

Wetlands Bureau Decision Report

Decisions Taken
10/13/2008 to 10/19/2008

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 30 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

**2006-00544 FERGUSON, DOUGLAS & KAREN
NEW CASTLE Piscataqua River / Back Channel**

Requested Action:

Per the request of the Town of New Castle, the applicant submitted a revised plan decreasing the width of the permanent pier.

Conservation Commission/Staff Comments:

The New Castle Conservation Commission requested a review extension on the application and no further correspondence was received by the Bureau.

Inspection Date: 06/27/2006 by Eben M Lewis

APPROVE AMENDMENT:

Construct a 4'x20' permanent fixed pier to a 3'x40' seasonal ramp to a 10' x 20' seasonal float providing two 10' slips on 116' of frontage on the Back Channel of the Piscataqua River.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated 2/16/06, as received by the Department on 9/29/08.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. DES staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Work shall be done during low tide.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. The decking of the fixed pier shall have a minimum of 4 ft. clearance from the surface of the tidal marsh and shall have 3/4-inch spacing between the decking planks and the 3-foot ramp shall have a minimum of 3 ft. clearance from the surface of the tidal marsh.
10. The float of this structure shall be constructed with stops to support the float above the mud to prevent it from sitting directly on the mud at low tide.
11. This shall be the only structure on this water frontage.
12. Seasonal docking structures shall be removed for the non-boating season.

With Findings:

1. This is a major impact project per Administrative Rule Wt Env-303.02(a), projects in sand dunes, tidal wetland or bogs.
2. Public hearing is not required with the finding that the project will not impact wetland areas that are considered to be of special value from a local, regional, or state perspective based on DES staff field inspection on 6/27/06, with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem and that the proposed dock will not impede navigation.
3. NH Natural Heritage Bureau (NHNHB) has identified one state listed threatened species within the vicinity of the project, Marsh Elder (*Iva frutescens* ssp. *oraria*). DES review of this application and field inspection finds that the NHNHB identified species will not be impacted as a result of this project.
4. This dock is consistent with other tidal dock approvals in the seacoast.
5. The NH PDA Division of Ports and Harbors, per letter dated April 17, 2006, reports that this project will have no impact on navigation in the area.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01., as they wish to access the navigable channel of the Piscataqua River Back Channel.

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., as the pier and ramp will be built at a sufficient high to avoid shading out the marsh grass in the intertidal zone.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c) for tidal projects, Requirements for Application Evaluation, has been considered in the design of the project.
9. In accordance with RSA 482-A:3 XIII(c), the applicant received written concurrence from the abutter who's property line is within 20 feet of the docking structure.
10. On September 29, 2008, DES received a request to amend the existing permit. Per the request of the Town of New Castle, the applicant had to reduce the width of the permanent pier to 4 ft. from 6 ft.
11. DES finds that this minimal change does not require approval from Governor and Council as the scope of the project remains unchanged with the reduction in size of the docking structure.

-Send to Governor and Executive Council-

2007-01880 JWM GENERATIONS TRUST
TUFTONBORO Lake Winnepesaukee

Requested Action:

Amend project to maintain the current gap between the proposed cribs an the shoreline.

Inspection Date: 10/30/2007 by Chris T Brison

APPROVE AMENDMENT:

Amend permit to read: Replace an existing 1415 sq ft nonconforming crib supported boathouse constructed over water with a 1394 sq ft crib supported boathouse on 157 ft of frontage in Tuftonboro on Lake Winnepesaukee.

With Conditions:

Amended Conditions:

1. All work shall be in accordance with revised plans by Beckwith Builders as revised March 17, 2008 and received by DES on March 18, 2008 with the exception that the cribs shall sized such that no portion of any crib is located less than 12 feet from the normal high water line.
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. 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. 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.
6. This permit does not allow for maintenance dredging and/or the removal of any navigational hazards.
7. Unnecessary removal of vegetation shall be prohibited.
8. 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.
9. This permit does not authorize sand deposition for any purpose.
10. 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.
11. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).
12. Existing rock material within cribs shall be reused to the maximum extent practicable.
13. Boathouse shall be a one story structure.

- 14. Ridgeline height of the boathouse shall not exceed 20 ft.
- 15. All construction related debris shall be completely removed from jurisdiction of the Wetlands Bureau.
- 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 major impact project per Administrative Rule Env-Wt 303.02(d) modification of an existing major docking facility.
- 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 October 30, 2007. Field inspection determined that original proposal was not the least impacting alternative. The revised plans as received March 18, 2008 addressed that concern.
- 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 public waters, as identified under RSA 482-A:1.
- 7. The proposed modifications will result in a 21 sq ft reduction in construction surface area over public submerged lands with no increase in the number of slips provided and, therefore, meets the criteria of Rule Env-Wt 402.20.

-Send to Governor and Executive Council-

2008-00264 NEWBURY, TOWN OF
NEWBURY Lake Sunapee

Requested Action:

Untimely denial to add docks to an existing public town docking facility, Lake Sunapee, Newbury.

With Findings:

- 1. A request for additional information dated May 05, 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.

2008-00401 WESTWARD SHORES CAMPGROUND & MARINA, CHARLES SMITH
OSSIPEE Lake Ossipee

Requested Action:

Untimely denial to modify existing docking structure to 149 boatslips impacting 9468 sq. ft on Ossipee Lake, Ossipee.

Conservation Commission/Staff Comments:

Con Com requests 40 delay pursuant to RSA 482-A as recieved on March 14, 2008

With Findings:

- 1. 1. A request for additional information dated June 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.

2008-00855 B & K AQUA CLUB INC, JACKI HARTWELL
SPOFFORD Lake Spofford

Requested Action:

Replenish an existing 3690 sq ft of beach with 30 cubic yards of sand on Lake Spofford, Chesterfield.

Conservation Commission/Staff Comments:

No Con Com comments by July 30, 2008

APPROVE PERMIT:

Replenish an existing 3690 sq ft of beach with 30 cubic yards of sand on Lake Spofford, Chesterfield.

With Conditions:

1. All work shall be in accordance with plans by W DeRoche, dated September 18, 2008, as received by DES on October 07, 2008.
2. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 716).
3. No more than 30 cu yd of sand may be used and all sand shall be located above the normal high water line.
4. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
6. 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 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 major impact project per Administrative Rule Env-Wt 303.02(o), construction or replenishment of a beach that does not meet the criteria for minimum impact under Env-Wt 303.04(d) or Env-Wt 303.04(aa), or minor impact under Env-Wt 303.03(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

2008-01115 SANDWICH, TOWN OF
SANDWICH Atwod Brook & Prime Wetland

Requested Action:

Request to temporarily impact 960 sq. ft. of wetlands for "in-kind" replacement of a 6 ft. x 30 ft. CMP culvert within Bear Camp Road Atwood, Brook and Town of Sandwich Prime Wetland No. 102.

APPROVE PERMIT:

Approve request to temporarily impact 960 sq. ft. of wetlands for "in-kind" replacement of a 6 ft. x 30 ft. CMP culvert within Bear Camp Road, Atwood Brook and Town of Sandwich Prime Wetland No. 102.

With Conditions:

1. All work shall be in accordance with plans by Irene G. Garvey dated June 17, 2008, as received by DES on June 20, 2008.
2. The Town shall obtain temporary construction easements (if applicable) from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2008-01115 prior to construction.
2. Work shall be done during low or no flow.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

4. 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. All temporary impacts shall be restored "in-kind". All temporary impacts to the stream and wetlands shall be completed with native material and shall not include angular rip-rap.
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. A land resource professional shall inspect the project to insure compliance with approved plans and permit conditions prior to completion of the project. 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.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. 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.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
15. Any additional human activities within the 100-foot Prime Wetland Buffer without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by the Department of Environmental Services, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The project as approved and constructed in adherence to the provided construction sequence, erosion controls.
6. This approval is contingent on work being conducted during low or no flow.
7. The applicant has indicated that there is no history of flooding associated with the existing crossing.
8. The project would have qualified as a minimum impact project per Administrative Rule Env-Wt 303.04(x), however, it is within/adjacent to a designated prime wetland.
9. The project is an "in-kind" replacement of a culvert within a Town Road.
10. The applicant has indicated that the existing culvert has been in place since the 1930s.
11. A public hearing was held at the Department on September 18, 2008. No one spoke in opposition to the project.
12. Based on findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

Any party may apply for reconsideration with respect to any matter determined in this action within 30 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

Requested Action:

Construct a 4 ft. x 50 ft. permanent, steel pier leading to a 3 ft. x 36 ft. seasonal, aluminum ramp landing on a 10 ft. x 20 ft. seasonal float to provide water access on approximately 145 linear feet of shoreline frontage on the Squamscott River.

Conservation Commission/Staff Comments:

The Stratham Conservation Commission did not comment on the project.

Inspection Date: 10/14/2008 by Eben M Lewis

APPROVE PERMIT:

Construct a 4 ft. x 50 ft. permanent, steel pier leading to a 3 ft. x 36 ft. seasonal, aluminum ramp landing on a 10 ft. x 20 ft. seasonal float to provide water access on approximately 145 linear feet of shoreline frontage on the Squamscott River.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated July 9, 2008, as received by DES on July 23, 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. 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 pursuant to RSA 482-A.
4. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
5. 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.
6. Work shall be done during low tide.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a).
2. The applicant requests to construct this docking structure to gain access to tidal water, 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, as the docking structures will not adversely affect the surrounding vegetation, nor will the docking structure adversely affect the marine ecosystem.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo dated June 11, 2008, from NH Natural Heritage Bureau (the "NHNHB") identified three (3) natural communities and two (5) vertebrate species within the vicinity of the project.
6. DES Staff conducted a field inspection of the proposed project on October 14, 2008. The purpose of the field inspection was to confirm the location and orientation of the dock relative to the adjacent property boundaries. Field inspection confirmed the location and orientation of the docking structures as depicted on the proposed plan. Also, DES finds that none of the items identified in the NHNHB memo will be adversely affected as a result of this project. During the inspection DES noted a similar docking structures located on the Squamscott River.
7. The Stratham Conservation Commission did not comment on the project.
8. In a letter dated August 11, 2008, the NH PDA Division of Ports and Harbors Chief Harbor Master has determined that "... the project would have no negative effect on navigation in the channel."

-Send to Governor and Executive Council-

2008-01601 234 OLD HOMESTEAD HIGHWAY REALTY LLC
SWANZEY Unnamed Wetland

Requested Action:

Dredge and fill ± 62,540 square feet of palustrine wet meadow to construct ± 96,043 square feet of manufacturing facilities and associated access ways, parking facilities, and stormwater management structures. Preserve approximately 15.5 acres on an adjacent parcel (Swanzy Tax Map 19, Lot 97-5 and 102) and donate funds to the Monadnock Conservancy for the acquisition of a ± 100 acre conservation easement on the Johnson Farm in Swanzy.

APPROVE PERMIT:

Dredge and fill ± 62,540 square feet of palustrine wet meadow to construct ± 96,043 square feet of manufacturing facilities and associated access ways, parking facilities, and stormwater management structures. Preserve approximately 15.22 acres on an adjacent parcel (Swanzy Tax Map 19, Lot 97-5 and 102) and donate funds to the Monadnock Conservancy for the acquisition of a ± 100 acre conservation easement on the Johnson Farm in Swanzy.

With Conditions:

1. All work shall be in accordance with plans by Brickstone Masons, Inc. dated August 01, 2008, as received by the DES Wetlands Bureau on August 12, 2008, and plans dated June 16, 2008, and revised though October 13, 2008, and plans dated October 14, 2008, as received by the DES Wetlands Bureau on October 14, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots shall contain condition # 3 of this approval.
5. Work shall be done during low flow conditions.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culverts shall be laid at original grade.
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. 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.

Wetland mitigation:

14. This permit is contingent upon a deposit of \$50,000 to the Monadnock Conservancy for the protection of the Johnson Farm in Swanzy, NH as a form of compensatory mitigation for impacts to wetlands and surface waters.
15. This permit is contingent upon receipt of a copy of the deposit slip documenting the transfer of funds to the Monadnock Conservancy.
16. This permit is contingent upon the receipt and approval by the DES Wetlands Bureau of the final easement language.
17. This permit is contingent upon the execution of a conservation easement on 15.22 acres as depicted on conservation easement plans, dated September 10, 2008, as received by DES on September 22, 2008.
18. 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.
19. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau.

20. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
21. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
22. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
23. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. In an October 1, 2008 communication the NH Fish and Game Department confirmed the project would not impact species identified in the August 04, 2008 Natural Heritage Bureau report and that no additional information was required.
3. The wetlands compensatory mitigation plan provided by the applicant, which includes off-site preservation of 15.22 acres and a deposit of \$50,000 to the Monadnock Conservancy to partially fund the acquisition of an approximate 100 acre conservation easement on the Johnson Farm in Swanzey, meets the requirements of the DES Wetlands Bureau's Wetlands Compensatory Mitigation Rules.
4. In email communication dated September 26, 2008 the Environmental Protection Agency indicated the proposed mitigation, including a \$50,000 deposit to the Monadnock Conservancy and the preservation of an adjacent 15.22 acre parcel, was approvable under the SPGP.
5. The proposed development site consists of 10.84 acres in the Business District and Industrial Park District in Swanzey.
6. The Town of Swanzey, in order to improve the tax base and the economic viability of the town, rezoned the subject parcel land to Industrial Park in 1995. In 1999 the Town created a Tax Increment Finance District, in part, to improve the roads and utilities in the Industrial Park District.
7. In 2005 the Town obtained DES Wetlands and Non-Site Specific Permit 2005-01141 to construct Safford Drive.
8. DES Alteration of Terrain Bureau approval was obtained in September 24, 2008 (WPS-8227), for phase I only of the proposed project.
9. This permit is contingent upon DES Alteration of Terrain Bureau approval for proposed phase II of this project.
10. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
11. 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.
12. 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.
13. 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 palustrine resource, as identified under RSA 482-A:1.

2008-02098 MILAN LUMBER CO LLC
MILAN Unnamed Wetland

Requested Action:

Dredge and fill 21,670 square feet of wetland and an intermittent stream (impacting 220 linear feet) to make site improvements to an existing lumber mill. Temporarily impact 4,765 of wetland to reshape a man-made ditch and promote positive flow towards the Androscoggin River.

Conservation Commission/Staff Comments:

This project is acceptable for payment into the Aquatic Resource Mitigation (ARM) Fund. The payment calculated for the proposed wetland loss equals \$63,110.55 and will be deposited in the DES fund for the Upper Androscoggin River watershed per RSA 482-A:29.

Inspection Date: 06/06/2008 by Emily P Lucas

APPROVE PERMIT:

Dredge and fill 21,670 square feet of wetland and an intermittent stream (impacting 220 linear feet) to make site improvements to an existing lumber mill. Temporarily impact 4,765 of wetland to reshape a man-made ditch and promote positive flow towards the Androscoggin River.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers dated September 16, 2008, as received by DES on September 29, 2008.
2. This approval is contingent on approval by the DES Alteration of Terrain Bureau.
3. This approval is contingent on receipt by DES of a one time payment of \$63,110.55 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.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Work shall be done during low flow conditions.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
10. Proper headwalls shall be constructed within seven days of culvert installation.
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. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. 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.
16. Temporary wetland impact areas shall be properly restored and shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until the wetland is restored in a manner satisfactory to the DES Wetlands Bureau.
17. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.02(c), as wetland impacts are greater than 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
6. The payment calculated for the proposed wetland loss equals \$63,110.55.
7. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
8. The payment into the ARM fund shall be deposited in the DES fund for the Upper Androscoggin River watershed per RSA 482-A:29.
9. 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 wetland resources, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

**2007-00574 YAMANE, STEPHEN & JENNIFER
MELVIN VILLAGE Lake Winnepesaukee**

Requested Action:

Amend the permit to extend the area to be rip-rapped across the frontage.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE AMENDMENT:

Amend permit to read: Install 149 linear feet of rip-rap along the shoreline to stabilize the bank on property having 149 ft of frontage in Melvin Village, on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Carl Johnson Jr revision dated August 10, 2008, as received by DES on August 15, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. 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.
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 surface waters and wetlands.
7. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
8. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
9. This permit does not allow for the removal of any stumps or trees from the bank or lakebed.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(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 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.

**2007-02130 ST GERMAIN, PHILIP
NEW CASTLE Tidal Buffer**

Requested Action:

Applicant requests to use 2,440 sq. ft. of porous concrete instead of pea stone and crushed shells.

APPROVE AMENDMENT:

Impact a total of 4,470 square feet within the 100-foot tidal buffer zone to include the removal of the existing asphalt driveway, replacing the surface of the driveway with porous concrete, and expand the existing primary structure on a single family residential lot of 0.82 acres adjacent to the Piscataqua River.

With Conditions:

1. All work shall be in accordance with the following plans:
 - a.) Proposed Site Plan (Sheet C1) by Ambit Engineering, Inc. dated August 2007 and revised through September 20, 2007, as received by DES on September 25, 2007; and,
 - b.) Site Plan and Detail Sheet by Jones & Beach Engineers, Inc. dated July 15, 2008, as received by DES on August 4, 2008.
2. This permit is contingent upon the Shoreland Waiver, 2007-2544, and those conditions therein.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. The driveway surface shall remain permeable.
7. There shall be no further alteration of jurisdictional areas for lot development, driveways, culverts, or for any other construction related activities.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b) Projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02.
2. The applicant wishes to expand the existing dwelling, therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. With the removal of the existing asphalt driveway and replacing the surface of the driveway with a permeable surface, 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. A memo dated August 28, 2007 from the NH Natural Heritage Bureau ("NHB") had been included with the application. The NHB memo identified one State endangered vertebrate species, the Common Turn (*Sterna hirundo*), in the vicinity of the proposed project.
6. The Department finds that this project will have no adverse affect on the aforementioned species as this site is previously developed.
7. On August 4, 2008, DES received a request to amend the existing permit. Porous concrete will substitute the use of pea stone and crushed shells.

**2007-02756 MEIRZWA, ZENNON
WOLFEBORO Lake Winnepesaukee**

Requested Action:

Applicant requests to add an 8 foot extension to a 20 ft retaining wall in the bank, dredge 19.4 cubic yards from 350 sq ft of lakebed, rebuild existing boat house over public waters and increase the ridgeline 1.6 ft, rebuild the existing 10 ft x 38 ft crib supported dock and a 5 ft 6 in x 29 ft crib supported dock and after the fact approval to retain 5 piles, replace 2 existing piles on an average of 147 ft of frontage on Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com requested a 40 day hold on March 17, 2008, no comments received by May 01, 2008

DENY PERMIT:

Add an 8 foot extension to a 20 ft retaining wall in the bank, dredge 19.4 cubic yards from 350 sq ft of lakebed, rebuild existing boat house over public waters and increase the ridgeline 1.6 ft, rebuild the existing 10 ft x 38 ft crib supported dock and a 5 ft 6 in x 29 ft crib supported dock and after the fact approval to retain 5 piles, replace 2 existing piles on an average of 147 ft of frontage on Lake Winnepesaukee, Wolfeboro.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This project is classified as a minor impact per Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of rock, gravel, sand, mud, or other materials from public waters.
3. In accordance with RSA-482-A:3,XIV (2) Within 75 days of the issuance of a notice of administrative completeness for projects where the applicant proposes under one acre of jurisdictional impact and 105 days for all other projects, request any additional information that the department is permitted by law to require to complete its evaluation of the application, together with any written technical comments the department deems necessary. Any request for additional information under this subparagraph shall specify that the applicant submit such information as soon as practicable and shall notify the applicant that if the requested information is not received within 120 days of the request, the department shall deny the application.
4. In accordance with Rule Env-Wt 402.13 "Frontage Over 75'. There shall be a minimum of 75' of shoreline frontage on the property for the first 2-slip structure and an additional 75' of shoreline frontage on the property for each additional boating slip or securing location on a structure for non-commercial use.
5. Rule Env-Wt 402.21, Modification of Existing Structures, prohibits the modification of existing structures where the modification does not reduce construction surface area, the number of slips provided, or the environmental impact of the structure.

Findings of Fact

1. On February 25, 2008, the Wetlands Bureau received an application for surface water impacts on the lot identified as Wolfeboro tax map 171, lot 21, to add an 8 foot extension to a 20 ft retaining wall in the bank, dredge 19.4 cubic yards from 350 sq ft of lakebed, rebuild existing boathouse over public waters and increase the ridgeline 1.6 ft, rebuild the existing 10 ft x 38 ft crib supported dock and a 5 ft 6 inch x 29 ft crib supported dock and after the fact approval to retain 5 piles, replace 2 existing piles on an average of 147 ft of frontage on Lake Winnepesaukee, Wolfeboro.
2. The plan and tax map submitted indicate the applicant has sufficient frontage to provide 2 slips.
3. The existing docking facility provides at least 3 slips on 147 feet of frontage. This is 1 slip more than allowed by Env-Wt 402.13.
4. On June 25, 2008 the Wetlands Bureau received correspondence from the abutter upon whose property line the structures encroach, objecting to the proposed modification.
5. The Wetlands Bureau received a response to the Request for More Information letter from the applicant on September 12, 2008 via fax.
6. The response from the applicant did not include a plan indicating the removal of the piles as requested in item 1 of the Request for More Information letter.
7. The response from the applicant did not include notarized abutter permission letters as requested in item 1 of the Request for More Information letter.

8. The response from the applicant did not include information supporting the legal status of two of the piles as requested in item 2 of the Request for More Information letter.
9. The response from the applicant did not include a signed letter from the abutter stating they had no objection to the proposed increase in the boathouse ridge line as requested in item 3 of the Request for More Information letter.
10. The response from the applicant did not include a cross section of the proposed dredge area as requested in item 4 of the Request for More Information letter.
11. The response from the applicant did not include information on how the proposed dredge would be tied in to the existing grades and shoreline as requested in item number 4 of the Request for More Information letter.
12. The response from the applicant did not include a plan showing the existing conditions of the boathouse, which currently has no cupola, as requested in item 5 of the Request for More Information letter.
13. The response from the applicant did not include a plan indicating cross sections of the proposed docks, boathouse and the proposed shoreline impacts to include the proposed wall impacts as requested in item 6 of the Request for More Information letter.
14. The response from the applicant did not include a plan indicating the proposed grade heights and width of retaining walls and the location of the proposed steps to the boathouse as requested in item 6 of the Request for More Information letter.
15. The response from the applicant did not include information indicating how the site would be accessed for the proposed work and how the site would be stabilized after the proposed work as requested in item 7 of the Request for More Information letter.
16. The response from the applicant did not include a plan indicating the 20 foot setback or the extension of the property lines as requested in item 8 of the Request for More Information letter.

Rulings in Support of Denial

1. The applicant did not submit the requested information to the file as requested pursuant to RSA 482-A:3, therefore pursuant to RSA 482-A:3, the application is denied.
2. The project fails to meet the requirements of Rule Env-Wt 402.21 and, therefore, the application is denied.

2008-00052 BLASKO, MARK
CHICHESTER Unnamed Wetland

Requested Action:

Request reconsideration of the Department's September 9, 2008, decision to deny the permit as the information was not submitted within 120 days of the original request for additional information.

APPROVE RECONSIDERATION:

Dredge and fill 3374 square feet including installation of a 8 foot span x 24 foot long x 4 foot high spanning structure for access to a proposed go-cart track on an upland area.

With Conditions:

1. All work shall be in accordance with plans by A.C. Engineering dated January 17, 2008, and revised through June 4, 2008, as received by the Department on September 26, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. This permit is contingent on review and written approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
5. Work shall be done during low flow.
6. 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. 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. 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.
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. Proper headwalls shall be constructed within seven days of culvert installation.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Silt fencing must be removed once the area is stabilized.
21. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a 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.
5. The applicant submitted a timely request for reconsideration to the September 9, 2008 untimely denial of the project.
6. The changes to RSA 482-A:10,III effective September 9, 2008, allows the Department to reconsider the application if the basis of the original denial is a failure of the applicant to submit all of the information in a timely manner.
7. The applicant's Request for Reconsideration has addressed all of the items in the request for additional information dated March 24, 2008.

2008-00456 LIVINGSTON, STEVEN & JANICE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Install 6 ft x 6 ft stairs in the bank on Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com submitted comments stating they have no concerns with the proposed stairs, but the rip rap placement and bank stabilization is not necessary

APPROVE PERMIT:

Install 6 ft x 6 ft stairs in the bank on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey revision dated October 06, 2008, as received by DES on October 07, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. The stairs shall be located completely landward of full lake elevation of 504.32.
6. 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 minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of rock, gravel, sand, mud, or other materials from public waters.

**2008-00792 NH DES DAM BUREAU
CENTER HARBOR Hawkins Pond**

Requested Action:

Dredge and fill a total of 2150 to repair existing dam including installation of a new cut off wall further described as follows: Permanently impact 653 square feet and temporarily impact 1497 square feet for installation of a cofferdam with an access way on top.

APPROVE PERMIT:

Dredge and fill a total of 2150 to repair existing dam including installation of a new cut off wall further described as follows: Permanently impact 653 square feet and temporarily impact 1497 square feet for installation of a cofferdam with an access way on top.

With Conditions:

1. All work shall be in accordance with plans by NHDES Dam Bureau dated October 30, 2007 and revised through September 8, 2008, as received by the Department on September 15, 2008.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
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 drawdown.
6. No work shall be done during the loon breeding season. Work shall not occur between May 1 and September 30 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game and the Loon Preservation Committee.
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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering jurisdictional areas. Faulty equipment shall be repaired prior to entering jurisdictional areas.

12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
15. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
16. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species except on the existing dam.
17. 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.
18. Silt fencing must be removed once the area is stabilized.
19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
20. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h); Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f); 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 need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided a letter of agreement from the NH Fish and Game Department for work on their property.
6. The applicant has provided a waiver request per Env-Wt 204.03, to waive the requirement of a Certified Wetland Scientist in accordance with Env-Wt 301.01(g).
8. The resource in question is a surface water body and the limits of jurisdiction are the top of bank.
9. The photographs provided with the application do not indicate that there are any wetlands on the site.
10. It would be an economic hardship for the owner to have hire a wetland scientist when no wetlands occur on the site.
11. 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 30.01(g).
12. 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.
13. The applicant has provided a waiver request per Env-Wt 204.03, to waive the requirement to build the wall shoreward of the high water line in accordance with Env-Wt 404.05(a)(3) for the plans to be stamped by a Licensed Land Surveyor in accordance with Env-Wt 404.05(a)(4).
14. The proposal is to construct a wall in front of an existing dam in order to repair the structure.
15. The applicant is the state of NH Dam Bureau, the property is owned by the state of NH and the lake bed is also owned by the state of NH.
16. Installing the wall shoreward of the existing structure would require removal of the entirety of the dam structure and would impact the existing public roadway that travels over the dam.
17. It would be an economic hardship for the applicant to hire a land surveyor only to determine the high water line when it is a state owned project.
18. Not granting the request to build the wall lakeward may have adverse impacts to abutters as the roadway would need to be closed and the project is to stabilize the existing roadway.
19. If any additional work is to be conducted on the proposed wood lot an on site delineation will be required per condition #6 of this approval.
20. 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 criteria of Env-Wt 404.05(a)(3) and (4).
13. 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.

**2008-01417 THE PROFILE SCHOOL
BETHLEHEM Unnamed Wetland**

Requested Action:

Proposal to dredge and fill 2635 sq. ft. of wetlands for grading impacts for a new paved parking lot and parking lot access crossing at Profile High School. Work in wetlands consists of grading impacts for the parking lot, impacts for the access crossing and installation of a 24 in. x 35 ft. HDPE culvert.

APPROVE PERMIT:

Dredge and fill 2635 sq. ft. of wetlands for grading impacts for a new paved parking lot and parking lot access crossing at Profile High School. Work in wetlands consists of grading impacts for the parking lot, impacts for the access crossing and installation of a 24 in. x 35 ft. HDPE culvert.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron dated June 30, 2008, as received by DES on July 24, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent completion of the approved wetlands restoration permitted under Wetlands Bureau File #2007-00411.
4. Work shall be done during low flow.
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 further permitting by the Bureau.
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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. 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. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
16. 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.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This project is classified as a Minor Project per NH Administrative Rule Env-Wt 303.03(h), as wetland impacts are less than 20,000 square feet.
2. This project was classified as a Minor Project due to cumulative impacts at the site permitted under Wetlands Bureau File

#2007-00411.

3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
4. The project is needed to provide additional parking for students and alleviate safety concerns associated with students parking along Route 18.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. The applicant has received the associated NHDES Alteration of Terrain permit.

2008-01474 PITTORI, ALFRED & NICOLE
LONDONDERRY Unnamed Wetland

Requested Action:

Retain 4,622 sq. ft. of fill in a palustrine scrub-shrub roadside wetland to provide improved access to a 2.01 acre commercial site and restore a total of 1,486 sq. ft. of previously impacted wetlands.

Conservation Commission/Staff Comments:

"The [Londonderry Conservation] Commission voted ... to recommend approval of the "After the Fact" D+F application, particularly because of the restoration of the wetlands as proposed."

APPROVE AFTER THE FACT:

Retain 4,622 sq. ft. of fill in a palustrine scrub-shrub roadside wetland to provide improved access to a 2.01 acre commercial site and restore a total of 1,486 sq. ft. of previously impacted wetlands.

With Conditions:

1. All work shall be in accordance with plans by Eric C. Mitchell & Associates dated July 11, 2008, as received by DES on August 01, 2008.
2. NH DES Wetlands Bureau Southeast Region 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 septic setback.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Culvert 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(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01559 FISHER, JOHN
NEWBURY Lake Sunapee

Requested Action:

Replace a 6 ft x 8 ft crib with a 6 ft x 6 ft crib and use abandoned crib material to construct a second 6 ft x 6 ft crib to support and

existing 6 ft 2 in x 15 ft dock accessed by a 4 ft 5 in x 8 ft walkway and an 8 ft 4 in x 20 ft outbuilding on an average of 48 ft of frontage on Lake Sunapee.

APPROVE PERMIT:

Replace a 6 ft x 8 ft crib with a 6 ft x 6 ft crib and use abandoned crib material to construct a second 6 ft x 6 ft crib to support and existing 6 ft 2 in x 15 ft dock accessed by a 4 ft 5 in x 8 ft walkway and an 8 ft 4 in x 20 ft outbuilding on an average of 48 ft of frontage on Lake Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated May 22, 2008, as received by DES on August 8, 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. The repairs shall maintain the existing size, location, and configuration of structures with the exception of the addition of the second crib.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. 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 minor impact project per Administrative Rule Env-Wt 303.03(2), alteration of permanent docking facility providing less than 5 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed modifications will result in no increase in the construction surface area of the structure or number of slips provided and will reduce potential environmental impacts by improving the structural integrity of the structure and, therefore, the project meets Rule Env-Wt 402.21.

**2008-02097 NH NORTHCOAST CORP
ROCHESTER Unnamed Stream**

Requested Action:

Dredge and fill a total of 1,066 sq. ft. of wetlands and surface waters for the replacement of a failed 2 ft. x 3 ft. x 90 linear ft. stone culvert with a 4 ft. x 4 ft. x 90 linear ft. box culvert within the same location. Install riprap at the inlet and outlet of the new culvert.

APPROVE PERMIT:

Dredge and fill a total of 1,066 sq. ft. of wetlands and surface waters for the replacement of a failed 2 ft. x 3 ft. x 90 linear ft. stone culvert with a 4 ft. x 4 ft. x 90 linear ft. box culvert within the same location. Install riprap at the inlet and outlet of the new culvert.

Requested Action:

Dredge and fill approximately 4,026 square feet (impacting 3,670 linear feet) within the bed and banks of Nash Stream to restore and enhance habitat for Eastern brook trout by installing boulder clusters and porous rock weirs, by adding root wads and trees, and by removing berms along the stream to restore floodplain areas.

Conservation Commission/Staff Comments:

The goal of the project within the Nash Stream State Forest is to restore and enhance fish habitat along Nash Stream and their tributaries that provide critical habitat to important wild brook trout populations.

APPROVE PERMIT:

Dredge and fill approximately 4,026 square feet (impacting 3,670 linear feet) within the bed and banks of Nash Stream to restore and enhance habitat for Eastern brook trout by installing boulder clusters and porous rock weirs, by adding root wads and trees, and by removing berms along the stream to restore floodplain areas.

With Conditions:

1. All work shall be in accordance with plans by Field Geology Services, as received by DES on August 8, 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. Construction shall be inspected daily by a qualified biologist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow conditions
6. All in-stream work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be conducted in a manner so as to minimize the duration of construction in the watercourse.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. 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.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
11. All temporary impact areas shall be properly restored.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. 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.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposes to restore degraded wetland resources, specifically perennial stream resources that have been degraded through past logging, stream damming and dredging activities.
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 project is receiving funds from the USDA Natural Resources Conservation Service, the US Fish & Wildlife Service, and the NH Fish & Game Department. Supervision and oversight of the project comes from NH Fish & Game Dept., NH DRED Division of

Forest & Lands, and Trout Unlimited.

6. The goal of the project within the Nash Stream State Forest is to restore and enhance fish habitat along Nash Stream and their tributaries that provide critical habitat to important wild brook trout populations.

2008-01608 GRAHAM, JOHN
ENFIELD Spectacle Pond

Requested Action:

Repair an existing 56 linear ft retaining wall with no change in configuration or location on Spectacle Pond, Enfield.

Conservation Commission/Staff Comments:

Con Com did not submit any comments by October 14, 2008

APPROVE PERMIT:

Repair an existing 56 linear ft retaining wall with no change in configuration or location on Spectacle Pond, Enfield.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting LLC dated July 14, 2008, as received by DES on August 11, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Repair shall maintain existing size, location and configuration.
4. Retaining wall shall be constructed in the same footprint as the existing wall.
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. 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(c), repair or replacement of existing retaining walls that is performed in the dry.

FORESTRY NOTIFICATION

2008-02110 WELLS, RICHARD
MADISON Unnamed Stream

COMPLETE NOTIFICATION:

Madison Tax Map 234, Lot# 11

2008-02115 TIN MOUNTAIN CONSERVATION CENTER
ALBANY Unnamed Stream

COMPLETE NOTIFICATION:

Albany Tax Map 7, Lot# 71

2008-02117 **OLAUGHLIN, SEAN**
WHITEFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Whitefield Tax Map 217, Lot# 11

2008-02120 **MEADOWSEND TIMBERLANDS LTD**
NORTHFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Northwood Tax Map 11, Lot# 32

2008-02121 **MEADOWSEND TIMBERLANDS LTD**
ANTRIM Unnamed Stream

COMPLETE NOTIFICATION:
Antrim Tax Map 6, Lot# 3

2008-02122 **NORTHWOODLAND INC**
GOSHEN Unnamed Stream

COMPLETE NOTIFICATION:
Goshen Tax MAp 409, Lot# 4

2008-02188 **HARRIS, PETER & HARRIET**
HOLDERNESS Unnamed Stream

COMPLETE NOTIFICATION:
Holderness Tax Map 220, Lot# 4

2008-02189 **BARTLETT JR, JOHN**
STRAFFORD Unnamed Stream

COMPLETE NOTIFICATION:
Strafford Tax Map 11, Lot# 86

2008-02193 **HATCH, DEBORAH**
ALBANY Unnamed Stream

COMPLETE NOTIFICATION:
Albany Tax Map 9, Lot# 168

2008-02194 **JEPPSON / LEE, TAHCA C & LYNN ELANA**
DUNBARTON Unnamed Stream

COMPLETE NOTIFICATION:
Dunbarton Tax Map B3, Lot # 13

2008-02201 **LEGACY MANAGEMENT LLC**
HENNIKER Unnamed Stream

COMPLETE NOTIFICATION:
Henniker Tax Map 1, Lot# 88

2008-02202 **FOLEY, ROBERT**
BRADFORD Unnamed Stream

COMPLETE NOTIFICATION:
Bradford Tax Map 11, Lot# 13, 14, 18, 44 & 47

2008-02209 **TREMBLAY, MICHAEL**
LANDAFF Unnamed Stream

COMPLETE NOTIFICATION:
Landaff Tax Map 6, Lot # 18 T & U

2008-02211 **DUNBAR, RALIEGH**
BARNSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Barnstead Tax Map 15, Lot# 20

2008-02212 **RIGOT, CINDY**
BARNSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Barnstead Tax Map 11, Lot# 76

2008-02213 **FOOTE 1996 FAMILY TRUST, SHELDON**
LACONIA Unnamed Stream

COMPLETE NOTIFICATION:
Laconia Tax Map/Lot# 2/8 & 10, 6/1,3 & 4, 7/1

2008-02214 **SHERWOOT TRUST, JOHN & JOAN**
MADISON Unnamed Stream

COMPLETE NOTIFICATION:

Madison Tax Map 117, 233 Lot# 62, 39

2008-02215 BARDSLEY, GARY & LINDA GRIFFIN
GROTON Unnamed Stream

COMPLETE NOTIFICATION:

Groton Tax Map 7, Lot# 22

2008-02216 BARDSLEY, GARY
GROTON Unnamed Stream

COMPLETE NOTIFICATION:

Groton Tax Map 10, Lot# 4

EXPEDITED MINIMUM

2008-00510 ROCKART, JOHN
NEW LONDON Pleasant Lake

Requested Action:

Untimely denial to dredge 5000 sq. ft. of lagoon to remove gravel, leaves and silt, on Pleasant Lake, New London.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

With Findings:

1. 1. A request for additional information dated May 30, 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.

2008-00919 SMOTRYCZ, JENNIFER
ALTON Lake Winnepesaukee

Requested Action:

Replace a single rock dislodged from an existing breakwater, excavate and fill 262 sq ft of bank along 30 linear ft of shoreline to construct a perched beach and stabilize the bank on an average of 100 ft of frontage on Rattlesnake Island.

APPROVE PERMIT:

Replace a single rock dislodged from an existing breakwater, excavate and fill 262 sq ft of bank along 30 linear ft of shoreline to construct a perched beach and stabilize the bank on an average of 100 ft of frontage on Rattlesnake Island.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated September 11, 2008, as received by DES on September 15, 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. Repair of the breakwater shall maintain the existing size, location and configuration of the structure.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. All dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), alteration of less than 50 linear ft of shoreline on a lake or pond.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01667 GREENWAY VALLEY REALTY TRUST, DR VIJAY DAVE TRUSTE
MONT VERNON Unnamed Wetland

Requested Action:

Impact a total of 2,700 square feet of palustrine forested wetland to include impacting 1,770 square feet to install a 48-inch by 45 foot HDPE culvert and 930 square feet for the installation of a 24-inch by 30 foot HDPE culvert for the construction of a common driveway to access three (3) single family residential lots as part of a three (3) lot subdivision of 23.543 acres.

Conservation Commission/Staff Comments:

The Mont Vernon Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 2,700 square feet of palustrine forested wetland to include impacting 1,770 square feet to install a 48-inch by 45 foot HDPE culvert and 930 square feet for the installation of a 24-inch by 30 foot HDPE culvert for the construction of a common driveway to access three (3) single family residential lots as part of a three (3) lot subdivision of 23.543 acres.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated May 23, 2008 and revised through September

18, 2008, as received by DES on September 22, 2008.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback, or for any other construction related activities.
4. Work shall be done during seasonal low flow conditions between the months of August through March to protect herptilian migration to the adjacent vernal pools.
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. Both culverts shall be laid below grade and backfilled with natural soils to replicate the substrate of the surround wetland areas.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The impacts are necessary to access buildable uplands, 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, as the impacts occur in a location that will have the least amount of impact to the juxtaposed vernal pools. Although the impacted wetlands are contiguous with the vernal pools, the culverts will be submerged to mimic the surrounding wetland areas to enhance herptilian passage. Additionally, the applicant voluntarily offered a 100 foot buffer around the two vernal pools.
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.

2008-01780 WEEKS, PAULINE
LACONIA Winnisquam Lake

Requested Action:

Increase the proposed perched beach from 84 sq ft to 100 sq ft in size.

Conservation Commission/Staff Comments:

Con Com signed Exp Application and submitted comments stating there is a less impacting alternative to construct a beach on the frontage

APPROVE AMENDMENT:

Restore 12 linear feet of shoreline with existing rock, remove existing stump and construct a 100 sq ft perched beach, stabilize with native vegetation on 122 ft of frontage on Lake Winnisquam, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscape Co. Inc. dated October 13, 2008, as received by DES on October 14, 2008.
2. Repair shall maintain existing size, location and configuration.
3. Planting plan shall be implemented and maintained within one year of stump/shoreline restoration completion.
4. This permit does not authorize any maintenance dredging within Wetlands jurisdiction.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
6. Work shall be done during drawdown and in the dry.
7. 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.

8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands and avoids excessive discharges of sediments to fish spawning areas.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl is completely avoided.
10. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
11. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
12. Unnecessary removal of vegetation is strictly prohibited.
13. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 482.35). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
14. No stumps shall be removed within 50 feet of the reference line per RSA 483-B unless permitted otherwise.
15. Only existing rock shall be used for shoreline restoration.
16. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
17. This permit shall be used only once, and does not allow for annual beach replenishment.
18. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
19. 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(m) Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02.
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.

**2008-01787 GREENWOOD, ESTATE OF ALDEN
GREENVILLE Souhegan River**

Requested Action:

Maintenance and repair of the right abutment and center pier of the Chamberlain Falls Hydro Dam (DES Dam Bureau # 101.03) on the Souhegan River.

APPROVE PERMIT:

Maintenance and repair of the right abutment and center pier of the Chamberlain Falls Hydro Dam (DES Dam Bureau # 101.03) on the Souhegan River.

With Conditions:

1. All work shall be in accordance with plans by Thomas F. Moran dated August 05, 1981, and revised through October 22, 1981, and narrative by Robert A. Greenwood as received by the Department on September 05, 2008.
2. This permit is contingent on approval by the DES Dam Safety Program.
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. Work shall be done during low flow conditions.
5. 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.
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 dredge 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. There shall be no excavation or operation of construction equipment in flowing water.
 10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
 11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
 12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
 13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
 14. Temporary cofferdams shall be entirely removed immediately following construction.
 15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired.
 16. 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.
 17. 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(x), maintenance, repair, or replacement of a nondocking structure such as a dam.
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.

2008-01937 FRUCIANO, JOSEPH
MIDDLETON Sunrise Lake

Requested Action:

Repair 40 ft of existing 63 ft retaining wall and stairs on Sunrise Lake, Middleton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application on Sept 03, 2008

APPROVE PERMIT:

Repair 40 ft of existing 63 ft retaining wall and stairs on Sunrise Lake, Middleton.

With Conditions:

1. All work shall be in accordance with plans dated August 08, 2008, as received by DES on September 17, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Repair shall maintain existing size, location and configuration.
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. 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(c), repair of existing retaining wall that is performed "in the dry".

**2008-01954 FLYNN JR, PAUL & CYNTHIA
NASHUA Unnamed Stream**

Requested Action:

Impact a total of 420 square feet within the bed and banks of Harris Brook to include 102 square feet of temporary impacts and 318 square feet of permanent impacts for the removal and replacement of a failing headwall with a precast headwall, lengthening the existing 42-inch culvert an additional 8 feet, installation of a riprap apron for outlet protection to provide enhanced protection from erosion, and reconstruct the existing sidewalk for safe pedestrian passage.

Conservation Commission/Staff Comments:

The Nashua Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 420 square feet within the bed and banks of Harris Brook to include 102 square feet of temporary impacts and 318 square feet of permanent impacts for the removal and replacement of a failing headwall with a precast headwall, lengthening the existing 42-inch culvert an additional 8 feet, installation of a riprap apron for outlet protection to provide enhanced protection from erosion, and reconstruct the existing sidewalk for safe pedestrian passage.

With Conditions:

1. All work shall be in accordance with plans by City of Nashua Engineer's Office dated June 2008 and revised through August 8, 2008, as received by DES on September 18, 2008.
2. Work shall be done during seasonal low flow conditions.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlet shall be properly rip rapped.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
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. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for any other construction related activities.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The headwall of the existing culvert is failing. As a result the adjacent sidewalk and fence are in danger of further damage,

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.

**2008-02073 KIRKHAM, DONALD
BARNSTEAD Upper Suncook Lake**

Requested Action:

Repair an existing 5 ft x 9 ft stone stairway in Upper Suncook Lake, Barnstead.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 5 ft x 9 ft stone stairway in Upper Suncook Lake, Barnstead.

With Conditions:

1. All work shall be in accordance with plans dated September 17, 2008, as received by DES on September 29, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Appropriate siltation/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. Area shall be regraded to original contours following completion of work.
5. Repair shall maintain existing size, location and configuration.
6. 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(x), maintenance, repair, or replacement of a non-docking structure.

**2008-02090 LESNIAK, THOMAS & LORRAINE
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Replace an existing 36 linear feet of retaining wall, repair an existing 5 ft 2 wide stair, repair an existing 26 ft 3 inch x 14 ft deck and the rock supporting structure, with an attached 48 ft x 4 ft seasonal dock with a 16 ft x 4 ft seasonal dock in a "L" shaped configuration on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replace an existing 36 linear feet of retaining wall, repair an existing 5 ft 2 wide stair, repair an existing 26 ft 3 inch x 14 ft deck and the rock supporting structure, with an attached 48 ft x 4 ft seasonal dock with a 16 ft x 4 ft seasonal dock in a "L" shaped configuration on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated September 04, 2008, as received by DES on September 30, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repair shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. No new rocks shall be used for the repair of the supports for the existing deck. Existing rocks only shall be used.
10. 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 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.

TRAILS NOTIFICATION

**2008-01401 NORTHFIELD TOWN OF
NORTHFIELD**

COMPLETE NOTIFICATION:
Northfield Tax Map R9, Lot# 5

**2008-01950 LONDONDERRY, TOWN OF
LONDONDERRY Unnamed Wetland**

PERMIT BY NOTIFICATION

**2008-02218 PSNH
NEW HAMPTON Unnamed Wetland**

Requested Action:

Impact 720 sq. ft. of wetlands and a perennial stream to gain access for a scheduled mowing event.

PBN DISQUALIFIED:

Impact 720 sq. ft. of wetlands and a perennial stream to gain access for a scheduled mowing event.

CSPA PERMIT

2008-01915 MOSS, ROGER
PLYMOUTH Loon Lake

Requested Action:

Impact 1,650 sq ft to rebuild an existing primary structure in kind and construct a swale to convey surface run-off.

APPROVE PERMIT:

Impact 1,650 sq ft to rebuild an existing primary structure in kind and construct a swale to convey surface run-off.

With Conditions:

1. All work shall be in accordance with plans by Neil McIver dated September 12, 2008 and received by the Department of Environmental Services ("DES") on September 15, 2008.
2. No more than 16.49% 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 5,990 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,497.5 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. 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 on approval by the DES Subsurface Systems Bureau.
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.

2008-01982 CITY OF LACONIA
LACONIA Lake Winnepesaukee

Requested Action:

Relocate and regrade Rowe Court, a public street, in proximity to the Winnepesaukee River.

APPROVE PERMIT:

Relocate and regrade Rowe Court, a public street, in proximity to the Winnepesaukee River.

With Conditions:

1. All work shall be in accordance with plans by TF Moran, Inc. dated August 1, 2008 and received by the Department of Environmental Services ("DES") on September 17, 2008.
2. No more than 93% 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 impact no existing Natural Woodland Buffer beyond the primary building setback.
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 proposed project reduces the impervious surface area of the lot from 98% to 93%.

2008-01990 LOVELY, RODERICK
ENFIELD Mascoma Lake

Requested Action:

Impact 675 sq ft to replace an existing retaining wall in kind.

APPROVE PERMIT:

Impact 675 sq ft to replace an existing retaining wall in kind.

With Conditions:

1. All work shall be in accordance with plans by Don Rathburn dated September 17, 2008 and received by the Department of Environmental Services ("DES") on September 17, 2008.
2. No additional impervious surfaces may be constructed on the area of the lot within the protected shoreland.
3. The project as proposed will impact no existing unaltered areas within the Natural Woodland Buffer.
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.

2008-01992 COLE, DAVE
FREEDOM Ossipee Lake

Requested Action:

Impact 14,400 sq ft to replace a dining facility in a youth camp adjacent to Ossipee Lake.

APPROVE PERMIT:

Impact 14,400 sq ft to replace a dining facility in a youth camp adjacent to Ossipee Lake.

With Conditions:

1. All work shall be in accordance with plans by Sebago Technics dated September 18, 2008 and received by the Department of Environmental Services ("DES") on September 18, 2008.
2. There shall be no increase in impervious surfaces upon completion of the project unless additional approval is obtained from DES.
3. The project as proposed will impact no existing unaltered areas located within the Natural Woodland Buffer.
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.
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. Administrative rule Env-Wq 1406.12(h) has been waived due to the size of the lot and the number of structures it contains.
2. The applicant has proposed to reduce the amount of existing impervious surface by approximately 632 sq ft upon completion of the project.
3. The applicant has proposed no impacts to existing unaltered areas within the Natural Woodland Buffer.

**2008-01995 LYONS, ELIZABETH
SUNAPEE Lake Sunapee**

Requested Action:

Impact 7,755 sq ft new replace an existing primary structure with a new primary structure and attached garage.

APPROVE PERMIT:

Impact 7,755 sq ft new replace an existing primary structure with a new primary structure and attached garage.

With Conditions:

1. All work shall be in accordance with plans by Randall T Mudge & Associates dated September 15, 2008 and received by the Department of Environmental Services ("DES") on September 19, 2008.
2. No more than 18.7% 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 6,068 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,512.5 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. 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 on approval by the DES Subsurface Systems Bureau.
6. The proposed porous paving shall be installed and maintained in accordance with the manufacturers specifications.
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.

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.

2008-02124 LAMY, JOE
EPSOM Northwood Lake

Requested Action:

Impact 1,200 sq ft to upgrade a septic system and replace a pre-existing primary structure within the same footprint.

APPROVE PERMIT:

Impact 1,200 sq ft to upgrade a septic system and replace a pre-existing primary structure within the same footprint.

With Conditions:

1. All work shall be in accordance with plans received by the Department of Environmental Services ("DES") on October 1, 2008.
2. This project shall result in no change in the area of the lot within the protected shoreland covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will not alter the amount of the property maintained in an unaltered state.
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.