

Hampton Conservation Commission
November 28, 1990

Members Present: Stephen Joyce, Chairman
A. Reid Bunker, Jr., Vice-Chairman
Peter Tilton, Jr.
Peg Lawrence
Rev. Robert Colledge
Alberta True
Alternate David Weber
Alternate Vivianne Marcotte
Alternate Michelle Petillo (sitting for Jim Clifford)

The Chairman called the meeting to order at 7:01.

Carl Cutler, 11 Red Coat Lane - Chairman Joyce said the commission will review the application before it goes to the Wetlands Board. Joe Calderara, Mr. Cutler's builder, said Mr. Cutler wants the cottage removed & to build a permanent house on the site. The Building Inspector said it's within the 100' buffer & there would be no impact on the creek. Mr. Cutler's lot is the second one from the creek. Mr. Cutler said he bought the house 30 years ago, using it as a summer home. He said the old footprint was 20' x 36' and the new one will be 28' x 34'.

Mr. Bunker said it's an awfully small lot. Mr. Calderara said the problem is in the width of the lot. He said they received a variance from the ZBA. The house is grandfathered for the sideline setback. He explained that it could have been built to comply with zoning, but the house would have been twisted on the lot. It will be a cape with a full dormer & no basement.

Mr. Bunker asked how much it will extend over the current footprint. Mr. Calderara said it won't be in the same location, but will be changed slightly. He said there will be 200 ft. more on the footprint and will have a finished second floor as well.

Mrs. Lawrence asked if it's in the flood zone, which the applicant was unsure of. Mr. Tilton asked if there's a storm drain, which Mr. Cutler said there wasn't.

Mr. Tilton expressed concern about additional runoff to the neighbors on the street. Mr. Calderara He said since they'll be increasing the square footage, they'll be increasing the runoff. Mrs. Lawrence said she wanted to look at the property, but other members said they'd already seen it.

Mr. Bunker said his impression was that they're very small lots, but the setback question had already been decided by the ZBA. He said they're only one lot away from Eel Creek, which is an active stream. The size of the closest house is a comparable size to the applicant's, said Mr. Calderara, adding that there are all modest capes nearby.

Mr. Bunker also expressed concern about increased runoff to the neighbors or on the street. Mr. Calderara suggested that he could remove the paving where the boat is to make up for the increase in the footprint. Mr. Joyce said if they're willing to remove the paving, the commission could allow the plan with no net increase.

Mr. Tilton moved to not oppose the petition, with the understanding that the increased square footage of the building be balanced by a decrease of 200 sq. feet of paving on the property. Mr. Bunker

Seconded the motion

seconded the motion, which was voted 6 to 1 in favor. Mr. Bunker, Mr. Joyce, Mr. Tilton, Miss Petillo, Mrs. True & Rev. Gollidge voted in favor & Mrs. Lawrence was opposed. Mr. Joyce said he would send a letter to Dori Wiggin.

Art Foote 113 Woodland Rd. - Mr. Foote said he wanted to fill about 10 feet in back of his property to extend the fence over in back of his pool. Mrs. Lawrence said some fill is already there now. Mr. Foote said it is, but he didn't want to get in trouble with the state. He was told his fur plants denoted wetlands, so he wanted to check with the commission. Mr. Hutchinson, Building Inspector, advised him to contact the commission. Mr. Joyce said there's been no paperwork on it yet & Mr. Foote just needed a quick site walk.

Mr. Tilton said after seeing the site, he wouldn't recommend putting more fill there. Mr. Bunker agreed.

Mr. Tilton said he didn't know if Mr. Foote should take action against the Town or his neighbor to solve his drainage problem. Mr. Joyce said once there's a problem, it's tough to find out who should solve it. Mr. Foote said he wants to put a lawn in.

Mr. Joyce said from what the commission members saw, they'd rather he didn't pursue it, but he could go through the process, starting with the Building Inspector. Mr. Bunker said Mr. Foote might have Dori Wiggin, the area inspector for the Wetlands Board, look at it.

Michael Holland - Glade Path. - Mr. Holland sent in a request to replace the rotted pilings of his house. Mr. Joyce said the house is probably in the middle of the marsh. Mr. Tilton said the state would probably allow him to replace what was there.

Mrs. Lawrence moved to table the petition, which failed for lack of a second. Mr. Joyce said he thinks the commission should allow it as long as it's under the state's guidelines. Miss Petillo said this case might be used as a reference for the future, so the commission should be careful about what they do.

Mr. Tilton said some of the structures on pilings must have been replaced over the years.

Mr. Tilton moved to not oppose the application, subject to the restrictions of coastal inspection. Mr. Bunker said he didn't think it could be repaired structurally, & he was opposed. Mrs. True seconded Mr. Tilton's motion, but the motion failed by a vote of 3-4.

Mrs. Lawrence moved to oppose the application. Mr. Bunker seconded the motion, which passed by a vote of 4-3. The application was denied 4-3.

Bratsos - 63 Landing Rd. - Mr. Joyce said the applicant wants to rebuild a cottage in the same footprint & wants 11 piers for building support and wants to dredge material. Mr. Tilton said the building may have been a cabin years ago, but is now wide open & can't be used. Mr. Tilton said if he just wants to rebuild what's there, he could do so under the wetlands ordinance. The commission members said they would look at it, & would meet to decide on it on.

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Sea Thrush Realty - Duane Windemiller - The Chairman said the commission had opposed a 2-family house, but the wetlands Epa Board has given approval for a 1-family house at the site.

Frank Leavitt Property - Mr. Joyce read a letter from Town Counsel Seth Jenkins, which said because of the new environmental laws, he didn't recommend the commission acquire the property until it's known whether the Town would have any consequences to it. The Chairman also read a letter from Bill Barkley, who suggested that the commission walk the site with Mr. Leavitt when he's in Town. Mr. Joyce said if the commission wants the land, they'll have to pursue it. Mr. Bunker said it would be nice to have a chunk of land there. The property is located somewhere between Woodland and North Shore Roads. Mr. Joyce said he'll write a letter to Seth Jenkins about cases such as this.

Workshop - N.H. Association of Conservation Commissions - Mr. Joyce said the association sent a standardized form for commissions to use when reporting to the Wetlands Board. Rev. Gollidge said it looked like a good attempt, & was quite extensive.

Elizabeth Coakley - Mr. Joyce reported that the state fined Mrs. Coakley. She then requested a re-hearing, in which she brought in evidence of a previous structure on the property, & she's now being allowed to build a new dwelling.

Nancy Cocchiani - Mr. Joyce said the applicant installed a deck in the tidal buffer zone without a permit from the Army Corps of Engineers.

Minutes - Mr. Bunker moved to approve the minutes of October 23, 1990. Rev. Gollidge seconded the motion, which passed unanimously.

Press Release - Miss Petillo brought in a revised version of the press release about citizens being Swatch watchdogs for the commission. She will now take it to the newspapers.

Lester Perkins - Mr. Bunker said he had heard that Mr. Perkins wants to have a tax abatement because the delays on the sale of his property have been on the Town's part. The matter will be taken up with Seth Jenkins.

Mace Property - Mr. Bunker said he walked the property of about 8 acres. Transferring the title will require engineering work, he said.

Treasurer's Report - Mr. Bunker said the commission had \$11,178 as of August 28, 1990, out of which debts have been incurred.

Adjournment - The meeting adjourned at 8:30.

Maureen Cummings, Secretary