

# Wetlands Bureau Decision Report

Decisions Taken  
05/05/2008 to 05/11/2008

## **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**

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**2005-00118                      MDR SOUTH PEAK LLC, ATTN: ED BR8ISSON**  
**LINCOLN   East Branch Pemigewasset River**

Requested Action:

Approve name change to: MDR South Peak LLC, PO Box 1147, Lincoln NH 03251 per request received 5/7/2008. Previous owner: Centex Destination Properties LLC

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Inspection Date: 08/17/2001 by Craig D Rennie

APPROVE NAME CHANGE:

Dredge and fill 16,275 square feet of wetlands and 16,755 square feet of perennial and intermittent streams (impacting 3,360 linear feet within the bed and banks) to construct a ski lift to service South Mountain, a base lodge with associated parking, 5 ski trails, and to construct a subdivision road to access a 67-lot single family residential subdivision. Mitigate impacts by placing a conservation easement on 7.6 acres of land within the same watershed.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated January 2005, as received by the Department on January 14, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback within the residential subdivision area.
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 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.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval by the DES Subsurface Systems 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, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. 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.
9. Work shall be done during low flow.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. 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.
15. 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.
16. 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).

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

**MITIGATION CONDITIONS:**

18. This permit is contingent upon the execution of a conservation easement on 7.6 acres of undeveloped land as depicted on plans received March 28, 2005.

19. 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.

20. 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.

21. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

22. 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.

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

**2006-01940 MDR SOUTH PEAK LLC, ATTN: ED BRISSON  
LINCOLN East Branch Of Pemigewasset River**

**Requested Action:**

Approve name change to: MDR South Peak LLC, PO Box 1147, Lincoln, NH 03251 per request received 05/07/2008. Previous owner: Centex Destination Properties

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Inspection Date: 06/29/2006 by Craig D Rennie

**APPROVE NAME CHANGE:**

Dredge and fill 2,287 square feet of wetlands and 2,906 square feet within perennial streams (impacting 1,246 combined linear feet within the bed and banks, of which 1,011 linear feet will be restored through the removal of existing culverts and replacement with bottomless arch pipes) to construct access roads and 22 condominium units as part of the Phase II expansion of the South Mountain area owned by Loon Mountain Recreation Corp. Temporarily impact 170 square feet of wetland and stream (impacting 45 linear feet) for construction access. Mitigate permanent stream impacts by upgrading 4 existing culverts with bottomless pipes to restore proper stream function, by removing existing culverts and restoring the natural stream bed, and by stabilizing the banks along an existing eroded stream channel utilizing native plantings.

**With Conditions:**

1. All work shall be in accordance with plans by plans by Horizons Engineering dated July 2006, as received by the Department on July 28, 2006; and in accordance with bank stabilization plans by Pioneer Environmental Associates dated October 11, 2006, as received by the Department on October 17, 2006.

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 prior to construction.

3. This permit is contingent on approval by the DES Site Specific Program.

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

5. 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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

7. Work within streams shall be done during low flow conditions.

8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. 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).
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
17. 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.

**MITIGATION CONDITIONS:**

18. This permit is contingent upon the restoration and stabilization of perennial streams as described in the application proposal prepared by Pioneer Environmental Associates dated July 21, 2006, as received by DES on July 28, 2006.
19. The schedule for construction of the stream restoration areas shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
20. Stream restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning and stable stream channels.
21. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the stream restoration areas are constructed in accordance with the restoration 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.
22. The permittee or a designee shall conduct a follow-up inspection after the first full growing season, to review the success of the stream restoration areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.
23. Bank plantings shall have at least 75% successful establishment of woody vegetation after one (1) growing season, or shall be replanted and re-established until a stable stream bank is replicated in a manner satisfactory to the DES Wetlands Bureau.
24. Future phases of development within the South Mountain expansion area that require permanent wetland impacts shall prepare and present to DES an overall mitigation plan that incorporates clear long-term land use planning and protection in order to ensure that compensation is considered on an entire landscape perspective and not isolated per phase.

**With Findings:**

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

**2008-00160                      GAUDET SR, PAUL & BRIGID**  
**GILFORD Lake Winnepesaukee**

**Requested Action:**

Remove an existing 8 ft x 68 ft crib pier and an 8 ft x 64 ft crib pier, construct a 6 ft x 28 ft piling pier connected to a 5 ft x 35 ft piling pier by a 6 ft x 15 ft walkway connected to a 6 ft x 64 ft piling pier by a 6 ft x 12 ft walkway in a "W" configuration, drive three 3-piling ice clusters, drive 4 pilings to support 2 permanent boatlifts, install 2 personal watercraft lifts, install a 14 ft x 40 ft seasonal canopy, a 437 sq ft irregularly shaped seasonal canopy, and excavate 900 sq ft along 37 ft of shoreline to construct a 35 ft

x 20 ft perched beach with 6 ft wide steps to the water on an average of 300 ft of frontage on Governors Island, lake Winnepesaukee in Gilford.

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APPROVE PERMIT:

Remove an existing 8 ft x 68 ft crib pier and an 8 ft x 64 ft crib pier, construct a 6 ft x 28 ft piling pier connected to a 5 ft x 35 ft piling pier by a 6 ft x 15 ft walkway connected to a 6 ft x 64 ft piling pier by a 6 ft x 12 ft walkway in a "W" configuration, drive three 3-piling ice clusters, drive 4 pilings to support 2 permanent boatlifts, install 2 personal watercraft lifts, install a 14 ft x 40 ft seasonal canopy, a 437 sq ft irregularly shaped seasonal canopy, and excavate 900 sq ft along 37 ft of shoreline to construct a 35 ft x 20 ft perched beach with 6 ft wide steps to the water on an average of 300 ft of frontage on Governors Island, lake Winnepesaukee in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated January 2, 2008, as received by DES on January 31, 2008 with the exception that no piling shall be driven for the sole purpose of supporting the seasonal canopies.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit 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 installation.
4. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. All seasonal structures shall be removed from the lake for the non-boating season.
6. No portion of the piers, lifts or canopies shall extend more than 64 feet from the shoreline at full lake elevation.
7. All excavated material and construction related debris shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. Stone placed along the top of the existing retaining wall for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32)
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. Appropriate 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.
15. Canopies shall be of seasonal construction type with a flexible fabric cover and shall be removed for the non-boating season.
16. 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 Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 300 feet of frontage along Lake Winnepesaukee.
3. In accordance with Rule Env-Wt 402.12, Frontage over 75', this property has sufficient frontage for the permitting of 5 boat slips.
4. The existing docking facilities provide 8 slips.
5. The proposed docking facilities will provide 7 slips as defined per RSA 482-A:2, VIII and will more nearly conform with Rule Env-Wt 402.12.
6. In accordance with Rule Env-Wt 402.05, Permanent Docks, cribs shall only be constructed where it can be shown the pilings cannot be driven. The replacement of the existing crib piers with a piling supported facility will bring the project into compliance with Rule Env-Wt 402.05.
7. The consolidation of the docking into one facility, having a single access point at the shoreline, is less environmentally impacting than the two pre-existing facility and, therefore, more nearly conforms to Rule Env-Wt 302.03, Avoidance, Minimization, and Mitigation.
8. This project as approved and conditioned with provide fewer boat slips on the frontage and will be less environmentally impacting than the existing facility and, therefore, meets the requirement of Rule Env-Wt 402.20.

-Send to Governor and Executive Council-

**MINOR IMPACT PROJECT**

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**2003-00464                      NH DEPT OF TRANSPORTATION**  
**BARTLETT   Bradley Brook**

Requested Action:

Request time extension and waiver to rule Env-Wt 502.01.

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**APPROVE TIME EXTENSION:**

Construct concrete inverts inside two 9 ft. wide multi-plate pipes, construct cut off walls, re-face header and install stone protection impacting 2,575 sq. ft. of the brook and banks (650 sq. ft. is temporary). NHDOT project #99053S.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 2/03, as received by the Department on March 13, 2003.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of banks of a stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. This action extends the permit for one additional year as the applicant has requested a waiver of Rule Env-Wt 502.01, Duration of Permit.
6. The applicant has addressed the requirements for a waiver as required per Rule Env-Wt 204.01 and is granted as strict adherence to the Duration of Permit rule is not in the best interest of the public, stopping the project at this time would be a detriment to the environment and the request does not waive or modify a statutory requirement.

Current rules do not allow for further extension of this permit.

**2005-02389                      RIEL, LEON & LINDA**  
**SALISBURY   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 4369 square feet including installation of a 4 ft wide x 18 ft long open bottom spanning structure to maintain the existing class 6 roadway access.

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APPROVE PERMIT:

Dredge and fill a total of 4369 square feet including installation of a 4 ft wide x 18 ft long open bottom spanning structure to maintain the existing class 6 roadway access.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants dated April 20, 2006, as received by the Department on April 21, 2006.
2. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
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 periods of low flow on perennial streams or non-flow for intermittent streams.
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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. No equipment shall enter the water.
11. Prior to commencing work located within surface waters, a cofferdam shall be constructed to isolate the 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 20 feet of undisturbed vegetated buffer.
13. 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.

14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

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

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

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

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

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c), projects that involve dredge, fill, or construction of a permanent structure in a stream or marsh that do not meet the criteria of Env-Wt 303.02, except those projects in streams which meet the criteria of Env-Wt 303.04(g), (i), (j), (n), (x), (y), or (z).

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 provided a copy of the settlement agreement with the town of Salisbury, clarifying the applicant's ability to do the work.

6. The applicant is required to contact historical resources prior to commencing work, which will clarify if important historical resources exist in this location.

7. There is no subdivision of land proposed at this time.

**2007-00778                      LLK TRUST, THOMAS WALKER**  
**WOLFEBORO Lake Wentworth**

Requested Action:

Amend permit to reflect design modifications necessary to accommodate local wetland setbacks.

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APPROVE AMENDMENT:

Amend permit to read: Dredge 18.8 cu yd from 388 sq ft of public submerged lands and excavate 445 sq ft of bank along 35 ft of shoreline to construct a 900 sq ft irregularly shaped, dug-in boathouse providing 2 boatslips on property having an average of 1105 ft of frontage on Lake Wentworth in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans and cross sections by Watermark Marine Construction dated March 15, 2008, as received by DES on April 10, 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 recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.

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. The boathouse shall be a single-story structure; ridgeline not to exceed 20 ft in height (Elev. 554.20) above normal high water (Elev. 534.20).

6. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.

7. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of

the DES Wetlands Bureau.

8. 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.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
12. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 2 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
13. This approval does not authorize any alteration of the existing 11 ft x 39 ft pier on the frontage
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d) and (g), construction of permanent docking facilities providing 4 slips involving dredge of less than 20 cu yd 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.
3. The applicant has an average of 1,105 feet of shoreline frontage along Lake Wentworth.
4. A maximum of 15 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
5. The existing and proposed docking facilities will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
6. In accordance with Rule Wt 401.01, Purpose, the purpose of Chapter 400, Shoreline Structures, is to protect the public trust, and other interests of the state of New Hampshire and prevent unreasonable encroachment on surface waters. "To preserve the integrity of the surface waters of the state all structures shall be constructed so as to...minimize the reduction of water area available for public use..."
7. A typical 15 slip docking facility constructed over the water would result in 3,456 sq ft of intrusion extending at least 30 ft into the public waters and would not allow for the storage of watercraft.
8. The construction of a docking facility over the water would result in a greater intrusion into the public waters, and therefore, would not be consistent with the purpose of Chapter 400.
9. In accordance with Rule Wt 402.09(a), Structures Disallowed, boathouses located in or over the waters are not permitted.
10. In accordance with Rule Wt 402.09(b)(1), Structures Disallowed, boathouses over a dredged inlet may be permitted only where they will not adversely affect the stability of the shoreline.
11. The construction of a boathouse utilizing appropriate construction methods, precautions and siltation, erosion and turbidity controls will not result in water quality degradation.
12. The plans submitted illustrate that the impacted shoreline will be restabilized such that the long-term stability of the shoreline will not be adversely affected.
13. The proposed structures will be located entirely within the property of the applicant with no intrusion into the public waters.

**2007-02705                      HACKLER, JASON**  
**PETERBOROUGH   Nubansit River**

Requested Action:

Dredge and fill approximately 780 square feet of Nubanusit River to repair a failed retaining wall.

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**APPROVE PERMIT:**

Dredge and fill approximately 780 square feet of Nubanusit River to repair a failed retaining wall.

**With Conditions:**

1. All work shall be in accordance with plans by Jason Hackler dated November 08, 2007, as received by the DES Wetlands Bureau on November 14, 2007, and plans dated March 10, 2008, as received by the Department on April 10, 2008.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final cofferdam detail plans.
3. The permittee shall notify in writing the DES Wetlands Bureau at least 7 days prior to the commencement of project construction.
4. 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.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B as it exists at the time of construction.
6. Work shall be done during low flow conditions.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
10. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing 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 work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. 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.
13. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
14. 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.
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 twenty (20) feet of undisturbed vegetated buffer.
16. 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.
17. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
18. Temporary cofferdams shall be entirely removed immediately following construction.
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
20. The contractor shall have oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
22. Excavated material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
23. All temporarily stockpiled material shall be placed out any area that is within the jurisdiction of the DES Wetlands Bureau.
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. Construction photographs documenting the status of the installed cofferdams shall be submitted to the DES Wetlands Bureau prior to the start of construction.
26. Post-construction photographs documenting the status of repaired retaining wall shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that alter the course of or disturb less than 200 linear feet of a nontidal stream or river channel or its banks.
2. In-kind repair and replacement of the retaining wall was previously approved under PBN 2007-02398. After this approval was granted the contractors determined that in-kind repair/replacement would require the wall is demolished and rebuilt, this would compromise the attached wall/foundation that the residence resides on.
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau or the Peterborough Conservation Commission.
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.

**2008-00075                      LYNDEBOROUGH, TOWN OF  
LYNDEBOROUGH   Unnamed Wetland Stony Brook**

**Requested Action:**

Dredge and fill 2,697 square feet and temporarily impact 1,324 square feet of Stony Brook and adjacent palustrine scrub-shrub wetlands for the rehabilitation of the existing Gulf Road Bridge (059/106), including repair and expansion of abutments and adjacent retaining walls.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill 2,697 square feet and temporarily impact 1,324 square feet of Stony Brook and adjacent palustrine scrub-shrub wetlands for the rehabilitation of the existing Gulf Road Bridge (059/106), including repair and expansion of abutments and adjacent retaining walls.

**With Conditions:**

1. All work shall be in accordance with plans by Holden Engineering dated February 2007, and revised through September 2007, as received by the Department on April 11, 2008.
2. The Town shall obtain temporary construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2008-00075 prior to construction.
3. 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.
4. This permit is contingent upon the restoration of 1,324 square feet of temporary wetland impact in accordance with restoration plans dated February 2007, and revised through September 2007, as received by the DES Wetlands Bureau on April 11, 2008, within 30 days of completion of construction
5. Work shall be done during annual low flow conditions.
6. 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.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. 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.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
12. 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.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

14. Temporary cofferdams shall be entirely removed immediately following construction.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. 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. 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.
20. 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.
21. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
22. The temporary impact areas shall be regraded to original contours following completion of work.
23. Only native plant species appropriate to the area shall be planted.
24. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturer's specifications and shall contain no reed canary grass (*Phalaris arundinacea*).
25. Mulch used within the wetland restoration areas shall be natural straw or equivalent.
26. 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 DES Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
27. 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.
28. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after one (1) growing season, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
29. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.
30. A post-construction report documenting the status of the restored wetlands and completed construction shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(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 existing single lane bridge approximately 16 feet wide.
3. Existing abutments will be repaired and extended to accommodate a two lane (24-foot) bridge.
4. The stone retaining wall along Gulf Road in areas adjacent to the bridge will also be repaired.
5. The applicant's agent confirmed the existing culvert can pass a 100-year storm and that the culvert extension will not significantly alter the hydraulic capacity.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Lyndeborough Conservation Commission.
7. This permit is conditioned that the Town shall obtain temporary construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2008-00075 prior to construction.
8. 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.

9. This permit is contingent upon the restoration of 1,324 square feet of temporary wetland impact.

10. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

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

**2008-00512                      CONWAY, TOWN OF  
CONWAY   Conway Lake**

Requested Action:

Dredge and fill approximately 318 sq. ft. (includes 187 sq. ft. temporary impacts) of scrub shrub, emergent and lacustrine wetlands for replacement of an existing 72 in. x 40 ft. CMP culvert with a 6 ft. x 6 ft. x 46 ft. box culvert embedded with natural materials and vegetated "Sierra Scape" gabion retaining walls/head walls.

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APPROVE PERMIT:

Dredge and fill approximately 318 sq. ft. (includes 187 sq. ft. temporary impacts) of scrub shrub, emergent and lacustrine wetlands for replacement of an existing 72 in. x 40 ft. CMP culvert with a 6 ft. x 6 ft. x 46 ft. box culvert embedded with natural materials and vegetated "Sierra Scape" gabion retaining walls/head walls.

With Conditions:

1. All work shall be in accordance with plans by Gorrill-Palmer Consulting Engineers, Inc., dated February 2008, as received by DES on April 3, 2008.
2. The Town shall obtain temporary construction easements or written agreements from affected landowners outside of the existing road right-of-way (if work is required outside of the Town right-of-way or property) and shall supply copies of the easements or agreements to DES Wetlands File No. 2008-00512 prior to construction.
3. 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.
4. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
5. Native material removed from the crossing during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within and adjacent to the culvert. Any new materials used must be similar to natural bed substrate and shall not include angular rip-rap.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. 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. There shall be no excavation or operation of construction equipment in flowing water.
10. Unconfined work within the surface water and wetlands, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
11. 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.
12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
13. Temporary cofferdams shall be entirely removed immediately following construction.
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 immediately.
- 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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 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. A post-construction report documenting the status of the project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
- 23. 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 or its bank and do not meet the criteria of Env-Wt 302.02.
- 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 proposed project calls for approximately 131 sq. ft. of permanent impacts along the bank and bed adjacent to the existing culvert and 181 sq. ft. of temporary impacts for installation of cofferdams and construction of the new crossing.
- 6. The proposed crossing is to replace a deteriorating 72 in. x 40 ft. CMP with a 6 ft. x 6 ft. x 46 ft. box culvert embedded with natural bed material.
- 7. The culvert extension is needed to meet safety requirements.
- 8. Planted gabion retaining walls are being used along the culvert crossing to reduce grading impacts.
- 9. The proposed project is located within flowage controlled by the Town of Conway and downstream of the natural outlet of Conway Lake, therefore, the impacts are not considered fill in public waters per RSA 482-A:16.
- 10. The Department reviewed a letter dated December 9, 1968 and supporting documentation from the NH Water Resources Board regarding dam No. 52.01, which indicates that the natural limits of Conway Lake is "about" a half mile upstream of the dam.
- 11. The proposed culvert replacement and associated retaining walls are downstream of the natural limits of Conway Lake.

**MINIMUM IMPACT PROJECT**

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**2007-02256                      NH DEPT OF TRANSPORTATION**  
**CARROLL   Unnamed Wetland Gibbs Brook**

Requested Action:

Update guardrails, level shoulder and improve slope impacting two locations for a total of 318 sq. ft. (258 sq. ft. temporary) of palustrine wetlands.

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Conservation Commission/Staff Comments:

Cons. comm. - no comment

APPROVE PERMIT:

Update guardrails, level shoulder and improve slope impacting two locations for a total of 318 sq. ft. (258 sq. ft. temporary) of

palustrine wetlands. NHDOT project #13855.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design revised 4/24/08, as received by the Department on April 25, 2008.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
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. 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.
6. 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.
7. 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.
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. 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.
10. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
11. 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.
12. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j), projects within the right of way of a public road and alteration of less than 3,000 sq. ft. of nontidal 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.
5. The revised plans received on April 25, 2008 eliminated the direct discharge to Gibbs Brook and the project was accurately located on a USGS map.

**2007-02360                      RAMSAY, JOHN**  
**MEREDITH Lake Wicwas**

Requested Action:

Replace an existing ramp in the bank with a 4 ft x 5 ft 3 in landing and 5 ft 3 in wide stairs (with railing) into the water adjacent to an existing 6 ft x 40 ft seasonal pier accessed by a 5 ft x 8 ft concrete ramp and an 18 ft 10 in x 24 ft 5 in dug in boathouse accessed by 5 ft 3 in wide steps and a 5 ft 3 in x 4 ft 6 in walkway over the water on 193 ft of frontage in Meredith on Lake Wicwas.

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APPROVE PERMIT:

Replace an existing ramp in the bank with a 4 ft x 5 ft 3 in landing and 5 ft 3 in wide stairs (with railing) into the water adjacent to an existing 6 ft x 40 ft seasonal pier accessed by a 5 ft x 8 ft concrete ramp and an 18 ft 10 in x 24 ft 5 in dug in boathouse accessed by 5 ft 3 in wide steps and a 5 ft 3 in x 4 ft 6 in walkway over the water on 193 ft of frontage in Meredith on Lake Wicwas.

With Conditions:

1. All work shall be in accordance with plans by Island Support Services as received by DES on April 23, 2008.

2. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. 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), alteration of less than 50 linear ft of shoreline along a lake or pond.
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.

**2008-00232                      ADDUCI, GLEN & BARBARA**  
**MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Construct 25 linear ft of retaining wall and install 4 ft wide stone steps to the water to perch an existing beach on an average of 99 ft of frontage on Lake Winnepesaukee, in Moultonborough.

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Conservation Commission/Staff Comments:

No Con Com comments by 04/16/08

APPROVE PERMIT:

Construct 25 linear ft of retaining wall and install 4 ft wide stone steps to the water to perch an existing beach on an average of 99 ft of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by David Dolan Associates dated February 04, 2008, revision date April 22, 2008, as received by DES on April 24, 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 504.32). 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 4 cu yd 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 minor 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 application for the perched beach was submitted to address the conditions of CSPA waiver 2007-2974.

**2008-00269                    MCCABE, EDWARD & MARY**  
**RYE Tidal Buffer Zone**

Requested Action:

Impact 2,335 sq. ft. within the previously developed upland tidal buffer zone to remove the existing structure and construct a new dwelling. The existing impervious bituminous driveway will be removed and replaced with a pervious surface. No portion of the new dwelling will be within 50 feet of the highest observable tide line.

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Conservation Commission/Staff Comments:

"The [Rye Conservation] Commission has conducted a site walk and does not object to the proposal."

APPROVE PERMIT:

Impact 2,335 sq. ft. within the previously developed upland tidal buffer zone to remove the existing structure and construct a new dwelling. The existing impervious bituminous driveway will be removed and replaced with a pervious surface. No portion of the new dwelling will be within 50 feet of the highest observable tide line.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 1/18/08, as received by DES on February 20, 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. 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. NH DES Wetlands Bureau Southeast Region staff and the Rye Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.

**FORESTRY NOTIFICATION**

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**2008-00355                    BENTON, RICHARD & FRANCES STRAYER**  
**SANDWICH Unnamed Stream**

COMPLETE NOTIFICATION:  
Sandwich TAX Map R11, Lot# 38A

**2008-00619                    NADEAU, ROLAND**  
**SOMERSWORTH Unnamed Stream**

COMPLETE NOTIFICATION:  
Somersworth Tax MAp 7, Lot# 23

**2008-00672                    MYHRE, GRANT/MIRANDA**  
**MILTON Unnamed Stream**

COMPLETE NOTIFICATION:  
Milton Tax Map 22, Lot# 23

**2008-00683            LORDEN, LORRAINE**  
**LONDONDERRY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Londonderry Tax Map 16, Lot# 38

**2008-00720            LASTER, WILLIAM & JUDITH**  
**EFFINGHAM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Effingham Tax Map 9, Lot# 86-1

**2008-00721            MASSIE JR REVOC TRUST, ADRIAN**  
**JEFFERSON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Jefferson Tax Map 9, Lot# 16

**2008-00722            SIEMON FAMILY CHARTITABLE TRUST, CARL**  
**MILTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Milton Tax Map 17, Lot# 23, 24

**2008-00723            WORMELL, WILLIAM & RENEE**  
**NORTHWOOD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Northwood Tax Map 230, Lot# 14

**2008-00732            REED, WADE**  
**RUMNEY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Rumney Tax Map 7-1, Lot# 6

**2008-00733            LATULIPPE, EDWARD**  
**GROTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Groton Tax Map 10, Lot# 42

**EXPEDITED MINIMUM**

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**2008-00505                    HARDING, ROGER  
SANDOWN Angle Pond**

Requested Action:

Repair an existing 45 linear feet of retaining wall with no change in location or elevation on Angle Pond, Sandown.

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Conservation Commission/Staff Comments:

Con Com signed Exp application late, also submitted comments in support of project

APPROVE PERMIT:

Repair an existing 45 linear feet of retaining wall with no change in location or elevation on Angle Pond, Sandown.

With Conditions:

1. All work shall be in accordance with plans dated March 20, 2008, as received by DES on April 02, 2008.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Repair shall maintain existing size, location and configuration.
4. 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.
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 drawdown.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of a existing retaining wall.

**2008-00545                    AMICO, ANTHONY  
MEREDITH Lake Winnepesaukee**

Requested Action:

Replenish 1500 sq ft of an existing beach with 10 cubic yards of sand and reset 85 feet of retaining wall on Lake Winnepesaukee, Meredith.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replenish 1500 sq ft of an existing beach with 10 cubic yards of sand and reset 85 feet of retaining wall on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans as received by DES on April 10, 2008.
2. 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.
3. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
4. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

- 6. Repair shall maintain existing size, location and configuration.
- 7. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
- 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(aa) replenishment of a beach with less than 10 cubic yards of sand.

**2008-00596                      TRANSCANADA HYDRO NORTHEAST INC**  
**LITTLETON   Moore Reservoir**

Requested Action:

Repair an existing 12 ft x 75 ft boatramp by replacing damages concrete logs as required with no change in dimensions on Moore Reservoir, Littleton.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

No comments from Rivers Committee

APPROVE PERMIT:

Repair an existing 12 ft x 75 ft boatramp by replacing damages concrete logs as required with no change in dimensions on Moore Reservoir, Littleton.

With Conditions:

- 1. All work shall be in accordance with plans by as received by DES on April 17, 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 recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
- 3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
- 4. Repair shall maintain existing size, location and configuration.
- 5. Area shall be regraded to original contours following completion of work.
- 6. Work shall be done during drawdown.
- 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. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

- 1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures, such as breakwaters, docks, boat houses, piers, wharves, walkways, boat ramps, tie-off pilings, ice clusters, dolphins, or other docking facilities, with no change in size, location or configuration.

**GOLD DREDGE**

\*\*\*\*\*

**2008-00712                      SOUSA, RONALD**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con Comm

**2008-00713                      SOUSA, TAMMY**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con Comm

**2008-00714                      BOURN, ALEX**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con Comm

**TRAILS NOTIFICATION**

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**2007-00048                      POWELL, JACQUELIN**  
**CANTERBURY Unnamed Stream**

COMPLETE NOTIFICATION:  
Canterbury Tax map 11, Lot# 11

**LAKES-SEASONAL DOCK NOTIF**

\*\*\*\*\*

**2008-00661                      NELSON, KARIN**  
**MOULTONBOROUGH Lee's Pond**

COMPLETE NOTIFICATION:  
Moultonboro, NH Tax map 90 Lot 13  
Lee's Pond

**2008-00662                      LONG, RANDALL**  
**HARRISVILLE Harrisville Pond**

COMPLETE NOTIFICATION:  
Harrisville, NH Tax map 60 Lot 50-9  
Harrisville Pond

**2008-00663 PURCHAS, JOHN & CYNTHIA  
NORTHWOOD Harvey Lake**

COMPLETE NOTIFICATION:  
Northwood, NH Tax map 217 Lot 7  
Harvey Lake

**2008-00711 BLOOD, CATHLEEN  
HANCOCK Nubanusit Lake**

COMPLETE NOTIFICATION:  
Hancock, NH Tax map U13 Lot 1  
Lake Nubanusit

**ROADWAY MAINTENANCE NOTIF**

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**2008-00716 NH DEPT OF TRANSPORTATION  
STRAFFORD Unnamed Stream**

COMPLETE NOTIFICATION:  
Replace 24" CMP with 24" CMP

**2008-00717 NH DEPT OF TRANSPORTATION  
ROCHESTER Unnamed Stream**

COMPLETE NOTIFICATION:  
Replace 18" CMP with 18" CMP

**2008-00718 NH DEPT OF TRANSPORTATION  
NORTHWOOD Unnamed Stream**

COMPLETE NOTIFICATION:  
Replace 15" CMP with 15" CMP

**2008-00719 NH DEPT OF TRANSPORTATION  
ROCHESTER Unnamed Stream**

COMPLETE NOTIFICATION:  
Replace 24" CMP with 24" CMP

**2008-00727 NEW DURHAM TOWN OF  
NEW DURHAM Unnamed Stream**

COMPLETE NOTIFICATION:  
Replace two 15" diameter culverts

**2008-00728 NH DEPT OF TRANSPORTATION  
ROLLINSFORD Unnamed Stream**

COMPLETE NOTIFICATION:  
Roadside ditch dredging in front of # 216

**2008-00737 NH DEPT OF TRANSPORTATION  
DURHAM Unnamed Stream**

COMPLETE NOTIFICATION:  
Dredge 50' of roadside ditch

**PERMIT BY NOTIFICATION**

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**2008-00593 LAKE WINNISQUAM POINT ASSOC  
LACONIA Lake Winnisquam**

Requested Action:  
Repair existing docking structures.  
\*\*\*\*\*

PBN IS COMPLETE:  
Repair existing docking structures.

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.

**2008-00594 AUCELLA, PAUL  
STRAFFORD Unnamed Stream**

Requested Action:  
Dredge and fill 1,200 sq. ft. of wetland to install two culverts (one 36" x 20', and one 18" x 20') as replacement for existing stone culverts in driveway crossing  
\*\*\*\*\*

PBN IS COMPLETE:  
Dredge and fill 1,200 sq. ft. of wetland to install two culverts (one 36" x 20', and one 18" x 20') as replacement for existing stone culverts in driveway crossing

**2008-00614 GAGNON, CATHERINE  
GILFORD Lake Winnepesaukee**

Requested Action:

Install a boatlift.

\*\*\*\*\*

PBN IS COMPLETE:

Install a boatlift.

With Findings:

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

**2008-00638 BOURQUE, DENIS  
LACONIA Lake Winnepesaukee**

Requested Action:

replace piling

\*\*\*\*\*

PBN IS COMPLETE:

replace piling

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.

**2008-00649 JENKINS, DAVID  
NEWBURY Lake Sunapee**

Requested Action:

Repair/replace crib supported dock.

\*\*\*\*\*

PBN IS COMPLETE:

Repair/replace crib supported dock.

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.

**2008-00668 ROCHESTER CITY OF  
ROCHESTER Unnamed Stream**

Requested Action:

Replace existing collapsing 21" wide x 47" tall stone box culvert with a slightly larger 42" diameter x 30' long pipe culvert carrying an intermittent stream under a municipal street. Slight change in dimensions will improve flow and alleviate flooding at this location.

\*\*\*\*\*

**PBN IS COMPLETE:**

Replace existing collapsing 21" wide x 47" tall stone box culvert with a slightly larger 42" diameter x 30' long pipe culvert carrying an intermittent stream under a municipal street. Slight change in dimensions will improve flow and alleviate flooding at this location.

**2008-00687                      POLLOCK, BRUCE  
WENTWORTH   Unnamed Wetland**

**Requested Action:**

Dredge and fill 1800 sq. ft. of forested wetlands for construction of a driveway to a single family building lot. Work in wetlands consists of installation of twin 12 in. x 20 ft. culverts, associated dredging and filling, inlet and outlet protection and culvert headwalls.

\*\*\*\*\*

**PBN IS COMPLETE:**

Dredge and fill 1800 sq. ft. of forested wetlands for construction of a driveway to a single family building lot. Work in wetlands consists of installation of twin 12 in. x 20 ft. culverts, associated dredging and filling, inlet and outlet protection and culvert headwalls.

**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. This project qualifies as a Permit by Notification per Env-Wt 506.01 (8) The installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial, recreational uses that meets the criteria in Env-Wt 303.04(z).

**2008-00700                      SMITH-CONOVER, KATHLEEN  
MEREDITH   Winnisquam Lake**

**Requested Action:**

Install seasonal boatlift in middle slip of U-shaped docking facility and install two personal watercraft lifts within the most northwesterly boatslip.

\*\*\*\*\*

**PBN IS COMPLETE:**

Install seasonal boatlift in middle slip of U-shaped docking facility and install two personal watercraft lifts within the most northwesterly boatslip.

**With Findings:**

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