

Wetlands Bureau Decision Report

Decisions Taken
08/11/2008 to 08/17/2008

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

**2006-01168 FREUDENBERG-NOK GENERAL PARTNERSHIP
BRISTOL Newfound River**

Requested Action:

Dredge 70680 square feet within the bed and banks of the Newfound River and associated flood plain wetlands for the removal of a dam and reconstruction of a naturalized river channel and rock ramp to meet grades.

APPROVE PERMIT:

Dredge 70680 square feet within the bed and banks of the Newfound River and associated flood plain wetlands for the removal of a dam and reconstruction of a naturalized river channel and rock ramp to meet grades.

With Conditions:

1. All work shall be in accordance with revised plans by The HL Turner Group dated July 25, 2008, and revised through August 5, 2008 as received by the Department on August 6, 2008.
2. This permit is based on the on approval by the DES Dam Safety Program.
3. Prior to construction, the contractor shall submit to the DES Wetlands Bureau a detailed phasing plan for all in-stream activities.
4. The permittee shall notify in writing DES Wetlands Bureau and the Bristol Conservation Commission of their intention to begin construction no less than five (5) business days prior to the commencement of construction.
5. During Construction in-stream activities shall be inspected by a qualified wetland scientist, or erosion control specialist, or a fluvial geomorphologist, weekly or as appropriate to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
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. All in-stream work shall be conducted during low flow conditions and in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. All in-stream work shall be conducted in a manner so as to minimize the duration of construction in the watercourse.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau, except where impacts have been permitted.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Overnight storage of construction equipment shall occur outside of the jurisdiction of the DES Wetlands Bureau.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. The required plantings shall only be installed within the growing season. Stream banks shall be restored to a stable condition upon completion of construction and shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established until a well vegetated bank is replicated in a manner satisfactory to the DES Wetlands Bureau.
17. The stone fill within the rock ramp shall be in accordance with the Army Corps of Engineers Engineering Manual 1110-2-1601. A gradation curve of the stone used in the construction of the ramp shall be provided to DES Wetlands file 2006-1168 prior to installation.
18. Within three days of final grading, or where construction activities have been temporarily suspended, all exposed soil areas shall be stabilized by seeding and mulching within the growing season. Or if outside of the growing season all exposed areas shall be stabilized by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. The permittee or a designee shall conduct annual follow-up inspections for the first two growing seasons, to review the success and stability of the rock ramp design, monitor the success of the plantings and biostabilization measures implemented and schedule remedial actions if necessary. A report including photographs of the stationed monitoring locations and outlining any follow-up

measures and a schedule for completing the remedial work shall be submitted to the DES Wetlands Bureau by December 1 of each year.

20. A post-construction report documenting the status of the completed project including: A narrative of the project completion status including but not limited to the top of rock ramp wall elevation, and the bottom of the ramp wall elevation adequate spot elevations to verify consistency of slope and the final length of the ramp; The installation of the biostabilization measures including approximate placement locations, lengths and widths, the success of dredge spoil deposition and stabilization; The report must also include baseline monitoring stationed photographs of the site for future monitoring purposes and shall be submitted to the DES Wetlands Bureau within 60 days of the completion of construction.

21. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.

With Findings:

1. This approval is issued in accordance with the Court Settlement Agreement originally made February 19, 2008 as amended July 15, 2008.

**2007-00364 H & B HOMES CORP
WINDHAM Unnamed Wetland**

Requested Action:

Dredge and fill a total of 51,250 sq. ft. of palustrine forested/scrub-shrub wetlands for work associated with the construction of 95 single family homes in a cluster development including an access roadway, drainage structures and utilities installation on a 268 acre parcel of land. Compensatory mitigation consists of a total of 195.08 acres of land that will remain, in perpetuity, in open space through conservation easements, donation of land to the Windham Conservation Commission, and covenants with restrictions and 10 vernal pools will be created as part of wetland mitigation for this project.

Conservation Commission/Staff Comments:

" At their March 8, 2007 meeting, the Windham Conservation Commission reviewed the subject Dredge & Fill application for Spruce Pond II. After discussion with Mr. Maynard the Commission had no issues with the proposed application."

Inspection Date: 08/10/2007 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 51,250 sq. ft. of palustrine forested/scrub-shrub wetlands for work associated with the construction of 95 single family homes in a cluster development including an access roadway, drainage structures and utilities installation on a 268 acre parcel of land. Compensatory mitigation consists of a total of 195.08 acres of land that will remain, in perpetuity, in open space through conservation easements, donation of land to the Windham Conservation Commission, and covenants with restrictions and 10 vernal pools will be created as part of wetland mitigation for this project.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated January 18, 2007 & March 8, 2008, as received by DES on February 22, 2007 and April 09, 2008 respectively.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Record the approved plan with conservation easement for each appropriate lot within 30 days from receipt of this decision and submit a certified receipt from the Rockingham County Registry of Deeds to the DES Wetlands Bureau.
6. NH DES Wetlands Bureau Southeast Region and the Windham Conservation Commission staff shall be notified in writing prior to commencement of work and upon its completion.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Work shall be done during low flow.

COMPENSATORY MITIGATION:

Wetland construction:

1. This permit is contingent upon the creation of ten (10) vernal pools in accordance with plans dated May 22, 2008 as received by DES on May 28, 2008.
2. 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.
3. The schedule for construction of the vernal pool mitigation areas shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
4. The vernal pool mitigation areas shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
5. The vernal pool creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning vernal pool wetland areas similar to those impacted 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.
6. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the vernal pool mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
7. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the vernal pool mitigation 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. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
8. Vernal pool creation areas shall have at least 75% successful establishment of the functions and values associated with viable vernal pool habitat two (2) breeding/spawning seasons, or shall be re-established until a functional vernal pool habitat is replicated in a manner satisfactory to the DES Wetlands Bureau.
9. The permittee shall delineate the wetlands within the mitigation site(s), document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
10. Wetland soils from areas vegetated with purple loosestrife shall not be used in the vernal pool creation sites. The potential for the establishment of the invasive species should be considered in other areas where dredged materials may be spread to limit its further establishment.
11. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
12. 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.

Land Resources Preservation:

1. This permit is contingent upon the execution of a conservation easement on 91.5 acres as depicted on plans received April 09, 2008.
 - 1a. In addition, the permittee shall donate, in fee 15.04 acres of open space to the Windham Conservation Commission and protect and preserve 83.11 acres of open space by way of Spruce Pond II Homeowner's Association covenants.
2. 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.
3. 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 Rockingham County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to

construction.

5. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
6. 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.
7. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), alteration of nontidal wetlands, nontidal surface waters and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 10, 2007.
6. The compensatory mitigation components adequately address the loss of wetland functions and values provided at the development site.
7. The 15.04 acre conservation area consists of two parcels with one area on the north side of the recreational trail that abuts 64.87 acres of open space associated with the proposed subdivision. The second area is part of a large unfragmented block of land that extends to the southeast of Flatrock Brook and the recreational trail which includes Mitchell Pond and part of Seavey Pond.
8. After construction of Phase II, 91.5 acres of land will remain as conservation easement and 83.11 acres of open space will remain undeveloped that includes a no-cut, no disturb buffer.
9. The project proposes to create vernal pool habitat to mitigate for the direct and indirect impacts to these important resources.
10. The number of pools to be created are double the number of pools to be impacted due to the relative uncertainty of success of vernal pool creation.

2007-00610 SAWMILL GRANT LLC, GRANT BENSON III
CHESTER Unnamed Wetland

Requested Action:

Dredge and fill a total of 34,660 sq. ft. of palustrine forested/ scrub-shrub wetlands for the construction of a roadway with culvert crossings and driveways to access buildable lots in uplands for a 19-lot residential subdivision on an 80-acre parcel of land. Compensatory mitigation includes a 9.2 acre conservation easement which contains uplands and vernal pool habitat.

Conservation Commission/Staff Comments:

The application package includes a letter from the Chester Conservation Commission which predates the application (October 13, 2006) stating "... we have looked at the alternative alignment of the road and believe that the proposed configuration will have the least impact on the vernal pool and wetland resources."

Inspection Date: 09/21/2007 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 34,660 sq. ft. of palustrine forested/ scrub-shrub wetlands for the construction of a roadway with culvert crossings and driveways to access buildable lots in uplands for a 19-lot residential subdivision on an 80-acre parcel of land. Compensatory mitigation includes a 9.2 acre conservation easement which contains uplands and vernal pool habitat.

With Conditions:

1. All work shall be in accordance with plans by Promised Land Survey, LLC dated September 13, 2007 (last revised 10/11/06), as received by DES on March 26, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new

application and/or further permitting by the Bureau.

3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. 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 Field Office in Portsmouth, N.H. to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, the professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. 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.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Work shall be done during low flow.
15. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

COMPENSATORY MITIGATION:

1. This permit is contingent upon the execution of a conservation easement on 9.2 acres as described in the narrative prepared by Schauer Environmental Consultants, LLC and depicted on plans received March 26, 2007.
2. The conservation easement 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.
3. 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 Rockingham County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments prior to construction.
5. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
6. 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.
7. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), alteration of nontidal wetlands ... in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on September 21, 2007. Field inspection with Keith Coviello of Sublime Civil Consultants, Inc. found all wetlands delineated on site to be devoid of standing water due to drought conditions. Potential vernal pool habitat was observed in areas away from the roadway alignment which had been cut and cleared but not grubbed and stumped. The best appearing potential vernal pool habitat is in forested areas outside of the roadway alignment and located where impacts from lot development can be avoided. This application only proposes impacts for roadway and driveway construction to access buildable uplands. The site has considerable topography and well defined wetland/ drainage areas.
6. A Vernal Pool Assessment provided by Schauer Environmental Consultants, LLC reports that some vernal pool areas will be "minimally impacted by the project." However, the report goes on to say "The more valuable and varied vernal pool habitat is located on the east side of Hemlock Drive, an area that will be protected by the proposed 9.2 acre conservation easement.
7. The proposed conservation easement will be held by the Conservation Commission. The parcel offers valuable wildlife habitat and recreation opportunities that are important to the town.

2007-02324 CHELSEA PROPERTY GROUP
MERRIMACK Unnamed Wetland

Requested Action:

Dredge and fill a total of 32, 697 sq. ft. of palustrine forested, scrub-shrub and emergent wetlands, in nine locations, for work associated with the construction of a two-phase retail development and appurtenant access roadways, parking, drainage structures and water quality treatment facilities.

Compensatory mitigation will be provided by permanently protecting 41 acres of land at the Greater Woods Conservation Area by way of a deed-restricted transfer to the Town of Merrimack, and by placing 59.6 acres of the subject parcel into a conservation easement granted to the Town of Merrimack in perpetuity.

Conservation Commission/Staff Comments:

The Merrimack Conservation Commission has been pro-actively involved in all planning phases of this project and in the search for appropriate compensatory mitigation.

Inspection Date: 05/21/2008 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 32, 697 sq. ft. of palustrine forested, scrub-shrub and emergent wetlands, in nine locations, for work associated with the construction of a two-phase retail development and appurtenant access roadways, parking, drainage structures and water quality treatment facilities.

Compensatory mitigation will be provided by permanently protecting 41 acres of land at the Greater Woods Conservation Area by way of a deed-restricted transfer to the Town of Merrimack, and by placing 59.6 acres of the subject parcel into a conservation easement granted to the Town of Merrimack in perpetuity.

With Conditions:

1. All work shall be in accordance with plans by Vanasse Hangen Brustlin, Inc. dated September 10, 2007 (last revised June 30, 2008, as received by DES on July 22, 2008).
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, the professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. NH DES Wetlands Bureau Southeast Region staff and the Merrimack Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
6. Record the approved plan with conservation easement for each appropriate lot within 30 days from receipt of this decision and submit a certified receipt from the Hillsborough County Registry of Deeds to the DES Wetlands Bureau.

7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. 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).
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).

COMPENSATORY MITIGATION:

Land Resources Preservation:

1. This permit is contingent upon the execution of a conservation easement on 59.6 acres as depicted on plans dated July 15, 2008 as received by the Department on July 22, 2008.
2. 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.
3. 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 Hillsborough County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments prior to construction.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
7. 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.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 sq. ft. in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 21, 2008.

Requested Action:

Dredge and fill a total of 15,683 sq. ft. of palustrine forested/scrub-shrub wetlands for the construction of additional driveway area associated with a new 45,000 sq. ft. building and the expansion of an existing undersized detention pond necessary for the operations at this manufacturing facility.

Conservation Commission/Staff Comments:

The Stratham Conservation Commission has been advised of the applicants' due diligence in exploring mitigation alternatives for the cumulative impact on this site totalling 35,000 sq. ft.. and that the project is eligible for the in-lieu fee payment option.

Inspection Date: 03/20/2008 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 15,683 sq. ft. of palustrine forested/scrub-shrub wetlands for the construction of additional driveway area associated with a new 45,000 sq. ft. building and the expansion of an existing undersized detention pond necessary for the operations at this manufacturing facility.

With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering Inc. dated September 24, 2007, as received by DES on October 04, 2007.
2. This approval is contingent on receipt by DES of a one time payment of \$ 124,391.90 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.
3. NH DES Wetlands Bureau Southeast Region staff and the Stratham Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. 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.
10. 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.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(1), projects which, when taken in the aggregate with previous work on the property within the last 5 (five) years, would be considered major.
 - 1a. This permit is for 15,683 sq. ft. of wetlands impacts, whereas the total wetlands impact on this site during the last 5 years is 35,000 sq. ft.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 20, 2008. Field inspection determined the impacts proposed have been minimized to the greatest extent practicable to provide the necessary on site expansion required by this manufacturing facility.

6. This approval is contingent on receipt by DES of a one time payment of \$ 124,391.90 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.

2008-00100 GEMBERLING, RICHARD
ALTON Lake Winnepesaukee

Requested Action:

Install a 6 ft x 24 ft permanent wharf in addition to an existing "U" shaped pier consisting of two 6 ft x 30 ft piling piers connected by a 6 ft x 24 ft walkway on an average of 360 ft of frontage on Barndoor Island in Alton on Lake Winnepesaukee.

Inspection Date: 03/25/2008 by Chris T Brison

APPROVE PERMIT:

Install a 6 ft x 24 ft permanent wharf in addition to an existing "U" shaped pier consisting of two 6 ft x 30 ft piling piers connected by a 6 ft x 24 ft walkway on an average of 360 ft of frontage on Barndoor Island in Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with the dimensioned, proposed dock and dock support descriptive plans by Winnepesaukee Marine as received by DES on January 23, 2008 and proposed 6 ft x 24 ft permanent dock location plans by Jennifer Gemberling as received by the Department on July 16, 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. Appropriate siltation, erosion, and 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. The proposed wharf shall rest on the existing rocks located on the shoreline as described within the January 23, 2008 plans. Rocks used for the support of the structure shall remain in their existing locations and configurations.
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 authorized 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.
7. This permit does not allow dredging for any purpose including the removal of navigational hazards.
8. Unnecessary removal of vegetation shall be prohibited.
9. Where needed, dock access stairs no wider than 6 ft, shall be constructed over the bank, not requiring change of grade and/or change of the banks existing contours.
10. 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.
11. This permit does not authorize any beach construction or replenishment.
12. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and local Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
13. Any future request for additional boatslips as defined pursuant to RSA 482-A:2 VIII, will require the removal of this 6 ft x 24 ft wharf.
14. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).
15. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d), modification of a docking system providing 5 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 25, 2008. Field inspection determined that the site qualifies for 5 boatslips and that when the 6 ft x 24 ft dock is approved that it will take up one of the allowed boat slips.
6. Applicant provided evidence showing that the right of way has been extinguished by adverse possession.
7. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the resource, as identified under RSA 482-A:1.
8. The applicant provided a Belknap Superior Court Order No. 03-E-149 showing adverse possession of the pre-existing right-of-way, and therefore, there is no easement that might be adversely impacted by the placement of a docking structure in this location.

-Send to Governor and Executive Council-

2008-00586 CSENDES, NICHOLAS
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Remove existing 6 ft x 40 ft seasonal dock, retain existing 2.5 ft x 20 ft swim dock, construct a piling supported "U-shaped" dock consisting of two 6 ft x 46 ft docks connected by a 6 ft x 12 ft walkway, construct 2 ice clusters, and install a seasonal boat lift and a 14 ft x 30 ft seasonal canopy within the center of the "U-shaped" dock on 765 ft of frontage in Moultonborough on Lake Winnepesaukee.

Inspection Date: 06/27/2008 by Chris T Brison

APPROVE PERMIT:

Remove existing 6 ft x 40 ft seasonal dock, retain existing 2.5 ft x 20 ft swim dock, construct a piling supported "U-shaped" dock consisting of two 6 ft x 46 ft docks connected by a 6 ft x 12 ft walkway, construct 2 ice clusters, and install a seasonal boat lift and a 14 ft x 30 ft seasonal canopy within the center of the "U-shaped" dock on 765 ft of frontage in Moultonborough on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with revised plans by NH Environmental LLC dated March 27, 2008, as received by DES on April 15, 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. 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. Support pilings shall be spaced a minimum of 12 ft apart as measured center to center.
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 authorized 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.
7. This permit does not allow dredging for any purpose including the removal of any navigational hazards.
8. Unnecessary removal of vegetation shall be prohibited.
9. No portion of the docking facility shall extend more than 45 feet from the shoreline at full lake elevation.

10. The seasonal boatlift, swim dock, and seasonal canopy shall be removed from the lakebed for 5 months during the non-boating season.
11. Dock access stairs shall be constructed over the bank, not requiring change of grade and/or change of the banks existing contours.
12. 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.
13. This permit does not authorize beach replenishment.
14. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and local Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
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 major impact project per Administrative Rule Env-Wt 303.02(d) construction or modification of a major docking system.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection on June 27, 2008. Field inspection determined that the frontage meets the requirements for a piling supported docking system.
6. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the resource, as identified under RSA 482-A:1.

2008-00967 WILSON, MICHELLE
ALTON Lake Winnepesaukee

Requested Action:

Fill 650 sq ft to construct 47 linear ft of breakwater, in an "dogleg" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 38 ft cantilevered pier with a 6 ft x 30 ft piling supported dock accessed by a 4 ft x 12 ft walkway, install two tie off piles in the southern slip, on an average of 100 ft of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Fill 650 sq ft to construct 47 linear ft of breakwater, in an "dogleg" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 38 ft cantilevered pier with a 6 ft x 30 ft piling supported dock accessed by a 4 ft x 12 ft walkway, install two tie off piles in the southern slip, on an average of 100 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated May 28, 2008, as received by the Department on June 03, 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. 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. 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.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
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. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. 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.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 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.
14. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a Breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.06, Breakwaters.
3. The applicant has an average of 100 feet of frontage along Lake Winnepesaukee, Alton.
4. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A and therefore meets Rule Wt 402.12.
6. Public hearing is waived based on field inspection, by NH DES staff, on August 08, 2008, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. Field inspection on August 08, 2008 found no evidence of sand migration along this shoreline.
8. The local Conservation Commission has no concerns with the proposed project.

-Send to Governor and Executive Council-

**2008-00974 SWALLOW COVE ASSOCIATION, PAUL WORTH
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Extend existing nonconforming docking facility from 125 ft to 165 ft from the normal high water elevation on 125 ft of frontage in Moultonborough on Lake Winnepesaukee.

DENY PERMIT:

Extend existing docking facility from 125 ft to 165 ft from the normal high water elevation on 125 ft of frontage in Moultonborough on Lake Winnepesaukee.

With Findings:

Standards for Approval:

1. Pursuant to Rule Env-Wt 303.02 (d) construction or modification of any docking facility providing 5 or more slips shall be classified as a major project.
2. Pursuant to Rule Env-Wt 402.21, the department shall not approve any change in size, location, or configuration of an existing structures unless the applicant demonstrates, and the department finds, that the modification is less environmentally-impacting or

provides for fewer boat slips and less construction surface area over public submerged land than the current configuration.

- 3. Pursuant to Rule Env-Wt 401.01(a), the establishing requirements for the design and construction of structure are in order to prevent unreasonable encroachment on surface waters of the state.
- 4. Rule Env-Wt 401.01(b), requires that all structures are to be constructed so as to insure safe navigation, minimize alterations in prevailing currents, and minimize the reduction of water area available for public use.
- 5. Pursuant to RSA 482-A:2 VIII. Boat slip means, on water bodies over 10,000 acres, means a volume of water 25 ft long, 8 ft wide, and 3 ft deep as measured at normal high water and located adjacent to a structure to which a watercraft may be secured.

Findings of Fact:

- 6. On June 3, 2008 the Department received an application to replace an existing nonconforming docking facility on property identified as Moultonborough Tax Map 200, Lot 33, with a longer non-conforming docking facility.
- 7. The existing docking facility extends 125 ft lakeward of the normal high water mark elevation. The existing conditions plans submitted show the facility as providing 15 boat slips, although at no point is the water depth along the facility at least 3 ft.
- 8. The plans indicate that the proposed modification will extend the dock an additional 40 ft lakeward for a total length of 165 ft as measured from the normal highwater line.
- 9. The extension of the docking facility to the proposed 165 ft length will not provide for 3 ft of water depth at any point along the facility.
- 10. The proposed modifications will result in a net gain of 127 sq ft to be added to an existing nonconforming docking facility.
- 11. The proposed modifications will not decrease the number of slips provided by by the docking facility.

Ruling in support of the Decision:

- 12. The Department has found no evidence that the modification of the facility as proposed would ensure safe navigation within the cove in which the facility is located.
- 13. The modification of the facility as proposed would not minimize the reduction of water area available for public use as required per Rule Env-Wt 401.01.
- 14. The Department finds that the proposed modification would increase the square footage of the nonconforming docking facility and would not decrease the number of slips provided and, therefore, is not approvable pursuant to Rule Env-Wt 402.21.

MINOR IMPACT PROJECT

2005-00336 NH DEPT OF TRANSPORTATION
BRIDGEWATER Newfound Lake

Requested Action:

Slipline twin 60 in. x 60 ft. culverts; extend inlet 10 ft. and outlet 7.5 ft.; add stone at inlet and outlet; construct new headwalls and realign 30 feet of stream channel impacting 1,561 sq. ft. of stream and banks (420 sq. ft. temporary).

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

Inspection Date: 07/18/2005 by Gino E Infascelli

Inspection Date: 09/14/2008 by Gino E Infascelli

APPROVE PERMIT:

Slipline twin 60 in. x 60 ft. culverts; extend inlet 10 ft. and outlet 7.5 ft.; add stone at inlet and outlet; construct new headwalls and realign 30 feet of stream channel impacting 1,561 sq. ft. of stream and banks (420 sq. ft. temporary). NHDOT project #M206-4.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 2 dated 11-19-2004 as received by the Department on Feb. 17, 2005.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
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. 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).
7. 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.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of stream and banks
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on Sept. 14, 2006. Field inspection determined the flow had previously washed over the road damaging the downstream headwalls. Inspection noted the wide travel lanes and shoulders along this straight portion of the road having a 40 MPH zone compared to the narrow and curved road to the north at a 50 MPH zone.
6. The DES received a memo on July 11, 2008 noting the 7-foot tall headwall was a safety concern and that numerous requests were received to provide a slope at this location.

**2006-01871 ANTRIM, TOWN OF
ANTRIM Unnamed Stream**

Requested Action:

Approve amendment request to include the installation of a permanent watermain within the previously approved 2,200 square foot impact area and 400 square foot temporary impact area within the bed and banks of the unnamed perennial stream.

APPROVE AMENDMENT:

Dredge and fill 2,200 square feet along 40 linear feet of unnamed perennial stream and temporarily impact 400 square feet of emergent wetlands/perennial stream bank to replace an existing 10-foot x 10-foot x 21-foot arch concrete span with a 12-foot x 10-foot x 40-foot precast single cell closed bottom concrete box culvert with a natural stream bed bottom.

With Conditions:

1. All work shall be in accordance with plans by Quantum Construction Consultants, LLC dated January 22, 2007, as received by the Department on January 23, 2007 and July 21, 2008.
2. This permit is contingent on receipt by the DES Wetland Bureau of the recorded easements from affected landowners outside of the existing road right-of-way.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion 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.
5. 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.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert.
10. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. 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. 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.

TEMPORARY IMPACT:

15. This permit is contingent upon the restoration of 400 square feet of temporary emergent wetlands/stream bank impact in accordance with plans received January 23, 2007.
16. Area of temporary impact shall be regraded to original contours following completion of work.
17. Only native plant species shall be utilized to renegotiate the stream bank.
18. 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.
19. Mulch used within the wetland restoration areas shall be natural straw or equivalent.
20. 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 restoration areas during construction and during the early stages of vegetative establishment.
21. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after one (2) growing season, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
22. The permittee 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.
23. 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. Similar inspections, reports and remedial actions shall be undertaken in at least the second year following the completion of the restoration site.
24. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands DES within 60 days of the completion of construction.

With Findings:

DES reaffirms original findings no.'s 1 - 5:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of a perennial stream channel and its banks.
2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Antrim Conservation Commission.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

5. 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.

DES also makes the following findings:

6. An amendment request was received on July 21, 2008, to revise the project to include permanent watermain installation in the originally approved impact areas.

**2007-02911 RIVERWOODS AT EXETER
EXETER Unnamed Wetland**

Requested Action:

Dredge and fill a total of 9,440 sq. ft. of palustrine forested/scrub-shrub wetlands for the construction of a roadway with culvert crossings and drainage structures at 'The Boulders at Riverwoods' residential retirement community to provide a permanent connector between Pickpocket Road and Blackford Drive as required by the Town of Exeter Zoning Board of Adjustment and Planning Board.

Conservation Commission/Staff Comments:

The Exeter Conservation Commission has no objections to the original proposal calling for a temporary construction road. However, the Exeter Planning Board is requiring a permanent connector road in this location. The permanent connector road is requested by the Exeter Fire Department.

Inspection Date: 04/16/2008 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 9,440 sq. ft. of palustrine forested/scrub-shrub wetlands for the construction of a roadway with culvert crossings and drainage structures at 'The Boulders at Riverwoods' residential retirement community to provide a permanent connector between Pickpocket Road and Blackford Drive as required by the Town of Exeter Zoning Board of Adjustment and Planning Board.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated May 15, 2008, as received by DES on May 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/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. NH DES Wetland Bureau Southeast Region staff and the Exeter Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. 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.
10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the

department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 16, 2008.
6. A vernal pool survey was performed and it was determined that there are no vernal pools present on the site.
7. The need for a permanent roadway at this location, instead of the temporary construction road originally proposed, is based upon concerns for public health and safety with regard to emergency vehicle access.
8. The Exeter Fire Department issued a letter dated 4/7/08 noting that a connector road in this location is "essential".
9. The Town of Exeter Zoning Board of Adjustment and Planning Board required the Riverwoods Company to construct a permanent connector ROW to Blackford Drive.

2007-02990 BOSETTI, MICHAEL
WASHINGTON Unnamed Stream Highland Lake

Requested Action:

Dredge and fill 80 square feet of Freezeland Creek/Highland Lake for bridge abutment construction and temporarily impact 505 square feet for temporary log ford access for construction of a bridge for driveway access to a single family residence.

APPROVE PERMIT:

Dredge and fill 80 square feet of Freezeland Creek/Highland Lake for bridge abutment construction and temporarily impact 505 square feet for temporary log ford access for construction of a bridge for driveway access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services dated October 04, 2007, and revised through August 13, 2008, as received by the Department on August 13, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
4. Work shall be done during annual low flow conditions.
5. In the event there is flow at the time of construction a stream diversion plan shall be submitted to the department prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. 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.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. There shall be no excavation or operation of construction equipment in flowing water.
11. All in-stream work, including the construction and removal of the pole/log ford temporary crossing, shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed 20 consecutive days in total unless specifically authorized in writing by the DES Wetlands Bureau.
12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
14. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather

conditions.

15. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
16. Temporary cofferdams shall be entirely removed immediately following construction.
17. 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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to the commencement of work.
19. 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.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
21. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
22. 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.
23. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

Temporary Impact:

24. This permit is contingent upon the restoration of 505 square feet of Freezeland Creek/Highland Lake bed and bank in accordance with plans received July 14, 2008 within 10 days of bridge construction completion.
25. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the temporary impact area restoration area is constructed in accordance with the temporary impact/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.
26. Stream banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
27. Only native plant species shall be utilized to renegotiate the riverbank.
28. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
29. 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 and shall contain no reed canary grass (*Phalaris arundinacea*).
30. Mulch used within the temporary impact/restoration areas shall be natural straw or equivalent.
31. 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.
32. A post-construction report documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.
33. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to assess the system and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of a perennial nontidal stream and Env-Wt 303.03(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.02.
2. The subject property's deed includes language regarding the access to the property over adjacent parcels.
3. The applicant has received written consent from the owners of lot 106 (Tax Map 101), abutters to the property on which project activities will take place, for work within 20 feet of their property lines, in accordance with Env-Wt 304.04(a).
4. This permit is contingent upon the restoration of 505 square feet of Freezeland Creek/Highland Lake bed and bank in accordance with plans received July 14, 2008 within 10 days of bridge construction completion.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

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

**2008-00136 PITTSFIELD, TOWN OF
PITTSFIELD Shinglemill Brook**

Requested Action:

Permanently impact 172 square feet and temporarily impact 104 square feet for replacement of existing 48-inch x 30 foot culvert with a 4 foot high x 30 foot ling x 8 foot wide open bottom spanning structure within Shinglemill Brook.

APPROVE PERMIT:

Permanently impact 172 square feet and temporarily impact 104 square feet for replacement of existing 48-inch x 30 foot culvert with a 4 foot high x 30 foot ling x 8 foot wide open bottom spanning structure within Shinglemill Brook.

With Conditions:

1. All work shall be in accordance with plans by Steven E Cummings PE Civil Engineering dated November 9, 2007, as received by the Department on July 15, 2008.
2. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
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. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
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. 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 work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. No equipment shall enter the water.
9. All work shall be done from the top of the bank.
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 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. Native material shall be used to emulate a natural channel bottom within the culvert removal area. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. 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(l); projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).

2. 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 structure is an improvement over the existing situation at this crossing location.

**2008-00298 NORTHFIELD, TOWN OF
NORTHFIELD Unnamed Stream**

Requested Action:

Permanently impact 345 square feet and temporarily impact 137 square feet to replace existing undersized culverts with an 8 foot wide x 3 foot high x 30 foot long and an 8 foot wide x 3 foot high x 8 foot long culvert and regrade and loam and seed existing wetland roadside swales at Granite Street.

APPROVE PERMIT:

Permanently impact 345 square feet and temporarily impact 137 square feet to replace existing undersized culverts with an 8 foot wide x 3 foot high x 30 foot long and an 8 foot wide x 3 foot high x 8 foot long culvert and regrade and loam and seed existing wetland roadside swales at Granite Street.

With Conditions:

1. All work shall be in accordance with plans by Quantum Construction Consultants LLC dated January 23, 2008, and revised through May 7, 2008, as received by the Department on July 15, 2008.
2. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
3. 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.
4. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. Work shall be done during low flow.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. 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.
9. No equipment shall enter the water.
10. All work shall be done from the top of the bank.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 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. 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).

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 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.

2008-00724 HORAN, JOH & JEANNETTE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Dredge 20 cubic yards from a 408 sq ft area to maintain adequate waterdepth within an existing docking system on 100 ft of frontage in Wolfeboro on Lake Winnepesaukee.

Inspection Date: 07/18/2008 by Chris T Brison

APPROVE PERMIT:

Dredge 20 cubic yards from a 408 sq ft area to maintain adequate waterdepth within an existing docking system on 100 ft of frontage in Wolfeboro on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with dredge plans by Winnepesaukee Marine Construction as received by DES on July 29, 2008.
2. If, at any time during the dredging, the Department determines that rising water levels pose significant risk to the containment of the site the Department may request that the work cease until water levels recede to an acceptable level. Work shall cease immediately upon notification of the applicant, or any agent of the applicant, that water levels have risen to an unacceptable level, and shall not resume until authorized by the Department.
3. All dredged material, including aquatic plants removed ("spoil material") shall be completely removed from surface waters and shall be temporary deposited at containment location as shown on plans as received by the Department August 6, 2007.
4. No dredge spoils or aquatic plant fragments shall escape from temporary deposition area and all spoils shall be completely relocated to permanent deposition area once dewatered.
5. No spoil material shall be permanently deposited within 250 feet of any surface water.
6. All previously deposited spoils on-site shall be permanently relocated 250 ft from any surface water and not in any wetlands jurisdiction.
7. Any equipment entering surface waters shall be completely free of any imported aquatic plants and animals.
8. All work equipment shall be thoroughly rinsed (no detergents) within an upland containment area resulting in no discharge to surface waters. Spoil materials rinsed off shall be removed off-site, 250 ft from any surface water and/or any wetland jurisdiction.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil/diesel fuel spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. 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.
13. 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.
 14. All activity associated with this project shall be conducted 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) 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.
5. DES Staff conducted a field inspection of the proposed project on July 18, 2008.

2008-01239 BOLES, SUZANNE
MEREDITH Randlett Pond

Requested Action:

Retain existing 4 ft x 8 ft seasonal dock and install a 6 ft x 30 ft seasonal dock with wooden access stairs constructed over the bank on 327 ft of frontage in Meredith on Randlett Pond.

APPROVE PERMIT:

Retain existing 4 ft x 8 ft seasonal dock and install a 6 ft x 30 ft seasonal dock with wooden access stairs constructed over the bank on 327 ft of frontage in Meredith on Randlett Pond.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants, LLC as received by the Department on August 1, 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 registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. 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.
4. Seasonal docks shall be removed from the water for 5 months during the non-boating season.
5. No portion of 30 ft long dock shall extend further than 30 ft from the normal high water mark elevation.
6. 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.
7. This permit does not authorize patio construction or any other impervious surface increase within the protected shoreland.
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 authorized 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.
10. This permit does not authorize sand deposition.
11. This permit does not authorize dredging within Wetlands jurisdiction for any purpose.
15. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d) construction or modification of a minor docking system.
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.

**2008-01556 SUNAPEE, TOWN OF
SUNAPEE Sugar River**

Requested Action:

Dredge and fill 2,456 square feet and temporarily impact/restore 1,579 square feet of the Sugar River to replace failed twin 14-foot, 3-inch x 116-foot arch culverts with a 28-foot x 36-foot precast concrete open bottom culvert at Treatment Plant Road.

APPROVE PERMIT:

Dredge and fill 2,456 square feet and temporarily impact/restore 1,579 square feet of the Sugar River to replace failed twin 14-foot, 3-inch x 116-foot arch culverts with a 28-foot x 36-foot precast concrete open bottom culvert at Treatment Plant Road.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron, Inc. dated July 18, 2008, as received by the Department on August 08, 2008.
2. 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.
3. Work shall be done during low flow conditions.
4. 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.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse
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. Materials used to emulate a natural channel bottom, excluding stone fill along footings, within the culvert, between wingwalls

- and beyond must be rounded and smooth stones similar to the natural river substrate and shall not include angular rip-rap or gravel.
- 17. The recreated river channel bed must maintain the natural and a consistent streambed elevation and not impede flows.
- 18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to the commencement of construction.
- 19. 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.
- 20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
- 21. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
- 22. 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.
- 23. 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.
- 24. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
- 25. 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.
- 26. A post-construction report documenting the status of the completed project 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.
- 2. The existing culverts have failed and Treatment Plant Road is collapsed; a temporary bridge was installed over the road to allow for safe passage.
- 3. There is significant concern spring flows will cause complete failure of the existing infrastructure and temporary bridge.
- 4. The proposed structure will improve the existing situation by providing a single span of the same width and significantly reduced length and a restored natural river bed.
- 5. No comments were submitted from the NHEG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
- 6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2007-01651 SOUSSAN, BEN & LAURA
HAMPTON Atlantic Ocean

Requested Action:

Impact 2,660 square feet within the previously disturbed 100-foot tidal buffer zone for the repair of an existing riprap revetment seawall to include extending the toe-of-slope for enhanced wave attenuation along approximately 100 feet of shoreline frontage on the Atlantic Ocean.

Conservation Commission/Staff Comments:

No Comments were received from the Hampton Conservation Commission.

APPROVE PERMIT:

Impact 2,660 square feet within the previously disturbed 100-foot tidal buffer zone for the repair of an existing riprap revetment seawall to include extending the toe-of-slope for enhanced wave attenuation along approximately 100 feet of shoreline frontage on the Atlantic Ocean.

With Conditions:

1. All work shall be in accordance with plans by Waterfront Engineers, LLC dated March 28, 2008, as received by DES on April 22, 2008.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of jurisdictional areas for lot development, driveways, culverts, or for any other construction related activities.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B.
5. Work shall be done during low tide only.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
7. Faulty equipment shall be repaired prior to entering jurisdictional areas.
8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
9. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration..
2. The structural integrity of the existing seawall had been compromised during the large storm events that occurred during April 2007, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The existing seawall does not have adequate support at the toe-of-slope for the continued project needed along the ocean. The additional toe stones will be in line with the toe-of-slope of the wall to the east, the Krukonis property; 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. Pursuant to Env-Wt 304.04, the applicant received written concurrence from those abutters whose property line will be within 20-feet of the proposed work.

**2007-02121 WAUSAU PAPERS PRINTING & WRITING LLC
GROVETON Ammonosuc River**

Requested Action:

Follow-up application for emergency repairs conducted to the Brooklyn Dam in Groveton under emergency authorizations issued by DES on September 11, 2007 and October 5, 2007.

CONFIRM EMERGENCY AUTHORIZATION:

Emergency confirmation for repairs to the Brooklyn Dam in Groveton. Work consisted of dewatering and diversion of water from the work area (approximately 6000 sq. ft.), removing accumulated material and failing dam material from the site, repair stone ballast, installing new wood planking, steel plating, sealing with concrete, filter fabric, stone, clay and sand berm and covering the exposed timber planking with mill felt.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
2. This confirmation is contingent on approval by the DES Dam Safety Program of the completed work.

With Findings:

1. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
2. The applicant observed a vortex upstream of the dam flash boards.
3. The DES Dam Bureau inspected the site and recommended that the applicant request an emergency authorization to fix the dam.

4. The DES Wetlands Bureau issued emergency authorizations for the dam repairs on September 11, 2008 (Wetlands Bureau file #2007-02121) and additional repairs on October 5, 2007 (Wetlands Bureau file #2007-02357).
5. The files were combined and a final confirmation/approval was conducted under file #2007-02121.
6. The activities conducted for the repairs appear to have met the requirements of a minimum impact project per Administrative Rule Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways, provided that:
 - (1) The work is done within the original bounds of a legally-constructed project;
 - (2) The project is not located in or adjacent to prime wetlands;
 - (3) The work does not exceed 20,000 square feet; and
 - (4) For man-made ponds, the pond has not been abandoned as defined in Env-Wt 101.01; and
- Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
7. 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.
8. DES has not received any objections or comments regarding the submitted follow-up application or completed work.

2007-02764 PERKIO, MATTI
NEW IPSWICH

Requested Action:

Deny permit request to retain 2,500 square feet of wetlands impact for log landing and possible future garage.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit request to retain 2,500 square feet of wetlands impact for log landing and possible future garage.

With Findings:

1. A request for additional information dated April 04, 2008, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A:3, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2008-00015 SARKOZY, LAWRENCE
SANDOWN Unnamed Wetland

APPROVE AFTER THE FACT:

retain 590 square feet of fill within a forested wetland and intermittent stream for the placement of bridge abutments and associated fill to create a bridge to buildable upland for a single family residential dwelling on 2.34 acres.

With Conditions:

1. All work shall be done in accordance with the Wetland Application Plan by Cornerstone Survey, Assoc. dated May 2008 and revised June 25, 2008, as received by the Department on June 30, 2008.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for any other construction related activities outside the scope of the restoration.

3. This approval is contingent upon the restoration of 2,032 square feet of unauthorized impacts as conditioned in the Restoration Plan Approval by DES dated July 14, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The impacts are necessary to access buildable upland; therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The crossing occurs at the narrowest portion of wetland and the bridge allows a larger exposure of natural streambed for herptilian passage. Additionally this structure is over-sized to allow unrestricted flowage of water during storm events. 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. On December 13, 2007, DES was notified of the potential violations on the property.
6. Research revealed that Robert P. Vilella, Montana Realty Trust, conveyed ownership of the property to Sarkozy on December 17, 2007, as recorded at the Rockingham County Registry of Deeds Book 4870 page 2116.
7. DES received a formal complaint on January 3, 2008 alleging violations on this particular property.
8. DES personnel inspected the site on April 4, 2008. During the inspection DES noted the deficiencies as described in the Letter of Deficiency WET 08-008 (the "LOD") issued April 10, 2008. In summary, the LOD requested the applicant to submit an after-the-fact application to retain the aforementioned impacts associated with bridge construction and to restore the unauthorized impacts.

2008-00734 PIKE, BURWELL
SEABROOK Seabrook Harbor

Requested Action:

Permanently impact 120 square feet within the previously-disturbed 100-foot tidal buffer zone to erect a prefabricated 10-foot by 12-foot shed on a single family residential lot.

Conservation Commission/Staff Comments:

The Seabrook Conservation Commission signed the Minimum Impact Expedited Application after the Town Clerk sent the Application to DES.

APPROVE PERMIT:

Permanently impact 120 square feet within the previously-disturbed 100-foot tidal buffer zone to erect a prefabricated 10-foot by 12-foot shed on a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans received by DES on May 8, 2008.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of jurisdictional areas for lot development, driveways, culverts, or for any other construction related activity with approval from DES.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.
2. The applicant lacks adequate storage for maintenance equipment, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Pursuant to Env-wt 304.04, the applicant received written concurrence from the abutter identified as Helen Belitos (Seabrook Tax Map 23 Lot 8) for the placement of the structure within 20-feet of the property line.
6. This project is exempt from the permitting requirements of RSA 483-B, the Comprehensive Shoreland Protection Act, as this project complies with Env-Wq 1406.04(c)(14) Placement of a single structure more than 50 feet from the reference line.

2008-00827 SAKURAI, KEN
HAMPTON Unnamed Wetland

Requested Action:

Permanently impact 1,600 square feet of palustrine open water, forested wetland, and emergent wetland for the construction of a wildlife pond on a single family residential lot.

Conservation Commission/Staff Comments:

No comments were received from the Hampton Conservation Commission.

APPROVE PERMIT:

Permanently impact 1,600 square feet of palustrine open water, forested wetland, and emergent wetland for the construction of a wildlife pond on a single family residential lot.

With Conditions:

1. All work shall be in accordance with the Wetland Impact Plan (Sheet 2 of 2) by Jones & Beach Engineers dated January 24, 2007 and revised through December 5, 2007, as received by DES on May 22, 2008.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for any other construction related activities.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. 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 permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
8. A post-construction report documenting the status of the completed project with photographs shall be submitted to the NH DES Wetlands Bureau Pease Field Office within 30 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The applicant wishes to construct a wildlife pond that will also allow additional surface water storage on the property, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The construction of the pond will be done in a manner to incorporate varied water depths by utilizing aquatic shelves in addition with the planting of native wetland species, 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. Under application 2007-904, the application had been denied due to the failure to completely answer a request for additional information dated June 5, 2007, that had been sent via electronic mail ("email") to the agent of record, clearly identifying changes

made to RSA 482-A:3 in 2003, requiring the agent to submit additional information to DES within 120 days of the request. This information must be submitted by or on October 3, 2007.

6. The email requested the following additional information: a.) Please find the attached comments from Kim Tuttle, NHFG, and respond to them accordingly; b.) Nowhere on the provided plans was there any mention as to what kind of plantings would be at this site. Please provided a planting list to include, but is not limited to, the placement of aquatic, herbaceous, and shrub vegetation for the pond. Doing so would greatly encourage amphibian, reptilian, avian, and mammalian usage.

7. As of October 3, 2007, DES did not receive a complete response to the aforementioned request for additional information. More specifically, DES did not receive a complete response to item 2(b). DES never received a plan reflecting the items proposed for planting. DES did not receive the requested additional information within the 120 days and therefore the application (2007-904) had been denied.

8. On May 22, 2008, DES received a new application (2008-827). The applicant submitted the information to completely satisfy the June 5, 2007 request for more information.

2008-00860 KETTENRING, KENNETH
NEW HAMPTON Unnamed Stream

Requested Action:

Drain and fill 875 square feet of poorly drained palustrine wetland for access to existing barn and temporarily impact 110 square feet of the bed and bank of existing man made pond to maintain or repair existing dry hydrant.

APPROVE PERMIT:

Drain and fill 875 square feet of poorly drained palustrine wetland for access to existing barn and temporarily impact 110 square feet of the bed and bank of existing man made pond to maintain or repair existing dry hydrant.

With Conditions:

1. All work shall be in accordance with plans by Ken Kettenring dated May 2, 2008, as received by the Department on May 21, 2008.
2. Work shall be conducted during low water conditions.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. All work shall be done from the top of the bank.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. 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), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-00865 AMHERST DPW, TOWN OF
AMHERST Unnamed Wetland Drainage Ditch

Requested Action:

Replace a damaged 60 ft. x 12 in. dia. reinforced concrete culvert pipe with a 60 ft. x 15 in. dia. HDPE culvert pipe impacting 300 sq. ft. of jurisdictional wetlands.

Conservation Commission/Staff Comments:

No comments received on this application from the Amherst Conservation Commission.

APPROVE PERMIT:

Replace a damaged 60 ft. x 12 in. dia. reinforced concrete culvert pipe with a 60 ft. x 15 in. dia. HDPE culvert pipe impacting 300 sq. ft. of jurisdictional wetlands.

With Conditions:

1. All work shall be in accordance with plans by Town of Amherst - DPW, as received by DES on May 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/or further permitting by the Bureau.
3. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands 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. Work shall be done during low flow.

2008-00876 STAR LAKE PROPERTIES INC
SPRINGFIELD Unnamed Wetland

Requested Action:

Dredge and fill 7,125 sq. ft. of poorly drained wet meadow wetlands for construction of a 19,869 sq. ft. agricultural watering pond within an existing 70 acre livestock pasture and temporarily impact 457 sq. ft. of poorly drained wet meadow wetlands and 537 sq. ft. of very poorly drained wet meadow wetlands for a temporary pond construction access crossing.

APPROVE PERMIT:

Dredge and fill 7,125 sq. ft. of poorly drained wet meadow wetlands for construction of a 19,869 sq. ft. agricultural watering pond within an existing 70 acre livestock pasture and temporarily impact 457 sq. ft. of poorly drained wet meadow wetlands and 537 sq. ft. of very poorly drained wet meadow wetlands for a temporary pond construction access crossing.

With Conditions:

1. All work shall be in accordance with plans by Pierre J. Bedard & Associates, P.C., dated April 24 ,2008 and narratives, as received by DES on May 27, 2008.
2. A New Hampshire Certified Wetland Scientist (CWS) shall monitor the project during construction to assure the pond is constructed in accordance with the approved plans and narratives.
3. A post-construction report documenting the status project area with photographs shall be prepared by a CWS and submitted to the Wetlands Bureau within 60 days of the completion of the pond construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. 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. 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.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
11. 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.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact, provided:
 - (1) None of the wetlands have very poorly drained soil as defined in Env-Ws 1002.84;
 - (2) There are no streams into or out of the proposed pond site;
 - (3) The project is not located in prime wetlands; and
 - (4) The project does not meet the requirements of Env-Wt 303.02(k).
2. The proposed 537 sq. ft. of temporary impacts to very poorly drained soils are adjacent to the proposed pond and will be restored back to wet meadow wetlands after construction of the pond is complete.
3. The proposed temporary impacts for the access comply with Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
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 project is being conducted to provide a source of water for cattle watering other than the adjacent stream because current cattle use is negatively impacting the stream banks and stream water quality.
6. The adjacent stream and new pond will be fenced and water will be pumped from the pond to a watering trough to water the cattle.
7. The pond site utilizes 12,735 sq. ft. upland pasture.
8. The remaining pasture is an existing wet meadow wetland and uplands.

2008-01038 WINONA FOREST ASSOCIATION
MEREDITH Lake Waukewan

Requested Action:

Stabilize approximately 5700 sq ft of sloped beach by constructing a two level 3000 sq ft perched beach with no more than 20 cubic yards of sand, construction a 6 ft x 30 ft stairway over the bank, and planting a 180 sq ft and a 2600 sq ft area along Lake Waukewan, in Meredith.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Stabilize approximately 5700 sq ft of sloped beach by constructing a two level 3000 sq ft perched beach with no more than 20 cubic yards of sand, construction a 6 ft x 30 ft stairway over the bank, and planting a 180 sq ft and a 2600 sq ft area along Lake Waukewan, in Meredith.

With Conditions:

1. All work shall be in accordance with plans as received by DES on June 11, 2008.
2. All excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of the normal high

water line (Elevation 540). 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 20 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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The proposed project will mitigate erosion of soil into Waukewan Lake and stabilize several high traffic areas.

FORESTRY NOTIFICATION

2008-01578 CHOCORUA FORESTLANDS, JEFFERY COOMBS
LYMAN Unnamed Stream

COMPLETE NOTIFICATION:
Lyman Tax Map 49, Lot# 9

2008-01579 GREEN ACRE WOODLANDS INC
PLYMOUTH Unnamed Stream

COMPLETE NOTIFICATION:
Plymouth Tax Map 10-3 & 11-4, Lot# 12 & 10

2008-01580 HEATH, RALPH
LANDAFF Unnamed Stream

COMPLETE NOTIFICATION:
Landaff Tax Map 7, Lot# 29

2008-01581 LIEDKE, DONALD
OSSIPEE Unnamed Stream

COMPLETE NOTIFICATION:

Ossipee Tax Map 4, Lot# 113

2008-01582 **DRED, STATE NURSERY**
HILL

COMPLETE NOTIFICATION:
Hill Tax Map R4 & R5, Lot# 12 & 4

2008-01583 **SMITH, MARTIN**
GREENFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Greenfield Tax Map R3, Lot# 5

2008-01584 **STEWART, JONATHAN & JENNIFER**
PLYMOUTH Unnamed Stream

COMPLETE NOTIFICATION:
Plymouth Tax Map 218, Lot# 30

2008-01585 **WHELDEN, LYNNE**
BARNSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Barnstead Tax Map 11, Lot# 78

2008-01586 **CHOCORUA FORESTLANDS, JEFFERY COOMBS**
BATH Unnamed Stream

COMPLETE NOTIFICATION:
Bath Tax Map 13 & 14, Lot# 80, 82 & 24

2008-01595 **ALLEN, TIMOTHY**
MONT VERNON Unnamed Stream

COMPLETE NOTIFICATION:
Mont Vernon Tax Map 6, Lot# 11

2008-01596 **ERNST, FRED & ELSE**
ACWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Acworth Tax Map 208 & 217, Lot# 13 & 24

**2008-01597 PAGE, ROBERT
MILTON Unnamed Stream**

COMPLETE NOTIFICATION:
Milton Tax Map 5, Lot# 12

EXPEDITED MINIMUM

**2007-02214 PSNH, WALTER BILYNSKY
CONCORD Unnamed Wetland**

Requested Action:

Amendment request to add 720 sq. ft. of temporary wetlands impacts for access to replace of two anchors on the distribution poles for construction of the V-182 Distribution Line.

With Conditions:

1. All work shall be in accordance with plans by Tighe and Bond dated August 2007, as received by the DES Wetlands Bureau on September 17, 2007 and the "Standards for Transmission Line Construction in Wetlands" as received on September 17, 2007 and two amended plan sheets received by DES on March 25, 2008 and amended plan sheet dated August 2007 as revised 7/23/08.
2. The applicant shall conduct work to protect the endangered species, *Asclepias tuberosa*, as outlined in the narrative and plans by Tighe and Bond and approved by the Natural Heritage Bureau on November 14, 2007.
3. The applicant shall continue to coordinate with the Natural Heritage Bureau and NH Fish and Game to mitigate the project impacts on the remaining endangered species, as required by RSA 212-A and RSA 217-A.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. Easements shall be obtained for proposed work and recorded at the registry of deeds prior to the commencement of construction.
6. Any future work in the utility right-of-way 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.
7. All work shall be conducted during frozen conditions or under low flow or low groundwater conditions.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. All stream crossings shall be conducted during low flow conditions and in a manner so as to minimize turbidity.
10. Prior to the installation; swamp mats shall be inspected for and any/all vegetative matter shall be removed.
11. Equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize rutting of the soils. Swamp mats shall be removed immediately upon completion of work in a particular area so as not to result in permanent impacts.
12. Prior to installation, new pole structures; and upon removal, old pole structures and appurtenances shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. The contractor shall remove the stumps of the old wood-pole structures in wetlands. If removal of the stump(s) will result in increased wetlands impacts, due to increased soil disturbance, the pole(s) shall be cut off at ground level.
14. 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.
15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
16. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
17. Silt fence(s) must be removed once the area is stabilized.
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.

19. Construction shall be inspected by a qualified professional such as a wetland scientist, or erosion control specialist, to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
20. The qualified professional shall submit weekly monitoring reports including the status of the project and the work conducted each week, the status of the erosion control measures, restoration areas and color photographs of work areas and areas recently restored. These reports shall be submitted via e-mail to jdegler@des.state.nh.us.
21. All temporary impacts to wetlands shall be restored to natural grade, stabilized, and replanted with native vegetation where necessary.
22. All temporary impact to wetland shall be regraded to original contours and stabilized within 72 hours following the completion of work and 30 days of the start of work.
23. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
24. Wetland topsoil shall be stripped and segregated from subsoil and stockpiled separately from subsoil during construction. Soils shall be properly backfilled and restored to pre-existing grades.
25. Mulch within the restoration areas shall be straw or seedless hay.
26. Seed mix within the restoration areas shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturer's specifications.
27. The right-of-way shall be monitored at the end of construction and a written report documenting its condition shall be submitted to the DES Wetlands Bureau by July 15 of the year following project completion. The report shall include photographic documentation. The DES Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.
28. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following project completion. The applicant shall work with the DES Wetlands Bureau to attempt to eradicate nuisance species newly found along the right-of-way during this same period.
29. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
30. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering wetlands.
31. Faulty equipment shall be repaired prior to entering wetlands.
32. 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.
33. All refueling of equipment shall occur 100 feet away from surface waters or wetlands during construction.

**2008-00608 MORRILL, PETER
MOULTONBOROUGH Unnamed Wetland**

Requested Action:

Dredge and fill 652 for access in the subdivision of 53.512 acres into 14 single family residential lots.

APPROVE PERMIT:

Dredge and fill 652 for access in the subdivision of 53.512 acres into 14 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Fluet Engineering Associates PC dated April 18, 2007, and revised through August 27, 2007 as received by the Department on July 17, 2008 and Subdivision Plans by Associated Surveyors dated February 7, 2006, and revised through June 16, 2008 as received by the Department on June 23, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.

6. The applicant shall field delineate all wetlands on parcel A of lot 7 if any additional work is proposed within that area.
7. 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.
8. Work shall be done during periods of non-flow.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
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. 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), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided a waiver request per Env-Wt 204.03, to waive the wetland delineation over the remaining lot as required by Env-Wt 304.09(a).
6. The applicant has had a Certified Wetland Scientist field delineate the area of the proposed residential subdivision.
7. It would be an economic hardship for the owner to have the entire 19 acre lot delineated in the field.
8. The proposed development area of lot 7 has been determined not to have any wetland impacts.
9. If any additional work is to be conducted on the additional area of lot 7 an on site delineation will be required per condition #6 of this approval.
10. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.09(a).
11. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

2008-01015 SNHS ELDERLY HOUSING VI INC
BRISTOL Unnamed Wetland

Requested Action:

Dredge and fill a total of 440 square feet to replace and extend the existing culvert in the development of 2.01 acres into an elderly housing complex.

APPROVE PERMIT:

Dredge and fill a total of 440 square feet to replace and extend the existing culvert in the development of 2.01 acres into an elderly housing complex.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated November 9, 2007, and revised through June 2, 2008,

as received by the Department on June 12, 2008.

2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required.
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. Work shall be done during periods of non-flow.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f); projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2008-01185 KIVER, MICHAEL
LACONIA Unnamed Stream**

Requested Action:

Dredge and fill a total of 10 square feet to realign an existing headwall and culvert, which has failed.

APPROVE PERMIT:

Dredge and fill a total of 10 square feet to realign an existing headwall and culvert, which has failed.

With Conditions:

1. All work shall be in accordance with plans by Steven J Smith and Associates dated June 25, 2007 and revised through July 17, 2008, as received by the Department on August 13, 2008.
2. 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.
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. Work shall be done during periods of non-flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. All work shall be done from the top of the bank.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. 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. 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(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
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.

2008-01287 COMMERCE WAY LLC, C/O KANE COMPANY INC
PORTSMOUTH Unnamed Wetland

Requested Action:

Dredge and fill a total of 226 sq. ft. of wetlands, including 43 sq. ft. of permanent impact and 183 sq. ft. of temporary impact for improvements to turning radius of existing privat roadway to bring up to municipal standards.

APPROVE PERMIT:

Dredge and fill a total of 226 sq. ft. of wetlands, including 43 sq. ft. of permanent impact and 183 sq. ft. of temporary impact for improvements to turning radius of existing privat roadway to bring up to municipal standards.

With Conditions:

1. All work shall be in accordance with revised plans by Appledore Engineering Inc. dated 7/2/2008, as received by DES on 7/14/2008.
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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The private roadway needs to improve a turning radius area to meet municipal standards.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposed impact was reduced by 928 sq. ft. in response to Conservation Commission comments.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project area by the NH Heritage Bureau.
5. The Portsmouth Conservation Commission signed the expedited application.

2008-01302 KROKA EXPEDITIONS INC
MARLOW Wet Meadow

Requested Action:

Dredge and fill 250 sq. ft. of wet meadow to install a 15-inch x 16-foot culvert for construction of an access road to an agricultural field and proposed shed for the Kroka Expeditions farm school.

APPROVE PERMIT:

Dredge and fill 250 sq. ft. of wet meadow to install a 15-inch x 16-foot culvert for construction of an access road to an agricultural field and proposed shed for the Kroka Expeditions farm school.

With Conditions:

1. All work shall be in accordance with plans by Livengood Earth Works, LLC, as received by the Department on July 16, 2008.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. The proposed road will provide access to an existing agricultural field and to a proposed shed that will house farm and recreational equipment and two transportation vans.
3. The Marlow Conservation Commission signed the Minimum Impact Expedited Application and in correspondence dated July 14, 2008 recommended approval of the application.
4. Avoidance of jurisdictional impacts would require bisecting the pasture, which would make the pasture impractical to farm.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2008-01320 ROYLE, JANET
NEW LONDON Unnamed Wetland**

Requested Action:

Temporarily fill 640 sq. ft. of wet meadow for temporary construction access to a proposed septic system replacement and house addition.

APPROVE PERMIT:

Temporarily fill 640 sq. ft. of wet meadow for temporary construction access to a proposed septic system replacement and house addition.

With Conditions:

1. All work shall be in accordance with plans by Blakeman Engineering, Inc., dated June 30, 2008, as received by the Department on July 17, 2008.
2. This permit is contingent upon the restoration of 640 square feet of temporary wetlands impact in accordance with plans received July 17, 2008 and to the satisfaction of the DES Wetlands Bureau by within 20 days of the completion of construction.
3. 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.
4. Work shall be done during low flow.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters.
7. All material removed during work activities shall be placed out of DES's jurisdiction.
8. Filter fabric shall be installed under the temporary fill areas to isolate fill from the natural hydric soils.
9. Area of temporary impact shall be regraded to original contours following completion of work.
10. Only native plant species appropriate to the area shall be planted.
11. Seed mix within the restoration area shall be a conservation seed mix appropriate to the area, and not containing invasive species as listed by the Department of Agriculture and shall be applied in accordance with manufacturers specifications.
12. Mulch used within the wetland restoration areas shall be natural straw or equivalent.
13. 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.
14. 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.
15. 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.
16. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands DES within sixty (60) days of the completion of construction.
17. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. This permit is contingent upon the restoration of 640 square feet of temporary wetlands impact in accordance with plans received July 17, 2008 and to the satisfaction of the DES Wetlands Bureau by within 30 days of the completion of construction.
3. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands DES within sixty (60) days of the completion of construction.
4. 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.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau and the New London Conservation Commission signed the Minimum Impact Expedited Application.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2008-01321 CROZER, GEORGE & KATHERINE
NEW LONDON Unnamed Wetland**

Requested Action:

Dredge and fill 951 sq. ft. of palustrine forested wetlands to relocate portion of an existing driveway and upgrade an existing woods road for driveway access to an existing greenhouse.

APPROVE PERMIT:

Dredge and fill 951 sq. ft. of palustrine forested wetlands to relocate portion of an existing driveway and upgrade an existing woods road for driveway access to an existing greenhouse.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC dated June 18, 2008, as received by the Department on July 17, 2008.
2. 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.
3. The existing driveway culvert shall be removed in accordance with plans received July 17, 2008.
4. Work shall be done during low flow conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid at original grade.
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. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. A post-construction report documenting the status of the removed driveway culvert, including photographs during and post construction shall be submitted to the Wetlands DES within sixty (60) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau and the New London Conservation Commission signed the Minimum Impact Expedited Application.
3. The Town of New London is requiring the applicant to relocate the driveway due to safety concerns associated with sight distances.
4. The existing culvert associated with the existing driveway will be removed.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

**2008-01574 COYNER, BRETT
(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:
cc: Bath Con Comm

**2008-01611 BAILLARGEON, ROLAND
(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:
cc: Bath Con Comm

LAKES-SEASONAL DOCK NOTIF

**2008-01572 MARUSAK, JAMES
OSSIPPEE Conner Pond**

COMPLETE NOTIFICATION:
Ossipee, NH Tax Map 30 Lot 77
Conner Pond

**2008-01588 STALFORD, HAROLD & UTE
NEW HAMPTON Waukewan Lake**

COMPLETE NOTIFICATION:
New Hampton, NH Tax Map U11 Lot 1
Lake Waukewan

ROADWAY MAINTENANCE NOTIF

**2008-01565 NH DEPT OF TRANSPORTATION
TILTON Unnamed Stream**

COMPLETE NOTIFICATION:
Replace existing 24" X 40' CMP in kind

**2008-01566 NH DEPT OF TRANSPORTATION
CANTERBURY Unnamed Stream**

COMPLETE NOTIFICATION:

Replace existing 24" X 50' CMP and header in-kind

**2008-01567 ANDOVER, TOWN OF
ANDOVER Unnamed Stream**

COMPLETE NOTIFICATION:

Replace existing 30" culvert and headwall on Channel Road

**2008-01568 NH DEPT OF TRANSPORTATION
NORTH HAMPTON Unnamed Stream**

COMPLETE NOTIFICATION:

Line existing stone box culvert

**2008-01590 NH DEPT OF TRANSPORTATION
MONROE Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 40' of 24" galvanized metal culvert with 40' of 24" PEP culvert pipe

**2008-01591 NH DEPT OF TRANSPORTATION
MONROE Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 24" X 60' of galvanized metal culvert

PERMIT BY NOTIFICATION

**2008-01328 SILVER, DOROTHY
NEWBURY Unnamed Pond Lake Sunapee**

Requested Action:

Rebuild/repair existing crib supporting docking structure.

PBN IS COMPLETE:

Rebuild/repair existing crib supporting docking structure.

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.

**2008-01376 FARRINGTON, TIMOTHY & THERESE
ROCHESTER Unnamed Wetland**

Requested Action:

Dredge and fill 1,150 sq. ft. of wetlands to install a residential water line connection from the municipal line.

PBN IS COMPLETE:

Dredge and fill 1,150 sq. ft. of wetlands to install a residential water line connection from the municipal line.

**2008-01385 BESECKER III, JAMES & SUSANNE
CENTER SANDWICH Unnamed Wetland**

Requested Action:

Dredge and fill 190 square feet including installation of a 12-inch x 20 foot culvert for access to a proposed barn structure on an existing residential lot of record.

PBN IS COMPLETE:

Dredge and fill 190 square feet including installation of a 12-inch x 20 foot culvert for access to a proposed barn structure on an existing residential lot of record.

**2008-01406 ELLIOT JR, JAMES
STODDARD Unnamed Wetland**

Requested Action:

Dredge and fill 220 sq. ft. of palustrine forested wetlands to install a 30-inch x 20-foot CMP culvert for a shared driveway access to two existing single family residence lots.

PBN IS COMPLETE:

Dredge and fill 220 sq. ft. of palustrine forested wetlands to install a 30-inch x 20-foot CMP culvert for a shared driveway access to two existing single family residence lots.

With Findings:

1. The Conservation Commission did not sign the PBN and did not waive their right to intervene pursuant to RSA 482-A:3:11.
2. No comments were submitted from the Stoddard Conservation Commission.
3. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(8), the installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot for noncommercial, recreational, uses that meets the criteria in Env-Wt 303.04(z).
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
5. This lot was subdivided over 10 years ago, access to this parcel was never constructed.
6. The proposed crossing is an extension of an existing driveway to provide access to a total of two lots.
7. An Abbot Brook crossing existing on front lot.

**2008-01439 PORTSMOUTH, CITY OF
PORTSMOUTH Unnamed Stream**

Requested Action:

Dredge and fill 100 sq. ft. of wetlands to repair stone headwall of existing culvert in-kind.

Conservation Commission/Staff Comments:

Conservation Commission signed PBN.

PBN IS COMPLETE:

Dredge and fill 100 sq. ft. of wetlands to repair stone headwall of existing culvert in-kind.

2008-01440 **NH ELEC COOPERATIVE INC**
MARLOW Sand Pond

Requested Action:

Replace existing submarine cable.

PBN IS COMPLETE:

Replace existing submarine cable.

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.

2008-01502 **PIKE, HARRY & HEATHER**
PITTSFIELD Unnamed Stream

Requested Action:

Dredge and fill 225 square feet for the installation of a 36-inch x 25 foot culvert for access to an existing single family home.

COMPLETE NOTIFICATION:

Dredge and fill 225 square feet for the installation of a 36-inch x 25 foot culvert for access to an existing single family home.

2008-01513 **LEROUX, ADELAIDE**
TUFTONBORO Lake Winnepesaukee

Requested Action:

Repair/replace existing docking structure 12 ft x 30 ft.

PBN IS COMPLETE:

Repair/replace existing docking structure 12 ft x 30 ft.

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.

2008-01519 **VAN DEN BOSCH, JERI**
SUNAPEE Lake Sunapee

Requested Action:

Replace existing 8 ft x 35 ft crib supported docking structure.

APPROVE PERMIT:

Replace existing 8 ft x 35 ft crib supported docking structure.

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.

2008-01544 PSNH, JAMES ZATTLER
HOOKSETT Unnamed Stream

Requested Action:

Temporarily impact 1572 square feet of wetland for utility pole repairs within an existing Right-of-way.

PBN IS COMPLETE:

Temporarily impact 1572 square feet of wetland for utility pole repairs within an existing Right-of-way.

2008-01545 WILLIAMS, GERALD
DUNBARTON Unnamed Wetland

Requested Action:

Dredge and fill 800 square feet including installation of a 12-inch x 16 foot culvert for access to a proposed single family residence on an existing lot of record.

PBN IS COMPLETE:

Dredge and fill 800 square feet including installation of a 12-inch x 16 foot culvert for access to a proposed single family residence on an existing lot of record.

CSPA PERMIT

2008-00592 BALDWIN, TODD
PITTSBURG Round Pond

Requested Action:

Construct 1,867 sq ft of impervious surfaces to expand a residential structure and driveway within the protected shoreland on property with approximately 112 ft of frontage on Round Pond in Pittsburg.

APPROVE PERMIT:

Construct 1,867 sq ft of impervious surfaces to expand a residential structure and driveway within the protected shoreland on property with approximately 112 ft of frontage on Round Pond in Pittsburg.

With Conditions:

1. All work shall be in accordance with plans by J.E. Belanger Land Surveying PLLC dated August 1, 2008 and received by DES on August 5, 2008.
2. No more than 16.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 5,300 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,822.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent upon approval of the proposed septic system by the NH Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01094 ANDERSON, GARY
ALTON BAY Lake Winnepesaukee

Requested Action:

Replacement of an existing conforming primary structure with a proposed conforming primary structure on property with approximately 181 ft of frontage on Lake Winnepesaukee in Alton Bay.

APPROVE PERMIT:

Replacement of an existing conforming primary structure with a proposed conforming primary structure on property with approximately 181 ft of frontage on Lake winnipesaukee in Alton Bay.

With Conditions:

1. All work shall be in accordance with building plans and planting plans by Lindon Design Associates and modified by Gary Anderson, dated June 17, 2004 and received by the Department of Environmental Services ("DES") on August 5, 2008.
2. The proposed structure shall occupy no more than 1,495 sq ft.
3. This permit is contingent upon approval by the NH Subsurface Systems Bureau.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The Applicant has proposed to remove two wooden platforms located within the protected shoreland occupying a total of 308 sq ft.
2. The Applicant has proposed to plant native vegetation consisting of Mountain Laurel and Blueberry as specified on plans by Lindon Design Associates and modified by Gary Anderson, dated June 17, 2004 and received by DES on August 5, 2008.

**2008-01189 RICHARD, MARY ANN & SUSAN
 HILLSBOROUGH Franklin Pierce Lake**

Requested Action:

Excavation to install a foundation under an existing conforming primary structure on property located on Franklin Pierce Lake in Hillsboro.

APPROVE PERMIT:

Excavation to install a foundation under an existing conforming primary structure on property located on Franklin Pierce Lake in Hillsboro.

With Conditions:

1. All work shall be in accordance with plans by Stephan C. Noble dated June 25, 2008 and received by the Department of Environmental Services ("DES") on August 5, 2008.
2. No more than 15.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. No portion of the proposed structure shall expand over the existing footprint.
4. No existing unaltered areas located within the 150 ft natural woodland buffer shall be disturbed as a result of this project.
5. This permit is contingent upon approval of the proposed septic system by the NH Subsurface Systems Bureau.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-01294 MARIA L BEASLEY REV TRUST
 WEARE Horace Lake**

Requested Action:

Excavate and fill 6297 sq ft within the protected shoreland to landscape and construct accessory structures on property with approximaetly 91 ft of frontage on Horace Lake in Weare.

APPROVE PERMIT:

Excavate and fill 6297 sq ft within the protected shoreland to landscape and construct accessory structures on property with approximaetly 91 ft of frontage on Horace Lake in Weare.

With Conditions:

1. All work shall be in accordance with revised building plans, planting plans and stormwater plans by Riverside Ecological Designs, LLC dated June 2008 and received by the Department of Environmental Services ("DES") on July 15, 2008.
2. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,920 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state.
4. An initial vegetation monitoring report shall be submitted to DES by August 6, 2010 to review the success of the plantings and schedule remedial actions if necessary. This report shall be submitted to DES with photographs demonstrating the condition of the plantings, include any necessary remedial actions, and contain a schedule for completing the remedial actions. The report shall reference the Shoreland Permit number and be sent to the DES Wetlands Bureau, 29 Hazen Drive, Concord, NH 03302.

5. Proposed plantings shall have a 100% survival success rate upon post construction inspection from DES or the areas shall be replanted until the 100% success rate is achieved.
6. Minimum spacing of the proposed plantings shall be as specified in a letter from DB Landscaping, LLC received by DES on August 5, 2008.
7. The proposed permeable parking area shall be installed and maintained in accordance with "Stabilgrid" brand specifications.
8. The proposed permeable patio shall be installed in accordance with design specifications on sheet 3 of building plans by Riverside Ecological Designs, LLC dated June 2008 and received by DES on July 15, 2008, and maintained as necessary to allow for effective stormwater infiltration.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-01350 YANKEE BARN RD REALTY, ROBERT MACNEIL TRUSTEE
GRANTHAM Sawyer Brook**

Requested Action:

Excavate and fill of 193,325 sq ft for a pond and roadway within the protected shoreland on property with approximately 2,970 ft of frontage on Sawyer Brook in Grantham.

APPROVE PERMIT:

Excavate and fill of 193,325 sq ft for a pond and roadway within the protected shoreland on property with approximately 2,970 ft of frontage on Sawyer Brook in Grantham.

With Conditions:

1. All work shall be in accordance with plans by Darrow Civil Engineering, PLLC dated June 21, 2008 and received by DES on July 31, 2008.
2. No more than .12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 188,050 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 136,310 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. This permit is contingent upon approval of an alteration a terrain permit from DES.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-01390 TOWN OF SANDOWN
SANDOWN Lily Pond**

Requested Action:

Fill 6,765, sq ft to upgrade an existing gravel landing/parking area, driveway, and foot paths for trails through town forest within 250 ft of Lily Pond in Sandown.

APPROVE PERMIT:

Fill 6,765, sq ft to upgrade an existing gravel landing/parking area, driveway, and foot paths for trails through town forest within 250 ft of Lily Pond in Sandown.

With Conditions:

1. All work shall be in accordance with plans by Gerald H. Miller dated July 18, 2008 and received by the Department of Environmental Services ("DES") on July 22, 2008.
2. No more than 6.58% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 36,510 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 18,460 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. There shall be no impacts to jurisdictional wetlands as a result of this project.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01413 CITY OF LACONIA
LACONIA Lake Opechee

Requested Action:

Convert an air ejection sanitary sewer pump station to a submersible grinder pump station and locate a proposed generator pad within the 20 ft accessory structure setback to Lake Opechee in Laconia.

APPROVE PERMIT:

Convert an air ejection sanitary sewer pump station to a submersible grinder pump station and locate a proposed generator pad within the 20 ft accessory structure setback to Lake Opechee in Laconia.

With Conditions:

1. All work shall be in accordance with plans by the city of Laconia Public Works dated July 14, 2008 and received by the Department of Environmental Services ("DES") on July 28, 2008.
2. No more than 15.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. An initial vegetation monitoring report shall be submitted to DES by July 30, 2010 to review the success of the plantings and schedule remedial actions if necessary. This report shall be submitted to DES with photographs demonstrating the condition of the plantings, include any necessary remedial actions, and contain a schedule for completing the remedial actions. The report shall reference the Shoreland Permit number and be sent to the DES Wetlands Bureau, 29 Hazen Drive, Concord, NH 03302.
4. Proposed plantings shall have a 100% survival success rate upon post construction inspection from DES or the areas shall be replanted until the 100% success rate is achieved.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The Applicant has provided documentation that this approval meets the criteria listed in Env-Wq 1413.04 for a waiver of the minimum accessory structure setback set forth in Env-Wq 1405.04.