



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



WETLANDS PERMIT-BY-NOTIFICATION AND NON-SITE SPECIFIC PERMIT 2024-03561

NOTE CONDITIONS

PERMITTEE: TOWN OF NEWTON
JAMES O'MARA TOWN ADMINISTRATOR
2 TOWN HALL ROAD
NEWTON NH 03858

PROJECT LOCATION COUNTRY POND ROAD, NEWTON
TAX MAP # , LOT #

WATERBODY: COUNTRY POND

APPROVAL DATE: DECEMBER 31, 2024

EXPIRATION DATE: DECEMBER 31, 2029

Based upon review of permit application 2024-03561 in accordance with RSA 482-A and RSA 485-A:17, the New Hampshire Department of Environmental Services (NHDES) hereby issues this Wetlands Permit-by-Notification and Non-Site Specific Permit (Wetlands PBN).

PBN DESCRIPTION:

Impact 1,240 square feet of bed and bank in order to replace an existing boatramp with concrete pavers and associated stormwater infiltration along approximately 35 linear feet of frontage on Country Pond in Newton.

THIS PERMIT IS SUBJECT TO THE FOLLOWING PROJECT-SPECIFIC CONDITIONS:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the approved plans dated October 17, 2024 by KV Partners LLC, as received by the NH Department of Environmental Services (NHDES) on December 9, 2024.
2. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
3. Construction-related debris shall be placed outside of those areas subject to RSA 482-A or RSA-483-B unless a permit for the deposition of materials within those areas has been obtained as required per RSA 482-A:3 or RSA 483-B:5-b respectively.
4. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700.
5. In accordance with Env-Wt 307.10(c), turbidity controls shall be installed prior to construction and maintained during construction such that no turbidity escapes the immediate work area; and remain in place until suspended particles have settled and water at the work site has returned to normal clarity.
6. Work conducted shall adhere to the conditions and recommendations received from the New Hampshire Fish & Game Department and Natural Heritage Bureau in order to avoid and minimize project-related impacts to sensitive species identified by the DataCheck (NHB24-1493) per Env-Wt 311.01(b).
7. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

THIS PERMIT IS SUBJECT TO THE FOLLOWING GENERAL CONDITIONS:

1. Pursuant to RSA 482-A:12, a copy of this permit shall be posted in a secure manner in a prominent place at the site of the approved project.

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2. In accordance with Env-Wt 314.03(a), the permittee shall notify the department in writing at least one week prior to commencing any work under this permit.
3. In accordance with Env-Wt 314.03(b), the project must be constructed in accordance with the approved plans and specifications.
4. The permit holder shall ensure that work is done in a way that protects water quality per Env-Wt 307.03; protects fisheries and breeding areas per Env-Wt 307.04; protects against invasive species per Env-Wt 307.05; meets dredging activity conditions in Env-Wt 307.10; and meets filling activity conditions in Env-Wt 307.11.
5. In accordance with Env-Wt 307.13(d), work in jurisdiction must be located at least 10 feet from abutting property boundaries unless written permission is submitted.
6. In accordance with Env-Wt 309.09(a), all work authorized by this Wetlands PBN must comply with all applicable conditions specified in Rule Env-Wt 307 and the applicable provisions of Env-Wt 500, Env-Wt 600, or Env-Wt 900.
7. In accordance with Env-Wt 309.09(b) and subject to Env-Wt 309.10, after the completion of work authorized by this PBN no other work that would require any permit or other authorization under RSA 482-A or subtitle Env-Wt shall be undertaken on the subject property pursuant to another PBN or Expedited Minimum Impact Permit (EXP), or pursuant to a Statutory Permit-by-Notification (SPN), for a period of 12 months from the date the PBN was issued.
8. In accordance with Env-Wt 309.09(c) and Env-Wt 314.08, within 10 days following completion of the work covered by a Wetlands PBN, the person responsible for the project must submit to NHDES confirmation of completion of the project, either on paper or electronically, including photographs depicting the areas where the impact occurred and other information required under Env-Wt 314.08.
9. This Wetlands PBN does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
10. This Wetland PBN 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 (USACE), NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES Alteration of Terrain, etc.).
11. In accordance with Env-Wt 314.06, transfer of this permit to a new owner will require notification to and approval by NHDES.
12. This project has been screened for potential impact to known occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or only cursory surveys have been performed, 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. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.
13. In accordance with Env-Wt 307.06(a) through (c), no activity shall jeopardize the continued existence of a threatened or endangered species, a species proposed for listing as threatened or endangered, or a designated or proposed critical habitat under the Federal Endangered Species Act, 16 U.S.C. §1531 et seq.; State Endangered Species Conservation Act, RSA 212-A; or New Hampshire Native Plant Protection Act, RSA 217-A.
14. Review attached sheet for status of the USACE's New Hampshire Programmatic General Permit.

APPROVED:



Matthew Faidell
Shoreland/Shoreline Specialist, Wetlands Bureau
Land Resources Management, Water Division

THE SIGNATURES BELOW ARE REQUIRED TO VALIDATE THIS PERMIT.

PERMITTEE SIGNATURE (required)

PRINCIPAL CONTRACTOR SIGNATURE (required)



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

**NOTICE TO RECIPIENTS OF
WETLANDS PERMIT-BY-NOTIFICATION**

Wetlands Permit-by-Notification (PBN) application 2024-03561 was approved by the New Hampshire Department of Environmental Services (NHDES). As it is a minimum impact project approved by the NHDES, it is automatically approved under the Army Corp's New Hampshire Programmatic General Permit (NH PGP).

For the purpose of the NH PGP, minimum impact projects do not include new construction of:

- Dams,
- Dikes,
- Water withdrawal of 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), and
- Any projects involving more than 3,000 square feet of a water body or wetland fill and secondary impacts.

Additionally, projects that include the reconstruction or replacement of currently unserviceable structures/fills do not qualify as minimum impact projects. These projects must be reviewed through the screening procedures of minor or major impact projects, as applicable. 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 the NH PGP are designated non-reporting activities.

These approvals do not relieve permittees from obtaining any required local or other state permits.

If you have any questions, please contact the Wetlands Bureau at (603) 271-2147.

This notice was sent with a Wetlands Permit-by-Notification, permitting a minimum impact project.

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