17. The application is denied as the proposed project does not meet the public purpose as defined in RSA 482-A.
18. The applicant has not addressed Env-Wt 302.01(b) , and therefore is denied in accordance with Env-Wt 302.04(d)(3) as the project causes unnecessary destruction of wetlands.
19. The applicant failed to address Env-Wt 302.03 and Env-Wt 302.04(a)(2), and therefore is denied in accordance with Env-Wt 302.04(d)(1), as there may be practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction.
20. The applicant has failed to address Env- Wt 302.04(a)(4), and therefore is denied in accordance with Env-Wt 302.04(d)(2) as the project would cause or contribute to significant degradation of waters of the state.

**2007-01818                      GLENCLIFF HOME FOR THE ELDERLY, TODD BICKFORD  
BENTON   Unnamed Wetland**

Requested Action:

Impact 288 square feet of wetland to install 75 fence posts and fill 2,700 square feet of wetland to reduce bacteria contamination and increase a natural leaching area surrounding a 90,000 gallon cistern which is a potable water source for the State of New Hampshire's Glencliff Home for the Elderly, which serves 110 residents.

\*\*\*\*\*

APPROVE PERMIT:

Impact 288 square feet of wetland to install 75 fence posts and fill 2,700 square feet of wetland to reduce bacteria contamination and increase a natural leaching area surrounding a 90,000 gallon cistern which is a potable water source for the State of New Hampshire's Glencliff Home for the Elderly, which serves 110 residents.

With Conditions:

1. All work shall be in accordance with plans by the NH Department of Health & Human Services, as received by DES on August 2, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(f), as wetland impacts are less than 3,000 square feet.
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 Water Supply Division awarded a \$15,000 grant to the Glencliff Home for the Elderly to make the necessary improvements that will help to reduce water contaminants.
6. DES staff inspected the area on May 9, 2007 and found the project to be necessary in order to improve public health by removing bacteria contamination sources from the drinking water wellhead area.

**2007-01900 VERIZON, JAMES ARAUJO  
GORHAM Unnamed Wetland**

**Requested Action:**

Temporarily impact 485 square feet of wetlands and intermittent streams (impacting 30 linear feet) to establish a direct north-south telephone cable connection between the towns of Gorham and Jackson along a 23 mile continuous corridor formed by NH Route 16.

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**APPROVE PERMIT:**

Temporarily impact 485 square feet of wetlands and intermittent streams (impacting 30 linear feet) to establish a direct north-south telephone cable connection between the towns of Gorham and Jackson along a 23 mile continuous corridor formed by NH Route 16.

**With Conditions:**

1. All work shall be in accordance with plans by Krebs & Lansing Consulting Engineers, Inc. dated January 23, 2006, as received by DES on August 6, 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. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. 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.
7. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
8. All in-stream work shall be conducted during low flow conditions and in a manner so as to minimize turbidity.
9. Stream banks shall be restored to a stable condition and shall be restored to the same as or better than pre-construction conditions.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

**With Findings:**

1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(g), as temporary impacts are less than 3,000 square feet.
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**

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**2007-02377                    BIXBY, GREG**  
**SWANZEY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Swanzy Tax Map 1, Lot# 3 & 4

**2007-02378                    ERNST, FREDERICK**  
**ACWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Acworth Tax Map 208, Lot# 12 & 13

**2007-02379                    LORD TRUST, JANE**  
**PETERBOROUGH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hancock Tax Map 9, Lot# 23

**2007-02380                    FRY, STAN**  
**RINDGE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Rindge Tax Map 9, Lot# 11, 13 & 19

**2007-02385                    BELL, HEATHER**  
**SUNAPEE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Sunapee Tax Map 114, Lot# 6

**2007-02386                    JURKOIC, MATTHEW**  
**ACWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Acworth Tax Map 18, Lot# 266A

**2007-02389                    HUTCHINS, CHARLES**  
**WENTWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Wentworth Tax Map 12, Lot# 3-8

**2007-02390                    LAMPLIGHTER MOBILE HOME PARK INC**  
**CONWAY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Conway Tax Map 262, Lot# 83

**2007-02391                    FINCH, LUELLEN**  
**MARLOW   Unnamed Stream**

COMPLETE NOTIFICATION:  
Marlow Tax Map 409, Lot# 46

**2007-02413                    UNH OFFICE OF WOODLANDS & NATURAL AREAS, STEVE EIS**  
**DURHAM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Durham Tax Map 15, Lot# 8

**2007-02416                    UNH OFFICE OF WOODLANDS & NATURAL AREAS, STEVE EIS**  
**OSSIPEE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Ossipee Tax Map 7, Lot# 20

**EXPEDITED MINIMUM**

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**2006-02038                    FENN WAY BUILDERS**  
**NORTH HAVERHILL   Unnamed Wetland**

Requested Action:  
Replace existing culverts in access road. More information request dated 9/11/2006.  
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**2006-02108                    IVERS, TIMOTHY & PHYLLIS**  
**PELHAM   Unnamed Wetland**

**2006-02318                    DOUBLEDAY, ROBERT**  
**NORTHFIELD   Unnamed Wetland**

Requested Action:

Deny permit request to fill 1600 square feet including installation of an 80 foot culvert in an intermittent stream for lot development.

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DENY PERMIT:

Deny permit request to fill 1600 square feet including installation of an 80 foot culvert in an intermittent stream for lot development.

With Findings:

1. This is a Minor Impact Project per NH Code of Administrative Rule Env-Wt 303.03(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
3. The need for the proposed impacts shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands per Rule Env-Wt 302.01.
4. The applicant must provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant must demonstrate by plan and example that each factor listed in Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. According to Rule Env-Wt 302.04(d), the department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the department's jurisdiction, or if the applicant proposes unnecessary destruction of wetlands.
7. Plans filed in support of applications shall meet the requirements of Env-Wt 501.02(a)(2).

Findings of Fact:

8. The Department received an Expedited Application to fill 1600 square feet including installation of an 80 foot culvert in an intermittent stream for lot development on September 11, 2006.
10. The Department received a letter from the Northfield Conservation Commission dated October 5, 2006, indicating the abutter to the north is concerned that approving the application will increase the run off to their property.
11. On November 20, 2006, The Department requested additional information noting that the applicant had not provided a need for the application and requesting plans in accordance with Env-Wt 501.02(a)(2)(which was attached to the letter), abutter information and indication on which direction the stream is flowing.
12. On November 29, 2006, DES received an e-mail response stating that abutters had been notified and stating that the stream flows in a northerly direction.
13. On December 26, 2006, DES responded to the e-mail from the applicant informing them that the response provided was not adequate and requesting that they address the need for the impacts and provide plans in accordance with Env-Wt 501.02(a)(2), which was again attached to the e-mail.
14. On March 20, 2007, the applicant requested a time extension to provide the additional information.
15. On May 15, 2007, DES received a second e-mail response stating the need was to widen the existing roadway because of safety concerns. No plans were received.
16. On May 16, 2007, The Department provided a second e-mail response informing the applicant that the information provided was not adequate.
17. On September 14, 2007, the applicant requested the status of the application, and resubmitted the same information that was supplied on May 15, 2007.

Findings in support of denial:

18. The application is denied as the proposed project does not meet the public purpose as defined in RSA 482-A.
19. The applicant has not addressed Env-Wt 302.01(b) , and therefore is denied in accordance with Env-Wt 302.04(d)(3) as the project causes unnecessary destruction of wetlands.
20. The applicant failed to address Env-Wt 302.03 and Env-Wt 302.04(a)(2), and therefore is denied in accordance with Env-Wt 302.04(d)(1), as there may be practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction.
21. The applicant has failed to address Env- Wt 302.04(a)(4), and therefore is denied in accordance with Env-Wt 302.04(d)(2) as the project would cause or contribute to significant degradation of waters of the state.

- 22. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
- 23. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2006-02503                    MT CRANMORE CONDO ASSOCIATION  
NORTH CONWAY    Drainage Swale**

**2006-02949                    MONADNOCK CHRISTIAN CONFERENCE CENTER INC  
JAFFREY    Drainage Ditch**

**2007-00529                    FITCH, JOHN  
FARMINGTON    Kicking Horse Brook**

Requested Action:

Reset fallen rocks dislodged during April 2007 flooding, and which are obstructing flow, to previous bank locations, impacting 180 sq. ft. of wetlands (18 linear ft. of intermittent stream).

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APPROVE PERMIT:

Reset fallen rocks dislodged during April 2007 flooding, and which are obstructing flow, to previous bank locations, impacting 180 sq. ft. of wetlands (18 linear ft. of intermittent stream).

With Conditions:

- 1. All work shall be in accordance with plans by The Town of Farmington Department of Public Works dated 8/31/2007, as received by DES on 8/31/2007.
- 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. Area shall be regraded to original contours following completion of work.
- 4. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
- 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(n), projects that alter less than 50 linear feet of an intermittent stream.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The fallen rocks are obstructing flow and causing flooding.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The rocks will be returned to their original positions, restoring flow and bank stability.
- 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. There were no species of concern reported for this project by NH Heritage Bureau.
- 5. The Farmington Conservation Commission signed the expedited application.

**2007-01212                      DUBOIS, PHILIP**  
**PETERBOROUGH   Tributary To Otter Brook**

Requested Action:

Temporarily impact 80 square feet of perennial stream bank to replace a failed 6-foot x 20-foot CMP culvert with an approximate 8-foot x 34-foot trail bridge.

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APPROVE PERMIT:

Temporarily impact 80 square feet of perennial stream bank to replace a failed 6-foot x 20-foot CMP culvert with an approximate 8-foot x 34-foot trail bridge.

With Conditions:

1. All work shall be in accordance with plans by Bryn Dumas dated September 05, 2007, as received by the Department on September 11, 2007.
2. Work shall be done during low flow conditions.
3. 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.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
9. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
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 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.
12. A post-construction report documenting the status of the completed project and restored streambed and banks shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum by the Department based on the degree of environmental impact.
2. The existing 6-foot culvert failed during the April 2007 floods.
3. The crossing provides primary access for moving horses from and to the pastures.
4. The alternative access requires horses travel along two heavily traveled roads; this presents a safety hazard to motorists and Otter Brook Farm horses, employees and patrons.
5. The applicant obtained a NH certified wetland scientist to delineate the area and assist with the September 11, 2007, submittal.
6. The proposed trail bridge will span the perennial stream channel's top-of-bank and estimated bankfull width's.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau and the Peterborough Conservation Commission signed the Minimum Impact Expedited Application.
8. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-01515 CORBETT, JAMES & PATRICIA MCGOWAN  
KINGSTON Unnamed Wetland Powwow Pond**

Requested Action:

Dredge and fill 1,650 square feet of forested wetland for the construction of a roadway and installation of a 15-inch culvert which riprap outlet protection for a 18-unit residential cluster development on 60.7 acres.

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Conservation Commission/Staff Comments:

The Kingston Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 1,650 square feet of forested wetland for the construction of a roadway and installation of a 15-inch culvert which riprap outlet protection for a 18-unit residential cluster development on 60.7 acres.

With Conditions:

1. All work shall be in accordance with plans by Gregsak Engineering, Inc. dated April 15, 2004 and revised through January 26, 2007, as received by DES on July 10, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the 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.
7. Work shall be done during seasonal low flow conditions.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of 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 proposed crossing occurs within the narrowest portion of wetland. The side slopes have been minimized to a practice grade. 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.

**2007-01779                      BEAVER POND ROAD REALTY TRUST**  
**SUTTON   Unnamed Stream Wetlands**

Requested Action:

Dredge and fill approximately 480 square feet of wetlands to install five (5) 18-inch x 18-foot corrugated plastic culverts (5 crossings) for driveway access to an existing single family residence.

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APPROVE PERMIT:

Dredge and fill approximately 480 square feet of wetlands to install five (5) 18-inch x 18-foot corrugated plastic culverts (5 crossings) for driveway access to an existing single family residence.

With Conditions:

1. All work shall be in accordance with plans by Evans Land Consultants, PLLC dated August 2007, as received by the Department on August 06, 2007.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. 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).
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(z), installation of a culver and associated fill to provide access to a piece of property for a single family building lot.
2. Access is not result of a subdivision, only a lot line adjustment was approved to provide access and road frontage to the lot.
3. A single cabin exists on the lot; additional development of the lot is not planned.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-01819                      MOODY INTERVIVOS TRUST, ELIZABETH**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Construct a 40 sq ft perched beach with less than 10 cubic yards of sand and 6 ft wide access stairs on Lake Winnepesaukee, Meredith.

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Conservation Commission/Staff Comments:

Con Com signed the Exp Application on August 06, 2007

**APPROVE PERMIT:**

Construct a 40 sq ft perched beach with less than 10 cubic yards of sand and 6 ft wide access stairs on Lake Winnepesaukee, Meredith.

**With Conditions:**

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants revision dated September 17, 2007, as received by DES on September 19, 2007.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. 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 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. The steps installed for access to the water shall be located completely landward of the normal high water line.
7. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. 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.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

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

**2007-02014 COE, CATHY  
HOLLIS Toddy Brook**

**Requested Action:**

Impact 1,000 square feet within the bed and banks of Toddy Brook to upgrade an existing undersized 4-foot corrugated metal culvert with a 12-foot wide by 4-foot high by 18-foot long precast concrete box culvert for access to a single family residential dwelling and construct retaining walls in place of the failed rock walls for bank stabilization.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

The Hollis Conservation Commission signed the Minimum Impact Expedited Application.

**APPROVE PERMIT:**

Impact 1,000 square feet within the bed and banks of Toddy Brook to upgrade an existing undersized 4-foot corrugated metal culvert with a 12-foot wide by 4-foot high by 18-foot long precast concrete box culvert for access to a single family residential dwelling and construct retaining walls in place of the failed rock walls for bank stabilization.

**With Conditions:**

1. All work shall be in accordance with plans by HTE Northeast Inc. dated August 13, 2007, as received by DES on August 27, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Unconfined work within Toddy Brook, exclusive of work associated with installation of a cofferdam, shall be done during

periods of low flow.

6. Prior to commencing work on the crossing located within Toddy Brook, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
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. 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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
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.
15. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses,.
2. The existing, undersized 4-foot culvert was washed out when the upstream dam breached. As a result the area of the crossing and adjacent driveway sustained heavy erosion. The proposed culvert is designed for a 50-year storm and an auxiliary flow area is incorporated into the project to alleviated any potential flooding issues in the future. Therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The design of this project was done by engineers which demonstrated that proposed culvert will afford the crossing ample protection against flooding issues. The culvert will be installed in the location of the previous culvert and the retaining walls will be rebuilt using redi-rock-like stone. 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.

**2007-02088                      GLASSMEYER PROPERTIES LTD**  
**NEW CASTLE   Atlantic Ocean**

Requested Action:

Impact a total of 950 square feet within the 100-foot tidal buffer zone to include 585 square feet of temporary impact and 365 square feet of permanent impact for the construction of a walk way for access to the beach.

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Conservation Commission/Staff Comments:

The New Castle Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 950 square feet within the 100-foot tidal buffer zone to include 585 square feet of temporary impact and 365 square feet of permanent impact for the construction of a walk way for access to the beach.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated August 2007 and revised through August 21, 2007,

as received by DES on September 7, 2007.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. 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.
6. 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.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. The owners wish to gain access over the existing lot, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. This project will allow pedestrian travel over the lot via the walkway and lessen impact to the surrounding vegetation and soil. 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.

**2007-02229                      HALL, BRUCE**  
**NEWBURY Lake Sunapee**

Requested Action:

Repair and replace a existing 8 ft x 28 ft permanent dock supported by a 8 ft x 8 ft crib connected to a 5 ft x 28 ft permanent dock supported by a 4 ft x 8 ft crib by a 4 ft x 10 ft permanent walkway, install a Personal Watercraft Lift in the western slip on Lake Sunapee, Newbury.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

**APPROVE PERMIT:**

Repair and replace a existing 8 ft x 28 ft permanent dock supported by a 8 ft x 8 ft crib connected to a 5 ft x 28 ft permanent dock supported by a 4 ft x 8 ft crib by a 4 ft x 10 ft permanent walkway, install a Personal Watercraft Lift in the western slip on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans, as received by DES on September 19, 2007.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the 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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Repair shall maintain existing size, location and configuration.

- 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. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
- 9. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
- 10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

**2007-02244 RUBBICO, EDWARD**  
**ALTON Lake Winnepesaukee**

Requested Action:

Remove and replace one, 3 pile ice cluster in the same location adjacent to a 6 ft x 30 ft piling supported docks connected by a 6 ft by 12 ft permanent walkway in a "U" shaped configuration on Lake Winnepesaukee, Alton.

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Conservation Commission/Staff Comments:

Con Com did not sign Exp Application because application was incomplete, completed application submitted at later date

APPROVE PERMIT:

Remove and replace one, 3 pile ice cluster in the same location adjacent to a 6 ft x 30 ft piling supported docks connected by a 6 ft by 12 ft permanent walkway in a "U" shaped configuration on Lake Winnepesaukee, Alton.

With Conditions:

- 1. All work shall be in accordance with plans by, as received by DES on October 04, 2007.
- 2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
- 3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
- 4. Repair shall maintain existing size, location and configuration.
- 5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

**AGRICULTURE MINIMUM**

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**2007-01655 EARLE, THOMAS**  
**CENTER CONWAY Unnamed Stream Wetlands**

Requested Action:

Dredge and fill approximately 580 sq. ft. of a seasonal stream and wet meadow for the installation of two stone ford livestock crossings associated with existing agricultural activities.

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Conservation Commission/Staff Comments:

RMI Ltr sent 8/16/2007. Pending info for processing.

APPROVE PERMIT:

Dredge and fill approximately 580 sq. ft. of a seasonal stream and wet meadow for the installation of two stone ford livestock crossings associated with existing agricultural activities.

With Conditions:

1. All work shall be in accordance with plans entitled: Crossing # 5 Plan & Profile, Animal Walkway, Earle Family Farm, Conway NH, dated 3/06, prepared by NRCS, as received by the Department on July 23, 2007, and additional plan entitled: Crossing # 4 Plan & Profile, Animal Walkway, Earle Family Farm, Conway NH, dated 3/06, prepared by NRCS, as received by the Department on September 14, 2007.
2. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, dated July 16, 1993, amended September 1998.
3. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
4. This permit shall be recorded with the county Registry of Deeds office by the permittee.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u); Maintenance or improvement of existing crop or pasture land for continued agricultural use.
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. Application determined to be complete for processing upon receipt of additional plan prepared and submitted by Natural Resource Conservation Service and received by the Department on September 14, 2007.

**TRAILS NOTIFICATION**

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**2007-02381                      DRED, INGA SEABOYER**  
**CONCORD   Unnamed Stream**

COMPLETE NOTIFICATION:

Concord Tax Map 93, Lot# 1 Upton Morgan State Forest

**LAKES-SEASONAL DOCK NOTIF**

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**2007-02414                    SAMMON, ROBERT**  
**NEWBURY Sunapee Lake**

COMPLETE NOTIFICATION:

Newbury, NH Tax map 19 Lot 565-416  
Sunapee Lake

**2007-02423                    MEHALIC, JOSEPH & BARBARA**  
**HOLDERNESS Squam Lake**

COMPLETE NOTIFICATION:

Holderness, NH Tax map 247 Lot 37 and Map 248 Lot 38    Squam Lake

**2007-02425                    BEAUDOIN, PAUL**  
**MEREDITH Waukewan Lake**

COMPLETE NOTIFICATION:

Meredith, NH Tax map U4 Lot 21A  
Waukewan Lake

**SHORELAND VARIANCE / WAIV**

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**2007-01121                    PARKER, THOMAS**  
**MANCHESTER Piscataquog River**

**PERMIT BY NOTIFICATION**

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**2006-00963                    SAHR, KEVIN & DARLA**  
**LYME Unnamed Pond**

Requested Action:

Disqualify Permit by Notification to dredge and fill 200 square feet of pond for dry hydrant installation.

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PBN DISQUALIFIED:

Disqualify Permit by Notification to dredge and fill 200 square feet of pond for dry hydrant installation.

With Findings:

1. A notice of incomplete permit by notification requesting additional information dated May 08, 2006, addressed to the applicant or agent of record, clearly required the applicant to submit additional information to DES within 20 days of the request.
2. DES did not receive the requested additional information within the 20 days; and therefore, the permit by notification has been

disqualified.

**2007-02011                      PINARD, ROGER**  
**HILLSBOROUGH   Unnamed Wetland**

Requested Action:

Dredge and fill 596 square feet of intermittent stream and associated forested wetlands to install a 15-inch x 23-foot culvert for driveway access to a single family residence.

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APPROVE PERMIT:

Dredge and fill 596 square feet of intermittent stream and associated forested wetlands to install a 15-inch x 23-foot culvert for driveway access to a single family residence.

With Findings:

1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(8), the installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot for noncommercial, recreational, uses that meets the criteria in Env-Wt 303.04(z).
2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
3. The Hillsborough Conservation Commission did not sign the notification.
4. The subject parcel is a result of a subdivision that occurred in 1968.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.