

Wetlands Bureau Decision Report

Decisions Taken
05/25/2009 to 05/31/2009

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

**2006-03232 BRISTOL, TOWN OF
BRISTOL Pemigewasset River**

Requested Action:

Request to amend existing permit to change location of proposed temporary support gabions (updated plans).

APPROVE AMENDMENT:

Dredge and fill a total of 15417 square feet along 272 linear feet within the bed and banks of the Pemigewasset River to replace an existing bridge further described as follows: Temporarily impact 11,702 square feet for construction access and erosion controls, and permanently impact 3715 square feet for installation of rip rap and stone stairs.

With Conditions:

1. All work shall be in accordance with plans by SEA Consultants Inc dated September 12, 2007, as received by the Department on September 12, 2007 and plans by Eckman Engineering LLC dated April 2008 as received by the Department on June 13, 2008 and revised plan sheet 1 and 3 of 3 revision dated May 19, 2009 and sheet 2 of 3 as revision dated May 18, 2009 as received by the Department on May 27, 2009.
2. Copies of all the recorded easements for work within our jurisdiction shall be submitted to the NH DES Wetlands Bureau prior to the start of construction.
3. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
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. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans and bridge demolition plans. Those plans shall detail the timing and method of stream flow diversion during construction, include timing and methods of removal for the existing structure and show temporary siltation/erosion/turbidity control measures to be implemented.
6. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
7. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. No equipment shall enter the water, unless written agreement from NH DES has been received for the work activity.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
12. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
13. 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.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. 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.
16. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

17. Temporary cofferdams shall be entirely removed immediately following construction.
18. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
19. The proposed granite steps within the bank shall be no greater than 6 feet in width.
20. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
21. Planted rip rap shall be installed on either side of the river per the detail received.
22. Above the Q50 elevation on the New Hampton side of the river bio-mats and vegetation shall stabilize the upper river bank and no rip-rap stone shall be used in this area.
23. The applicant shall provide appropriate Compensatory Flood Storage to meet the US Army Corps of Engineers requirements.
24. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
25. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
26. 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.
27. 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.
28. 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.
29. Silt fencing must be removed once the area is stabilized.

With Findings:

Reaffirm findings 1-16, of the original and previously amended approval:

1. This is a major impact project per Administrative Rule 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 Pemigewasset LAC has no concerns regarding this project provided the proposed abutments occupy the same foot print as the existing abutments.
6. The approved plans place the proposed abutments approximately 1 foot wider than the existing structure.
7. The bridge was categorized as critically deficient in December 2002 and is on the NH DOT Red List for Municipal Bridges.
8. The proposed bridge ranges between 9 and 11 feet higher than the existing bridge therefore providing a larger hydrologic opening.
9. The applicant has provided a letter of written authorization from the Army Corps of Engineers for work proposed on their property.
10. The applicant has provided a recorded easement from Public Service of New Hampshire for proposed work on their property.
11. The applicant has attempted to provide stormwater treatment and the proposal should improve the quality of the water discharging into the Pemigewasset River.
12. The proposed granite steps will utilize the existing granite abutments therefore working to fulfill the requirements of The Department of Historical Resources.
13. The proposed project is for the replacement of an existing structure and therefore mitigation is not required in accordance with the provisions of Env-Wt 302.03(c)(2)c.
14. The proposed impacts project is also not required to submit mitigation in accordance with the provisions of Env-Wt 302.03(d), as 10,615 square feet of impact are proposed to be temporary.
15. The change in the temporary impacts was to improve the constructability of the bridge.
16. NH Fish and Game has approved the change in the temporary impacts.

And make the additional findings:

17. The new location of the temporary support gabions is needed due to crane requirements for setting three-piece girders.

Requested Action:

Request to amend existing permit to change location of proposed temporary support gabions.

APPROVE AMENDMENT:

Dredge and fill a total of 15417 square feet along 272 linear feet within the bed and banks of the Pemigewasset River to replace an existing bridge further described as follows: Temporarily impact 11,702 square feet for construction access and erosion controls, and permanently impact 3715 square feet for installation of rip rap and stone stairs.

With Conditions:

1. All work shall be in accordance with plans by SEA Consultants Inc dated September 12, 2007, as received by the Department on September 12, 2007 and plans by Eckman Engineering LLC dated April 2008 as received by the Department on June 13, 2008 and revised plan sheet 1 and 2 of 3 revision dated April 10, 2009 as received by the Department on May 22, 2009.
2. Copies of all the recorded easements for work within our jurisdiction shall be submitted to the NH DES Wetlands Bureau prior to the start of construction.
3. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
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. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans and bridge demolition plans. Those plans shall detail the timing and method of stream flow diversion during construction, include timing and methods of removal for the existing structure and show temporary siltation/erosion/turbidity control measures to be implemented.
6. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
7. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. No equipment shall enter the water, unless written agreement from NH DES has been received for the work activity.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
12. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
13. 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.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. 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.
16. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
17. Temporary cofferdams shall be entirely removed immediately following construction.
18. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
19. The proposed granite steps within the bank shall be no greater than 6 feet in width.
20. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
21. Planted rip rap shall be installed on either side of the river per the detail received.
22. Above the Q50 elevation on the New Hampton side of the river bio-mats and vegetation shall stabilize the upper river bank and no rip-rap stone shall be used in this area.
23. The applicant shall provide appropriate Compensatory Flood Storage to meet the US Army Corps of Engineers requirements.
24. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
25. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in

sediment entering a wetland or surface water.

- 26. 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.
- 27. 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.
- 28. 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.
- 29. Silt fencing must be removed once the area is stabilized.

With Findings:

Reaffirm findings 1-16, of the original and previously amended approval:

- 1. This is a major impact project per Administrative Rule 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 Pemigewasset LAC has no concerns regarding this project provided the proposed abutments occupy the same foot print as the existing abutments.
- 6. The approved plans place the proposed abutments approximately 1 foot wider than the existing structure.
- 7. The bridge was categorized as critically deficient in December 2002 and is on the NH DOT Red List for Municipal Bridges.
- 8. The proposed bridge ranges between 9 and 11 feet higher than the existing bridge therefore providing a larger hydrologic opening.
- 9. The applicant has provided a letter of written authorization from the Army Corps of Engineers for work proposed on their property.
- 10. The applicant has provided a recorded easement from Public Service of New Hampshire for proposed work on their property.
- 11. The applicant has attempted to provide stormwater treatment and the proposal should improve the quality of the water discharging into the Pemigewasset River.
- 12. The proposed granite steps will utilize the existing granite abutments therefore working to fulfill the requirements of The Department of Historical Resources.
- 13. The proposed project is for the replacement of an existing structure and therefore mitigation is not required in accordance with the provisions of Env-Wt 302.03(c)(2)c.
- 14. The proposed impacts project is also not required to submit mitigation in accordance with the provisions of Env-Wt 302.03(d), as 10,615 square feet of impact are proposed to be temporary.
- 15. The change in the temporary impacts was to improve the constructability of the bridge.
- 16. NH Fish and Game has approved the change in the temporary impacts.

And make the additional findings:

- 17. The new location of the temporary support gabions is needed due to crane requirements for setting three-piece girders.

2008-01727 BATH, TOWN OF
BATH Unnamed Stream

Requested Action:

Confirm emergency authorization issued on September 11, 2008 to stabilize the bank of Burton Brook (a perennial stream) and an intermittent stream adjacent to Mt Gardner Road. The work was needed to repair flood damage and allow safe access on Mt Gardner Road. Total impacts are 1125 square feet. Impact area 1 involves 750 square feet (125 linear feet) of rip-rap along the perennial stream bank. Impact area 2 involves 375 square feet of rip-rap of the intermittent streambed (75 linear feet) and bank of the perennial stream (30 linear feet). Permit the removal of approximately 10 large boulders that fell into Burton Brook, during the emergency work. The boulders will be divided by a micro-blaster and removed from the stream bed.

APPROVE PERMIT:

Confirm emergency authorization issued on September 11, 2008 to stabilize the bank of Burton Brook (a perennial stream) and an intermittent stream adjacent to Mt Gardner Road. The work was needed to repair flood damage and allow safe access on Mt Gardner Road. Total impacts are 1125 square feet. Impact area 1 involves 750 square feet (125 linear feet) of rip-rap along the perennial stream bank. Impact area 2 involves 375 square feet of rip-rap of the intermittent streambed (75 linear feet) and bank of the perennial stream (30 linear feet). Permit the removal of approximately 10 large boulders that fell into Burton Brook, during the emergency work. The boulders will be divided by a micro-blaster and removed from the stream bed.

With Conditions:

1. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
2. All work to remove the boulders in the stream shall be in accordance with narrative letter by Lobdell Associates, Inc. as received by DES on April 22, 2009.
3. Work shall be done during low flow conditions.
4. The Permittee shall monitor the weather and will not commence work within flowing water when rain is in the forecast.
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 in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
7. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a Major Project per Administrative Rule Env-Wt 303.02(i), Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on September 11, 2008.
6. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.
7. The project was necessary to repair flood damage, prevent future damage to the road and to provide sufficient support for the road bed.
8. The road has been in place for over 100 years and may have been rip-rapped in the past.
9. Rip-rap was necessary due to space restrictions.
10. Approximately 10 large boulders fell into stream bed of Burton Brook during the emergency repairs.
11. The boulders can not be removed from the stream without splitting because of the steep slope and risk of destabilizing the rip-rap along the bank.
12. The boulders will be divided by a micro-blaster and removed from the stream bed.
13. For work occurring outside of the town right-of-way, the property owner (Map 16 Lot 39) granted permission to the Town of Bath to micro blast the boulders that had fallen into the stream on Map 16 Lot 39.
14. The applicant has requested a waiver per Env-Wt 204.03, to the requirement for plans stamped by a Professional Engineer as required by Env-Wt 404.04 (e).
15. 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.
16. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the NH Natural Heritage Bureau or the Bath Conservation Commission.

17. 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 riverine resource, as identified under RSA 482-A:1.

2008-01753 WASHINGTON LAKE ASSOCIATION
WASHINGTON Island Pond

Requested Action:

Dredge between 400 and 1073 cubic yards of material from public waters, remove an existing 8 ft x 12 ft concrete slab boat ramp and install a 12 ft x 24 ft boat ramp, in Island Pond, Washington.

Conservation Commission/Staff Comments:

Con Com submitted several pages of comments

DENY PERMIT:

Dredge between 400 and 1073 cubic yards of material from public waters, remove an existing 8 ft x 12 ft concrete slab boat ramp and install a 12 ft x 24 ft boat ramp, in Island Pond, Washington.

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 major impact per Rule Env-Wt 303.02(g), removal of more than 20 cubic yards of rock, gravel, sand, mud, or other material from public waters.
3. In accordance with 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.
4. In accordance with Env-Wt 302.04, (a) For any major or minor project, the applicant shall demonstrate by plan and example that the following factors have been considered in the project's design in assessing the impact of the proposed project to areas and environments under the department's jurisdiction: (1) The need for the proposed impact;
5. In accordance with Env-Wt 302.04,(a) For any major or minor project, the applicant shall demonstrate by plan and example that the following factors have been considered in the project's design in assessing the impact of the proposed project to areas and environments under the department's jurisdiction: (2) The alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site;
6. In accordance with RSA 482-A:11(a) 482-A:11 Administrative Provisions. II. Decisions of the department or council under this chapter shall be consistent with the purposes of this chapter as set forth in RSA 482-A:1. Before granting a permit under this chapter, the department may require reasonable proof of ownership by a private landowner-applicant. If a permit is granted, the decision of the department may contain reasonable conditions designed to protect the public good. No permit to dredge or fill shall be granted if it shall infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners.
7. 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. Such request and technical comments may be sent by electronic means if the applicant or authorized agent has indicated an agreement to accept communications by electronic means, either by so indicating on the application or by a signed statement from the applicant or authorized agent that communicating by electronic means is acceptable. 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 60 days of the request, the department shall deny the application. The department may grant an extension of this 60 day time period upon request of the applicant.

Findings of Fact

1. On August 26, 2008, the Wetlands Bureau received an application for surface water impacts on the lot identified as Washington tax map 12, lot 65, block 1, to dredge between 400 and 1073 cubic yards of material from public waters, remove an existing 8 ft x 12 ft concrete slab boat ramp and install a 12 ft x 24 ft boat ramp, in Island Pond, Washington.
2. The Wetlands Bureau received comments from the local Conservation Commission on September 29, 2008. These comments are opposed to the proposed dredging and enlarging the boat ramp on Island Pond.
3. On October 21, 2008, the Wetlands Bureau received comments from the WLA Mooring Area Committee in response to the local Conservation Commissions comments. In these comments, they state that the back lot homeowners have a deeded right to moor one boat per property in this area.
4. On November 03, 2008, the Wetlands Bureau received a notarized letter stating that only the eastern side of the cove was dredged in the mid 60's.
5. On November 03, 2008, the Wetlands Bureau sent a Request for More Information letter requesting information to complete the review of the proposed project.
6. On February 25, 2009, the Wetlands Bureau received 3 affidavits from Keach Nordstrom Associates.
7. On March 06, 2009, the Wetlands Bureau received a letter from the abutter, Society for the Protection of New Hampshire Forests, this letter was opposed to the proposed project in the cove.
8. On April 30, 2009, the Wetlands Bureau received a response from the Washington Lake Association to the Request for More Information letter dated November 03, 2008.
9. The plans submitted on April 30, 2009, indicate a proposed dredge of the entire cove within 20 feet of the abutting shore.
10. The information submitted on April 30, 2009 does not include the information as requested in the Request for More Information letter, to include but not limited to, plans drawn to scale, existing conditions plans, cross sections, information of previously dredged areas, access information or disposition of dredged materials.
11. On May 20, 2009, the Wetlands Bureau received further comments from the local Conservation Commission on the proposed project.

Rulings in Support of Denial

1. The applicant failed to submit the information requested in the Request for More Information letter dated November 03, 2008 to allow the Department to complete its' review of the proposed project, therefore pursuant to RSA 482-A:3, the application is denied.
2. The proposed project will have a direct impact on the abutter, therefore pursuant to RSA 482-A:11, the application is denied.
3. The proposed project is not the least impacting alternative, therefore the application is denied.

MINOR IMPACT PROJECT

**2005-00425 MCCARRON-PERRON, CATHLEEN
DEERFIELD Unnamed Wetland**

Requested Action:

Amend permit to reflect design change from a 5' x 3' x 104' long box culvert to a 60" x 46" x 104' long metal pipe arch culvert.

Conservation Commission/Staff Comments:

Conservation Commission has reviewed project as it has progressed and commented on applicant's efforts to remediate an associated drainage problem, would rather have a cluster development.

APPROVE AMENDMENT:

Dredge and fill a total of 13,557 square feet of palustrine wetlands for roadway construction over 6 locations for a 15-lot subdivision on 62 acres, including: 1) 2,400 sq. ft. of impact to install a 54' x 24" culvert; 2) 1,167 sq. ft. of impact to install a 54' x 15" culvert; 3) 3,655 sq. ft. to install a 104' long, 60" x 46" metal pipe arch culvert; 4) 4,885 sq. ft. of impact for construction of a shared driveway/emergency access road, at wetland high point with no culvert; 5) 950 sq. ft. of impact to install 30' x 15" culvert; and 6) 500 sq. ft. to install a 25' x 15" culvert.

Approve as mitigation conservation easement on 3.8 acres (approximately 50% wetland and 50% upland) to be held and stewarded by the Rockingham County Conservation District.

With Conditions:

1. AMENDED: All work shall be in accordance with revised plans by the H.L. Turner Group dated 4/12/2006, as received by the Department on 4/20/2006, entitled "McCarron Phase III Subdivision, Mc Carron Road Plan and Profile, Deerfield, NH", sheets C1.1, C1-C3; and per revised plans by Brown Engineering dated 3/31/2006, as received by the Department on 4/20/2006, entitled "Phase III Subdivision, of Land Prepared For Cathleen M. McCarron-Perron..Boundary Line Adjustment with... Ruffin"; and per revised sheets C1, SD2, and RS2, dated 3/6/2009, as received by DES on 3/6/2009.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. Record conservation easement plan by Brown Engineering dated 3/31/2006, as received by the Department on 4/20/2006, entitled "Phase III Subdivision, of Land Prepared For Cathleen M. McCarron-Perron..Boundary Line Adjustment with... Ruffin" for each appropriate lot within 10 days from receipt of this decision and submit a certified receipt from the Rockingham County Registry of Deeds to the DES Wetlands Bureau.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.
8. This permit is contingent upon receipt and DES approval of stream diversion/ dewatering plan for work at any crossing locations which involve perennial streams.
9. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
13. Silt fencing must be removed once the area is stabilized.
14. 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.
15. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
16. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
17. 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.
18. Temporary cofferdams shall be entirely removed immediately following construction.
19. 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.

20. 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.

21. 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.

22. 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.

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

24. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

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

26. Work shall be done during low flow.

Wetland preservation:

1. This permit is contingent upon the execution of a conservation easement on 3.8 acres as depicted on plans by dated 3/31/2006, as received by the Department on 4/20/2006, entitled "Phase III Subdivision, of Land Prepared For Cathleen M.

McCarron-Perron..Boundary Line Adjustment with... Ruffin", to be held and stewarded by the Rockingham County Conservation District.

2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.

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

6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.

7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The amendment request does not represent any change in square footage of impact.

2. Both the original box culvert and the proposed pipe arch are intended to have naturalized stream bottoms; the new pipe arch will have wider dimensions than the box culvert, increasing flow capacity and aquatic species passage.

2008-00265 DAVIS, ROBERT
NEWBURY Lake Sunapee

Requested Action:

Amend permit condition # 8 to represent the proposed dredging within the boathouse.

APPROVE AMENDMENT:

Reconsider and approve permit to: Repair, replace, and modify existing crib supported structures resulting in a 15 ft 4 in x 30 ft 4 in

boathouse with a single 10 ft wide interior slip, a 3 ft 4 in x 8 ft exterior dock extending from a 2 ft 7 in x 30 ft dock, and a 7 ft x 28 ft 9 in dock on property having an average of 140 ft of frontage on Lake Sunapee in Newbury.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction revised May 22, 2009, as received by DES on May 22, 2009.
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 the structures represented as "existing" were not previously permitted or grandfathered.
4. All construction related debris and materials shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation and erosion controls shall be in place prior to construction, 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. This permit does not allow dredging for any purpose other than within the existing boat slip as identified on the approved plan.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. 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(d), alteration of permanent docking facilities providing fewer 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 project as proposed meets the requirements of Rule Env-Wt 204.04, Criteria, for a waiver of Rule Env-Wt 402.21, Modification of Existing Structures.

**2008-02635 NOTTINGHAM, TOWN OF
NOTTINGHAM Little River**

Requested Action:

Dredge and fill a total of 2,647 sq. ft. (180 linear ft.) of stream channel and banks of the Little River to reconstruct the Mill Pond Rd. Bridge lost in the April 2007 floods, including: 946 sq. ft. of permanent impacts to construct abutments, wingwalls, and repair scour damage; 1,701 sq. ft. of temporary impact associated with construction of stream diversion/dewatering pipe and coffer dam.

APPROVE PERMIT:

Dredge and fill a total of 2,647 sq. ft. (180 linear ft.) of stream channel and banks of the Little River to reconstruct the Mill Pond Rd. Bridge lost in the April 2007 floods, including: 946 sq. ft. of permanent impacts to construct abutments, wingwalls, and repair scour damage; 1,701 sq. ft. of temporary impact associated with construction of stream diversion/dewatering pipe and coffer dam.

With Conditions:

1. All work shall be in accordance with plans and narrative materials by Holye Tanner & Associates dated March 2009, as received by DES on 4/9/2009.

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. The recommendations of NH Fish and Game Department, included as conditions for permit 2007-2203 for reconstruction of the immediately adjacent Nottingham Lake Dam which ties into the bridge replacement, shall apply to this permit as well including:
 - a. Stream flows above and below the dam shall be maintained throughout the project construction phases and rewatering of the impoundment shall follow the commonly used guideline of storing 10% while releasing 90% of the inflow once low-level construction is completed, to assure downstream riverine habitat is maintained for fish and wildlife.
 - b. appropriate stabilization methodology to protect the streambanks down stream of the dam to prevent sediment from entering the Little River shall be provided during construction and further undermining existing rip rap. Coordinate with the Mill Pond View LLC/Nottingham Lake Dam reconstruction to assure that the reconstruction of the dam and the reconstruction of the adjacent bridge are coordinated such that exposed downstream banks are properly protected, and any gap between construction schedules does not result in further bank destabilization or water quality impacts;
 - c. coordinate with NHFG (contact Cheri Patterson , Marine Fisheries Division 868-1095) to the satisfaction of NHFG on project timing with respect to mitigating the effects of construction on fish and eel species.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
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. 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.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed according to the restrictions specified by NHFG in conditions 3a.- 3f. above.
8. Temporary cofferdams shall be entirely removed immediately following construction, in accordance with the timing restrictions stated above.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
13. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that disturb less than 200 linear feet of the banks and channel of a perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The new bridge will replace the previous bridge, which was severely damaged in the April 2007 flood event.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The new bridge will be a free span bank to bank supported by new, stable abutments.
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. No plant species of concern were reported by the NH Heritage Bureau ("NHB") as occurring in the project vicinity; fisheries concerns expressed by NH Fish and Game Department ("NHFG") have been addressed by incorporating the same conditions recommended by NHFG for the adjacent Nottingham Lake Dam reconstruction, into this permit.
5. The Nottingham Conservation Commission did not report.

6. DES Staff conducted a field inspection of the proposed dam reconstruction and bridge replacement on 4/2/2008, and found the dam gone, the lake drained, and a one-lane temporary bridge in place. The dam reconstruction and bridge replacement designs have been engineered to tie into one another.
7. Pursuant to Env-Wt 302.03, compensatory mitigation is not required for this project, as it involves reconstruction of existing roadway infrastructure with permanent impacts that do not exceed the threshold for minor projects.

2009-00077 LATULIPPE, MICHAEL
ASHLAND Unnamed Wetland

Requested Action:

Proposal to dredge and fill 3244 sq. ft. (includes 1545 sq. ft. temporary impacts) of wetlands and associated intermittent drainage for an access road and installation of a catch basin for a proposed 13-lot residential (private adult community) subdivision known as "Carriage Hill" with one remaining land lot.

APPROVE PERMIT:

Dredge and fill 3244 sq. ft. (includes 1545 sq. ft. temporary impacts) of wetlands and associated intermittent drainage for construction of an access road and installation of a catch basin for a proposed 13-lot residential (private adult community) subdivision known as "Carriage Hill" with one remaining land lot. Work in wetlands consists of the following: "Impact Area 1", 1,913 of wetlands impact (including 726 sq. ft. of temporary impacts) for installation of 45 ft. long x 8 ft. wide x 2 ft deep open bottom box culvert and associated grading and filling; "Impact Area 2", 916 sq. ft. of wetlands impact (includes 404 sq. ft. of temporary impact) for installation of a 12 in. x 62 ft. HDPE culvert with associated grading filling and inlet and outlet protection; "Impact Area 3", 415 sq. ft. of temporary wetlands impact for installation of a new drainage structure along Thompson Street.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership Inc. revision dated April 24, 2009, as received by DES on April 29, 2009.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback (does not include the remaining land lot).
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Grafton County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Work shall be done during low flow.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. 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.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 14 days by seeding and mulching.

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

16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediate.

18. 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.

19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The previous application File #2007-02805 was denied untimely.
6. The applicant has reduced the previously proposed impacts in the new application.
7. The permit is condition on further permitting for any additional impacts to wetlands.

2009-00203 BACHAND, ERIN
DOVER Unnamed Wetland

Requested Action:

Dredge and fill a total of 4,230 sq. ft. of wetlands and install an 18" x 43' culvert for construction of a shared driveway for 2 lots of a 12-lot open space subdivision on 57.78 acres.

APPROVE PERMIT:

Dredge and fill a total of 4,230 sq. ft. of wetlands and install an 18" x 43' culvert for construction of a shared driveway for 2 lots of a 12-lot open space subdivision on 57.78 acres.

With Conditions:

1. All work shall be in accordance with plans by Civilworks dated 5/18/2009, as received by DES on 5/26/2009.
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. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of final grading or temporary suspension of work, 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. Culvert outlets shall be properly rip rapped.
9. Work shall be done during low flow.
10. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff

treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving alteration of less than 20,000 sq. ft. in the aggregate of non-tidal wetlands that exceed the criteria for minimum impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. It is necessary to cross the wetland at some location to reach buildable uplands.
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. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the vicinity of the project. The applicant has further demonstrated that there will be no flooding impacts to abutters as a result of this project.
5. Dover Conservation Commission did not report.

2009-00476 HENNIKER, TOWN OF
HENNIKER Unnamed Stream Contoocook River

Requested Action:

Temporarily impact 612 sq. ft. of unnamed perennial tributary to the Contoocook River to repair a section of an existing 48-inch RCP at Western Ave.

APPROVE PERMIT:

Temporarily impact 612 sq. ft. of unnamed perennial tributary to the Contoocook River to repair a section of an existing 48-inch RCP at Western Ave.

With Conditions:

1. All work shall be in accordance with plans by Moser Engineering dated January 12, 2009, as received by the Department on March 18, 2009.
2. The Town shall obtain temporary construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2009-00476 prior to construction.
3. Work shall be done during low flow conditions.
4. This permit is contingent upon restoration of 612 sq. ft. of unnamed perennial stream in accordance with plans received March 18, 2009, within 15 days of the completion of construction.
5. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the DES Wetlands Bureau.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of twenty (20) feet of undisturbed vegetated buffer.

13. 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. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Native material removed from the streambed during construction shall be stockpiled separately and reused to emulate a natural channel bottom within the temporary impact area. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
21. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
22. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
23. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
24. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
25. A post-construction report documenting the status of the completed repairs and restored temporary impact streambed area shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of a perennial stream.
2. No comments of concerns were submitted.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2009-00551 HODGKINS, SARA
CHESTERFIELD Unnamed Wetland

COMPLETE NOTIFICATION:
Chesterfield Tax Map 3, Lot# 8.1

2009-00749 HOWARD, JAMES
CHESTERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Chesterfield Tax Map 3, Lot#12

2009-00900 BOUTIN, THOMAS & REBECCA
MILAN Unnamed Stream

COMPLETE NOTIFICATION:
Milan Tax Map 131, Lot# 57

EXPEDITED MINIMUM

2009-00689 TRUSTEES OF DARTMOUTH COLLEGE
HANOVER Unnamed Stream

Requested Action:

Propose to dredge and fill 174 square feet of wetlands and 45 linear feet of an associated intermittent stream for the construction of an access road and sediment basin on a single family lot. Work in wetlands consists of a wetlands crossing including an intermittent stream crossing with a 15 inch culvert; and the construction of a sediment basin.

Conservation Commission/Staff Comments:
Conservation Commission signed application

APPROVE PERMIT:

Impact 60 square feet of wetlands and 20 linear feet of an associated intermittent stream for the construction of an access road to a single family lot. Work in wetlands consists of one wetlands crossing including an intermittent stream crossing with a 15 inch diameter by 20 feet length culvert and associated filling and grading.

With Conditions:

1. All work shall be in accordance with plans by James S. Kennedy entitled Grasse Road Phase 1- Lot 2 as received by DES on May 15, 2009.
2. Work shall be done during periods of non-flow.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Culverts and associated natural embedding material shall be set at (match) original stream grade.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
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. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

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

With Findings:

1. This is a minimum impact project per 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The driveway location was chosen to provide safe access to the lot.
6. The 15 inch culvert is larger than the existing 12 inch culvert under Grasse Road, and was chosen to adequately convey runoff flow.
7. Project revisions moved the sediment basin out of jurisdictional wetlands.
8. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
9. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

**2009-00692 KLH REALTY TRUST, ROBERT HOLMBERG
ALTON Lake Winnepesaukee**

Requested Action:

Install 2 seasonal PWC lifts in the northern slip, install a seasonal boat lift in the center slip, install a 14 ft x 30 ft seasonal canopy over the center slip, on an existing permanent dock consisting of a 8 ft x 38 ft piling supported dock connected to a 6 ft x 40 ft piling supported dock by a 11 ft permanent walkway on 105 ft of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Install 2 seasonal PWC lifts in the northern slip, install a seasonal boat lift in the center slip, install a 14 ft x 30 ft seasonal canopy over the center slip, on an existing permanent dock consisting of a 8 ft x 38 ft piling supported dock connected to a 6 ft x 40 ft piling supported dock by a 11 ft permanent walkway on 105 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Bob Holmberg dated March 12, 2009, as received by DES on April 21, 2009.
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. Seasonal PWC lifts shall be removed for the non-boating season.
4. Seasonal boat lifts shall be removed for the non-boating season.
5. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be removed for the non-boating season. Further, the flexible fabric cover shall be removed during all seasons of non-use.
6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
7. 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(ac), and Env-Wt 303.04(ad), installation of seasonal watercraft.

2009-00765 BEDFORD, TOWN OF
BEDFORD Unnamed Wetland

Requested Action:

Proposal to dredge and fill 130 sq. ft. of wetlands for construction of a 6 ft. extension on an existing 15 in. RCP culvert and installation of a new headwall for roadway improvements along NH Route 101.

APPROVE PERMIT:

Dredge and fill 130 sq. ft. of wetlands for construction of a 6 ft. extension on an existing 15 in. RCP culvert and installation of a new headwall for roadway improvements along NH Route 101.

With Conditions:

1. All work shall be in accordance with plans by McFarland Johnson dated April 1, 2009, as received by DES on April 30, 2009.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Work shall be done during low flow.
4. 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.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. 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.
8. 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.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. 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.
13. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore, stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
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.

2009-00795 PICARILLO, DAVID
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Construct a 288 sq ft perched beach with less than 10 cubic yards of sand on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 288 sq ft perched beach with less than 10 cubic yards of sand on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Pollock Land Planning LLC, as received by DES on May 04, 2009.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. 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.
4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 10 cu yds of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
9. 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.
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 is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach.

2009-00833 PEGGY'S COVE ASSOCIATION, KEN MACLEOD
ALTON Lake Winnepesaukee

Requested Action:

Replace one three pile ice-cluster and one piling on the lakeward end of a 6 ft. x 20 ft. dock attached to a 10 ft. x 60 ft. dock with seven 20 ft. x 2 ft. seasonal piers on 168 ft. of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application on May 01, 2009

APPROVE PERMIT:

Replace one three pile ice-cluster and one piling on the lakeward end of a 6 ft. x 20 ft. dock attached to a 10 ft. x 60 ft. dock with seven 20 ft. x 2 ft. seasonal piers on 168 ft. of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated April 24, 2009, as received by DES on May 06, 2009.
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 size, location and configuration of the pre-existing structures.
 4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
 5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
 6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
 7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
 8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
 9. 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.
 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.

LAKES-SEASONAL DOCK NOTIF

2009-00474 BELLEAU LAKE PROPERTY OWNERS ASSOCIATION
WAKEFIELD Belleau Lake

COMPLETE NOTIFICATION:
Wakefield Tax Map 45 , Lot# 27 Belleau Lake

2009-00982 LUCIANO, PAUL
DEERFIELD Pleasant Lake

COMPLETE NOTIFICATION:
Deerfield Tax MAp 207, Lot# 50 Pleasant Lake

ROADWAY MAINTENANCE NOTIF

2009-01014 NH DEPT OF TRANSPORTATION, BUREAU OF RAIL & TRANSI
LYNDEBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Replace an existing 36" CMP culvert with a new 36" RCP culvert and headers

**2009-01015 NH DEPT OF TRANSPORTATION, DISTRICT 2
DANBURY Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 40 feet of 15" RCP culvert with PEP culvert

**2009-01016 NH DEPT OF TRANSPORTATION, DISTRICT 2
DANBURY Unnamed Stream**

COMPLETE NOTIFICATION:

Extend a 36" RCP culvert by 4 feet and rebuild headwall

**2009-01017 NH DEPT OF TRANSPORTATION
EPPING Unnamed Stream**

COMPLETE NOTIFICATION:

Extend a 24" RCP 6 feet on the outlet end

**2009-01018 NH DEPT OF TRANSPORTATION
LEE Unnamed Stream**

COMPLETE NOTIFICATION:

Extend 12" CMP 7 feet

**2009-01019 NH DEPT OF TRANSPORTATION
EXETER Drainage Swale**

COMPLETE NOTIFICATION:

Dredge 500' of a drainage swale

**2009-01020 NH DEPT OF TRANSPORTATION
LACONIA Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 24"x 97" CMP with the same

**2009-01021 NH DEPT OF TRANSPORTATION
EXETER Unnamed Stream**

COMPLETE NOTIFICATION:

Remove sediment from outlet end of an existing pipe

PERMIT BY NOTIFICATION

2009-00552 KEENE DPW, CITY OF
KEENE Beaver Brook

Requested Action:

Replace approximately 75 linear feet of an existing deteriorated concrete retaining wall along Beaver Brook to protect an existing town sewer line.

COMPLETE NOTIFICATION:

Replace approximately 75 linear feet of an existing deteriorated concrete retaining wall along Beaver Brook to protect an existing town sewer line.

With Findings:

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(4), The construction of a temporary cofferdam and other water control devices that meets the criteria in Env-Wt 303.04(1).
3. Env-Wt 303.04(1) states, "Temporary cofferdams and other water control devices constructed in flowing water or adjacent to dams in conjunction with the repair or maintenance of existing structures. Temporary cofferdams means temporary watertight enclosures built in the water and pumped dry to expose the bottom so that construction may be undertaken. All such work shall be designed and supervised by a professional engineer and shall be removed upon completion of repair and/or maintenance."
4. The Natural Heritage Bureau Report dated 04/15/2009 confirming no record of sensitive species near the project area.
5. The submitted plans have been stamped by a professional engineer.
6. A letter of permission from the property owner of tax map/lot no. 1401/56.

2009-00553 KEENE DPW, CITY OF
KEENE Unnamed Stream

Requested Action:

Temporarily impact 100 sq. ft. of an unnamed intermittent stream to install temporary cofferdams for the repair of a failed watermain line.

PBN IS COMPLETE:

Temporarily impact 100 sq. ft. of an unnamed intermittent stream to install temporary cofferdams for the repair of a failed watermain line.

With Findings:

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(4), The construction of a temporary cofferdam and other water control devices that meets the criteria in Env-Wt 303.04(1).
3. Env-Wt 303.04(1) states, "Temporary cofferdams and other water control devices constructed in flowing water or adjacent to dams in conjunction with the repair or maintenance of existing structures. Temporary cofferdams means temporary watertight enclosures built in the water and pumped dry to expose the bottom so that construction may be undertaken. All such work shall be designed and supervised by a professional engineer and shall be removed upon completion of repair and/or maintenance."
4. The Natural Heritage Bureau Report dated 05/13/2009 indicated the presence of dwarf wedgemussel near the project area.
5. In email correspondence dated May 19, 2009, the NHFG Nongame and Endangered Species stated, "As long as all efforts are taken to prevent sediment from entering the Ashuelot River as a result of the project, we do not expect impacts to dwarf wedgemussels in the Ashuelot River."
6. In email correspondence dated may 26, 2009, the USFWS stated, "The sediment control measures should be sufficient to protect

downstream water quality. Based on the distance from known mussel habitat and the sediment control measures, I anticipate that the proposed work is not likely to affect dwarf wedgemussels."

- 7. The submitted plans have been stamped by a professional engineer.
- 8. A letter of permission from the property owner of tax map/lot no. 914-06/45

2009-00575 PSNH
WASHINGTON Unnamed Wetland

Requested Action:

Disqualify permit by notification to dredge and fill approximately 30 square feet of palustrine forested wetlands to replace a utility pole and guide wires.

PBN DISQUALIFIED:

Disqualify permit by notification to dredge and fill approximately 30 square feet of palustrine forested wetlands to replace a utility pole and guide wires.

With Findings:

- 1. A notice of incomplete permit by notification requesting additional information dated April 22, 2009, addressed to the applicant or agent of record, clearly required the applicant to submit additional information to DES within 20 days of the request.
- 2. DES did not receive the requested additional information within the 20 days; and therefore, the permit by notification has been disqualified.

2009-00914 MCKINLEY JR, C SCOTT
ALTON BAY Lake Winnepesaukee

Requested Action:

Repair existing docking structures with no change in configuration.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

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.

2009-01001 FENNER, DANA & KRISTI
ENFIELD Crystal Lake

Requested Action:

Repair existing docking structures.

Conservation Commission/Staff Comments:

Con Com signed PBN form

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.

CSPA PERMIT

2009-00540 DERY, RONALD
SANBORNVILLE Pine River Pond

Requested Action:

Impact 208 sq ft for the purpose of constructing an 8'x 24' deck onto an existing house.

APPROVE PERMIT:

Impact 208 sq ft for the purpose of constructing an 8'x 24' deck onto an existing house.

With Conditions:

1. All work shall be in accordance with plans by Ron Dery dated April 16, 2009 and received by the Department of Environmental Services ("DES") on May 10, 2009.
2. No portion of the proposed deck may be constructed within 50' of the reference line in order to comply with RSA 483-B:9,II(b).
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. 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 more than 7.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. The project as proposed will leave approximately 8,736 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 8,736 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).
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. 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.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00579 ERICKSON, DAVID
GEORGES MILLS Otter Pond

Requested Action:

Impact 5,000 sq ft the purpose of constructing a walkway, driveway, and patio from pervious pavers and a stepping stone pathway to the waterfront.

APPROVE PERMIT:

Impact 5,000 sq ft the purpose of constructing a walkway, driveway, and patio from pervious pavers and a stepping stone pathway to the waterfront.

With Conditions:

1. All work shall be in accordance with plans by db Landscaping LLC dated March 26, 2009 and received by the Department of Environmental Services ("DES") on April 6, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. 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 more than 19.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. The project as proposed will leave approximately 4,414 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,069 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).
10. 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.
11. 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.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00589 LEACH, STEPHEN
ALTON Lake Winnepesaukee

Requested Action:

Impact 7760 sq ft for the purpose of constructing a single family dwelling and a 6' wide path to the waterfront.

APPROVE PERMIT:

Impact 7760 sq ft for the purpose of constructing a single family dwelling and a 6' wide path to the waterfront.

With Conditions:

1. All work shall be in accordance with plans by Randall T Mudge and Associates revised May 5, 2009 and received by the Department of Environmental Services ("DES") on May 8, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All proposed impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
4. The 12' wide path within the waterfront buffer to allow construction access according to plans by Randall T Mudge and Associates shall be revegetated with native trees, shrubs and ground covers upon completion of project installation.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. 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 more than 11.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

10. The project as proposed will leave approximately 3,275 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,579 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).
11. 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.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00655 BICKFORD, KENNETH & LAUREN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 4631 sq ft for the purpose of constructing an addition onto an existing structure and relocating an existing driveway and and garage.

APPROVE PERMIT:

Impact 4631 sq ft for the purpose of constructing an addition onto an existing structure and relocating an existing driveway and and garage.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering and Survey Inc dated May 6, 2009 and received by the Department of Environmental Services ("DES") on May 7, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No new impervious surfaces shall be constructed until the portions of the existing asphalt driveway designated for removal as shown on plans by Holden Engineering and Survey Inc, are removed.
4. No more than 17.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The project proposes to leave 725 sq ft in the unaltered state. There shall be no impacts to native vegetation associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (i).
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
7. Within three days of final grading or temporary suspension of work, 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. 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.
9. 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.
10. 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.
11. 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.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00670 BRANDT, HENRY/JACQUELINE
ALTON Lake Winnepesaukee

Requested Action:

Impact 4,750 sq ft for the purpose of removing an existing single-family dwelling, septic tank, drywell and shed, reducing the

existing driveway and constructing a single family dwelling with a garage and deck, and installing a state approved septic system.

Inspection Date: 05/27/2009 by Grant E Mecozzi

APPROVE PERMIT:

Impact 4,750 sq ft for the purpose of removing an existing single-family dwelling, septic tank, drywell and shed, reducing the existing driveway and constructing a single family dwelling with a garage and deck, and installing a state approved septic system.

With Conditions:

1. All work shall be in accordance with plans by McEaney Survey Associates Inc dated March 23, 2009 and received by the Department of Environmental Services ("DES") on April 23, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
4. All impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. 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 more than 18.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. The project as proposed will leave approximately 1610 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1603 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).
10. 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.
11. 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.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2009-00801 ROBERTSON, DANIEL
NOTTINGHAM North River Pond**

Requested Action:

Impact 1,629 sq ft for the purpose of replacing a block foundation under and existing, non-conforming, primary structure with a concrete foundation with no change in building footprint.

APPROVE PERMIT:

Impact 1,629 sq ft for the purpose of replacing a block foundation under and existing, non-conforming, primary structure with a concrete foundation with no change in building footprint.

With Conditions:

1. All work shall be in accordance with plans by Daniel Robertson revised May 28, 2009 and received by the Department of Environmental Services ("DES") on May 28, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
3. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (i).

4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. All temporary impacts shall be replanted to pre-construction conditions.
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 more than 17.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. 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.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00835 PARKER ISLAND LLC
WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 320 sq ft for the purpose of constructing an addition onto an existing single family dwelling and removing portions of an existing patio.

APPROVE PERMIT:

Impact 320 sq ft for the purpose of constructing an addition onto an existing single family dwelling and removing portions of an existing patio.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated February 2, 2009 and received by the Department of Environmental Services ("DES") on May 7, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
4. No more than 11.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The project as proposed will leave approximately 4,400 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. 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. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. 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.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00838 WOZMAK, RICHARD
ALTON Lake Winnepesaukee

Requested Action:

Impact 3890 sq ft for the purpose of constructing a single-family dwelling with septic system and a retaining wall.

APPROVE PERMIT:

Impact 3890 sq ft for the purpose of constructing a single-family dwelling with septic system and a retaining wall.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated April 27, 2009 and received by the Department of Environmental Services ("DES") on May 7, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. 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 more than 10.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. The project as proposed will leave approximately 3,825 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,665 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).
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. 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.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00865 GRANT, HAROLD
HARRISVILLE Harrisville Pond

Requested Action:

Impact 9,305 sq ft for the purpose of removing an existing single-family dwelling and constructing a 2,659 sq ft single-family dwelling.

APPROVE PERMIT:

Impact 9,305 sq ft for the purpose of removing an existing single-family dwelling and constructing a 2,659 sq ft single-family dwelling.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated April 8, 2009 and received by the Department of Environmental Services ("DES") on May 11, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas

to remain unaltered.

5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. 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 more than 12.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. The project as proposed will leave approximately 7,429 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,429 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).
10. 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.
11. 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.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.