

Wetlands Bureau Decision Report

Decisions Taken
03/17/2008 to 03/23/2008

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

**2002-01715 NH DEPT OF TRANSPORTATION
CLAREMONT Sugar River**

Requested Action:

Request third amendment to the permit adding 216 sq. ft. of impact area (and reduce temporary impacts by 28 sq. ft. to extend a 36 in. culvert 4 more ft. and eliminate a guardrail to allow a second access for the adjacent lot.

Conservation Commission/Staff Comments:

Inspection Date: 01/27/2006 by Gino E Infascelli

APPROVE AMENDMENT:

Reconstruct 3.8 miles of NH Routes 11/113 and widen the shoulders to 10 feet impacting a total of 82,970 sq. ft. of palustrine and riverine wetlands (20,047 sq. ft. temporary). NHDOT project #10433.

With Conditions:

- 1a. All work shall be in accordance with plans by NHDOT Bureau of Highway Design and CLD Consulting Engineers as received by the Department on August 6, 2002, except plan sheets 2, 7, and 19 of 20, revised 07/02/03 as received by the Department on Sept. 9, 2003 and sheets 2 and 5 revised June 2006 as received by the Department on November 29, 2006.
- 1b. All work relative to the 2nd permit amendment shall be in accordance with plans by NHDOT Bureau of Highway Design dated 8/16/07 and 8/17/07 subject to the receipt of an amended SWPPP on legible plans.
- 1c. All work relative to the 3rd permit amendment shall be in accordance with plans by NHDOT Bureau of Highway Design and CLD Consulting Engineers dated 10/29/2007 as received by the Department on February 11, 2008.
- 2. This permit is contingent upon the submission of project specific stream diversion and erosion control plans to DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
- 3. This permit is contingent upon the submission of stamped engineering plans relative to the rip rap in accordance with Rule Wt 404.04.
- 4. New drainage systems shall provide treatment prior to entry or prior to discharge to surface waters wherever practicable.
- 5. Planting Plan for Ram Brook shall be submitted for review and approval.
- 6. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
- 7. Unconfined work within the streams, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
- 8. 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.
- 9. 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.
- 10. Temporary cofferdams shall be entirely removed immediately following construction.
- 11. Construction equipment shall not be located within 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; 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.
- 13. 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.
- 14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

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

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

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

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

18. 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.

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

20. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c and i), alteration of more than 20,000 sq. ft. of non-tidal wetlands and more than 200 linear feet of streams.

2. This additional 188 sq. ft. of impact will allow a second access to an adjacent lot and eliminate a section of guardrail with minimal change in overall impacts to areas in jurisdiction.

**2007-02363 EDGE OF LAKE ASSOCIATION, GERRY RIZZO
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Repair two existing 3 pile ice clusters and add two new 3 pile ice clusters to protect an existing 36 slip permanent docking facility, and dredge 90 cubic yards from 2240 sq ft of lakebed oalong property having 263 ft of frontage on Lake Winnepesaukee, in Tuftonboro.

Conservation Commission/Staff Comments:

Con Com has no objections to the proposed project

Inspection Date: 11/28/2007 by Chris T Brison

APPROVE PERMIT:

Repair two existing 3 pile ice clusters and add two new 3 pile ice clusters to protect an existing 36 slip permanent docking facility, and dredge 90 cubic yards from 2240 sq ft of lakebed oalong property having 263 ft of frontage on Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated February 12, 2008, as received by DES on February 22, 2008.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.

3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

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

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

7. Repair shall maintain existing size, location and configuration.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet)

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.03(g), removal of more than 20 cubic yards of rock, gravel, sand, mud, or other material from public waters.
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 November 28, 2007.
5. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
6. The proposed ice clusters and dredge will not add slips to the existing docking facility.

-Send to Governor and Executive Council-

**2007-02606 FISHER, JOHN & CATHERINE
NASHUA Nashua River**

Requested Action:

Construct a 5 ft x 20 ft seasonal dock accessed by a 5 ft x 12 ft walkway on property having approximately 160 ft of frontage on the Nashua River, in Nashua.

Conservation Commission/Staff Comments:

Con Com submitted comments with 11 items of concern

APPROVE PERMIT:

Construct a 5 ft x 20 ft seasonal dock accessed by a 5 ft x 12 ft walkway on property having approximately 160 ft of frontage on the Nashua River, in Nashua.

With Conditions:

1. All work shall be in accordance with plans as received by DES on February 13, 2008.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. 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. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal pier shall be removed from the river for the non-boating season.
6. No portion of the pier shall extend more than 17 feet from the shoreline from the ordinary high water mark.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 142 feet of frontage along the Nashua River.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The proposed docking facility will provide 1 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
8. A public hearing was held on March 13, 2008. There was no objection presented to the proposed project during the public hearing.
9. This proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

-Send to Governor and Executive Council-

**2008-0003 NH DEPT OF TRANSPORTATION
LONDONDERRY Unnamed Wetland**

Requested Action:

Reconfigure an existing 5-way intersection into a 4-way signalized intersection with turn lanes impacting 22,332 sq. ft. (2,916 sq. ft. temporary) of riverine and palustrine wetlands. Mitigate by modifying standard designs, eradication of a stand of Japanese knotweed, upgrading the 6 ft. x 7 ft. box culvert to be 6 ft. x 9 ft. and paying a fee into the Aquatic Resource Compensation Mitigation fund.

Conservation Commission/Staff Comments:

Cons. Comm. approves with an open bottom culvert and notes the applicant should check with the Cons. Comm. before deciding on a mitigation plan.

Inspection Date: 03/18/2008 by Gino E Infascelli

APPROVE PERMIT:

Reconfigure an existing 5-way intersection into a 4-way signalized intersection with turn lanes impacting 22,332 sq. ft. (2,916 sq. ft. temporary) of riverine and palustrine wetlands. Mitigate by modifying standard designs, eradication of a stand of Japanese knotweed, upgrading the 6 ft. x 7 ft. box culvert to be 6 ft. x 9 ft. and paying a fee into the Aquatic Resource Compensation Mitigation fund. NHDOT project #13015.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design, as received by the Department on January 3, 2008.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. 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. 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.
9. 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.

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

11. 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.

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

13. 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.

14. The impacts associated with the temporary work shall be restored immediately following construction.

15. The removal of knotweed shall be concurrent with the project construction and shall be properly disposed of.

16. This approval is contingent on receipt by DES of a one time payment of \$35,545.44 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.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), alteration of more than 20,000 sq. ft. of non-tidal 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(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. On October 17, 2007, at the monthly Natural Resource Agency Meeting held at the NH Dept. of Transportation (DOT), this project was discussed and presented as approximately 2,500 sq. ft. of impact to areas in jurisdiction.

6. On December 19, 2007, the estimated impact areas were corrected on the original plan to approximately 25,000 sq. ft. and a modified plan was presented reducing the impacts to approximately 19,000 sq. ft. Recommendations from the agency comments, provided in October, were incorporated into the modified plans including the upsizing of the existing box culvert for aquatic organisms, providing more water treatment, stabilization of eroding embankments along water courses and providing funding to the DES In-Lieu Fee fund.

7. DES Staff conducted a field inspection of the proposed project on March 18, 2008. Field inspection determined: The flow from the culvert under Stonehenge Road is eroding the soils along the paved sluiceway and road shoulder adjacent to Rte.128 causing deposition into the Brook and marsh; the flow down Stonehenge Road along the northerly side and along the easterly side of Bartley Hill Road is essentially runoff and carrying sediment from the uphill developed areas and the recessing of the proposed box culvert should allow appropriate access for aquatic organisms.

8. The DES, in reviewing the rule requiring payment of the In-Lieu Fee prior to permit issuance, waives rule Env-Wt 806.05(a) so as to not delay this public project which needs to be posted for bids and will require an extra step in the governmental process to transfer this fee.

9. DES Staff finds that this project will not have a significant impact on these palustrine and riverine resources and are not at areas of substantial public interest where issues have been raised pursuant to RSA 482-A:1. Therefore, a public hearing is not required.

MINOR IMPACT PROJECT

2001-01935 PRISTINE PROPERTIES LONDONDERRY LLC
LONDONDERRY Unnamed Wetland

Requested Action:

Request to waive Administrative Rule Env-Wt 502.01 which states "issued permits and completed permit by notifications shall have a duration of 5 years..."

Conservation Commission/Staff Comments:

The Londonderry Conservation Commission reported that: "We have no issues with the D & F for the roadway to access buildable uplands on this parcel. Note: comments are from the original application submittal.

APPROVE TIME EXTENSION:

Dredge and fill 9,979 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a roadway with culvert crossings to provide access to upland building sites for four (4) 24-unit apartment buildings with appurtenant parking, facilities and stormwater management system. This shall be the only time extension for this project.

With Conditions:

1. All work shall be in accordance with plans by TFMoran,Inc. dated September 20, 2001, as received by the Department on September 28, 2001.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
5. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.

With Findings:

1. On September 19, 2007, DES met with the applicant and agent to discuss extending the permit expiration deadline due to a recent development moratorium that was lifted in the Town and a new development agreement that had been reached between the Town and the applicant.
2. During the meeting DES suggested that requesting a waiver to the timeframes prescribed by Administrative Rule Env-Wt 502.01 may be appropriate given the constraints placed on the applicant by the Town's development moratorium.
3. Administrative Rule Env-Wt 204.01 provides that waiver to rules are to accommodate those situations where strict adherence to the rules would not be in the best interest of the public or the environment.
4. On October 11, 2007, DES received a request for a waiver pursuant to Env-Wt 204.03.
5. On December 7, 2007, DES received additional waiver request information.
6. Administrative Rule Env-Wt 204.04(a) provides that a request for a waiver shall be granted if:
 - (1) Granting the request will not result in:
 - a. An adverse effect to the environment or natural resources of the state, public health, or public safety; or
 - b. An impact on abutting properties that is more significant than that which would result from complying with the rule; and
 - (2) One or more of the following conditions is satisfied:
 - a. Granting the request is consistent with the intent and purpose of the rule being waived;
 - b. Strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant;
- (b) No waiver shall be granted if the effect of the waiver would be to waive or modify a statutory requirement.
7. Permit 2001-1935 had an expiration date of October 18, 2007.
8. The applicant met with DES and submitted the waiver request before the permit expiration date.
9. The growth moratorium was imposed by the Town and there was no reasonable expectation by the applicant that the project would not go forward within the timeframes allowed by the permit.
10. Compliance with the rule in this case would represent a burden and economic hardship to the applicant. To complete the project, the applicant needed to obtain a building permit which was not allowed within the permit timeframes due to the growth moratorium.
11. The applicant has reached a development agreement with the Town which will extend site plan timeline to April 2009 with a construction start date by 2010.
12. The applicant shall provide the additional impact fees that are consistent with the current impact fee structure.
13. The applicant is requesting that the permit be extended to October 2011 in order to complete construction.
14. The applicant has received a time extension from the DES Wastewater Engineering Bureau and DES Alteration of Terrain

Program.

- 15. No further time extension will be granted by the DES Wetlands Bureau for this project.
- 16. Based on findings 1 through 15 DES has granted the waiver request and granted a onetime permit timeframe extension.

2006-01508 GOVERNORS ISLAND CLUB INC
GILFORD Lake Winnepesaukee

Requested Action:

Install 89 linear feet of rip rap and repair 140 linear feet of rip rap on property having approximately 871 ft of frontage on Lake Winnepesaukee, in Gilford.

APPROVE PERMIT:

Install 89 linear feet of rip rap and repair 140 linear feet of rip rap on property having approximately 871 ft of frontage on Lake Winnepesaukee, in Gilford.

With Conditions:

- 1. All work shall be in accordance with plans by Bryan Bailey Associates dated January 1, 2008, revision date February 28, 2008, as received by DES on March 04, 2008.
- 2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
- 3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
- 4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
- 5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
- 6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
- 7. Work shall be done during drawdown per construction note #1.
- 8. 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(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond and do not meet the criteria of Env-Wt 303.02.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The local Conservation Commission submitted comments suggesting the use of larger material for the proposed new rip rap and repair of the existing rip rap. The approved plans use larger material, thus addressing the Conservation Commissions concerns.

2007-02038 OSSIPÉE REALTY CORP
FREEDOM Ossipee Lake

Requested Action:

Construct 186 linear feet of retaining wall and replant disturbed areas with native vegetation within a commercial marina on Ossipee Lake, in Freedom.

Conservation Commission/Staff Comments:

The local Conservation Commission submitted comments stating no fertilizer be used on plants near the lake and the Department consider the driveways current condition and location in relationship to run off into the lake

DENY PERMIT:

Construct 186 linear feet of retaining wall and replant disturbed areas with native vegetation within a commercial marina on Ossipee Lake, in Freedom.

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. In accordance with RSA 482-A:11, II "No permit to dredge or fill shall be granted if it shall infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners."
3. In accordance with 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 interests."

Findings of Fact

1. On August 24, 2007, the Wetlands Bureau received an application for impacts, on the lot identified as Freedom tax map 31, lot 41 and 39, (the "Lots") to construct 158 linear feet of retaining wall on Ossipee Lake, Freedom.
2. This project is classified as a minor impact project per Rule Env-Wt 303(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 Rule Env-Wt 303.02."
3. On September 24, 2007, the Wetlands Bureau received comments from the abutter to the south with concerns the project would interfere with their property rights.
4. On October 25, 2007, the Wetlands Bureau issued a Request for More Information letter to the applicant. This letter requested accurate plans of the site.
5. The October 25, 2007, letter also stated the Wetlands Bureau could not proceed with the proposed application until the property line issued has been clearly addressed.
6. On November 29, 2007, the Wetlands Bureau received comments from the abutter to the north outlining their concerns that the project would interfere with their property rights and stating they had an on going dispute with the applicant concerning the existing property line.
7. On February 15, 2008, the Wetlands Bureau received information to the file from the applicant to address the Request for More Information letter dated October 25, 2007. This information included several stamped survey plans of the frontage. Plans from 1979, 1999, and 2002 were included in the submittal.
8. The plans dated February 15, 1979 and February 24, 1999, show docking structures in different locations and different configurations than the docking structures as identified on the plan dated June 14, 2002 as follows: the southern docking structure has had finger docks added and increased in length from 113 feet to 159 feet, the northern docking structure has been relocated from a point approximately 30 feet from the property line to one 17 feet from the property line, has been increased in length from 92 feet to 118 feet, and has had the attached finger docks re-configured, and a new docking structure has been added between the pre-existing docks measuring 118 feet in length with 10 finger docks.
9. The plans submitted June 14, 2002, show the gas dock with larger dimensions than the February 15, 1979 plan.
10. The plans dated 1979 fail to show any retaining walls on the frontage.
11. The Wetlands Bureau can find no permits for the retaining walls to be repaired, the expansion of the pre-existing docking structures, the new docking structures, or relocating the docking structures closer to the abutter's property line.
12. On March 14, 2008, the Wetlands Bureau received comments from the abutter to the north stating the property line issues have not yet been resolved. The abutter further stated that they believed the proposed work might adversely affect their property.

Rulings in Support of Denial

1. Pursuant to RSA 482-A:11, II "No permit to dredge or fill shall be granted if it shall infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners". The Applicant has failed to provide evidence that this

project will not adversely affect the abutting property owners and, therefore, the application is denied.

2. Evidence in the file submitted by the Applicant indicates that the structures to be repaired were not constructed legally. The Department will not approve the repairs of illegal structures.

2007-02360 RAMSAY, JOHN
MEREDITH Lake Wicwas

Requested Action:

The Applicant requests reconsideration of the Department's January 23, 2008 denial based upon project revisions submitted.

DENY RECONSIDERATION:

The Department reaffirms its January 23, 2008 decision to deny a permit to remove concrete ramp and 7 stairs recessed into the bank with two of the steps in the water and replace ramp with a 4 ft level landing with 10 steps with two of the steps in the water on 193 ft of frontage in Meredith, on Lake Wicwas.

With Findings:

Standards for Approval:

1. In accordance with RSA 482-A:3, "No person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp in and adjacent to any waters of the state without a permit from the department."
2. RSA 482-A:10, II requires that the request for reconsideration shall describe in detail each ground for the complaint.
3. RSA 482-A:10, III states that the Department shall receive and consider any new and additional evidence presented, and shall make findings of fact and rulings of law in support of its decision.
4. In accordance with RSA 482-A:3 XIV,(b) where the Department requests additional information the applicant shall submit the requested information within 120 days of the request or the department shall deny the application.

Findings of Fact:

1. On January 9, 2008, the Department received a Minimum Impact Expedited Application for a Minor project to replace a set of existing lake access stairs and ramp, and relocate three boulders from the lakebed to the bank located on property identified as Meredith Tax Map R10, Lot 7.
2. On November 20, 2008, the Department issued a Requested for More Information letter. This letter requested items related to the Applicants responsibility to provide plans clearly defining the proposed impacts and appropriate application fees.
3. The Applicant failed to provide the information requested by the Department and the application was subsequently denied on January 23, 2008 in accordance with RSA 482-A:3 XIV,(b).
4. On February 6, 2008 the Applicant submitted revised plans in response to their receipt of the January 23, 2008 denial letter. The revised plans submitted do not include the details requested prior to the departments decision to deny the application.
5. The response to the denial letter did not include the outstanding fees requested by the Department.

Ruling in support of the Decision:

1. The Applicant failed to submit any new or additional evidence in support of the proposal and, therefore, the Department reaffirms its decision to deny the application based upon its original findings.

2007-02435 WALKER, MICHELLE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Remove a 16 ft 3 in x 24 ft 8 in boathouse over public waters supported by a "U" shaped, crib supported, docking facility consisting of a 10 ft x 42 ft 9 in pier and an 8 ft x 29 ft 3 in pier connected by an 11 ft x 12 ft walkway, construct a new a 13 ft 6 in x 29 ft boathouse over public waters supported by a "U" shaped, piling supported, docking facility consisting of an 8 ft x 39 ft pier and a 6

ft x 34 ft pier connected by an 6 ft x 12 ft walkway, and perch an existing 18 ft x 11 ft beach on an average of 237 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

DENY PERMIT:

Remove a 16 ft 3 in x 24 ft 8 in boathouse over public waters supported by a "U" shaped, crib supported, docking facility consisting of a 10 ft x 42 ft 9 in pier and an 8 ft x 29 ft 3 in pier connected by an 11 ft x 12 ft walkway, construct a new a 13 ft 6 in x 29 ft boathouse over public waters supported by a "U" shaped, piling supported, docking facility consisting of an 8 ft x 39 ft pier and a 6 ft x 34 ft pier connected by an 6 ft x 12 ft walkway, and perch an existing 18 ft x 11 ft beach on an average of 237 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

With Findings:

Standards for Approval

1. Rule Env-Wt 402.08, Structures Disallowed prohibits boathouses located in or over the water.

Findings of Fact

1. On October 10 2007, the Department received an application to remove an existing docking facility that included a boathouse over public waters, construct a new docking facility with a new boathouse over public waters, and perch an existing beach on property identified as Wolfeboro Tax map 266, lot 5.
2. This project is classified as a minor project in accordance with Rule Env-Wt 303.03 (d) construction of a permanent docking facility providing less than 5 boat slips.
3. The new boathouse will not be located within the footprint of the pre-existing boathouse, will impact a previously undisturbed length of shoreline, and will not have any of the same dimensions as the pre-existing boathouse.

Ruling in Support of the Decision

1. The proposed boathouse will impact additional lakebed and shoreline not impacted by any pre-existing docking facility on the frontage, will have completely different dimensions, and will be supported by pilings rather than cribs. The proposed boathouse is new construction.
2. The construction of new boathouses over public waters is prohibited by Rule Env-Wt 402.08. Therefore this application is denied.

**2007-02600 DEPALMA, PHILIP
MEREDITH Lake Winnepesaukee**

Requested Action:

Drive three additional 3 piling ice clusters and repair two existing 3 piling ice clusters protecting two 6 ft x 38 ft piling piers connected by a 3 ft x 23 ft walkway, in kind, and retain 2 permanent boatlifts installed under a previously approved seasonal canopy on an average of 228 ft of frontage in Meredith Bay, on Lake Winnepesaukee.

APPROVE PERMIT:

Drive three additional 3 piling ice clusters and repair two existing 3 piling ice clusters protecting two 6 ft x 38 ft piling piers connected by a 3 ft x 23 ft walkway, in kind, and retain 2 permanent boatlifts installed under a previously approved seasonal canopy on an average of 228 ft of frontage in Meredith Bay, on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated October 23, 2007, as received by DES on October 29, 2007.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.

3. Repair of the existing docking facilities shall maintain existing size, location and configuration.
4. Canopies shall continue to be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
5. 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.
6. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
7. This permit does not allow for maintenance dredging.
8. 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.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
11. 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), alteration of a docking facility providing less than 5 slips
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.

2008-00028 FAIRWAY OAKS LLC
PLAISTOW Unnamed Wetland

Requested Action:

Dredge and fill 7,400 sq. ft. of palustrine scrub-shrub wetlands and install a 4 ft. x 4 ft. open box culvert with a natural bottom to carry the roadway across a seasonal stream to provide access to a 36-unit elderly housing project on a 22.95 acre parcel of land.

Conservation Commission/Staff Comments:

No report or comments received from the Plaistow Conservation Commission.

APPROVE PERMIT:

Dredge and fill 7,400 sq. ft. of palustrine scrub-shrub wetlands and install a 4 ft. x 4 ft. open box culvert with a natural bottom to carry the roadway across a seasonal stream to provide access to a 36-unit elderly housing project on a 22.95 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Christiansen & Sergi dated November 13, 2007, as received by DES on January 08, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
10. Work shall be done during low flow.
11. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

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

2008-00051 INDELICATO, PATRICIA
WOLFEBORO Lake Winnepesaukee

Requested Action:

Remove existing seasonal dock and install a 6 ft x 12 ft seasonal access way to a "U-shaped" seasonal docking facility consisting of two 6 ft x 40 ft seasonal docks connected by a 6 ft x 12 ft walkway, and relocate 1.5 cubic yards of rock navigational hazards on 460 ft of frontage in Wolfeboro on Lake Winnepesaukee.

APPROVE PERMIT:

Remove existing seasonal dock and install a 6 ft x 12 ft seasonal access way to a "U-shaped" seasonal docking facility consisting of two 6 ft x 40 ft seasonal docks connected by a 6 ft x 12 ft walkway, and relocate 1.5 cubic yards of rock navigational hazards on 460 ft of frontage in Wolfeboro on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with revised plans by NH Environmental Consultants LLC dated March 6, 2008 as received by the Department on March 13, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. 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.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. This permit does not authorize maintenance dredging.
6. This permit does not authorize sand deposition.
7. This permit does not authorize retaining wall or rip-rap construction within Wetlands jurisdiction.
8. Only 1.5 cubic yards of rock shall be relocated on this frontage.
9. Rocks shall be relocated to exact area as indicated on the plans.
10. No portion of the dock shall extend more than 40 feet from the shoreline at the normal high water mark.
11. All portions of the docking facility must be removed from the lakebed for 5 months during the non-boating season.
12. Lift stations shall be installed in exact location as indicated on the plans to minimize vegetation removal and bank disturbance.
13. The unnecessary removal of vegetation is prohibited.
14. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

2008-00178 PUZZO REVOC FAMILY TRUST, DEAN & TERESA PUZZO TTEE
ALTON Lake Winnepesaukee

Requested Action:

Replace existing 3-pile ice cluster and install one "I-beam" for a new permanent boatlift adjacent to an existing 4 ft x 24 ft piling pier on 60 ft of frontage in Alton on Lake Winnepesaukee.

APPROVE PERMIT:

Replace existing 3-pile ice cluster and install one "I-beam" for a new permanent boatlift adjacent to an existing 4 ft x 24 ft piling pier on 60 ft of frontage in Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction as received by DES on February 6, 2008.
2. This permit shall not be effective until it has been recorded with the appropriate 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 shall maintain existing size, location and configuration.
4. This permit does not authorize maintenance dredging.
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. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d) modification of a 2-slip permanent pier.
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

**2006-00320 WEIRS BEACH VILLAGE LLC
LACONIA Unnamed Wetland**

Requested Action:

Approve name change to: Weirs Beach Village LLC, 198 Endicott St., Laconia NH 03246 per request received 3/17/2008.

Previous owner: Weirs Beach Tent & Trailer Park.

APPROVE NAME CHANGE:

Dredge and fill 613 square feet of ephemeral pool, for access for a proposed 85 unit clustered manufactured housing project.

With Conditions:

1. All work shall be in accordance with plans by TR Selling Engineering PC and Christiansen and Sergi Inc dated January 2006, as received by the Department on February 16, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. 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, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
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. Silt fencing must be removed once the area is stabilized.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

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

**2007-00848 BRINTNALL, ISABEL & DAVID VICTOR
WEBSTER Tributary To Winnepocket Lake**

Requested Action:

Dredge and fill 1121 square feet along an existing logging road including installation of a 20 foot x 12-inch CPP pipe, a 20-foot x 15-inch CPP pipe and a 24-foot x 5-foot span x 2 foot high rigid frame bridge in three separate crossing locations for access to a

single family structure.

APPROVE PERMIT:

Dredge and fill 1121 square feet along an existing logging road including installation of a 20 foot x 12-inch CPP pipe, a 20-foot x 15-inch CPP pipe and a 24-foot x 5-foot span x 2 foot high rigid frame bridge in three separate crossing locations for access to a single family structure.

With Conditions:

1. All work shall be in accordance with plans by Mark Moser dated July 7, 2006, and revised through February 25, 2008, as received by the Department on February 28, 2008.
2. This permit is contingent on restoration of 905 square feet of fill permitted under 1998-01164.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Any construction initiated after April 1, 2008, shall be compliant with the Comprehensive Shoreland Protection Act, RSA 483-B:5-a as effective at the time construction is initiated and may require an additional permit from the Department.
5. 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.
6. 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.
7. Work shall be done during low flow.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. 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.
10. 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.
11. No equipment shall enter the water.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. The existing driveway to be abandoned shall have any gravel removed and shall be scarified and planted with a native seed mix in order to promote vegetative growth in the upland areas.
16. Restoration areas shall be regraded to original contours.
17. All material removed during restoration activities shall be removed down to the level of the original hydric soils.
18. Mulch within the restoration areas shall be straw.
19. 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.
20. A post-construction report documenting the status of the restored jurisdictional area, and the abandoned driveway including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot.
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.

2007-01706 GEDDES, DEANE
NEWBURY Unnamed Wetland

Requested Action:

Extend an existing culvert 10 feet to provide access impacting 72 square feet of a seasonal stream

Conservation Commission/Staff Comments:

Conservation Commission signed the expedited application.

APPROVE PERMIT:

Extend an existing culvert 10 feet to provide access impacting 72 square feet of a seasonal stream

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated FEB 2008, as received by DES on February 22, 2008.
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. Culvert outlet 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. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The 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.
8. 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(z), impacting 72 sq ft to extend an existing culvert for residential access.
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. Permit #1999-262 was approved for 605 sq ft of impacts to wetlands for culvert installation.

2007-02711 CHOQUETTE, ALAIN
RINDGE Unnamed Stream Wetlands

Requested Action:

Dredge and fill 2,031 square feet (80 linear feet) of intermittent stream and associated forested wetlands to install a 18-inch x 40-foot HDPE culvert for road access to a 3-lot subdivision on ± 35.47 acres.

Conservation Commission/Staff Comments:

Possible related files may include:

Wetlands and Non-Site Specific Permit 2007-01537 that approved 5,203 square feet of wetlands impacts on tax map/lot 5/4 and Wetlands and Non-Site 2003-00341 that approved 1,400 square feet of wetlands impact on tax map/lot 5/1-2.

APPROVE PERMIT:

Dredge and fill 2,031 square feet (80 linear feet) of intermittent stream and associated forested wetlands to install a 18-inch x 40-foot HDPE culvert for road access to a 3-lot subdivision on ± 35.47 acres.

With Conditions:

1. All work shall be in accordance with plans by Higher Design, PLLC dated September 07, 2007, and revised through November 03, 2007, as received by the Department on November 16, 2007, and Subdivision Plans by SVE Associates dated February 23, 2008, as received by the Department on February 27, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 3 of this approval.
5. Work shall be done during low flow conditions.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culverts shall be laid at original grade.
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).
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(f), alteration of less than 3,000 square feet of wetlands.
2. Wetlands and Non-Site Specific Permit 2003-02279 issued January 16, 2004, impacted 3,250 square feet of wetlands as a result of a subdivision of tax map/lot 5/9 by a previous owner.
3. Lot 5-9-5-2 was subdivided by the applicant and approved by the Rindge Planning Board on November 11, 2006. Future subdivision was restricted by the Rindge Planning Board and access from Bean Hill Road is possible.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2007-02753 BERGIN, VIRGINIA
HAMPTON Tidal Buffer Zone

Requested Action:

Perform demolition and thereafter, construction work in 1,830 sq. ft. of the previously disturbed upland tidal buffer zone to raze the existing dwelling and construct a new one with all work being more than 50 feet landward of the highest observable tide line.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission has reviewed the application and "does not oppose the granting of a standard dredge and fill permit..."

APPROVE PERMIT:

Perform demolition and thereafter, construction work in 1,830 sq. ft. of the previously disturbed upland tidal buffer zone to raze the existing dwelling and construct a new one with all work being more than 50 feet landward of the highest observable tide line.

With Conditions:

1. All work shall be in accordance with plans by Cuoco & Cormier Engineering associates, Inc. dated November 2, 2007, as received by DES on February 27, 2008.
2. There shall be no further alteration of areas within DES Wetlands jurisdiction for lot development or other construction activities.
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. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

**2008-00223 CHRISTMAS ISLAND RESORT
LACONIA Lake Winnepesaukee**

Requested Action:

Replace 45.5 linear ft of concrete block retaining wall with dry laid stone retaining wall on property having approximately 750 ft of frontage on Paugus Bay, in Gilford.

APPROVE PERMIT:

Replace 45.5 linear ft of concrete block retaining wall with dry laid stone retaining wall on property having approximately 750 ft of frontage on Paugus Bay, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated January 8, 2008, as received by DES on February 14, 2008.
2. All remnants of the old wall and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. The new retaining wall shall be constructed completely within the footprint of, or landward of, the pre-existing retaining wall so as not to create land in public water.
4. Work shall be done during drawdown.
5. All other work on the property shall be conducted in accordance with Waiver Approval #2006-02958 and the conditions listed therein.
6. All future activity shall be conducted in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is deemed to be a minimum impact project per Rule Env-Wt 303.04(o), with the finding that the use of alternative construction materials will result in no greater impact than the in kind replacement of the existing wall.

FORESTRY NOTIFICATION

**2008-00387 USDA FOREST SERVICE, WHITE MTN NAT'L FOREST
BETHLEHEM Unnamed Stream**

COMPLETE NOTIFICATION:
Bethlehem White Mtn Natl Forest

**2008-00388 USDA FOREST SERVICE, WHITE MTN NAT'L FOREST
CARROLL Unnamed Stream**

COMPLETE NOTIFICATION:
Carroll White Mtn Nat'l Forest Trestle Timber Sale

**2008-00389 USDA FOREST SERVICE, WHITE MTN NAT'L FOREST
RUMNEY Unnamed Stream**

COMPLETE NOTIFICATION:
Rumney White Mtn Nat'l Forest Right Angle Timber Sale

**2008-00392 USDA FOREST SERVICE, WHITE MTN NAT'L FOREST
CARROLL Unnamed Stream**

COMPLETE NOTIFICATION:
Carroll White Mtn National Forest Owl Head Timber Sale

**2008-00393 USDA FOREST SERVICE, WHITE MTN NAT'L FOREST
FRANCONIA Unnamed Stream**

COMPLETE NOTIFICATION:
Franconia/Bethlehem White Mtn Nat'l Forest Owl's Head Timber Sale

**2008-00394 USDA FOREST SERVICE, WHITE MTN NAT'L FOREST
FRANCONIA Unnamed Stream**

COMPLETE NOTIFICATION:
Franconia Tax Map White Mtn National Forest Notchway Timber Sale

**2008-00395 PLUM CREEK MAINE TIMBERLANDS LLC
ERROL Unnamed Stream**

COMPLETE NOTIFICATION:
Erol Tax Map R15, Lot# 4

**2008-00396 TWITCHELL HEIRS, C/O TOM CARNEY
MILAN Unnamed Stream**

COMPLETE NOTIFICATION:
Milan Tax Map 42, Lot# 2

**2008-00402 PLUM CREEK MAINE TIMBERLANDS LLC
CAMBRIDGE Unnamed Stream**

COMPLETE NOTIFICATION:
Cambridge Tax Map 1619, Lot# 1.2

**2008-00413 BLOOMFIELD, ROGER
DORCHESTER Unnamed Stream**

COMPLETE NOTIFICATION:
Dorchester Tax MAP 11, Lot# 551

**2008-00414 FERGUSON, JANE MARY
NEW DURHAM Unnamed Stream**

COMPLETE NOTIFICATION:
New Durham Tax Map 3, Lot# 5-3 & 5-6

EXPEDITED MINIMUM

**2007-02112 COBURN, MARYA
NORTHFIELD Unnamed Wetland**

Requested Action:

Dredge and fill a total of 2070 square feet including the installation of a 20 foot x 4-foot spanning x 1.25-foot high structure for access in the subdivision of 40.68 acres into two single family lots.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

APPROVE PERMIT:

Dredge and fill a total of 2070 square feet including the installation of a 20 foot x 4-foot spanning x 1.25-foot high structure for access in the subdivision of 40.68 acres into two single family lots.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering and Surveying dated July 30 2007, and revised through February 29, 2008, as received by the Department on February 29, 2008.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this

approval.

4. 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.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. 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. 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.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Area of temporary impact shall be regraded to original contours following completion of work.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. 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(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); and 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.
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 letters of written agreement from the abutters on tax map R7, lot 14-15 and Map R7 lot 14-29, in accordance with Env-Wt 304.04(a) as impacts are within 20 feet of these shared property lines.

2007-02283 BUXTON, WILLIAM
KENSINGTON Unnamed Wetland

Requested Action:

Dredge and fill 540 square feet of forested wetlands for the installation of a driveway for access to a single family dwelling.

Conservation Commission/Staff Comments:

The Kensington Conservation Commission is pleased with the impact reduction.

APPROVE PERMIT:

Dredge and fill 540 square feet of forested wetlands for the installation of a driveway for access to a single family dwelling.

With Conditions:

1. All work shall be in accordance with plans by Richard Parker dated February 2008, as received by DES on February 20, 2008.
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. 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 low flow.
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. 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 proposed impacts are necessary to reach buildable uplands therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts have decreased from 1,900 square feet on the original application to 540 square feet. The owner explored maintaining a shared drive, but the abutter would not agree to allow such activity. Therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Kensington Conservation Commission is pleased with the modified plans.
6. The Kensington Fire Chief reviewed the plan and is agreeable to the 10-foot wide driveway for emergency vehicle passage.
7. Pursuant to Env-Wt 304.04, both Jennifer Buxton and Richard Hagget, Kensington Tax Map 12 Lot 45B-1, gave consent for those impacts within 20-feet of their property.

2007-02367 GERWIG, EDGAR
NEW LONDON Pleasant Lake

Requested Action:

Construct 30 linear ft of a 5 ft tall retaining wall on 159 ft of frontage in New London on Pleasant Lake.

APPROVE PERMIT:

Construct 30 linear ft of a 5 ft tall retaining wall on 159 ft of frontage in New London on Pleasant Lake.

With Conditions:

1. All work shall be in accordance with plans as received by DES on October 5, 2007.
2. Dredged material shall be placed outside DES Wetlands Bureau jurisdiction.
3. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
4. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
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 conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands and avoids excessive discharges of sediments to fish spawning areas.
7. Unnecessary removal of vegetation is strictly prohibited.
8. This permit does not authorize maintenance dredging activities.
9. Retaining walls shall be lined with geo-textile fabric to control siltation, erosion and prevent retaining wall failure.

10. 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(m) projects that disturb less than 50 linear ft, measured along the shoreline, or a lake or pond.
2. This project is deemed approved because the expedited 30 day due date expired prior to technical review pursuant to Rule Env-Wt 505.02(b).

2007-02627 MATHES, ROGER
NEWBURY Lake Sunapee

Requested Action:

Replace the cribs supporting an existing 12 ft x 42 ft pier accessed by a 6 ft x 13.5 ft walkway with pilings on 400 ft of frontage on Lake Sunapee.

APPROVE AMENDMENT:

Replace the cribs supporting an existing 12 ft x 42 ft pier accessed by a 6 ft x 13.5 ft walkway with pilings on 400 ft of frontage on Lake Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Roger Mathis as received by DES on January 16, 2008.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. Repairs shall maintain the existing size, location and configuration of all structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. All crib members and hardware that had been used to secure crib members together shall be completely removed from the jurisdiction of the Wetlands Bureau. Rock ballast from the abandoned cribs may be dispersed on the lake bed immediately adjacent to the abandoned crib location provided that no ballast material is placed within 20 ft of the abutting property line or the extension of a property line over the water.
8. 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 deemed a minimum impact project per Rule Env-Wt 303.04 (o) since the replacement structure will have the same size location, and configuration as the pre-existing structure but will more nearly conform to Chapter Env-Wt 400.

2007-02807 HOPEMAN LIVING TRUST, LYNN GREGG HOPEMAN TTEE
SUNAPEE Lake Sunapee

Requested Action:

Amend permit to relocate 2 cribs for structural stability.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE AMENDMENT:

Repair an existing docking facility consisting of a 7 ft 9 inch x 44 ft 7 inch permanent dock supported by a 8 ft x 10 ft crib and a 6 ft x 12 ft crib connected to a 5 ft 8 inch x 44 ft 7 inch permanent dock supported by a 8 ft x 10 ft crib and a 6 ft x 12 ft crib by a 22 ft 2 inch x 8 ft permanent walkway with a 22 ft 2 inch x 36 ft 6 inch boathouse over the center slip, repair an existing 6 ft x 32 ft permanent dock supported by a 6 ft x 10 ft crib on Lake Sunapee, New London.

With Conditions:

1. All work shall be in accordance with plans by Richard Green dated March 12, 2008, as received by DES on March 14, 2008, and boathouse detail plans by Bruce Landenberger dated October 18, 2007, revision date October 26, 2007, as received by DES on December 04, 2007.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. 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. Repair shall maintain existing size, location and configuration with the exception of the proposed modification of the interior boatslips of the boathouse.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Existing rocks which have fallen shall be used for repair of the cribs. No Additional Rocks.
8. This permit does not allow for maintenance dredging.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
11. 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(v), repair of existing docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The proposed modification of the interior boat slips is reducing the sq ft of interior deck space over public waters.

**2007-02985 BORST, WILLIAM
WAKEFIELD Pine River Pond**

Requested Action:

Construct a 584 sq ft perched beach with 3 ft wide access steps to the waterbody on Pine River Pond, Wakefield.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 584 sq ft perched beach with 3 ft wide access steps to the waterbody on Pine River Pond, Wakefield.

With Conditions:

1. All work shall be in accordance with plans by Fox Survey Company dated November 19, 2007, revision date February 19, 2008, as received by DES on February 21, 2008.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

3. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 582.3). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
5. The steps installed for access to the water shall be located completely landward of the normal high water line.
6. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. 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.
10. 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.

2008-00259 LADD, DAVID
MELVIN VILLAGE Lake Winnepesaukee

Requested Action:

Upgrade an existing gas dispensing system on within a commercial marina on Lake Winnepesaukee, in Tuftonboro.

APPROVE PERMIT:

Upgrade an existing gas dispensing system on within a commercial marina on Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Wilcox and Barton dated December 31, 2007, as received by DES on March 07, 2007.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. This permit does not allow for any modifications to the existing docking structures.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

LAKES-SEASONAL DOCK NOTIF

2008-00390 JOHNSON, LARRY & CHERYL
MEREDITH Lake Winnepesaukee

COMPLETE NOTIFICATION:

Meredith, NH Tax Map U18 Lot 3
Lake Winnepesaukee

2008-00404 **LAKE, BRADLEY**
FREMONT Loon Pond

COMPLETE NOTIFICATION:
Fremont, NH Tax map 5 Lot 29
Loon Pond