

The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner



January 7, 2016

Laura and Mark Smith
281 Littleworth Road
Madbury, NH 03820

RE: NHDES Wetlands File # 2015-03329, Smith, 281 Littleworth Road, Madbury Tax Map/Lot #1/22

Dear Laura and Mark Smith:

Attached please find Wetlands Permit # 2015-03329 to Fill 2,940 square feet of wetland and installation of a 15 in. HDPE culvert to upgrade an existing logging road to construct a driveway to access one lot in the subdivision of 34.38 acres for a two lot single-family subdivision.

The decision to approve this application was based on the following findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that wetland impact is necessary to access 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. The applicant has demonstrated that the crossing is a previously disturbed area used as a logging road and is being upgraded to a formal driveway. In addition, this will be part of a shared driveway for the two lot subdivision.
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. NH Natural Heritage Bureau ("NHB") has no record of sensitive species within the project
6. The Madbury Conservation Commission signed the application recommending approval.

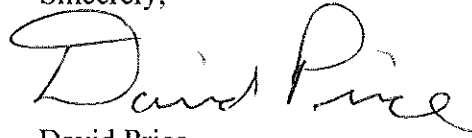
Any person aggrieved by this decision may appeal to the N.H. Wetlands Council ("Council") by filing an appeal that meets the requirements specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Council, Env-WtC 100-200. The appeal must be filed **directly with the Council within 30 days** of the date of this decision and must set forth fully **every ground** upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the Council.

Information about the Council, including a link to the Council's rules, is available at <http://nhec.nh.gov/> (or more directly at <http://nhec.nh.gov/wetlands/index.htm>.) Copies of the rules also are available from the DES Public Information Center at (603) 271-2975.

Your permit must be signed, and a copy must be posted in a prominent location on site during construction.

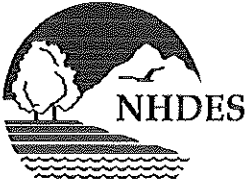
If you have any questions, please contact our office at (603) 271-2147.

Sincerely,

A handwritten signature in black ink that reads "David Price". The signature is written in a cursive style with a large, looped initial "D".

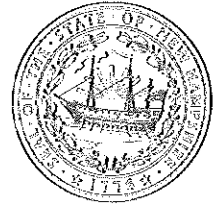
David Price
East Region Inspector
DES Land Resources Management

cc: Madbury Conservation Commission
Madbury Municipal Clerk
Berry Surveying & Engineering



The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner



WETLANDS AND NON-SITE SPECIFIC PERMIT 2015-03329

Permittee: Laura and Mark Smith, 281 Littleworth Road, Madbury, NH 03820
Project Location: 281 Littleworth Road, Madbury
Madbury Tax Map/Lot No. 1 / 22
Waterbody: Mallego Brook

APPROVAL DATE: 01/07/2016

EXPIRATION DATE: 01/07/2021

Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued. This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Fill 2,940 square feet of wetland and installation of a 15 in. HDPE culvert to upgrade an existing logging road to construct a driveway to access one lot in the subdivision of 34.38 acres for a two lot single-family subdivision.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by Berry Surveying & Engineering dated September 22, 2015, and revised through January 6, 2016 as received by the NH Department of Environmental Services (DES) on January 7, 2015.
2. This permit is not valid unless subdivision approval/septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. Portions of the two lots are within the jurisdiction of RSA 483-B, the Shoreland Water Quality Protection Act. No construction activity shall occur within Shoreland jurisdiction until a Shoreland permit is obtained from DES, if applicable.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. Work shall be done during low flow.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
10. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

www.des.nh.gov

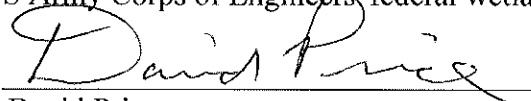
29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • TDD Access: Relay NH 1-800-735-2964

11. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.1. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.

GENERAL CONDITIONS THAT APPLY TO ALL DES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES-Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by DES;
6. This project has been screened for potential impacts to **known** occurrences of rare species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have received only cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.
7. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

APPROVED: _____



David Price
DES Wetlands Bureau

BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.

OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

NOTICE TO RECIPIENTS OF MINIMUM IMPACT N.H. WETLANDS PERMITS

Your permit was approved by the New Hampshire Wetlands Bureau as a minimum impact project, and your project is automatically approved under the Army Corp's New Hampshire Programmatic General Permit.

For the purpose of the NH PGP, Minimum Impact Projects do not include new construction of:

Dams,

Dikes,

water withdrawal or diversion projects which require fill in wetlands or surface waters, wetlands restoration projects, or any projects which involve work in other than low flow conditions (July 1-September 30),

any projects involving more than 3,000 square feet of a water body or wetland fill and secondary impacts.

Also, not included under Minimum Impact Projects are those projects that include the reconstruction or replacement of currently unserviceable structures/fills. The projects must be reviewed through the screening procedures for minor impact projects. The activities in section 10 waters not regulated by the Wetlands Bureau, formerly authorized under the Nationwide Permit Program and listed in Appendix A of this document are designated non-reporting activities.

These approvals do not relieve you from obtaining any necessary local permits that may be required by your town.

If you have any questions, feel free to give us a call at 603-271-2147

This notice was sent with minimum impact permit 15-3329 1/7/16 DAP