

# Wetlands Bureau Decision Report

Decisions Taken  
10/29/2007 to 11/04/2007

## **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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**2006-01471                      DANAIS, ROMEO**  
**CANDIA   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 31,319 sq. ft. of palustrine forested/ scrub-shrub wetlands for site work associated with the development of a light industrial park including buildings with appurtenant parking and storm water management facilities on a 14 acre parcel of land.

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Conservation Commission/Staff Comments:

Rec'd Req. for Reconsideration from Romeo D Danais of Danais Realty Group dated 10/12/07, rec'd 10/15/07 - np

No report received from the Candia Conservation Commission.

APPROVE PERMIT:

Dredge and fill a total of 31,319 sq. ft. of palustrine forested/ scrub-shrub wetlands for site work associated with the development of a light industrial park including buildings with appurtenant parking and storm water management facilities on a 14 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Pennoni Associates, Inc. dated 6/06/06 (last revised 12/6/06), as received by the Department on December 26, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent upon receipt by DES of a one-time payment of \$82,438.00 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by the DES within 120 days of the date of the approval letter or the application will be denied.
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. There shall be no further alteration of wetlands for lot development or for other construction activities.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. 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.
10. 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.
11. 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.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. 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. Functions performed by the forested wetlands proposed for impact include storm water detention and sediment/toxicant retention. These functions will be replaced with new drainage features and storm water management facilities.
6. The applicant has reviewed on-site options for mitigation and the Department has determined that this project is acceptable for payment to the Aquatic Resources Mitigation (ARM) Fund.
7. The payment calculated for the proposed wetlands impacts in the Town of Candia equals \$82,438.00.
8. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
9. The payment into the ARM fund shall be deposited in the DES fund for the Merrimack River watershed per RSA 482-A:29.
10. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of the palustrine wetland ecosystem in the environs.

Requested Action:

Applicant Requests Reconsideration of Denial issued on October 1, 2007.

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DENY RECONSIDERATION:

Deny Reconsideration received on October 15, 2007.

With Findings:

1. The applicant cites 2 reasons for failure to make the In Lieu Fee payment of \$82,438.
2. First, the applicant states "the approval for the many of the local and state permits for this project took several more months than originally anticipated".
3. The applicant made no indication that the In Lieu Fee payment would be made at any specified time in the future.
4. The Second reason provided was "the actual demand for the type of business reflected in the applicant's plans since the proposal has substantially softened since we received the DES approval in May of this year."
5. The applicant indicates that the project may not go forward as anticipated.
6. Since the approval for permitted impacts was based on the ARM payment proposal, the rationale for approval no longer exists.
7. RSA 482-A:1 provides that it is in the public good to protect and preserve its wetlands from unregulated despoliation.
8. DES rule Env Wt 806.05(b) provides that if the applicant does not pay the full amount of the in-lieu fee payment within 120 days of the date of the notice, the department shall deny the application.
9. The applicant also states that the development team has made a substantial investment into this project over the past 2 1/2 years which forced the applicant to control their additional spending - including the payment of the ARM of \$82,438.
10. The applicant indicates that the project will provide both the town of Candia and the State of New Hampshire several additional employment opportunities as well as an increase to the overall tax base.
11. The project will provide additional services for the citizens and the general public and is well supported by the town officials and the general public.
12. The DES does not question the merits of the development or its economic impact.
13. DES decision to reaffirm denial is based on the environmental impacts, the mitigation to offset these impacts and the timely execution of the rules ensuring that the mitigation is offset in a timely manner.
14. The DES rule requiring timely payment of In Lieu funds is necessary to ensure timely compensation of lost wetland functions within the impacted watershed.

2007-00545

MAUS, GERARD & SUSAN

WOLFEBORO Lake Winnepesaukee

Requested Action:

Remove an existing 10 ft x 36 ft permanent dock, install a 6 ft x 40 ft seasonal dock attached to a 4 ft x 6 ft concrete pad, dredge 18 cu yd from 250 sq ft of lake bed and impact 1700 sq ft of the bank and shoreland to construct a 25 ft x 36 ft dug in boathouse on Lake Winnepesaukee, Wolfeboro.

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Conservation Commission/Staff Comments:

Con Com submitted comments stating they do not feel boathouses are the least impacting alternative

DENY PERMIT:

Remove an existing 10 ft x 36 ft permanent dock, install a 6 ft x 40 ft seasonal dock attached to a 4 ft x 6 ft concrete pad, dredge 18 cu yd from 250 sq ft of lake bed and impact 1700 sq ft of the bank and shoreland to construct a 25 ft x 36 ft dug in boathouse on Lake Winnepesaukee, Wolfeboro.

With Findings:

Standard for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This project is classified as a major impact per Rule Wt 303.02(d), construction or modification of major docking system defined by Env-Wt 101.53, and any dock adjacent or attached to a breakwater.
3. In accordance with Env-Wt 302.04(a) for any major or minor project, the applicant shall demonstrate by plan and example that the extent to which a project interferes with or obstructs public rights of passage or access. For example, where the applicant proposes to construct a dock in a narrow channel, the applicant shall be required to document the extent to which the dock would block or interfere with the passage through this area.
4. In accordance with RSA 483-B:3,I, all state agencies shall perform their responsibilities in a manner consistent with the intent of this chapter. State and local permits for work within the protected shorelands shall be issued only when consistent with the policies of this chapter.
5. In accordance with RSA 483-B:3,II, when the standards and practices established in this chapter conflict with other local or state laws and rules, the more stringent standard shall control.
6. In accordance with RSA 483-B:4 Reference line means for natural fresh water bodies without artificial impoundments, the natural mean high water level as determined by the department of environmental services.
7. In accordance with RSA 483-B:9 II(b), primary structures shall be set back behind the primary building line which is 50 feet from the reference line.

Findings of Fact

8. On March 22, 2007, the Wetlands Bureau received an application for surface water impacts, on the lot identified as Wolfeboro tax map 259, lot 29, to remove an existing 10 ft x 36 ft permanent dock, install a 6 ft x 40 ft seasonal dock attached to a 4 ft x 6 ft concrete pad, excavate the bank and construct a 25 ft x 36 ft dug in boathouse on Lake Winnepesaukee.
9. On April 11, 2007, the Wetlands Bureau received a second application from the Applicant, filed by the same Agent that had prepared the previous application, to impact 2000 square feet of wetlands to construct a garage in a wetland on the same lot. This second application was assigned file number 2007-00685.
10. On April 12, 2007, the Wetlands Bureau received comments from the local Conservation Commission stating that boathouses are not the least impacting alternative for boat storage.
11. On April 16, 2007, an abutter to the south submitted comments with concerns to the file.
12. On May 18, 2007, a representative from the Wetlands Bureau conducted a field inspection of the property with the Attorney representing the Applicant and the Applicant's builder. During the inspection the Applicant's representatives were informed that the dredging of an inlet for the boathouse would alter the reference line and as well as the primary building setback and the proposed garage and primary structure would be located within the 20 ft and 50 ft state setbacks respectively.
13. On June 11, 2007, the Wetland Bureau sent a Request for More Information letter to the Applicant and Agent requesting several items to complete file 2007-00545 including plans showing any navigational hazards identified by the Department of Safety in the waterbody at the location.

14. On June 27, 2007, the Wetlands Bureau sent a Request for More Information letter to the Applicant and Agent requesting several items to complete file 2007-00685. Among the items requested was a re-design of the project to meet the required setback from surface waters for the primary structure in accordance with RSA 483-B.
15. On October 02, 2007, the Applicant submitted a letter to file 2007-00685 to withdraw the application to construct the garage in the wetland.
16. On October 05, 2007, the Applicant submitted a response to the More Information letter dated June 11, 2007. This response included a new plan of the proposed boathouse and a reconfiguration of the proposed primary structure. The new plans show that the proposed primary structure will be within 22 ft of the surface water within the inlet to be dredged.
17. The new plans submitted show the location of a navigational buoy near the proposed boathouse but do not identify the location, size, or nature of the navigational hazard as requested.

Rulings in Support of the Decision

18. The applicant failed to submit plans identifying the navigational hazard with revisions needed to address the setbacks from the reference line as requested in the Department's letter dated June 11, 2007, and therefore, the application is denied.
19. The proposed plan received on October 05, 2007, shows that the primary structure would be located approximately 22 feet from the new reference line and, therefore, would fail to meet the setback established in RSA 483-B:9 II(b).
20. This project fails to meet the requirements of RSA 483-B and, therefore, is denied as required per RSA 483-B:3.

**2007-00881                      LINCOLN SOUTH MOUNTAIN PARTNERS**  
**LINCOLN   Unnamed Wetland East Branch Of The Pemmi River**

Requested Action:

Fill 12,437 square feet of wetland and a man-made intermittent drainage (impacting 440 linear feet) to construct a 78 unit (39 duplex buildings) residential condominium development with associated roadways, utilities and culvert crossings. The application has been deemed eligible for a one time payment into the Aquatic Resource Mitigation fund as the form of compensatory mitigation.

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Conservation Commission/Staff Comments:

Mitigation is accomplished through the in-lieu fee payment to the ARM fund (\$30,122.14). Combined review of this file with the Alteration of Terrain file #070501-02 - CDR

APPROVE PERMIT:

Fill 12,437 square feet of wetland and a man-made intermittent drainage (impacting 440 linear feet) to construct a 78 unit (39 duplex buildings) residential condominium development with associated roadways, utilities and culvert crossings. The application has been deemed eligible for a one time payment into the Aquatic Resource Mitigation fund as the form of compensatory mitigation.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated April 2007, as received by DES on April 27, 2007.
2. This approval is contingent on receipt by DES of a one time payment of \$30,122.14 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.
3. This approval is contingent on approval by the DES Alteration of Terrain Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
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.
7. 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).
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

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

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

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

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

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

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

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

With Findings:

1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.02(i), as impacts to a man-made intermittent drainage are greater than 200 linear 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(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.

6. The payment calculated for the proposed wetland loss equals \$30,122.14.

7. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).

8. The payment into the ARM fund shall be deposited in the DES fund for the "Pemigewasset River" watershed per RSA 482-A:29.

9. Public hearing is not required with the finding that the project will not impact wetland areas that are considered to be of special value from a local, regional, or state perspective pursuant to Rule Env-Wt 101.87.

**MINOR IMPACT PROJECT**

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**2005-00474                      CONCORD COUNTRY CLUB INC**  
**CONCORD   Unnamed Wetland**

Requested Action:

Applicant requests reconsideration of amendment denial on October 3, 2007.

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Conservation Commission/Staff Comments:

Reconsideration requested by Schauer Env. Consultants on 10/3/07 - np

Please see findings.

Inspection Date: 08/17/2005 by Kirsten Pulkkinen

DENY RECONSIDERATION:

Applicant requests reconsideration of amendment denial on October 3, 2007.

With Findings:

A. Grounds for Reconsideration

1. The applicant argues that the Department on May 5, 2005 requested an additional filing fee for \$883.00 and that the letter stated that the DES had a 75 day statutory review period to approve or deny this application upon receipt of the check.
2. The applicant states that on May 11, 2005 the Concord Country Club issued a check to DES for \$883 on or before June 9, 2005.
3. The applicant argues that the time period for review exceeded the 75 day statutory review period deadline by at least 3 weeks.
4. The applicant argues that a permit should have been issued on or about July 25, 2005 and that the failure by DES to do this resulted in a delay of the construction start date and consequently their having to make concessions of adding the blueberry plantings.
5. The applicant argues that the Concord Country Club ["CCC"] offered to restore a culverted stream back to its former condition as an environmental advantage to the project and a good will gesture.
6. The applicant argues that the plantings were not needed to minimize or avoid potential impacts to the maximum extent possible and were not necessary.
7. The applicant argues that the newly restored stream channel had no erosion or sediment problems after the spring floods of 2006.
8. The applicant disagrees with the four DES findings.
9. The applicant argues that the conditions were not necessary to implement the design plans and avoid and minimize potential impacts.
10. The applicant argues that there may be a practicable alternative that would have a less adverse impact on the area and environments under DES jurisdiction is not correct or applicable.

B. Standards for Approval:

11. RSA 482-A:10, II provides that a request for reconsideration shall be filed with the department within 20 days of issuance of the department's decision or order.
12. RSA 482-A:3, XIV provides that in processing applications,..the department shall within 14 days of receipt ..., issue a notice of administrative completeness or send notice of the applicant, the address provided on the application, identifying any additional information required to make the application administratively complete and providing the applicant with the name and telephone number of the department employee who may be contacted regarding the application.
13. Once the DES Wetlands Bureau receives each of the items requested in its request for more information it is required to take action within 75 days (for projects less than 1 acre) or reach a mutual agreement to extend this time pursuant to RSA 482-A:3, XIV (b).
14. RSA 482-A:6, I provides that the department may require the implementation of protective measures.
15. Env Wt 302.03 requires the applicant to submit a proposed project design that avoids potential impacts to resources to the maximum extent practicable and that any unavoidable impacts have been minimized.
16. Env Wt 302.04 requires consideration of the impacts to the following in the project design: impacts on plants, fish and wildlife 302.04(7); impacts on the project to quantity or quality of surface water 302.04(13); impact of the proposed project on the values and functions of the total wetland or wetland complex 302.04(17).
17. Env Wt 803.06(b) provides that an alternative compensatory mitigation plan may include proposals such as the restoration of the functions within a degraded wetland.
18. Env Wt 804.01(b) provides that upland buffer areas offered for mitigation shall benefit the resource to be protected by maintaining water quality, wildlife habitat, or other functions and values of wetlands and surface waters.

C. Findings of Fact

19. DES did not receive a motion for reconsideration of the DES permit 2005-474 issued on September 2, 2005 or its conditions within 20 days.
20. On October 6, 2005 DES did receive a copy of the signed permit recorded with the Merrimack County Registry of Deeds.
21. Condition # 3 of the permit required that Stream restoration will also include seven clumps of eight lowbush blueberry (*Vaccinium angustifolium*) plantings to be planted at or near the lower portion of the outer bends of the stream channel.
22. On May 21, 2007 DES sent a letter to the CCC notifying them that the 1-29-07 Schauer Environmental Consultants, LLC

(SEC) monitoring report did not show the required plantings. The letter requested that all work be completed by July 2, 2007.

23. On July 2, 2007 DES submitted a letter from SEC requesting an amendment to the original permit to have the permit be amended to remove condition # 3 with 3 reasons:

- a. the stream does not have any bends since it has a straight flow pattern from the northern edge of the fairway to the culvert under the cart path.
- b. the original plans submitted on September 2, 2005 by SEC assumed that the plantings would be needed [sic] to stabilize the banks of the newly created stream; this has not been the case as you can observe from the photos submitted by SEC on January 29, 2007. The stream banks are vegetated, stable and no erosion has occurred.
- c. The plantings will not create any shading to the stream nor prevent/discourage players from attempting to hit balls that land in the areas of the proposed plantings.

24. In the applicant's motion for reconsideration the check referenced dated May 11, 2005 (check # 7605) from the Concord Country Club ["CCC"] was not deposited into the Wetlands Bureau account until September 6, 2005 after the wetlands permit was issued.

25. The DES Wetlands Bureau did not receive a copy of the CCC cancelled check until August 11, 2005.

26. Instead when the CCC's check came to DES it was routed to the Drinking Water program and deposited into their account.

27. The applicant failed to list the Wetlands Bureau staff, Dori Wiggin on the envelope or cover letter to ensure that the fee was sent to the appropriate program within DES.

28. On April 11, 2005 DES received a memo from the Fish and Game Department requesting details of the stream restoration project and the type of wetlands to be impacted by pond creation. Fish and Game recommended a buffer of undisturbed natural vegetation around the created ponds to deter Canada Geese and encourage native reptiles and amphibians. They also requested details regarding any other wetland buffers.

29. On September 2, 2005 DES received revised plans that included stream restoration plans that specified the lowbush blueberry plantings. These plans include a stream restoration plan that includes bends and short wave meanders on the plan and location of proposed hand-written placement of Lowbush Blueberry clumps.

30. In the publication "Buffers for Wetlands and Surface Waters" published November 1995 and revised May 1997 it provides that "Buffers reduce the adverse effects of human activities on the wetland or surface water by protecting water quality, protecting and providing wildlife habitat, reducing direct human disturbance...and maintaining aesthetic diversity and recreational value. A buffer provides a mosaic of interdependent functions."

31. "Trees and shrubs along the banks of waterways enhance the habitat value for wildlife. They provide shade cover which moderates water temperatures; and perching sites for birds that feed on fish, insects or herptiles found along the streams. Vegetation also helps stabilize the banks which reduces soil erosion into the stream." quoted from "Habitat Values of New England Wetlands" published May 1995 by US Army Corps of Engineers and US Fish and Wildlife.

### C. Rulings in Support of the Decision

32. The applicant's request for amendment was in effect an attempt to file a motion for reconsideration of the permit issued in September 2005 beyond the statutory deadline of 20 days following a DES decision.

33. CCC failed to carry out the conditions of the permit and once DES brought it to their attention that this was a violation, CCC sought an amendment on the compliance due date, July 2, 2007.

34. DES did review the application in timely manner as required by RSA 482-A and it was the applicant's failure to ensure that the additional filing fee was submitted to the correct DES program which caused the delay in processing.

35. The shrub plantings offered by the applicant as mitigation and required by the DES were reasonable and were necessary to provide a buffer from golf course play and to enhance and restore the wildlife habitat and water quality functions of the stream.

## **2005-01674                      HAWKVIEW ESTATES LLC** **HUDSON   Unnamed Wetland**

### Requested Action:

Dredge and fill 26,075 sq. ft. of wetlands for access to a proposed residential subdivision "Hawk Ridge" on a 223 acre parcel of land. The subdivision includes one Conservation Easement lot consisting of 19.8 acres. Work in wetlands and surface waters consists of 13 crossings with associated grading and filling. Crossings include 2 "Con Span" open bottom bridges, 7 corrugated metal pipe ("CMP") culvert crossings and 4 grading and filling access impacts.

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Inspection Date: 09/13/2006 by William A Thomas, Cws

APPROVE PERMIT:

Dredge and fill 13,875 sq. ft. of wetlands for access to a proposed 55 lot residential subdivision known as "Hawk Ridge" on a 223 acre parcel of land. The subdivision includes one Conservation Easement lot consisting of 27.37 acres. Work in wetlands and surface waters consists of 12 crossings with associated grading and filling. Crossings include 6 "Con Span" open bottom bridges, 3 corrugated metal pipe ("CMP") culverts and 3 grading and filling impacts.

With Conditions:

1. All work shall be in accordance with plans by Maynard & Paquette Engineering Associates, LLC, revision dated February 21, 2007, as received by DES on April 16, 2007.
2. This permit is contingent on review and approval by DES Wetlands Bureau of a final project plan set, prepared by Maynard & Paquette Engineering Associates, LLC, revision dated February 21, 2007, that is stamped by a New Hampshire Certified Wetlands Scientist ("CWS") and licensed land surveyor or professional engineer in accordance with Administrative Rules Env-Wt 304.09(a) and Env-Wt 301.01(e). In addition, all wetlands, bank and surface water crossing structures shall be depicted on plans to scale and or dimension in accordance with Administrative Rule Env-Wt 501.02.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. This permit is contingent on approval by the New Hampshire Department of Transportation ("NHDOT") and the permit shall not be valid until successful transfer of ownership of the NHDOT land to the applicant. Proof of ownership shall be submitted to DES for review and approval prior to the commencement of work.
6. The permittee shall coordinate with the NH Division of Historic Resources (DHR) to assess and mitigate the project's effect on historic resources. The applicant shall notify DES Wetlands Bureau shall of DHR's recommendations.
7. 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 DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
9. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #8 of this approval.
10. 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.
11. Work shall be done during low flow.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
13. 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.
14. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
18. Substrate used to re-create disturbed stream channel bottoms within the culvert/bridge crossings shall be native material similar to that found in the up and downstream reaches of the stream and shall not include angular rip-rap.
19. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.

20. There shall be no excavation or operation of construction equipment in flowing water.
21. A post-construction report prepared by the project's New Hampshire Certified Wetland Scientist ("CWS") documenting the status of the wetland restoration and temporary impact areas with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of each wetlands, bank and surface water crossing and after one full growing season.
22. Unconfined work within surface waters, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
23. 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.
24. Before work begins on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
25. Temporary cofferdams shall be entirely removed immediately following construction.
26. Construction equipment shall not be located within surface waters.
27. 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.
28. 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.
29. 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.
30. 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).
31. 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.
32. Proper headwalls shall be constructed within seven days of culvert installation.
33. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
34. 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.
35. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

Compensatory Mitigation:

36. This permit is contingent upon the execution of a conservation easement on 27.37 acres as depicted on Conservation Easement plan, revision dated February 21, 2007, as received April 16, 2007.
36. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
37. The deeds for individual building lots that contain portions of the conservation easement shall include the same deed language and restrictions as the conservation easement. The applicant shall submit copies of the final deeds for those lots abutting the conservation easement.
38. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
39. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
40. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
41. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
42. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
43. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES has received previous project plans stamped by a licensed land survey in accordance with Administrative Rule Env-Wt 304.09(a).
6. DES Staff conducted a field inspection of the proposed project site on September 13, 2006. It was determined during the field inspection that the site contains many high function and value wetlands and surface waters and a majority of the proposed crossings would need to be open bottom spanning structure to be considered the least impacting alternative, and meet the criteria for minimization and avoidance.
7. The applicant has revised the project proposal to increase the number of "Con Span Bridges" from two to six.
8. The applicant has reduced the proposed wetlands and surface water impacts from 26,075 square feet to 13,875 square feet. The reduction of impacts resulted from eliminating one access impact from Speare Road, increasing the mitigation area and reducing impacts by providing four additional spanning bridge structures.
9. The Conservation Commission submitted comments. The Conservation Commission is not in favor of the design of many of the wetland crossings due to the amount of fill and grading required at each crossing, the type of crossings, runoff from the development draining into the undeveloped wetlands, the minimal amount of uplands accessed by the Golden Drive cul-de-sac, the soil type associated with the Golden Drive bridge crossing and the use of White Service Road.
10. As previously stated, the applicant has reduced the proposed wetlands impacts from 26,075 square feet to 13,875 square feet. The reduction of impacts resulted from eliminating one access impact from Speare Road, increasing the mitigation area and reducing impacts by providing four additional spanning bridge structures.
11. DES has not received any additional comments from the Conservation Commission since the applicant has reduced the square footage of impacts and replaced four of the previous crossings with spanning structures.
12. The permit is contingent on approval by the DES Alteration of Terrain program ("AOT"). The AOT program review includes the review and approval of only appropriate stormwater treatment and detention controls.
13. The Town of Hudson has agreed to be the holder of the proposed Conservation Easement.
14. The applicant has provided DES with a conceptual build-out for the adjacent property, not owned by the applicant, but that will potentially be accessed by two proposed right-of-ways from "Osprey Drive" and "Golden Drive". The conceptual plan for 18 lots would not require further impacts to jurisdictional wetlands or surface waters.
15. The DES AOT program has received Con Span bridge design plans that are stamped by a licensed engineer.
16. The applicant submitted a letter from the New Hampshire Department of Transportation ("NHDOT") authorization "Bayridge Building and Remolding Inc.", to move forward with design and approval process to utilize "White Service Road Right-of-Way".
16. The permit is contingent on successful transfer of ownership of the NHDOT land to the applicant before any work is conducted on the proposed project site.
17. Personnel from the New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program ("NHFG") inspected the property. NHFG has concerns regarding the proposed crossing structures, particularly any twin culverts and the crossing proposed within the White Service Road and the location of the White Service Road to the adjacent wetlands. NHFG also commented that the site was not the best habitat for the Eastern hognose snake and the site did contain some small patches of possible New England Cottontail ("NEC") habitat. However, NHFG suggested that due to the small size and location of the habitat is unlikely that NEC exists on the site. If NEC did exist on the site they would be dependent on emigration from larger habitats that may persist along the powerline easement and overgrown agricultural lands that persist in the vicinity.
18. NHFG recommended that the proposed conservation easement not include any building lots.
19. The deeds for the proposed lots within the easement area will be required to include the same conservation easement language and restrictions.
20. The proposed easement exceeds the required mitigation ratios.
21. NHFG recommended sighting the White Service Road away from the adjacent wetlands to the fullest extent possible and that any crossing should be an open-bottom culvert or span 1.2x bank full width.
22. The proposed White Service Road is within an existing dirt access road/trail and NHDOT access right-of-way ("ROW").
23. The proposed 60 inch diameter culvert within the White Service Road has been replaced with a proposed 12 foot wide

spanning structure with a natural stream bottom.

24. DES received comments from a resident that is not listed as an abutter. The comments were regarding a portion of an historical project adjacent to the site that was not constructed, known as the "Nashua-Hudson Circumferential Highway".

25. The only related portion of this project to "Nashua-Hudson Circumferential Highway" is the use of the adjacent NHDOT White Service Road ROW/access area and three new residential lots that will abut White Service Road.

26. The applicant has provided a 27.37 acre Upland Preservation/conservation easement area for 13,875 square feet of wetlands impacts.

**2006-00952                      ANTONUCCI, GAIL**  
**WOLFEBORO   Unnamed Wetland Unnamed Stream**

Requested Action:

Restore approximately 445 square feet of previously impacted jurisdictional area and remove the twin 15-inch x 20 foot culverts and replace them with a 6 foot x 14.5 foot bridge, and retain approximately 1250 square feet of impact along the perennial stream and 200 square feet to the two intermittent stream crossings.

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Conservation Commission/Staff Comments:

ENF 2006-952

APPROVE AFTER THE FACT:

Restore approximately 445 square feet of previously impacted jurisdictional area and remove the twin 15-inch x 20 foot culverts and replace them with a 6 foot x 14.5 foot bridge, and retain approximately 1250 square feet of impact along the perennial stream and 200 square feet to the two intermittent stream crossings.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
2. Approximately 445 square feet of wetlands jurisdiction shall be restored in accordance with the Restoration Plan and all project descriptive details submitted to DES on October 2, 2007, by Fernstone Associates dated February 14, 2007 and revised through October 1, 2007.
3. The culverts for the intermittent stream shall be replaced in accordance with plans by Fernstone Associates dated February 9, 2007 as received by the Department on March 20, 2007.
4. The bridge construction within the perennial stream shall be completed under low flow conditions and no later than June 30, 2008, unless weather conditions prohibit. This deadline shall not be extended except with written agreement from NH DES Wetlands.
5. The wetlands, bank restoration and replacement of culverts within the intermittent stream shall be completed no later than August 1, 2008.
6. Work within the intermittent stream shall take place when there is no flow to the resource.
7. The restoration shall be done according to the Approved Plans and as conditioned by this Restoration Plan Approval. Any changes or alterations to the Approved Plans must be requested in writing and approved by DES in writing prior to implementing any such changes or alterations.
8. All persons involved in restoration activities on the Property shall have read and become familiar with the provisions of the Approved Plans and this Restoration Plan Approval prior to beginning restoration work on the Property. A copy of the Approved Plans and this Restoration Plan Approval shall be kept posted at the Property during the time restoration work continues on the Property.
9. Documentation confirming use of the appropriate seed mix shall be forwarded to DES.
10. No machinery shall enter DES jurisdictional areas on the Property during the restoration.
11. All material removed during restoration activities shall be removed down to the level of the original soils.
12. All material removed during restoration activities shall be placed out of DES's jurisdiction with the exception of the restoration of the scour hole.
13. Siltation, erosion and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

14. All steps shall be taken during the restoration necessary to ensure that no water quality violations occur on the Property.
15. Within three days following the last activity in the restoration area or where restoration activities are suspended for more than 3 days, all soils exposed by restoration activities shall be stabilized by seeding and mulching.
16. An initial monitoring report with photographs of the bridge construction shall be provided to DES no later than July 15, 2008. The initial monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report, and schedule for the remainder of the restoration activities. Photographs should depict all stages of restoration sequencing.
17. A second monitoring report with photographs of the remainder of the restoration shall be provided to DES no later than August 30, 2008. The initial monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report, and schedule for the remainder of the restoration activities. Photographs should depict all stages of restoration sequencing.
18. DES reserves its right to revoke this after-the-fact approval should restoration not be completed as specified in this approval.

With Findings:

1. This is a minor impact project in accordance with 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. 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.
3. 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.
4. The applicant has agreed to restore and remove the excessive fill within the channel of the stream and repair the scour hole the existing twin culverts have created.

**2006-02111                      MESPELLI, PETER**  
**CAMPTON   Quimby Brook**

Requested Action:

Request for Reconsideration received from Peter and Deborah Mespelli.

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Conservation Commission/Staff Comments:

Reconsideration request received from Peter & Deborah Mespelli on 10/2/07 - np

**DENY RECONSIDERATION:**

Request for Reconsideration received from Peter and Deborah Mespelli.

With Findings:

A. Grounds For Reconsideration:

1. The applicant argues that using the existing 5 foot culvert would have the least impact on the wetlands area proposed for placement.
2. The applicant argues that the October timing for construction would obviate the need to divert the stream as the flow is very low.
3. The applicant argues that the open bottom culvert would cause at least 4 times the disruption of the round steel culvert as a large area would have to be dug out to place the box culvert on top of and would have 8-10 feet concrete wings.
4. The applicant argues that the required use of the open bottom culvert would be a considerable drain on their economic resources and would cost them an additional \$30,000.
5. The applicant argues that they had already purchased the 5 foot culvert in 1987 with the approval of the Wetlands Board.

B. Standards for Approval

1. A request for additional information dated November 2, 2006, requested 8 items be addressed and stated that in accordance with

- RSA 482-A:3 that if the requested information is not received within 120 days of this request, the department is obligated to deny the application ["RMI"].
2. The November 2, 2007 letter stated that the due date for submission of the requested information was March 2, 2007.
  3. On March 1, 2007 the applicant submitted an itemized response to the November 2, 2007 RMI.
  4. On March 29, 2007 DES issued a second request for more information ["RMI2"] requesting 5 items be addressed and stated that if the requested information is not received within 120 days of this request, the department is obligated to deny the application. The deadline for a response was set at July 27, 2007.
  5. Item # 1 of the Request for More Information requested that all twenty questions be addressed in accordance with Env Wt 301.01(e).
  6. The second request for more information item # 2 stated that "DES strongly recommends an open-bottom or embedded span that is 1.2 times the bankfull stream width. DES will consider embedding the 5-foot culvert, if evidence can be provided that the embedded culvert is appropriately sized will not constrict flows during normal bankfull flows, which could result in scouring."
  7. Item # 3 of the request stated "Please provide a detailed cross-section plan and construction sequence for embedded installation. Embedded culverts should be embedded at least 25% of the cross-sectional area and the natural bottom substrate recreated within the culvert should match substrate upstream and downstream. Please note material used to emulate a natural stream channel in the area of the existing culvert should be rounded river stone and not angular riprap. The material should be brought in from a non-jurisdictional area. Please clarify the culvert type and material."
  8. On August 13, 2007 DES received a response to the March 29, 2007 Request For More information.
  9. This response was received 17 days after the required deadline.
  10. 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.
  11. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2006-02146                      BOLLES, RUSSELL**  
**MEREDITH Lake Winnepesaukee**

Requested Action:

Amend permit to include two, 3 pile ice clusters to protect the docking structure.

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Conservation Commission/Staff Comments:

Con Com recommends approval

APPROVE AMENDMENT:

Amend permit to read: Modify two existing docking structures to create a 6 ft x 59 ft piling supported dock and a 6 ft x 61 ft piling supported dock, relocate two tie off piles, install a seasonal boatlift in the center slip, two 3 pile ice clusters, and two PWC lifts along the southerly shoreline, and dredge 3.1 cu yd from 335 sq ft of lakebed to provide adequate depth in the slips on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated July 11, 2006, revision dated December 19, 2006, as received by the Department on December 20, 2006 and amendment request plans revision dated September 28, 2007, as received by the Department on October 03, 2007.
2. This permit shall not be effective until it has been recorded with the Belknap 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. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
4. Repairs shall maintain existing size, location and configuration.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. The docks shall not extend further lakeward than as shown on the approved plans from full lake elevation of 504.32.
7. The minimum clear spacing between piles shall be 12 feet.
8. The seasonal boatlift shall be of seasonal construction which shall be removed for the non-boating season.
9. The seasonal PWC lifts shall be of seasonal construction which shall be removed for the non-boating season.
10. All dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking system that exceeds the design and construction criteria discussed for minimum impact docks classified under Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 210 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

**2007-00457                      BARKER, LINDA**  
**HAMPTON FALLS   Grapevine Run**

Requested Action:

Dredge and fill a total of 775 sq. ft. within the bed and embankments of Grapevine Run to repair the existing 48 inch RCP culvert and install another 48 inch RCP where Brown Road crosses this perennial stream to abate flooding conditions experienced during storm events. Accumulated sediments at the culvert outlet will be removed and a stone rip-rap apron installed.

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Conservation Commission/Staff Comments:

No report or comments were received from the Hampton Falls Conservation Commission regarding this application.

Inspection Date: 04/06/2007 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 775 sq. ft. within the bed and embankments of Grapevine Run to repair the existing 48 inch RCP culvert and install another 48 inch RCP where Brown Road crosses this perennial stream to abate flooding conditions experienced during storm events. Accumulated sediments at the culvert outlet will be removed and a stone rip-rap apron installed.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 6/25/02 (last revised 4/12/07), as received by DES on August 17, 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. 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 material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. 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).
6. Work shall be done during low flow.
7. 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(a)& (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. DES Staff conducted a field inspection of the proposed project on April 04, 2007. Field inspection with NH Fish & Game determined this project is needed to abate flooding conditions during major storm events and stabilize bank erosion in Grapevine Run.

**2007-00514                      WHITEHOUSE JR, HAROLD**  
**UNITY   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 3,592 sq. ft. of palustrine forested and emergent wetlands to upgrade Hemlock Hill Road (Class VI road) to provide access for a single family residence. Work includes installation of 6 culverts with associated fill.

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APPROVE PERMIT:

Dredge and fill approximately 3,592 sq. ft. of palustrine forested and emergent wetlands to upgrade Hemlock Hill Road (Class VI road) to provide access for a single family residence. Work includes installation of 6 culverts with associated fill.

With Conditions:

1. All work shall be in accordance with plans by Connecticut Valley Environmental Services, Inc. revision date September 30, 2007, as received by DES on October 3, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work shall be done during low flow.
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. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This project impacts 3,592 sq ft of jurisdictional wetlands and is therefore a minor impact project per Administrative Rule Env-Wt 303.03(h), for the alteration of less than 20,000 sq ft in the aggregate of nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f);
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The impacts are associated with upgrades to a Town of Unity Class VI road.

6. The Town of Unity has issued a conditional approval for the proposed upgrades to the Class VI road.

**2007-00575                      NEW HAMPTON SCHOOL**  
**NEW HAMPTON   Unnamed Pond**

**Requested Action:**

Dredge and fill approximately 1000 square feet to replace, repair and upgrade and existing concrete dam walls and spillway outlet and replace an existing culvert within two man made ponds.

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

Dredge and fill approximately 1000 square feet to replace, repair and upgrade and existing concrete dam walls and spillway outlet and replace an existing culvert within two man made ponds.

**With Findings:**

1. 1. A request for additional information dated June 13, 2007, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2007-00712                      EASTER, DIANE**  
**LANDAFF   Unnamed Stream**

**Requested Action:**

Impact approximately 26 linear feet of bank on each side of an unnamed perennial stream to construct a 14 foot by 26 foot precast open bottom crossing structure and associated wingwalls to provide driveway access to a single family building lot.

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**APPROVE PERMIT:**

Impact approximately 26 linear feet of bank on each side of an unnamed perennial stream to construct a 14 foot by 26 foot precast open bottom crossing structure and associated wingwalls to provide driveway access to a single family building lot.8

**With Conditions:**

1. All work shall be in accordance with plans by Associated Consulting Engineers last revised July 16, 2007, as received by DES on October 1, 2007.
2. This permit is contingent on submission and approval by DES of construction sequencing details documenting the specific methods of turbidity control including methods of stream diversion, temporary construction access, and temporary and permanent bank stabilization to be submitted to DES for review and approval prior to construction.
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.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be done during low flow.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), project that alter the course or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-00717                      ELLYSON COMPANY, DAVID MCHUGH**  
**BATH   Unnamed Wetland**

Requested Action:

Deny permit request to dredge and fill 3,000 square feet of wetlands to install an 18-inch x 20-foot CMP culvert for driveway access to a single family building lot.

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Conservation Commission/Staff Comments:

The Con. Com. recommends denial for multiple reasons.

DENY PERMIT:

Deny permit request to dredge and fill 3,000 square feet of wetlands to install an 18-inch x 20-foot CMP culvert for driveway access to a single family building lot.

With Findings:

1. This is a Minor Impact Project per NH Code of Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. 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. According to Rule Env-Wt 304.04, the department shall limit the location of a project to at least 20 feet from an abutting property line or imaginary extension thereof over surface water unless it receives written agreement from the affected abutter concurring with any impact that may result relative to the abutter's interest.

Findings of Fact:

8. On January 30, 2006, DES received a Permit by Notification for the same property requesting to dredge and fill 1,200 square feet of forested and scrub-shrub wetlands to install a 36-inch x 40-foot CMP culvert for driveway access to a single family building lot. This notification was assigned Wetlands File #2006-150.
9. On February 16, 2006, DES deemed the Permit by Notification (File #2006-150) complete.
10. The location of the impact as authorized under Wetlands File #2006-150 at the southerly end of the property is located more than 20 feet away from the abutting property boundary and crosses the wetland at the narrowest point resulting in the least amount of wetland impact.
11. The applicant has indicated that the need for the impact is that the Bath Zoning Board of Adjustment has requested that the crossing be located in a different location on the property.
12. On October 1, 2007, DES received a copy of a Notice of Decision from the Town of Bath Zoning Board of Adjustment

("ZBA")dated May 8, 2007 which notified the Ellyson Complany that they had granted a special exception with the conditions that "1. Ellyson Complany must obtain an approved DES Wetlands Permit for a crossing at the northern boundary along the Rollins property line. 2. Obtain subdivision approval from the Bath Planning Board."

13. The ZBA decision provided no specific reasons as to why they were requiring the crossing in a different location on the property.

14. The applicant has provided a waiver request per Env-Wt 204.03 to waive Env-Wt 304.04(a) which limits wetlands impacts to at least 20 feet from the property line.

15. The applicant has indicated that they have tried to obtain written permission from the abutter but have received no response.

16. The applicant has indicated that they are requesting the waiver in order to comply with the condition of the Bath ZBA.

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 the impact authorized as part of Wetlands File #2006-150 is the alternative that would have a less adverse impact on the area and environments under the department's jurisdiction.

20. The request to waive the 20 foot setback rule does not meet the content and format requirements of Env Wt 204.03(a)and (b).

21. The waiver request is denied as it does not comply with the criteria required under Env-Wt 204.04(1)(b), since the request results in an impact on abutting properties that is more significant than that which would result from complying with the rule.

**2007-00721                      DAVIS, CARL/DONNA**  
**EFFINGHAM Province Lake**

Requested Action:

Applicant requests to replace an existing retaining wall with a higher wall, install a 8 ft wide ramp and install 4 ft wide stairs in the wall to access the water on 100 ft of frontage on Province Lake, in Effingham.

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Conservation Commission/Staff Comments:

No comments from the Conservation Commission by 06/27/07

DENY PERMIT:

Deny applicant's request to replace an existing retaining wall with a higher wall, install a 8 ft wide ramp and install 4 ft wide stairs in the wall to access the waterbody on Province Lake, Effingham.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."

2. This project is classified as a minor impact project pursuant to Env-Wt 303.03 (k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.02.

3. In accordance with RSA 482-A:3, The permit application fee shall be \$100 for minimum impact projects under this chapter. The permit application fee for minor and major shoreline structure projects shall be \$100 plus an impact fee, based on the area of dredge, fill, or dock surface area proposed, or a combination. The shoreline structure impact fee shall be \$1 per square foot for permanent dock surface area; \$.50 per square foot for seasonal dock surface area; and \$.10 per square foot for dredge or fill surface area or both. The permit application fees for minor or major projects shall be \$.10 per square foot of proposed impact for all other projects under this chapter.

4. In accordance with Rule Env-Wt 302.04(d)(1) Requirements for Application Evaluation, the department shall not grant a permit if there is a practicable alternative that would have a less adverse impact on the area and environments under the department's

jurisdiction.

5. In accordance with Env-Wt 101.72 Replacement, means the substitution of a new structure for an existing legal structure with no change in size, dimensions, location, configuration, or which conforms to all material aspects to the original structure,
6. In accordance with Env-Wt 303.03(j) repair or replacement of existing retaining walls that requires work in the water, but that results in no change in height, length, location, or configuration shall be considered to be a minor impact project. If a wall is to be refaced, such additional width shall not exceed 6 inches
7. In accordance with Env-Wt 501.02 (a)(2)(i) if the topography is to be permanently altered, the existing and proposed topography, including a reference elevation.
8. In accordance with Env-Wt 501.02 (a)(3) dated, labeled photograph(s) mounted on 8½" x 11" sheets depicting portions of wetland, shoreline, or surface waters where proposed impact will occur, and showing all existing structures.
9. In accordance with policy letter dated January 30, 2001, NHDES will not consider new boat ramps for single family residences.
10. In accordance with Wt 401.01 Purpose, (a) The purpose of this chapter is to protect the public trust and other interests of the state of New Hampshire, by establishing requirements for the design and construction of structures in order to prevent unreasonable encroachment on the surface waters of the State.
11. In accordance with Env-Wt 404.05(a)(4) applications for walls adjacent to great ponds or water bodies where the state holds fee simple ownership shall include a stamped surveyed plan showing the location of the normal high water shoreline and the footprint of the proposed project.

#### Findings of Fact

12. On April 11, 2007, the Wetlands Bureau received an application for surface water and bank impacts, on the lot identified as Effingham tax map 107, lot 15, to replace existing concrete retaining wall as well as add a set of stairs and a handicap access ramp.
13. The applicant submitted a \$100 fee with the application.
14. The application materials submitted included photographs as received by the Wetlands Bureau and date stamped April 11, 2007. These photographs depicted a wall entirely across the frontage with no existing boat ramp.
15. The application materials submitted included plans indicating that the existing wall would be replaced with a new higher wall and also showed the addition of a new 8 ft wide ramp and 4 ft wide access stairs in the bank on Province Lake.
16. On June 27, 2007, the Wetlands Bureau sent a Request for More Information letter requesting the application submit the required fee for the proposed modifications.
17. The More Information letter also requested a stamped surveyed plan showing that there would be no change in the height of the proposed wall.
18. The applicant submitted a response to the Request for More Information letter on October 01, 2007. This response included several plans and photographs.
19. The photographs submit show a sloped area with sand place in the lake and on the frontage. This area was shown as a wall in the original photographs submitted with the application materials.
20. The plans submitted on October 01, 2007, do not show the existing conditions of the site as requested in the More Information letter dates June 27, 2007.
21. The plans submitted on October 01, 2007, show the proposal to raise the height of the wall by 2 feet and install a set of stairs and a ramp. The proposed plan indicates two different widths on the proposed ramp.
22. The material submitted on October 01, 2007 included text which states the applicant states he believes the proposal is a repair in kind and does not feel the required additional costs are appropriate.
23. The materials submitted on October 01, 2007, did not include the required fee for the proposed modifications to the shoreline.

#### Rulings in Support of the Decision

24. The proposed project is not a repair in kind as it includes the addition of a ramp and stairs in the bank and modification of the finished grade of the wall.
25. The applicant did not submit the required fee pursuant to RSA 482-A:3 and, therefore, the application is denied.
26. The proposal is not the least impacting alternative as required by to Env-Wt 302.04(d) (1) and, therefore, the application is denied.
27. The applicant did not submit a stamped surveyed plan of the existing conditions and the proposed conditions pursuant to Env-Wt 404.05 and, therefore, the application is denied.

**2007-01451**                      **IN-EX HOMES LLC**  
**ANTRIM**   **Unnamed Stream Wetland**

Requested Action:

Dredge and fill 2,920 square feet of palustrine forested wetlands including 65 linear feet of perennial stream to install an 8-foot x 4.2-foot x 64-foot open bottomed arch culvert along the perennial stream and 24-inch x 70-foot HDPE and existing 15-inch culvert extension in forested wetlands for access to a 7-lot subdivision on 31.7 acres.

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APPROVE PERMIT:

Dredge and fill 2,920 square feet of palustrine forested wetlands including 65 linear feet of perennial stream to install an 8-foot x 4.2-foot x 64-foot open bottomed arch culvert along the perennial stream and 24-inch x 70-foot HDPE and existing 15-inch culvert extension in forested wetlands for access to a 7-lot subdivision on 31.7 acres.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services dated June 19, 2007, as received by the Department on June 26, 2007, and wetland crossing and stream diversion detail plans dated September 26, 2007, as received by the Department on October 9, 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 registered permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done during low flow.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. There shall be no excavation or operation of construction equipment in flowing water.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
13. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
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. Culverts for wetland crossings 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. Materials used to emulate a natural channel bottom within the culvert, between wing walls and beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
22. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
23. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
24. 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.

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

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of a perennial stream, including the bed and banks of the channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has obtained permission to conduct work within 20 feet of an abutting #245-16.

**2007-01461 DEERFIELD, TOWN OF  
DEERFIELD Back Creek**

Requested Action:

Retain installation following Emergency Authorization of a 6' high x 12' wide x 26' long concrete box culvert and associated headwalls impacting 1,200 sq. ft. (90 linear ft. of channel and banks of Back Creek), as replacement for a bridge crossing which failed during the April 2007 flood event.

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APPROVE AFTER THE FACT:

Retain installation following Emergency Authorization of a 6' high x 12' wide x 26' long concrete box culvert and associated headwalls impacting 1,200 sq. ft. (90 linear ft. of channel and banks of Back Creek), as replacement for a bridge crossing which failed during the April 2007 flood event.

With Conditions:

1. All work shall be in accordance with plans by Frederick J. McGarry, P.E., dated 6/25/2007, as received by DES on 6/28/2007.
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. 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.
4. Existing rocks which have fallen shall be used for bank stabilization. No Additional Rocks.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that disturb less than 200 linear ft. of a perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The bridge crossing at this location failed during the severe April 2007 flood event.
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. This proposal allowed immediate repair to the crossing with a minimum of impact during construction. The flow way of the stream channel has been increased from 8 ft. with the bridge, to 12 ft. with the box culvert. Rocks and sediment have naturalized the culvert bottom.
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. Species of concern reported by the NH Heritage Bureau were not located at this project site, and would not be impacted by this project.
5. The Deerfield Conservation Commission did not report.

**2007-01526 ELDRIDGE HILL GROUP LLC**  
**OSSIPEE Beech River**

**Requested Action:**

Dredge and fill 1,780 sq. ft. of wetland along 115 linear ft. of the Beech River for the removal of an existing bridge and construction of a new steel plate bridge within the same general footprint.

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**Conservation Commission/Staff Comments:**

Con. Com. intervened 7/2/2007. DES did not receive any follow up comments.

**APPROVE PERMIT:**

Dredge and fill 1,780 sq. ft. of wetland along 115 linear ft. of the Beech River for the removal of an existing bridge and construction of a new steel plate bridge within the same general footprint.

**With Conditions:**

1. All work shall be in accordance with revised plans by White Mountain Survey Co. Inc. dated June 26, 2007, as received by the Department on July 5, 2007.
2. This permit is contingent upon submission of and DES approval of dewatering plans and construction sequence plans showing the location, footprint, and means of erosion/siltation control for removal of the existing bridge and construction of the new bridge.
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. 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. 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. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
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. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering DES jurisdictional areas. 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.

**With Findings:**

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear ft. of non-tidal perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The existing bridge is deteriorated and replacement is necessary to continue to provide safe and adequate access to areas north of the Beech River.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per 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.

**2007-01667                      WARNER, TOWN OF  
WARNER Slaughter Brook**

**Requested Action:**

Replace an undersized 3ft x 40ft culvert with a 5ft x 60ft culvert and widen the road to provide two-way access impacting 480 sq. ft. of the bed and banks of an unnamed tributary to Slaughter Brook on Horne St.

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**APPROVE PERMIT:**

Replace an undersized 3ft x 40ft culvert with a 5ft x 60ft culvert and widen the road to provide two-way access impacting 480 sq. ft. of the bed and banks of an unnamed tributary to Slaughter Brook on Horne St.

**With Conditions:**

1. All work shall be in accordance with project details and plans submitted by the Town of Warner, as received by DES on July 20, 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 shall remain until the area is stabilized.
4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Before work begins on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Construction equipment shall not be located within surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. 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.
18. The impacts associated with the temporary work shall be remediated immediately following construction.
19. 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 minor impact project per Administrative Rule Env-Wt 303.03(l), for disturbance of less than 200 linear feet of a perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The existing culvert is undersized resulting in roadway washouts that create road closures.
6. Horne Street is a dead end town road with 9 residences located above the stream crossing.
7. The new culvert will be imbedded in such a way as to not inhibit the movement of aquatic organisms.
8. The Project will benefit public safety.

**2007-01832                      GILSUM, TOWN OF**  
**GILSUM   Unnamed Stream**

Requested Action:

Replace an undersized culvert with a 72" x 40ft oval culvert impacting approximately 400 sq. ft. of the bed and banks of a perennial stream on Belvedere Road. Work includes changing the culvert angle to minimize potential erosion.

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APPROVE PERMIT:

Replace an undersized culvert with a 72" x 40ft oval culvert impacting approximately 400 sq. ft. of the bed and banks of a perennial stream on Belvedere Road. Work includes changing the culvert angle to minimize potential erosion.

With Conditions:

1. All work shall be in accordance with project details and plans submitted by the Town of Gilsum, as received by DES on August 3, 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 shall remain until the area is stabilized.
4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Before work begins on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Construction equipment shall not be located within surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control

Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. 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.
18. The impacts associated with the temporary work shall be remediated immediately following construction.
19. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project is a minor impact project per Administrative Rule Env-Wt 303.03(l), for disturbance of less than 200 linear feet of a perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The existing culvert is undersized resulting in roadway washouts that create road closures.
6. The Project will benefit public safety.

**2007-01916                      RSA DEVELOPMENT LLC**  
**MILTON   Unnamed Wetland**

Requested Action:

Fill a total of 6,808 sq. ft. of wetland for four crossings to construct a roadway and driveways to serve an eight (8) residential lot subdivision on 53.26 acres, including: Wetland Crossing #1: 3,816 sq. ft. and install twin 24 in. x 30 ft. culverts; Wetland Crossing #2: 1,822 sq. ft. and installation of one 24 in. x 42 ft. culvert and one 24 in. x 37 ft. culvert; Wetland Crossing #3: 129 sq. ft. and install a 18 in. x 35 ft. culvert; Wetland Crossing #4: 1,041 sq. ft. and install a 24 in. x 30 ft. culvert.

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Conservation Commission/Staff Comments:

Con. Com. comments are addressed in permit conditions.

APPROVE PERMIT:

Fill a total of 6,808 sq. ft. of wetland for four crossings to construct a roadway and driveways to serve an eight (8) residential lot subdivision on 53.26 acres, including: Wetland Crossing #1: 3,816 sq. ft. and install twin 24 in. x 30 ft. culverts; Wetland Crossing #2: 1,822 sq. ft. and installation of one 24 in. x 42 ft. culvert and one 24 in. x 37 ft. culvert; Wetland Crossing #3: 129 sq. ft. and install a 18 in. x 35 ft. culvert; Wetland Crossing #4: 1,041 sq. ft. and install a 24 in. x 30 ft. culvert.

With Conditions:

1. All work shall be in accordance with revised plans by Berry Surveying & Engineering dated June 12, 2007, as received by the Department on August 10, 2007, and revised plans by Berry Surveying & Engineering dated October 26, 2007 (Wetland Overview Plan and Plan and Profile for Ashwood Road Ext. Page 10 of 17), as received by the Department on October 30, 2007.
2. Work within surface waters shall be done in the dry or during low flow.
3. Construction equipment shall not be located within surface waters.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. 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 and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
6. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
7. 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.
8. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
  9. This permit is contingent upon approval by the DES Subsurface Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(f), alteration of less than 20,000 square feet of non-tidal wetlands in the aggregate that exceed the criteria for minimum impact projects.
2. The need for the proposed impacts has been addressed by the applicant per Env-Wt 302.01(b) by demonstrating that the proposal must cross wetlands at some locations on this property to access buildable uplands on the property.
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 by designing the proposed roadway and driveways in the most narrow sections of wetland and primarily along an existing woods road.
4. The applicant restored unauthorized work in wetlands on the property and is addressed under DES Wetlands File# 2006-2852. Portions of wetland restoration area #8 and #9, addressed under DES File# 2006-2852, are approved for impact as Wetland Crossing #2 and Wetland Crossing #3.
5. The applicant has addressed the concerns of Environmental Protection Agency relative to a vernal pool survey on the property. The applicant's agent, Fraggle Rock Environmental Services, performed a review of the property for suitable habitat and adult vernal pool indicator species within a 750 ft. radius of terrestrial habitat. Although no vernal pools were identified on the property, an area north of the Wetland Crossing #1 was identified as having the potential characteristics of a vernal pool. To protect this potential vernal pool habitat, the applicant has relocated the proposed roadway further to the south to provide additional buffer to this habitat area.
6. The Conservation Commission's concerns relative to sedimentation/erosion control and subsurface disposal have been addressed within the conditions of the Wetlands Permit.

**2007-01961                      WARNER, TOWN OF**  
**WARNER Slaughter Brook**

Requested Action:

Replace an undersized culvert with an 8ft x 5ft x 60ft box culvert impacting 1504 sq. ft. of the bed and banks of Slaughter Brook on Horne St. Work includes changing the culvert angle to minimize potential erosion, imbedding the new culvert, placement of outlet protection, raising the roadbed and construction of a 50ft retaining wall.

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APPROVE PERMIT:

Replace an undersized culvert with an 8ft x 5ft x 60ft box culvert impacting 1504 sq. ft. of the bed and banks of Slaughter Brook on Horne St. Work includes changing the culvert angle to minimize potential erosion, imbedding the new culvert, placement of outlet protection, raising the roadbed and construction of a 50ft retaining wall.

With Conditions:

1. All work shall be in accordance with project details entitled "FEMA-DR-1610-NH, HMGP Project 5-R, Warner (Town of), Slaughter Brook Culvert Project" and plans submitted by the Town of Warner, as received by DES on August 16, 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 shall remain until the area is stabilized.
4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Before work begins on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Construction equipment shall not be located within surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. 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.
18. The impacts associated with the temporary work shall be remediated immediately following construction.
19. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project alters approximately 60 linear feet of a perennial stream and is therefore a minor impact project per Administrative Rule Env-Wt 303.03(1), for disturbance of less than 200 linear feet of a perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The existing culvert is undersized resulting in roadway washouts that create road closures.
6. Horne Street is a dead end town road with 9 residences located above the stream crossing.
7. The new culvert will be imbedded in such a way as to not inhibit the movement of aquatic organisms.
8. The Project will benefit public safety.

**2007-01965                      OSSIPPEE, TOWN OF**  
**OSSIPPEE Bearcamp River**

Requested Action:

Temporarily dredge and fill 4,105 sq. ft. (120 linear ft.) in the banks and bed of the Bearcamp River to install temporary shoring to support and stabilize the Whittier Covered Bridge for relocation of the bridge to an upland location.

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Conservation Commission/Staff Comments:

Con. Com. did not report.

APPROVE PERMIT:

Temporarily dredge and fill 4,105 sq. ft. (120 linear ft.) in the banks and bed of the Bearcamp River to install temporary shoring to support and stabilize the Whittier Covered Bridge for relocation of the bridge to an upland location.

With Conditions:

1. All work shall be in accordance with revised plans by Hoyle, Tanner & Associates, Inc. dated July 2007, as received by the Department on August 16, 2007.
2. This permit is contingent upon submission of and DES approval of dewatering plans and construction sequence plans showing the location, footprint, and means of erosion/siltation control for removal of the existing bridge.
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. 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. 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. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
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 shoring shall be entirely removed immediately following construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. 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 DES jurisdictional areas. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear ft. of non-tidal perennial river and Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq. ft. of alteration of non-tidal surface waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Administrative Rule Env-Wt 302.01. The existing wooden covered bridge is deteriorated and vulnerable to collapse. The bridge has been closed to all types of traffic since 2005.
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 Administrative Rule Env-Wt 302.03. The temporary shoring will be removed from the river once the bridge is relocated to an upland location.
4. The applicant has demonstrated by plan and example that each factor listed in Administrative Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-01995                      MILFORD, TOWN OF**  
**MILFORD   Souhegan River**

Requested Action:

Temporary impact to 8,150 sq. ft. of river bank and bed for the removal of several large trees and woody debris and trash deposited in a side channel of the Souhegan River during the floods of April 2007 to restore flow to the blocked channel.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Milford Conservation Commission supports this application to remove flood debris from the Souhegan River.

**APPROVE PERMIT:**

Temporary impact to 8,150 sq. ft. of river bank and bed for the removal of several large trees and woody debris and trash deposited in a side channel of the Souhegan River during the floods of April 2007 to restore flow to the blocked channel.

**With Conditions:**

1. Area shall be regraded to original contours following completion of work.
2. DES wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
7. Faulty equipment shall be repaired prior to entering jurisdictional areas.
8. 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.
9. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(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. DES Staff conducted a field inspection of the proposed project on September 06, 2007. Field inspection determined this project must be implemented during low flow conditions as soon as possible to remove trees and debris from River channel.

**2007-02328                      BEAL, KEVIN  
CHESTERFIELD   Unnamed Wetland**

**Requested Action:**

Construct a fire pond associated with a new fire station and a 4 lot subdivision impacting 7,030 sq. ft. of forested wetlands

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**APPROVE PERMIT:**

Construct a fire pond associated with a new fire station and a 4 lot subdivision impacting 7,030 sq. ft. of forested wetlands

**With Conditions:**

1. All work shall be in accordance with plans by Brickstone Masons, Inc. dated July 2, 2007, as received by DES on September 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. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
4. This permit is contingent on approval by the DES Alteration of Terrain Program.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. 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.
- 9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
- 10. 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 minor impact project per Administrative Rule Env-Wt 303.03(e), construction of a pond with less than 20,000 sq ft of impact to wetlands, which does not meet the criteria of Env-Wt 303.04(p)
- 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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**2006-01092                    ALTON, TOWN OF**  
**ALTON   Unnamed Wetland**

Requested Action:

Dredge and fill 200 square feet to replace existing 15-inch culvert in kind and add a second 15-inch culvert.

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CONFIRM EMERGENCY AUTHORIZATION:

Dredge and fill 200 square feet to replace existing 15-inch culvert in kind and add a second 15-inch culvert.

With Conditions:

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

With Findings:

- 1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(x).
- 2. The project was necessary to conduct flood water flows under the existing road ROW.
- 3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on May 15, 2006.
- 4. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**2006-01121                    MONT VERNON, TOWN OF**  
**MONT VERNON   Beaver Brook**

Requested Action:

Confirm Authorization to replace failed 18-inch x 40 foot culvert with a 24-inch x 40 foot culvert and a second 15-inch x 40 foot culvert for high flow conditions.

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CONFIRM EMERGENCY AUTHORIZATION:

Confirm Authorization to replace failed 18-inch x 40 foot culvert with a 24-inch x 40 foot culvert and a second 15-inch x 40 foot culvert for high flow conditions.

With Conditions:

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

With Findings:

1. This project is classified as a Minimum impact project per Rule Env-Wt 303.04(x).
2. The project was necessary to reopen a public roadway after the culvert had failed.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on May 16, 2006.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**2006-01122 MONT VERNON, TOWN OF  
MONT VERNON Beaver Brook**

Requested Action:

Confirm Emergency Authorization to replace a failed existing 24-inch x 40 foot culvert with a culvert of the same length and diameter and install a 15-inch bypass culvert to maintain flows under a public roadway.

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CONFIRM EMERGENCY AUTHORIZATION:

Replace a failed existing 24-inch x 40 foot culvert with a culvert of the same length and diameter and install a 15-inch bypass culvert to maintain flows under a public roadway.

With Conditions:

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

With Findings:

1. This project is classified as a Minimum impact project per Rule Env-Wt 303.04(x).
2. The project was necessary to reopen a public roadway after the culvert had failed.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on May 16, 2006.
4. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**2007-00285 SAGAMORE GOLF CLUB INC, RICHARD LUFF  
NORTH HAMPTON Unnamed Wetland**

Requested Action:

Deny for untimely response to satisfy the more information request of May 4, 2007.

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Conservation Commission/Staff Comments:

No Comments were received from the North Hampton Conservation Commission.

With Findings:

1. A request for additional information dated May 4, 2007, addressed to the applicant of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request. The deadline of the request was September 1, 2007.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2007-00326 FARMINGTON COUNTRY CLUB, DAVID MOSHER  
FARMINGTON Unnamed Pond Wetlands**

Requested Action:

Dredge a total of 9,935 sq. ft. of wetlands in two locations for pond construction as expansion of an existing pond; and maintenance dredge a total of 19,800 sq. ft. of two existing ponds including 2,900 sq. ft. in pond #1, and 16,900 sq. ft. in pond #2.

\*\*\*\*\*

APPROVE PERMIT:

Dredge a total of 9,935 sq. ft. of wetlands in two locations for pond construction as expansion of an existing pond; and maintenance dredge a total of 19,800 sq. ft. of two existing ponds including 2,900 sq. ft. in pond #1, and 16,900 sq. ft. in pond #2.

With Conditions:

1. All work shall be in accordance with revised plans by Norway Plains Associates Inc. dated 5/25/2007, as received by DES on 5/29/2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and 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.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. The two projects done independently would classify a minimum impact. Maintenance dredging of the ponds is a minimum impact project per Administrative Rule Env-Wt 303.04(k), maintenance dredging of non-tidal man-made ponds. Additional pond construction also meets the requirements for classification as minimum per Rule Env-Wt 303.04(p), construction of less than 20,000 sq. ft., with no poorly drained soils, or stream inlet or outlet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant is proposing normal maintenance and additional construction to existing golf course ponds.
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. There were no species of concern reported by the NH Heritage Bureau.
5. The Rochester Conservation Commission did not intervene or report.

**2007-00913                    NH NORTHEAST CORP**  
**MILTON   Milton Pond**

Requested Action:

Retain emergency repair of railroad bed, including installation of 1,500 sq. ft. of washed out base fill beneath railway tracks adjacent to Milton Pond; and installation of a total of 760' linear ft. of filter fabric blanket and replacement rip rap (380 linear ft. on each side) along sides of the railway to stabilize banks adjacent to pond.

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APPROVE AFTER THE FACT:

Retain emergency repair of railroad bed, including installation of 1,500 sq. ft. of washed out base fill beneath railway tracks adjacent to Milton Pond; and installation of a total of 760' linear ft. of filter fabric blanket and replacement rip rap (380 linear ft. on each side) along sides of the railway to stabilize banks adjacent to pond.

With Conditions:

1. All work shall be in accordance with plans by Blue Moon Environmental Inc. dated 6/28/2007, as received by DES on 7/3/2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum after review by the Department. This project represents repair or replacement of non-docking structures such as culvert, headwall or rip rap slope, but the length of the rip rap slope exceeds the 50 linear ft. limit specified in Env-Wt 303.04(x). DES finds that the rip rap slope was an existing structure stabilizing the existing rail line. The rail line follows along the edge of a substantial portion of the lake, which, in order to repair, exceeds the minimal 50 linear ft., but does not represent more than minimal environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The rail bed washed out and the slopes became destabilized during the April 2007 flood event. Installation of filter fabric under replacement rip rap will properly stabilize the line against further erosion.
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. This is a replacement in-kind.
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. No species of concern were reported by the NH Heritage Bureau.
5. The Milton Conservation Commission did not report.

**2007-01175                    GRANITE STATE BAPTIST CHURCH**  
**SALEM   Unnamed Wetland**

Requested Action:

Retain 800 sq. ft. of fill placed in a wetland/ drainage area adjacent to a forested wetland during the construction and maintenance of the church playground since 1984.

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Conservation Commission/Staff Comments:

Salem Conservation Commission "... recommends that the bureau consider an administrative fine for improper filling of wetland." [800 sq. ft. of wetland filled since 1984 for the construction of a playground for the church]

APPROVE AFTER THE FACT:

Retain 800 sq. ft. of fill placed in a wetland/ drainage area adjacent to a forested wetland during the construction and maintenance of the church playground since 1984.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership, Inc. dated May 24, 2005, as received by DES on May 29, 2007.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
3. 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 wetlands impact is minimal and does not adversely affect the adjacent forested wetlands.

**2007-01467                      ANTILLE, JEANNE**  
**FREMONT   Unnamed Stream Brown Brook**

Requested Action:

Approve name change to: Jeanne E Antille, 5 Walker Ave., Amesbury Ma 01913 per request received 11/1/2007. Preevious owner: Howarad E Hartford.

\*\*\*\*\*

Conservation Commission/Staff Comments:

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

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

APPROVE NAME CHANGE:

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

With Conditions:

1. All work shall be in accordance with plans by Landry Surveying, LLC and detail of box culvert dated May 2007, as received by DES on June 28, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow.

With Findings:

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

**2007-01631                      DROUIN, WAYNE & CAROL**  
**BELMONT   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 1285 square feet including installation of culverts in three locations for access to uplands for non-commercial recreational use.

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APPROVE PERMIT:

Dredge and fill a total of 1285 square feet including installation of culverts in three locations for access to uplands for non-commercial recreational use.

With Conditions:

1. All work shall be in accordance with plans by Kathleen Surowiec dated July 2007 and revised through September 2007, as received by the Department on October 1, 2007.
2. This approval is for non-commercial recreational use only, any change in use will require a new application and further permitting by the Department.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. The entirety of the wetland on site shall be delineated by a Certified Wetland Scientist prior to the start of construction.
5. A GPS located boundary or a surveyed boundary plan of all the wetlands on site shall be submitted to DES and the Belmont Conservation Commission prior to the start of any work.
6. Permanent signs to indicate the location of the wetland shall be posted every 50 feet along the boundary of the delineated wetland area prior to construction.
7. The Wetlands Bureau shall be notified of the placement of the wetland demarcation to coordinate on-site review of their location prior to construction.
8. Work shall be done during periods of non-flow.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Silt fencing must be removed once the area is stabilized.
14. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the wetland boundary line and schedule remedial actions if necessary. A report outlining these follow-up measures shall be submitted to DES Wetlands and the Belmont Conservation Commission and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Department has received a letter from the Belmont Conservation Commission dated July 18, 2007, which requested: 1. Additional impact areas be addressed; 2. Edges of all wetlands be adequately and permanently delineated; and 3. If there is a change in use the site plan must be presented to the planning board.
6. The applicant has addressed item 1 of the Conservation Commissions letter by indicating a second area of access across the larger wetland.
7. The edges of the wetlands shall be delineated and permanently demarked in the field prior to construction per conditions 4-7 of the permit.
8. Condition number 2 of the permit limits the use of the area to non-commercial recreational use.
9. The Department received a second letter from the Belmont Conservation Commission dated October 4, 2007, in this second letter the commission reiterating: 1. The request for all wetlands to be delineated on the site and 2. further requesting the Belmont Conservation Commission be allowed periodic access to the site to ensure the wetlands are not being encroached upon.
10. The Department does not have the authority to require the applicant to allow the Conservation Commission access onto the

property. However, condition # 14 requires a report to be submitted to DES and the commission by August 1, for the following 3 growing seasons after construction is complete.

**2007-01643                      NASHUA, CITY OF**  
**NASHUA    Nashua River**

Requested Action:

Perform architectural restoration to the historic Mine Falls gate house and fill in sink holes near the structure for improvements to provide safe public access within this municipal park adjacent to the Nashua River.

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Conservation Commission/Staff Comments:

The Nashua Conservation Commission recommends approval of this project.

Inspection Date: 10/24/2007 by Frank D Richardson

APPROVE PERMIT:

Perform architectural restoration to the historic Mine Falls gate house and fill in sink holes near the structure for improvements to provide safe public access within this municipal park adjacent to the Nashua River.

With Conditions:

1. All work shall be in accordance with plans by City of Nashua, Public Works Division dated July 2007, as received by DES on July 19, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. Field inspection on October 24, 2007 with Amy Prouty Gill of the Nashua DPW determined that this project will not be considered adjacent to designated prime wetlands and therefore is reviewed as minimum impact.

**2007-01645                      LISBON, TOWN OF**  
**LISBON    Pearl Lake Brook**

Requested Action:

Dredge and fill 2,500 square feet within the bed and banks of Pearl Lake Brook (impacting 280 linear feet) to remove an existing abandoned dam and to restore the stream channel and banks to a more natural condition that will enhance aquatic resource passage and overall stream viability.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 2,500 square feet within the bed and banks of Pearl Lake Brook (impacting 280 linear feet) to remove an existing abandoned dam and to restore the stream channel and banks to a more natural condition that will enhance aquatic resource passage and overall stream viability.

With Conditions:

1. All work shall be in accordance with revised plans by Associated Consulting Engineers, as received by DES on October 1, 2007.
2. This permit is contingent upon the findings of the final ecological risk assessments indicating that the sediments are free from contaminants. If contaminants are found to be an ecological risk, then further review and approval will be required by the DES Wetlands Bureau prior to construction.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Water Division staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction and any clearing activities, 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. All work within the stream bed shall be done during low flow conditions.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Existing rocks within the stream bed and dam removal site shall be utilized to restore the stream channel to a natural condition.
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 project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(o), based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. 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 abandoned dam is owned by the Town of Lisbon who received a grant from the from the Upper Connecticut River Mitigation & Enhancement Fund to remove it and restore the stream channel.
6. The dam removal will restore Pearl Lake Brook to a natural free-flowing condition and will allow fish species to pass through this reach of the brook. In addition, the project will promote long-term stream stability.

**2007-01658                      VANWALBECK, THELMA**  
**HAMPTON Tidal Buffer Zone**

Requested Action:

Perform 192 sq. ft. of construction work within the upland tidal buffer zone to remove an existing 186 sq. ft. storage shed near the edge of Eel Ditch and revegetate the area; place a 24 sq. ft. storage shed adjacent to the existing dwelling and construct a 168 sq. ft. (12' X 14') deck to the existing dwelling.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Hampton Conservation Commission does not oppose granting this permit.

APPROVE PERMIT:

Perform 192 sq. ft. of construction work within the upland tidal buffer zone to remove an existing 186 sq. ft. storage shed near the edge of Eel Ditch and revegetate the area; place a 24 sq. ft. storage shed adjacent to the existing dwelling and construct a 168 sq. ft. (12' X 14') deck to the existing dwelling.

With Conditions:

1. All work shall be in accordance with plans by E.J. Cote & Associates, Inc. dated January 8, 2007, as received by DES on July 19, 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. 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.

**2007-01721                      WARNER, TOWN OF**  
**WARNER Meadow Brook**

Requested Action:

Repair headwalls on an existing stone box culvert on Meadow Brook on Gore Rd.

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APPROVE PERMIT:

Repair headwalls on an existing stone box culvert on Meadow Brook on Gore Rd.

With Conditions:

1. All work shall be in accordance with plans by the Town of Warner, as received by DES on July 26, 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. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Repair shall maintain existing size, location and configuration.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This project repairs existing headwalls and is therefore classified as a minimum impact project per Rule Env-Wt 303.04(x), Maintenance, repair, or replacement of a nondocking structure

**2007-01917                      DRED - TRAILS BUREAU**  
**BERLIN Unnamed Stream**

Requested Action:

Dredge and fill 900 square feet within an unnamed perennial stream to remove an existing undersized culvert and install a 12' x 12' bridge to restore the stream channel and flow to its original course and to improve fish passage for cold-water trout species.

\*\*\*\*\*

Inspection Date: 07/26/2007 by Craig D Rennie

**APPROVE PERMIT:**

Dredge and fill 900 square feet within an unnamed perennial stream to remove an existing undersized culvert and install a 12' x 12' bridge to restore the stream channel and flow to its original course and to improve fish passage for cold-water trout species.

**With Conditions:**

1. All work shall be in accordance with plans by NHDRED Trails Bureau, as received by DES on August 13, 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. Work shall be done during low flow.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. 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).
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(o), as the degree of environmental impacts are deemed to be of minimum impact by the department.
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 Staff conducted a field inspection of the proposed culvert removal site with NH Fish & Game staff on July 26, 2007 and determined that the best way to restore the stream bed and provide fish passage was to remove the existing culvert and install a bridge span over the perennial stream.

**2007-01950                      KEENE DPW, CITY OF**  
**KEENE Tributary To Ashuelot River**

**Requested Action:**

Temporarily impact 200 sq. ft. of jurisdictional wetlands to slip line, with a CIPP liner, an existing 100 foot long culvert associated with an unnamed tributary to the Ashuelot River.

\*\*\*\*\*

**APPROVE PERMIT:**

Temporarily impact 200 sq. ft. of jurisdictional wetlands to slip line, with a CIPP liner, an existing 100 foot long culvert associated with an unnamed tributary to the Ashuelot River.

**With Conditions:**

1. All work shall be in accordance with plans and construction sequence by Tom Dutton, the City of Keene, as received by DES on August 14, 2007.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will

require a new application and approval by the Bureau.

3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. 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. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

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

**2007-01960                      FREDA, JAMES**  
**DEERFIELD   Unnamed Wetland**

Requested Action:

Fill a total of 1,500 sq. ft. of wetland to construct a roadway and driveway to serve an eight (8) residential lot subdivision on 33.97 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. did not report.

APPROVE PERMIT:

Fill a total of 1,500 sq. ft. of wetland to construct a roadway and driveway to serve an eight (8) residential lot subdivision on 33.97 acres.

With Conditions:

1. All work shall be in accordance with revised plans by Benchmark Engineering, Inc. dated July 10, 2007, as received by the Department on August 16, 2007.
2. Construction equipment shall not be located within surface waters.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. 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 and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
5. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters,

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

- 7. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
- 8. This permit is contingent upon approval by the DES Subsurface Bureau.
- 9. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
- 10. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #9 of this approval.
- 11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

With Findings:

- 1. This is a minimum project pursuant to Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 sq. ft. of wetland.
- 2. The need for the proposed impacts has been addressed by the applicant per Administrative Rule Env-Wt 302.01(b) by demonstrating that the proposal must cross wetlands at some locations on this property to access buildable uplands on the property.
- 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 Administrative Rule Env-Wt 302.03 by designing the proposed roadway and driveway primarily in the most narrow sections of wetland.

**2007-02017                      SUNAPEE WATER & SEWER COMM, TOWN OF  
SUNAPEE   Unnamed Wetland**

Requested Action:

Temporarily impact 442 sq ft of jurisdictional wetlands to install a municipal water line. Work includes temporary impacts to the outlets or inlets of 6 culverts to install the water line within the town R.O.W.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Conservation Commission approves of the project.

APPROVE PERMIT:

Temporarily impact 442 sq ft of jurisdictional wetlands to install a municipal water line. Work includes temporary impacts to the outlets or inlets of 6 culverts to install the water line within the town R.O.W.

With Conditions:

- 1. All work shall be in accordance with plans by Provan & Lorber, Inc. dated August 2007, as received by DES on August 21, 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. Work shall be done during low flow.
- 4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
- 6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
- 7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
- 8. Temporary cofferdams shall be entirely removed immediately following construction.
- 9. Area shall be regraded to original contours following completion of work.
- 10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project will temporarily impact 442 sq ft and is therefore a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq ft.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-02027 WHARTON, RICHARD & JEANNINE  
RICHMOND Unnamed Wetland**

Requested Action:

Retain the replacement of a 12" to 18" culvert 30' long on Monument Road, for upgrades to a Class VI road.  
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APPROVE AFTER THE FACT:

Retain the replacement of a 12" to 18" culvert 30' long on Monument Road, for upgrades to a Class VI road.

With Conditions:

1. Any further alteration of areas on Monument Road and the ROW that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
2. This after-the-fact approval does not provide for any potential impacts or alteration of areas on Lot 56, on Town of Jaffrey Tax Map 412 that are within the jurisdiction of the DES Wetlands Bureau.
3. Any potential alteration of areas on Lot 56, on Town of Jaffrey Tax Map 412 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(x), for repair, replacement of a culvert.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-02066 FOLEY, VINCENT & JEANNE  
HAMPTON Atlantic Ocean**

Requested Action:

Impact a total of 1,370 square feet within the previously developed 100-foot tidal buffer zone to include 856 square feet of permanent impact and 514 square feet of temporary impact for the removal and replacement of the existing dwelling with 50 feet of shoreline frontage on the Atlantic Ocean.

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Conservation Commission/Staff Comments:

The Hampton Conservation Commission opposes the granting of a permit.

APPROVE PERMIT:

Impact a total of 1,370 square feet within the previously developed 100-foot tidal buffer zone to include 856 square feet of permanent impact and 514 square feet of temporary impact for the removal and replacement of the existing dwelling with 50 feet of shoreline frontage on the Atlantic Ocean.

With Conditions:

1. All work shall be in accordance with plans by NHSC, Inc. dated August 2007, as received by DES on August 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. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. The walkway leading from the dwelling to the beach shall be seasonal and removed from the frontage during the off-season.
6. This permit is contingent upon the enhancement of 264 square feet of sand dune with the planting of American beach grass (*Ammophila brevigulata*).
7. DES shall receive photo documentation of the sand dune enhancement within 7 days of the completion.
8. The sand dune enhancement area shall have at least 75% successful establishment of American beach grass after two (2) growing seasons, or it shall be replanted and re-established until a the dune is replicated in a manner satisfactory to the DES Wetlands Bureau.

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 impacts are necessary to replace the existing dwelling, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. This permit is contingent upon the enhancement 264 square feet of dune. The existing dune is marginal, small in size, and isolated. 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 Hampton Conservation Commission ("HCC") opposes the granting of a DES Standard Dredge and Fill permit for the above property for the following reasons:
  - a. The applicant is demolishing the existing structure and moving towards the ocean with a replacement structure.
  - b. The HCC suggests that the deck, which will be within the State Jurisdictional Wetland, could be raised at least 6 feet to allow for the dune to vegetate and stabilize.
  - c. The applicant has an egress directly off the back of the deck through the dune. The HCC feels that egress could be made out the side onto the public access to protect the dune area.
  - d. At the time of the HCC site walk, the applicant has been raking the dune to keep it from building or vegetating out around their deck.
  - e. The HCC would like to see the dunes allowed to establish themselves and stabilize the area. The HCC feels that allowing homes to move seaward in this area will increase the chances of major damage during a Nor'easter and incur cost to the town.
6. In response to the HCC comments the DES makes the following findings:
  - a. DES does not have jurisdiction over structure placement within the previously developed 100-foot tidal buffer zone ("TBZ");
  - b. DES does not have jurisdiction of deck location and construction within the TBZ per Env-Wt 303.05 (i);
  - c. DES does not have jurisdiction for the egress/access to and from dwellings;
  - d. Raking of the enhancement dune areas is in contradiction of RSA 482-A.
  - e. This project is contingent upon the enhancement of the marginal dune located on the west side of the property. Again, DES does not have jurisdiction of structure placement with the TBZ.
7. The NH Natural Heritage Bureau ("NHB") has record of the following rare species and exemplary natural communities in the vicinity of the proposed project: Saline/brackish intertidal flat, saline/brackish subtidal channel/bay bottom, tidal creek bottom; Sand Dropseed (*Sporobolus cryptandrus*) identified as a threatened plant species; and, Piping Plover (*Charadrius melodus*) as an

endangered vertebrate species.

8. In response to the aforementioned items found by the NHB, the DES finds: the exemplary natural communities are found approximately 1,300' north of the site within Blackwater and Hampton Rivers and will not be affected by this project. The presence of Sand Dropseed was found approximately 1,480' northwest of the project site and will not be affected by this project. A Piping plover nesting site was documented approximately 711' feet south from the proposed site. In 2006, four chicks hatched and were consequently predated upon. Predation is the largest disturbance affecting plover populations. With development occurring adjacent to the plover habitat, domesticated animals roaming the beach, and increase human activity on the beach, the plover population is declining. This species is State and Federally protected.

**FORESTRY NOTIFICATION**

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**2007-02301                    SANBORNTON-GILFORD REALTY TRUST, BRIAN WILLIAMS**  
**GILFORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Gilford Tax Map 31, Lot# 3

**2007-02570                    ENEGUESS, DANIEL & SANDY**  
**PETERBOROUGH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Peterboro Tax Map U28, Lot# 1

**2007-02571                    KRUZEL, PAUL & MARY**  
**CANTERBURY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Canterbury Tax Map 15, Lot# 2

**2007-02572                    CRAWLEY, JEAN & CYNTHIA**  
**FARMINGTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Farmington Tax Map R36, Lot# 3

**2007-02574                    EMILIO, BETTY**  
**DANVILLE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Danville Tax Map 1, Lot# 50

**2007-02576                    S&M FOREST TRUST, JOHN CONDE TTEE**  
**CROYDON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Croydon Tax Map 16, Lot# 315

**2007-02580                    BARDSLEY, GARY & LINDA GRIFFIN**  
**SALISBURY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Salisbury Tax Map 238, Lot# 24

**OTHER BUSINESS**

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**2007-01719                    HAMPSTEAD, TOWN OF**  
**HAMPSTEAD   Wash Pond**

Requested Action:  
Proposed work has been deemed not to be within the Department's jurisdiction.  
\*\*\*\*\*

Conservation Commission/Staff Comments:  
Proposed work has been deemed not to be within the Department's jurisdiction.

OTHER:  
File Closed. Proposed work has been deemed not to be within the Department's jurisdiction.

**EXPEDITED MINIMUM**

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**2005-02918                    WEINER, JOEL**  
**PETERBOROUGH   Unnamed Wetland**

Requested Action:  
The applicant requests to amend the permit to retain a total of 551 sq. ft. of fill in wetlands in three separate locations for construction of a five unit condominium building and associated parking on an approximately 1.15-acre parcel and to retain two 6'x 20' elevated walkways constructed over and immediately adjacent to wetlands.  
\*\*\*\*\*

Conservation Commission/Staff Comments:  
The Con. Com. agree that the restoration plan and amended plan to retain fill meet concerns stated in their previous 4/6/07 correspondence.

APPROVE AFTER THE FACT:  
Retain a total of 551 sq. ft. of fill in wetlands in three separate locations for construction of a five unit condominium building and associated parking on an approximately 1.15-acre parcel and to retain two 6'x 20' elevated walkways constructed over and immediately adjacent to wetlands.

With Conditions:

1. All work shall be in accordance with plans by Site Succor Design, LLC dated April 26, 2007 as received by DES on May 2, 2007 and walkway specifications as shown in report by Site Succor Design, LLC dated September 13, 2007 as received by DES on September 17, 2007.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The applicant has removed all unpermitted fill which is not integral to retention of the building foundations and which would not be considered permissible by DES.
3. On September 17, 2007 DES received a restoration monitoring report from Site Succor Design, LLC which provided documentation that the wetland restoration had been constructed as approved by under a restoration approval issued by DES on May 7, 2007.

**2007-00409                      BERGER, PATRICIA  
MOULTONBOROUGH Lake Kanasatka**

Requested Action:

Amend permit to change the material used in constructing the wall as letter dated October 02, 2007.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE AMENDMENT:

Construct 41 linear feet of retaining wall with 6 ft wide access stairs to perch an existing sloped beach and replenish with 10 cubic yards of sand on Lake Kanasatka, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated January 28, 2007, as received by DES on March 08, 2007, and amendment request by Brookfield Investment Group Inc letter dated October 02, 2007, as received by the Department on October 04, 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 515.0). 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. 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.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

**2007-01277 SOLES, JEROME/SHARON  
BRENTWOOD Unnamed Wetland**

Requested Action:

Dredge and fill 175 square feet of wet meadow for the construction of a driveway to include the installation of a 15-inch culvert for access to a single family residential lot of 3.45 acres as part of a 2-lot subdivision of 6.02 acres.

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Conservation Commission/Staff Comments:

The Brentwood Conservation Commission ("BCC") did not sign the Minimum Impact Expedited Application and the BCC did not submit any concerns.

APPROVE PERMIT:

Dredge and fill 175 square feet of wet meadow for the construction of a driveway to include the installation of a 15-inch culvert for access to a single family residential lot of 3.45 acres as part of a 2-lot subdivision of 6.02 acres.

With Conditions:

1. All work shall be in accordance with the Site Plan (Sheet 2 of 3) by Jones & Beach Engineers, Inc. revised through September 25, 2007, as received by DES on October 1, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Work shall be done during seasonal low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wet meadow.
2. The impacts are necessary to access buildable upland, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The crossing will occur at the narrowest portion of wetland, therefore the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-01278 MACDONALD REVOC TRUST, MALCOLM & MARGERY  
MADISON Unnamed Wetland**

Requested Action:

Dredge and fill 50 sq. ft. to install a 12" x 18' culvert to provide driveway access to one lot in a 3 lot subdivision.

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**APPROVE PERMIT:**

Dredge and fill 50 sq. ft. to install a 12" x 18' culvert to provide driveway access to one lot in a 3 lot subdivision.

**With Conditions:**

1. All work shall be in accordance with plans by Gerard Land Surveying Co. dated June 5, 2007 (last revised on September 5, 2007), as received by DES on October 4, 2007.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # of this approval.
4. 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.
5. 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.
6. Work shall be done during low flow.
7. Proper headwalls shall be constructed within seven days of culvert installation.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses...
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This subdivision was approved by the DES Subsurface Systems Bureau (SA2006006919) on March 10, 2006.

**2007-01584                      WOLFEBORO, TOWN OF  
WOLFEBORO   Unnamed Stream**

**Requested Action:**

Dredge and fill a total of 2444 square feet to replace or rehabilitate 10 culverts under public right of ways in the town of Wolfeboro.  
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**APPROVE PERMIT:**

Dredge and fill a total of 2444 square feet to replace or rehabilitate 10 culverts under public right of ways in the town of Wolfeboro.

**With Conditions:**

1. All work shall be in accordance with the table by NH Soil Consultants dated November 2, 2007, as received by the Department on November 2, 2007.
2. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
3. The stone culverts that will be rehabilitated under
4. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans for all perennial stream culvert replacements. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. Work within perennial streams shall be done during low flow.
7. Work within intermittent streams shall be done during periods of non-flow.
8. Work authorized shall not occur in fish spawning or nursery areas during the reproductive season, or within waterfowl nursery areas during the critical nesting period.

9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. No equipment shall enter the water.
13. All work shall be done from the top of the bank.
14. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
19. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
20. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
21. 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.
22. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
23. Proper headwalls shall be constructed within seven days of culvert installation.
24. 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).
25. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
26. Silt fencing must be removed once the area is stabilized.
27. 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).
28. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The 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.

**2007-01587                      POITRAS, DANIEL/JUDY**  
**WILTON   Unnamed Stream Wetland**

Requested Action:

Construct a driveway with two culverts for access to one lot of a 2-lot subdivision impacting 172 sq. ft. of wetlands.

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APPROVE PERMIT:

Construct a driveway with two culverts for access to one lot of a 2-lot subdivision impacting 172 sq. ft. of wetlands.

With Conditions:

1. All work shall be in accordance with plans by Sanford Surveying and Engineering dated June 18, 2007, as received by DES on July 16, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
4. No fill shall be done for lot development.
5. No fill shall take place in Atlantic white cedar swamps.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. Work shall be done during low flow.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting on slopes steeper than 3:1.

With Findings:

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

**2007-01588                      HALLEE, PAUL & ROSEMARY**  
**ACWORTH Tributary To Crescent Lake**

Requested Action:

Remove an existing 24" x 30' culvert and replace with a stone lined swale impacting 150 sq. ft. Native shrubs will be planted along the restored channel to create a riparian buffer.

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APPROVE PERMIT:

Remove an existing 24" x 30' culvert and replace with a stone lined swale impacting 150 sq. ft. Native shrubs will be planted along the restored channel to create a riparian buffer.

With Conditions:

1. All work shall be in accordance with plans by Darrow Civil Engineering, PLLC dated June 11, 2007, as received by DES on July 16, 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. Work shall be done during low flow.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. The wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
8. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
9. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
10. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
11. The wetland restoration area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
12. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
13. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

**2007-01944                      ADJUTANT GENERALS DEPT**  
**NASHUA   Unnamed Wetland**

Requested Action:

Impact 313 square feet of scrub-shrub wetland and intermittent stream to install a 3' x 7' x 26' precast concrete box culvert to construct a crossing and access to a water booster station.

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Conservation Commission/Staff Comments:

The Nashua Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 313 square feet of scrub-shrub wetland and intermittent stream to install a 3' x 7' x 26' precast concrete box culvert to construct a crossing and access to a water booster station.

With Conditions:

1. All work shall be in accordance with plans by Hayner/Swanson, Inc. dated June 15, 2007, as received by DES on August 16, 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. Work shall be done during seasonal low flow conditions.
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. Proper headwalls shall be constructed within seven days of culvert installation.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The pump station is necessary to improve water pressure for this area of Nashua, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The crossing will occur at the narrowest section of wetlands and a box culvert will be installed, 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.

**2007-01958                      HANOVER, TOWN OF**  
**HANOVER   Camp Brook**

Requested Action:

Dredge and fill approximately 1,176 sq. ft. of wetlands to replace three existing undersized drainage culverts damaged from heavy storm events, with two 9 ft. x 6 ft. x 30 ft. and one 9 ft. x 6 ft. x 42.5 ft. concrete box culverts along Reservoir Road.

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Conservation Commission/Staff Comments:

Conservation Commission signed off on application 8/15/2007. Info recvd 10/24/2007. Complete for processing this date. MAM

APPROVE PERMIT:

Dredge and fill approximately 1,176 sq. ft. of wetlands to replace three existing undersized drainage culverts damaged from heavy storm events, with two 9 ft. x 6 ft. x 30 ft. and one 9 ft. x 6 ft. x 42.5 ft. concrete box culverts along Reservoir Road.

With Conditions:

1. All work shall be in accordance with plans entitled: Reservoir Road, in five consecutive sheets, submitted by the Town of Hanover and received by the Department on August 20, 2007.
2. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
3. 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.
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. No equipment shall enter the water.
6. All work shall be done from the top of the bank.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Use native material such as: cobbles (not crushed stone or other crushed rip-rap) to stabilize the banks of streams to the 1-2 year

flow.

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 3:1.2.

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

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

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f); Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. More information was requested by this office on October 1, 2007. Additional information was received on October 24, 2007, which completed the application for processing.
6. Due to the need to restore the areas impacted by past storms so as to increase vehicular safety, and overall need demonstrated in the record, the Department has determined that the proposed work will result in less turbidity and sediment into existing systems, will result in a net environmental gain and is in the best overall interest to the public.
7. Based on these findings, the Department authorizes the activities to commence as per conditions accordingly.

**2007-01990 THOMPSON, MARY  
HILL Wet Meadow**

Requested Action:

Dredge and fill a total of 3,800 square feet of disturbed wet meadow further described as follows: Dredge 2,800 square feet for pond construction and temporarily impact 1,000 square feet for construction access.

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APPROVE PERMIT:

Dredge and fill a total of 3,800 square feet of disturbed wet meadow further described as follows: Dredge 2,800 square feet for pond construction and temporarily impact 1,000 square feet for construction access.

With Conditions:

1. All work shall be in accordance with plans by Peter Thompson as received by the Department on August 23, 2007 and access plan also by Peter Thompson received October 1, 2007.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be done during periods of non-flow.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Area of temporary impact shall be regraded to original contours following completion of work.
9. Mulch within the restoration area shall be straw.

10. 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.
11. 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.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p), construction of a pond with less than 20,000 sq. ft. of wetlands 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.

**2007-02007                      DAGRACA, GEORGE**  
**DANVILLE   Unnamed Stream**

Requested Action:

Impact 180 square feet within the bed and banks of Bartlett Brook for the in-kind replacement of a failed 48-inch culvert beneath Cotton Farm Road.

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Conservation Commission/Staff Comments:

The Danville Conservation Commission signed the Minimum Impact Expedited application.

APPROVE PERMIT:

Impact 180 square feet within the bed and banks of Bartlett Brook for the in-kind replacement of a failed 48-inch culvert beneath Cotton Farm Road.

With Conditions:

1. All work shall be in accordance with plans received by DES on August 20, 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. Work shall be done during seasonal low flow conditions only.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction on the upstream and downstream sides of the culvert, 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. 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. 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(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.

2. The existing culvert has failed, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The culvert replacement will be in-kind, 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.

**2007-02012                      BAO, LILI**  
**ATKINSON    Big Island Pond**

Requested Action:

Repair and existing 12 foot retaining wall in kind on Big Island Pond, Atkinson.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair and existing 12 foot retaining wall in kind on Big Island Pond, Atkinson.

With Conditions:

1. All work shall be in accordance with plans as received by DES on October 12, 2007.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. 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 material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Repair shall maintain existing size, location, height and configuration.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance, repair, or replacement of non-docking structures.

**2007-02033                      NORTHFIELD, TOWN OF**  
**NORTHFIELD    Unnamed Wetland**

Requested Action:

Permanently impact 761 square feet and temporarily impact 401 square feet (1161 square feet) of palustrine forested wetland for maintenance dredge and expansion of an existing pond.

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APPROVE PERMIT:

Permanently impact 761 square feet and temporarily impact 401 square feet (1161 square feet) of palustrine forested wetland for maintenance dredge and expansion of an existing pond.

With Conditions:

1. All work shall be in accordance with plans by Quantum Construction Consultants LLC dated June 18, 2007, and received by the Department on August 28, 2007.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

3. Work shall be done during periods of non-flow.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. 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).
9. Mulch within the restored temporary impact area shall be straw.
10. Seed mix within the restored temporary impact area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturer's specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
11. 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.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.
14. 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 is a minimum impact project per Administrative Rule Env-Wt 303.04(k); maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided evidence of the easement granting them permission to work on another's property.

**2007-02148                      BATCHELDER JR, SAMUEL**  
**NEW IPSWICH   Unnamed Stream**

Requested Action:

Remove a 24-inch x 42-foot culvert and associated beaver dam and restore 42 linear feet of intermittent stream channel.

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APPROVE PERMIT:

Remove a 24-inch x 42-foot culvert and associated beaver dam and restore 42 linear feet of intermittent stream channel.

With Conditions:

1. All work shall be in accordance with plans by Samuel L. Batchelder Jr. dated September 08, 2007, as received by the Department on September 12, 2007 and additional project descriptions dated October 18, 2007 as received by the Department on October 25, 2007.
2. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
3. Work shall be done during non flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

- and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
- 6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 7. There shall be no excavation or operation of construction equipment in flowing water.
- 8. 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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
- 10. 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.
- 11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
- 12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 13. Materials used to emulate a natural channel bottom must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
- 14. A post-construction report documenting the status of the 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(f), alteration of less than 3,000 square feet of wetlands.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-02187                      NATIONAL SOCIETY OF COLONIAL DAMES OF AMERICA**  
**PORTSMOUTH   Piscataqua River**

Requested Action:

Install 21 new pilings adjacent to existing deteriorated pilings which support an existing waterfront commercial deck.

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Conservation Commission/Staff Comments:

Con. Com. signed the Expedited application.

APPROVE PERMIT:

Install 21 new pilings adjacent to existing deteriorated pilings which support an existing waterfront commercial deck.

With Conditions:

- 1. All work shall be in accordance with plans by Andrew Cole, as received by the Department on September 14, 2007.
- 2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
- 3. Repair shall maintain existing deck size, location and configuration.
- 4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
- 5. All work shall be done in the dry or at low water.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v), maintenance, repair, and replacement in-kind of existing docking structures.
2. The need for the proposed impact has been demonstrated by the applicant per Administrative Rule Env-Wt 302.01(a). Maintenance of the existing pilings is necessary to continue to provide adequate structural integrity of the existing waterfront commercial deck.
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 Administrative Rule Env-Wt 302.03.

**2007-02196                      LAMOND, BRIAN**  
**HAMPSTEAD   Angle Pond**

Requested Action:

Impact 860 square feet of shoreline on Angle Pond for the construction of a perched beach on a single family residential lot of 0.08 acres with 50 feet of shoreline frontage on Angle Pond.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Hampstead Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 860 square feet of shoreline on Angle Pond for the construction of a perched beach on a single family residential lot of 0.08 acres with 50 feet of shoreline frontage on Angle Pond.

With Conditions:

1. All work shall be in accordance with plans by received by DES on September 17, 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. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during drawdown only.
6. No machinery shall enter the pond bed. All work shall be conducted from the shore only.
7. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. The wall placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of the normal high water line.
9. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. 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(d) Construction of a beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-02288                      AMHERST, TOWN OF**  
**AMHERST   Damon Pond**

Requested Action:

Impact 360 square feet within the bed and banks of an intermittent stream to replace two damaged (2) 24-inch arch culverts with two (2) 36-inch ADS culverts beneath Schoolhouse Road.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Amherst Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 360 square feet within the bed and banks of an intermittent stream to replace two damaged (2) 24-inch arch culverts with two (2) 36-inch ADS culverts beneath Schoolhouse Road.

With Conditions:

1. All work shall be in accordance with plans received by DES on September 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. Work shall be done during seasonal low flow conditions.
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. 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. 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(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The existing culverts at this site sustained heavy damage during the May 2007 storms and need to be replaced for safety, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The replacement culverts will be laid in the same location as the existing culverts, therefore the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-02290 AMHERST, TOWN OF  
AMHERST Unnamed Wetland**

Requested Action:

Impact 250 square feet within the bed and banks of an intermittent stream to replace one damaged (1) 15-inch culvert with one (1) 24-inch ADS culvert beneath Thornton Ferry Road II.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Amherst Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 250 square feet within the bed and banks of an intermittent stream to replace one damaged (1) 15-inch culvert with one (1) 24-inch ADS culvert beneath Thornton Ferry Road II.

With Conditions:

1. All work shall be in accordance with plans received by DES on September 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. Work shall be done during seasonal low flow conditions.
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. 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. 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(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The existing culvert at this site sustained heavy damage during the May 2007 storms and needs to be replaced for safety, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The replacement culvert will be laid in the same location as the existing culverts, therefore the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-02307                      TREAT, WILLIAM**  
**STRATHAM   Unnamed Pond**

Requested Action:

Fill a 2,900 sq. ft. man-made farm pond constructed in 1974 which is no longer needed and reclaim the area for hay field.

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APPROVE PERMIT:

Fill a 2,900 sq. ft. man-made farm pond constructed in 1974 which is no longer needed and reclaim the area for hay field.

With Conditions:

1. All work shall be in accordance with plans by Rockingham County Conservation District dated September 24, 2007, as received by DES on September 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. Area shall be regraded to original contours following completion of work.

**2007-02440                      VOAS, CARL**  
**WASHINGTON   Unnamed Wetland**

Requested Action:

Fill 889 square feet of palustrine forested wetlands to improve an existing gravel driveway to provide access to a single-family building lot.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Conservation Commission signed application on October 7, 2007.

**APPROVE PERMIT:**

Fill 889 square feet of palustrine forested wetlands to improve an existing gravel driveway to provide access to a single-family building lot.

**With Conditions:**

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated September 19, 2007, as received by DES on October 15, 2007.
2. Appropriate siltation/erosion/turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. 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.
4. 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).
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. There shall be no placement of fill to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. There shall be no placement of fill for lot development.
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. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

**With Findings:**

1. The project is categorized as a minimum impact project, per Administrative Rule Env-Wt 303.04(f), as it involves less than 3,000 square feet of alteration of palustrine forested wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with 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.

**2007-02441                      PSNH  
NEW HAMPTON Pemigewasset River**

**Requested Action:**

Impact 266 sq. ft. of embankment along 30 linear feet of river to install an incline lift system and a 15 foot by 10 foot deck.  
\*\*\*\*\*

**APPROVE PERMIT:**

Impact 266 sq. ft. of embankment along 30 linear feet of river to install an incline lift system and a 15 foot by 10 foot deck.

**With Conditions:**

1. All work shall be in accordance with plans by Nobis Engineering, Inc. dated October 2007, as received by DES on October 15, 2007.
2. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
3. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
4. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface

Systems Bureau rules.

5. No fill shall be done for lot development.
6. No fill shall take place in Atlantic white cedar swamps.
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. 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.
9. 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.

With Findings:

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

**2007-02462                      PETERBOROUGH, TOWN OF  
PETERBOROUGH Tributary To Contoocook River**

Requested Action:

Fill approximately 150 square feet within the bed and banks of a perennial stream to replace a failing corrugated metal pipe culvert extension with a precast concrete box culvert and conduct roadway improvements.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Conservation Commission signed the application on September 7, 2007.

APPROVE PERMIT:

Fill approximately 150 square feet within the bed and banks of a perennial stream to replace a failing corrugated metal pipe culvert extension with a precast concrete box culvert and conduct roadway improvements.

With Conditions:

1. All work shall be in accordance with the following plans by Jacobs, Edwards and Kelcey, as received by DES on October 16, 2007: a) the Culvert Plan (sheet 2 of 3) dated July 2007; and b) the Details and Notes (sheet 3 of 3) dated September 2007.
2. Work shall be conducted during low flow conditions.
3. Appropriate siltation/erosion/turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Silt fencing must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of 20 feet of undisturbed vegetated buffer.

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

12. 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).

13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

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. 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.

16. 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.

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

With Findings:

1. The project is categorized as a minimum impact project, per Administrative Rule Env-Wt 303.04(x), as it involves replacement of an existing culvert extension with no change in location or configuration.

2. The Department finds that the proposed replacement of the existing damaged corrugated metal culvert extension with a precast concrete box culvert with a similar hydraulic opening is consistent with the construction type and dimension requirements of Rule Env-Wt 303.04(x). 3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.

4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Env-Wt 302.03.

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

**2007-02494                      COUCH, DEBORAH**  
**NORTHWOOD   Unnamed Wetland**

Requested Action:

Fill approximately 1,300 square feet of palustrine scrub-shrub and forested wetlands to construct a driveway to provide access to a single-family building lot.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Vice-Chair of the Northwood ConCom signed the application on October 16, 2007.

APPROVE PERMIT:

Fill approximately 1,300 square feet of palustrine scrub-shrub and forested wetlands to construct a driveway to provide access to a single-family building lot.

With Conditions:

1. All work shall be in accordance with plans received by the DES Wetlands Bureau on October 19, 2007.

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

3. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in

New Hampshire (August 1992).

4. Proper headwalls shall be constructed within seven days of culvert installation.
5. There shall be no placement of fill to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. There shall be no placement of fill for lot development.
7. 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.
8. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau, as specified in RSA 482-A, will require a new application and approval by the Bureau.

With Findings:

1. The project is categorized as a minimum impact project, per Administrative Rule Env-Wt 303.04(f), as it involves less than 3,000 square feet of alteration in forested and scrub shrub wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

**TRAILS NOTIFICATION**

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**2007-02573                    IGARI, YUKI**  
**DUNBARTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Dunbarton Tax Map B7, Lot# 6

**2007-02575                    CLOUTIER, ALBERT**  
**CLARKSVILLE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Clarksville Tax Map R10, Lot# 2

**LAKES-SEASONAL DOCK NOTIF**

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**2007-02589                    INDIAN CARRY LANDOWNERS ASSN**  
**MOULTONBOROUGH   Wakonda Pond**

COMPLETE NOTIFICATION:  
Moultonboro, NH Tax map 85 Lot 15  
Wakonda Pond

**2007-02590                    MACLAUGHLIN, ROBYN/THOMAS  
EAST WAKEFIELD   Balch Pond**

COMPLETE NOTIFICATION:

East Wakefield, NH Tax map 94 Lot 19  
Balch Pond

**2007-02591                    BRUNO, GEORGE  
MERRIMACK   Baboosic Lake**

COMPLETE NOTIFICATION:

Merrimack, NH Tax map 6A2 Lot 1  
Baboosic Lake

**ROADWAY MAINTENANCE NOTIF**

\*\*\*\*\*

**2007-02564                    DRED  
CLARKSVILLE   Unnamed Stream**

COMPLETE NOTIFICATION:

Clean, re-establish ditch; replace & reset culverts

**2007-02565                    NH DEPT OF TRANSPORTATION  
CHESTERFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:

Replace existing 18" diameter corrugated metal pipe with 18" diameter plastic pipe

**2007-02566                    NH DEPT OF TRANSPORTATION  
JAFFREY   Unnamed Stream**

COMPLETE NOTIFICATION:

Replace existing 45 feet long, 18" diameter corrugated metal pipe with 18" diameter plastic pipe; extend culvert 8 feet at outlet end and rebuild headwalls

**2007-02567                    THORNTON, TOWN OF  
THORNTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Replace a failing concrete box culvert with a 15" smooth bore plastic culvert

**2007-02577                    NH DEPT OF TRANSPORTATION  
NORTHWOOD   Unnamed Stream**

COMPLETE NOTIFICATION:

Replace first section of CMP with RCP

**2007-02579                    DRED  
PITTSBURG   Unnamed Stream**

COMPLETE NOTIFICATION:

Clean, re-establish ditch line; replace and reset culverts

**PERMIT BY NOTIFICATION**

\*\*\*\*\*

**2007-02474                    WHITE ISLAND DEVELOPMENT LLC  
ROCHESTER   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 75 sq. ft. of wetlands to install a replacement 12" x 23' driveway culvert.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Rochester Con. Com. did not sign PBN.

PBN IS COMPLETE:

Dredge and fill approximately 75 sq. ft. of wetlands to install a replacement 12" x 23' driveway culvert.

**2007-02497                    ROCHESTER DPW, CITY OF  
ROCHESTER   Tributary To Hurd Brook**

Requested Action:

Temporarily impact 700 sq. ft. of wetlands to install a 48" x 35' in-kind replacement culvert associated headwalls and underlying sewer main, in an unnamed perennial stream.

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Conservation Commission/Staff Comments:

Rochester Conservation Commission signed PBN.

PBN IS COMPLETE:

Temporarily impact 700 sq. ft. of wetlands to install a 48" x 35' in-kind replacement culvert associated headwalls and underlying sewer main, in an unnamed perennial stream.

**2007-02552                    BERGERON, WILLIAM & JACQUELINE  
MIDDLETON   Sunrise Lake**

Requested Action:

Repair/replace existing retaining wall in-kind.

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PBN IS COMPLETE:

Repair/replace existing retaining wall in-kind.

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.

**2007-02568                      CARR, LAWRENCE & SANDRA**  
**MADISON   Silver Lake**

Requested Action:

Remove existing nonconforming docking facility and replace with a 6 ft x 30 ft seasonal dock.

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PBN IS COMPLETE:

Remove existing nonconforming docking facility and replace with a 6 ft x 30 ft seasonal dock.

With Findings:

1. This is a minimum impact project per 1. Administrative Rule Env-Wt 303.04(a) construction or modification of an existing two boatslip docking facility.