



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

Return to:
Diamante Couser Steiner Pellerin, P.A.
9 Triangle Park Drive
Concord, N.H. 03301
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copy

Doc#: 739155
Book: 3138 Pages: 1795 - 1795
06/24/2009 3:19PM

MCRD Book 3147 Page 210

WETLANDS AND NON-SITE SPECIFIC PERMIT 2007-02200

Permittee: Ostia Real Estate Associates LLC, 9 Triangle Park,
Concord, NH 03301
Project Location: US Route 4, Epsom
Epsom Tax Map/Lot No. U6 / 19
Waterbody: Unnamed Wetland

**NOTE--
CONDITIONS**

Page 1 of 2

APPROVAL DATE: 08/06/2008

EXPIRATION DATE: 08/06/2013

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.

~~MCRD~~ Book 3138 Page 1795

CORRECTED PERMIT/EXPIRATION DATE

PERMIT DESCRIPTION: Dredge and fill a total of 17,422 square feet of palustrine forested wetlands in the commercial subdivision of 11.68 acres into two lots and develop the lots for retail use.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by Woodland Design Group dated April 16, 2007, and revised through July 28, 2008 as received by the Department on July 28, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain.
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.
6. Work shall be done during periods of non-flow.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

Doc#: 742401
Book: 3147 Pages: 0210 - 0211
07/30/2009 3:47PM

LT2-3147-210-2

LT1-2-742401-1



LT1-2-739155-1



LT2-3138-1795-2

MERRIMACK COUNTY RECORDS

Kathi L. Gray, CPO, Register

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2007-2200
Conditions Cont'd

- 9. Proper headwalls shall be constructed within seven days of culvert installation.
- 10. 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.
- 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. Silt fencing must be removed once the area is stabilized.
- 14. This approval is contingent on receipt by DES of a one time payment of \$45,774.52 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.

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 that may be required (see attached form for status of federal wetlands permit);
- 5. Transfer of this permit to a new owner shall require notification to and approval by the Department;
- 6. This permit shall not be extended beyond the current expiration date.
- 7. 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.
- 8. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.

APPROVED: _____

Jocelyn Degler
Jocelyn Degler
DES Wetlands Bureau

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

Gary DePalma
OWNER'S SIGNATURE (required)
Gary DePalma
Member

David LADD
CONTRACTOR'S SIGNATURE (required)
David LADD