

Hampton Conservation Commission

Meeting Minutes, ^{JULY} June 24, 1990

Members Present: Stephen Joyce, Chairman
Reid Bunker
Peter Tilton Jr.
Rev. Robert Golledge
Peg Lawrence
Jim Clifford
David Weber (alt.)
Michelle Petillo (alt.)
Vivianne G. Marcotte (alt.)

The Chairman called the meeting to order at 7:10.

Hampton Tolls: Russ Davis from the Dept. of Transportation presented plans for the construction of two new toll booths, one each on the North and South side of the existing toll booths. The will be an area disturbed near the Rt. 51 Northbound off-ramp. An area of .33 a will be filled with an area of .39a of wetland created to offset the loss. Peter made the motion that the Commission not oppose the application as long as the replacement takes place. This was seconded by Reid. The motion passed.

Minutes: Reid made a motion to accept the minutes from last months meeting. Bob, seconded the motion, Passed.

Site walks: The alternates would like to be notified of site walks. The new phone tree will be: Steve will call Jim, Rev. Golledge and the Applicant. Rev. Golledge will call Reid Vivianne and Mrs. True. Jim will call Peg, Michelle, Dave and Peter

Perkins: Town Council has all material need to proceed with title search. We may miss the August closing, this will require a new CD for the funds.

Bob moved that the commission authorize the vice-chairman, Reid, to act on behalf of the commission in the exercising of the purchase option on the Perkins property. It was seconded by Peter, the motion passed.

Elections: It was decided to indefinitely postpone this years elections

Dgrey - Oct 1 7:30 PM

Workshops
P

Adams Mess. Building - Court House
West Broadway

Call Fran Cormier - 886-7561
432-9245

Office of State Planning

Sept. 29 - Governor's Planning Conference

Concord.

HAMPTON CONSERVATION COMMISSION
August 28, 1990

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

The Chairman called the meeting to order at 7:12 p.m.

Steele - Glade Path - dredge & fill application

Mr. Joyce said the applicant wants to replace an existing cottage with a year-round house. He said the commission has to decide in a 10-day window whether to intervene in the application. Generally, if there's no disruption of the soil, the commission doesn't intervene. If something is existing (like a deck), Mr. Joyce said he makes the decision for the commission to not intervene. He said he hasn't been letting the commission know when he decides not to intervene.

Mr. Bunker asked Mr. Joyce to let the commission members know when he makes those decisions, which he said he would. Mr. Joyce said the commission gets 10 days to request an additional 30 days. In cases like the Steele's, repair is done without permits, but for improvements, (such as new windows or siding), many people get building permits.

Mr. Tilton said he wouldn't intervene on this application. Mr. Bunker said he didn't object to it either. Mrs. Marcotte said there's a road between the applicant's property & the wetland. Mr. Bunker said the commission could presume they're expanding on an existing house.

Mr. Joyce read a letter stating that in July, 1989, the legislature extended the Wetlands Board's jurisdiction to within 100 feet of the highest observable tideline. A permit is only required when additions extend beyond the existing foundation, said the letter written by Kenneth Kettenring of the state Bureau Administration. The purpose of the expansion was to allow the regulation of activities in the 100-ft. buffer zone.

Mr. Tilton moved that the commission not intervene on the Steele application. Mr. Bunker seconded the motion, which was passed unanimously.

McPherson application - Mr. Joyce said this application was to install a sewer line. He said he didn't intervene & the applicant was granted a permit.

F.C. DeFreze application - The Wetlands Board had marginal jurisdiction. A permit was issued for the regrading of the parking lot.

Governor's Planning Conference - Mr. Joyce announced the conference would be held August 29.

Municipal Law Lecture Series - The series is being offered in Littleton, Lebanon, Keene, Manchester & Moultonborough on various dates throughout October & November.

Rev. Stoney - The Wetlands Board voted to suspend Rev. Stoney's \$2000 fine. The condition was that there be no further unauthorized work, or applicable fines will be considered for all, including this project.

Robert Lemire was fined \$600.

Certification of Soils Scientists - The commission was given a list of approved soils scientists.

Department of Transportation - toll gates - The conditions for the toll gates are that the construction or replacement of wetlands shall be the first phase. The land must be successfully vegetate, & extraordinary precautions should be taken to prevent siltation in the water during construction.

Rockingham Planning Commission - The commission was invited to a meeting about Pease AFB redevelopment, but missed the date.

Workshop - Wetland mitigation & replication will be held October 1.

Volunteers Award - The commission was given a pamphlet on the process of nominating someone for the 3rd annual award.

Land Aquisitions - Mr. Joyce said Ruth Stimson, former commission member, was contacted by Robert Ellison of Exeter, who wants to give the commission marshland that runs along the power lines in Hampton Falls.

Mr. Tilton said Frank Leavitt of New York also has 5-6 acres he gives the commission. Mr. Tilton said he'd call Mr. Ellison.

DRED News Release - The release said DRED has federal funds that might become available so that communities can develop park & recreation areas. The applications must be based on legal action taken at Town Meeting. There's a limit of \$25,000 per community.

Residents of Hampton have no access to widen without paying for parking or launching boats. Mr. Joyce suggested a good project might be to take the area adjacent to the water, buy property, & take the existing house down to make a parking lot. Mr. Bunker said he thought that's a good idea. Mr. Tilton said he could also use the money for getting access to Taylor River. Mr. Joyce said it

doesn't matter where they locate the recreational area, but he's getting bothered by residents having to pay fees for everything. Miss Petillo asked how they would keep the area from being commercialized. Mr. Joyce said it would be Town-owned & will require stickers from the Town. He said they have until October 19 to write a proposal.

Ice Pond - Mr. Joyce said a paper was marked up & given to Peg Lawrence, who gave it to the Selectmen. Mr. Bunker said he heard the selectmen are waiting on the commission. The land was deeded, but had to be accepted.

Mr. Joyce said they'd stated no recreational activities would be allowed on it, & the commission's concern was about ice skating, etc. He said he thinks Seth Junkins brought it to the Selectmen, who gave a copy to Mrs. Lawrence.

Public Notice on Dumping - Mr. Bunker said he read a public notice about dumping in another Town in the newspaper. It said that the conservation commission is interested in keeping the environment clean. He said someone should be notified if they saw violations.

Miss Petillo volunteered to write a similar news release for Hampton. Mr. Tilton said it might be a good idea to write one twice a year.

Treasurer's Report Mr. Bunker said Bill Dennett reported the commission has \$361,178.67 in the bank, \$350,000 of which is to be deposited for the Perkins property.

Extension of Option - Leston Perkins may extend his option to sell until November 1, 1990. It had been extended to August 1, 1990. At that time, the buyer will deposit \$350,000 and the interest accruing on it.

N.H. Wetlands Protection Ordinance - Mr. Bunker passed out the minutes of the July 14, 1990 meeting.

Title for Perkins Land - Mr. Bunker said there were 2 lots that the engineers didn't do work on, & it would cost several thousand dollars for them to do it. He said the deeds in the Perkins family were insufficient to give a good title.

Mr. Tilton asked if Mr. Perkins could give those as a gift. Mr. Joyce asked what engineering work was necessary & whether a lawyer couldn't do that work rather than an engineer.

Mr. Bunker said engineer Richard Millette gave an estimate of \$1040 to do just the title work in 4 days. The complete engineering work, which would take 5 weeks, would cost \$4920.

Mr. Bunker moved for Mr. Millette to complete the work needed for a good title to the Perkins property. Mr. Tilton seconded the motion, which was voted unanimously in favor.

Town-owned Land - Miss Petillo said she wished there could be maps of Town-owned areas in Hampton, but she said she didn't know how the information could be obtained. Mr. Joyce said former commission member Claire Dumaine started the project. She had talked to someone in the assessor's office and got a computer printout from the tax rolls. From there, the commission was going to identify Town lands & then would try to map them. He said he wasn't sure if Mrs. Dumaine still had the printout. Mr. Tilton said any map made should be combined with a historic geographic reference. Mr. Bunker said a wetlands map would be available through the Audubon Society. Mr. Joyce said he sometimes gets calls from someone who wants to walk an area which is open access, but has "no trespassing" signs posted on it. He said the commission has no information on who posts the signs.

Minutes - Mr. Tilton moved to accept the minutes of the July 24, 1990 meeting as corrected. Mr. Bunker seconded the motion, which was voted unanimously in favor.

Adjournment - The Chairman adjourned the meeting at 8:20 p.m.

Maureen Cummings

Secretary

HAMPTON CONSERVATION COMMISSION
September 25, 1990

Members Present: Stephen Joyce, Chairman
A. Reid Bunker, Jr., Vice-Chairman
James Clifford
Alberta True
Peg Lawrence
Rev. Robert Golledge
Vivian Marcotte
Michelle Petillo

The meeting was called to order at 7:13 p.m.

LCIP Application - Mr. Tilton said he would call Roberta Jordan about resubmitting the LCIP application.

Frank Leavitt property - Mr. Joyce read a letter from Frank Leavitt, who said he'd like to transfer some of his property at Green Meadows to the Town of Hampton. He said he'd like the Commission to review the proposal and get a legal opinion on it. The land, which is wooded wetlands, would be used for educational purposes.

Rev. Golledge asked if it's meant by "no logging" that the commission can't do responsible forest management. Mr. Tilton said the commission should call Mr. Leavitt about that. Mr. Joyce said they should look to the Selectmen to set the policy. Mr. Bunker said they should write a letter to Frank Leavitt after going over it with the Selectmen. Mrs. Lawrence will present the matter before the Selectmen and a site walk was scheduled.

Environmental Report on Rt. 101 - Mr. Joyce said the widening of Rt. 101 will affect Hampton, so he suggested that each member take home the Normandeau Engineers' report for a day. Somewhere in the process, the Hampton Conservation Commission will be involved, he said.

Rye Sewer Crossing Mr. Joyce read a public notice he received from the Army Corps of Engineers about the Rye sewer crossing for Hampton. Mrs. Lawrence said she was told that the Selectmen have the only say on the subject. Mr. Joyce said the commission will hear from the Army Corps again when it goes through the approval process.

Budget - The Chairman said if anyone has suggestions for the coming year's budget, they should bring them to the next meeting on Oct. 23. Mr. Tilton said they used to submit the regular budget in December.

Minutes - Mr. Tilton moved to accept the August 28, 1990 minutes as corrected. Mrs. Lawrence seconded, and the vote was unanimously in favor.

Newspaper Ad - Ms. Petillo read the ad she wrote for the newspapers regarding the public letting the commission know about wrongdoings going on in Town. Mr. Clifford said the only thing that should be added is that the illegal filling

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of wetlands is something else that should be watched for and reported to the commission.

Ms. Petillo asked who the contact person should be. Mrs. Lawrence said it should be the Building Inspector. Mr. Bunker said he would check with the Building Inspector's office first, and then Ms. Petillo could give the ad to Mrs. Lawrence to hand out to reporters.

Adjournment - Mr. Tilton moved to adjourn the meeting at 8:05 p.m. Mr. Clifford seconded and the vote was unanimously in favor.

Maureen Cummings
Secretary

HAMPTON CONSERVATION COMMISSION
October 23, 1990

The chairman called the meeting to order at 7:10 p.m.

Mace Estate Land - Len Mercer & Roger Mace were present to find out if the commission would be interested in acquiring any of the Mace Estate Land. Mr. Mercer said his wife has part ownership of the land along with Mr. Mace and George Ryan.

Mr. Mace said he had heard that Leston Perkins sold his land, which borders on theirs. Mr. Mace said their land runs into North Hampton. He said they are approximately 7 acres in Hampton and 3 acres in North Hampton which they're not using.

Mr. Joyce told them that in the past, the commission acquired funding at Town Meeting. He said the commission is in the process of purchasing the Perkins property, and doesn't have any funds right now. He said the idea is for the commission to acquire good pieces of land for the Town and preserve them. He said it would be desirable to acquire the Mace property at some point, but he told them that it's a lengthy process & they'd have to be willing to let the property go to the Town forever.

Mrs. Lawrence asked if they want to sell or donate the land. Mr. Mercer said they'd like to think the Town would want to buy it, but they don't know. He asked if it would help to have a commission member walk the land. Mr. Tilton said it would, & that that's the commission's primary step. Mr. Mercer said the commission could contact either him or Mr. Mace if they want to walk the property. Mr. Joyce said the commission will discuss it and probably will take a look at the property.

Sign in Buffer Zone - Atty. Craig Salomon was present because he wanted the commission's input before his client goes before the ZBA meet next. He said his client has a 3-fold problem with the sign on 2 wooden posts at the intersection of the expressway and Brown's Ave. The problems are that he didn't get a permit, he's off-premise, which requires a variance, & he's in the buffer zone.

Two signs there now, from Little Jack's Seafood and Midge's Real Estate, are grandfathered. Atty. Salomon said he understood the purpose of the buffer zone, but because this area is surrounded by hot top, buildings, etc., its value as a buffer is probably limited. He said the property is owned by Robert & Annette Lupien of Manchester, who rented the space to his client. Mr. Joyce said the commission could drive by or meet at the site, & draft their input to the ZBA before the hearing comes up.

Conservation Camp - Nathan Edgar & Scooter Baker were present to tell the commission what they thought of conservation camp. Scooter Baker said overall, it was confusing at times, but fun. He said the students were broken up into units. Some stayed in a treehouse and others stayed in tents. They started the day with KP duty, had breakfast at 6:45 a.m., and

had classes and project times. Each group was assigned projects, such as rating the water in the pond, or setting up a trail. He said they had about 5 sessions a day, as well as free time and entertainment.

Nathan Edgar said they emphasized forest management.

Mr. Clifford asked how conservation camp compared to Sargeant Camp (an environmental camp run by Boston University). Scooter said the conservation camp is more like summer camp. Nathan said there is much to do, but it's spread out.

Mr. Tilton asked if anyone can attend. They said most of the students were sponsored by commissions or schools, and others were sent by their parents. Scooter rated the camp between 9 and 10, according to what he learned in classes. Nathan rated it a 9, stating that he learned a lot & met a lot of people. They both took slides, which they plan to send to the commission. Mr. Joyce also suggested that they write a letter to the Editor of the Hampton Union, thanking the townspeople for sending them. Mr. Tilton said they could help the commission find others to send next year.

Sicard Hearing - Mr. Joyce said Town Counsel Seth Junkins wanted to know if the commission was planning to participate in the Sicard hearing because he thinking about representing Mr. Sicard. Mr. Joyce said the commission wasn't planning anything.

Minutes - Mr. Bunker moved to accept the minutes of September 25, 1990 as corrected. Mr. Tilton seconded the motion, which carried unanimously.

Mace Land - After discussing the Mace Land, Mr. Bunker said he would call Mr. Mace and tell him that the commission is interested in walking the land around December 1st.

Perkins Land Update - Mr. Bunker said there's been an extension of the option to purchase the Perkins Real Estate, extending it until February 1, 1991.

Great Meadows - Mr. Bunker said Rev. Colledge was unsuccessful at having Bill Barkley walk this land with him. Only a few people know where the parcel is.

Radkay - Mrs. Lawrence said they're putting in fill on Mr. Radkay's land. Mr. Tilton said it's old fill and there's nothing fresh in the culvert. Mr. Bunker said if dumping had been done, they would have seen it.

Adjournment - The meeting adjourned at 8:15 p.m.

Maureen Cummings
Secretary

Hampton Conservation Commission
November 28, 1990

Members Present: Stephen Joyce, Chairman
A. Reid Bunker, Jr., Vice-Chairman
Peter Tilton, Jr.
Peg Lawrence
Rev. Robert Gollledge
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

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seconded the motion, which was voted 6 to 1 in favor. Mr. Bunker, Mr. Joyce, Mr. Tilton, Miss Petillo, Mrs. True & Rev. Golledge 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.

December 11.

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 Junkins, 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 Junkins 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. Gollodge 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. Gollodge seconded the motion, which passed unanimously.

Press Release - Miss Petillo brought in a revised version of the press release about citizens being 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 Junkins.

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

