

July 26, 2022

Department of Environmental Services
Wetlands Bureau, Land Resources Management Program
Attn: David Price, Compliance Specialist
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

From: Nottingham Conservation Commission

Re: NHDES File Number 2022-01827
Standard Dredge and Fill Wetlands Application
176 Stevens Hill Road, Nottingham, Tax Map #49, Lot #41

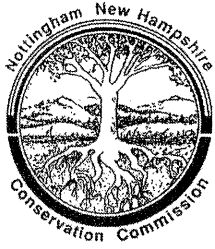
Mr. Price,

At the Conservation Commission meeting held on July 11, 2022, the Commission received a letter from NH DES dated June 27, 2022 regarding a Standard Dredge & Fill Wetlands Permit Application for Tax Map 49, Lot 4, 176 Stevens Hill road. (**NHDES File Number 2011-01827**).

On July 11, 2022, the Commission also received a copy of a letter dated May 19, 2022 from NH DES to the owners of the above mentioned lot regarding an Outstanding Request for Enforcement File (Land Resources Management File Number 2020-02408). The letter indicated that a Restoration Plan for approximately 1,444 ft² on the site had not been completed by the July 21, 2021, as indicated as a deadline in the January 22, 2021 Restoration Plan Approval.

During the July 11, 2022 meeting the Commission learned that the existing unpermitted wetland crossing, and culvert has apparently negatively impacted an abutter's wetland complex since the culvert was installed.

The owners of the above-mentioned property met with the Conservation Commission on February 14, 2022 to review a planned wetland crossing for a 2-lot subdivision prior to submitting a request for a wetlands permit from NH DES Wetlands Bureau. During the discussion on the 14th, the Commission suggested the inclusion of an alternative location



for the driveway along the northerly property line so as to lessen the impact on the wetland.

Although the Commission was cc'd on the January 22, 2021 notice from DES, we did not see this nor discuss the notice while the Commission was meeting remotely (the Commission resumed in-person meetings on June 12, 2021).

The Commission opposes the use of the currently identified option #1 as the driveway location. The alternate location suggested by the Commission on February 14 should be used. (This is slightly different from the presented "Alternative Options" shown on the map Dated 5/06/2022, Rev.6/21/2022)– the suggested driveway ran close to the northerly property line).

During a site walk on the property on July 20, 2022, Commission members in attendance noted wetland plants along both sides of the unpermitted wetlands crossing. Wetland plants had also been mowed in the crossing area, and in another connecting area (the area was dry due to recent drought conditions). The alternative driveway path was walked, and the third alternative driveway location (adjacent to the northerly property line) was also examined. Just prior to the site walk,

Respectfully, the Nottingham Conservation Commission rejects approval of this application, and strongly recommends the wetland disturbance be restored as indicated in the January 22, 2021 Restoration Plan Approval issued by NH DES. The Commission also recommends a new driveway be located along the northerly property line.

Please note: The Commission meets monthly and received this application after the 14 days allowed for response. The case was discussed at the next meeting (July 11, 2022), and it was decided to respond to this application after the evaluation of the site during the site walk on July 20, 2022).

A handwritten signature in black ink that reads "Sam Demeritt". The signature is written in a cursive, flowing style.

Sam Demeritt, Chair, Conservation Commission