

CONSERVATION COMMISSION PUBLIC HEARING
OCTOBER 26, 1999

The meeting was called to order by Vivianne G. Marcotte, Chairperson at 7:00 pm. Also in attendance were Ralph Fatello, Dan Gangai, Ellen Goethel, Peter Tilton, Jr., and Bonnie Thimble. Alternates attending were Fred Palazzolo and Dr. Ralph Falk. Nancy Batchelder was absent. Dr. Falk abstained from voting till he is sworn in.

The Minutes of September 28, 1999 were reviewed. After reviewing the Minutes, Mr. Fatello motioned to approve the Minutes with corrections, seconded by Mr. Tilton. With Mr. Gangai abstaining, all were in favor.

NH WETLAND BUREAU APPLICATIONS

A. Taylor River Stabilization Project
Route 1 at Taylor River Crossing

All owners involved contacted the Rockingham County Conservation District to conduct a study of the erosion at the Taylor River site (at the Route 1 bridge). Flood hazard mitigation will be accomplished by the stabilization of the stream's bank approximately 600 ft on one side and 500 ft along the other. This is being funded through a contract with the New Hampshire Office of Emergency Management (OEM) and by the Federal Emergency Management Agency (FEMA). The sandbar will not be dredged but ~~be left alone~~ ^{left} to slowly wash away. Mr. Tilton motioned not to oppose this application, seconded by Mr. Gangai. All were in favor.

B. Murphy
34 Island Path

This application is for ^{the} construction of an addition. This will add a 12 x 15 bedroom on cement blocks. The applicant has a need to enlarge a present bedroom. The proposed addition will not be any closer to the wetland than the present building. Mr. Tilton motioned not to oppose the building on cement blocks and the debris be kept out of the marsh during construction and be notified after completion. Ms. Goethel seconded the motion. All were in favor.

Ms. Goethel motioned to keep the same conditions for the Special Permit. Mr. Gangai seconded the motion. All were in favor.

CONSERVATION COMMISSION PUBLIC HEARING

Page 2

October 26, 1999

SPECIAL PERMIT APPLICATIONS

A. Playhouse Village Development LLC
357 Winnacunnet Rd

Atty. Steve Herman from Exeter represented the Playhouse Development. This is for a 25 lot subdivision. The proposed roadway is within the 50 ft. buffer. Also present was Mr. Michael Wakeen and Ed Patnaude. Mr. Chagnon, Project Engineer, and Adelle Fiorelli of NH Soils, were present. The Commission had asked the Project Engineer to redesign so ^{that} a Special Permit would not be needed. Mr. Herman gave a history of the acquisition of the property by Mr. Wakeen. Mr. Chagnon then showed the new plan. The new plan shows the road out of the buffer but the road is 400 ft. longer and shifts the detention pond toward the large wetland area and salt marsh area. This is concept one. A discussion ensued on the buffer and the Ordinance. Ms. Fiorelli did a buffer report and the effect of the habitat in the wetland area. Functions of the buffer defined under the provisions as water filtration, stormwater retention and flood protection are not a functional component of the buffer in the area proposed to be altered per Ms. Fiorelli's report. Also, the remaining habitat will be mitigated in consideration of the existing low function buffer that will be partially lost as a result of the proposed roadway. Ms. Goethel stated that by taking out one of the lots, the ~~road~~ ^{road} would ~~not have to be changed~~ ^{could}. A discussion ensued. ~~Mr~~ ^{Mr} Patnaude asked if the Commissioners had seen the area as he could not understand why the Commission did not oppose the first plan and are questioning the new plan. A discussion on the Special Permit ensued. Ms. Marcotte read a statement from Tracy Lang, Regional Planner, Rockingham County, regarding her review of the plan. Ms. Thimble stated that she would like to stay totally out of the buffer area. Mr. Fatello was concerned with the upland as well as wetland. He is also concerned with the woodcock habitat. Mr. Fatello motioned to have another site walk prior to the voting. Ms. Goethel seconded. Five were opposed, one in favor and one abstained. Mr. Gangai stated there is an alternative to impacting the wetland. Ms. Goethel asked if they ^{could} eliminate a lot ^{and} that ^{it} would not ^{be} impact the ^{to} buffer ~~at all~~. The answer was no. A discussion ensued.

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SPECIAL PERMIT APPLICATION

A. Playhouse Village Development LLC (Cont)

Mr. Fatello motioned again that the Commission do another site walk. Ms. Goethel seconded. A discussion ensued. The motion was defeated.

Mr. Gangai motioned not to ^{recommend the} grant ^{of} the Special Permit as the land can be developed without impact to the buffer. Ms. Thimble seconded the motion. Six were in favor with one abstaining.

B. Boars Head Eight
507-509 Ocean Blvd.

Atty. Peter Saari of Casassa & Ryan, and Mr. Peter Ross addressed the Commission with the new revised plan. This is for the construction of 8 condo units. This land was a parking lot (vacant) and used most recently in the summer as a parking lot. These condo units would be four sets of two. Drainage would be picked up through a swail in the back of condo units. Ms. Goethel stated that this plan was better than the first plan and there was more permeable surface. Ms. Marcotte read Dori Wiggin's permit guidelines. Mr. Gangai was opposed to the plan as it can be developed with one less unit and still stay out of the buffer. A discussion ensued. Ms. Goethel motioned not to oppose this application for a permit with reservation, taking into consideration this proposal could be considered as mitigation for the buffer impact. The overall improvement of the lot will lessen the pollution and impact to the salt marsh. With the stipulation that the salt marsh be cleaned up, the berm repaired and a border planting ^{of rose rugosa} along the side of the berm ^{away from the marsh} ~~of rose rugosa~~ that would deter any impact by people on the salt marsh. Mr. Fatello seconded the motion. Six were in favor with one opposed.

Ms Goethel recommended the granting of the Permit.

SPECIAL PERMIT APPLICATIONS (cont)

C. Woodland Estates of Hampton LLC
Woodland Rd

Mr. Jay Ring and Mr. Mark West addressed the Commission. Mr. West presented a wetlands and habitat protection plan for Woodland Estates. It read as follows:

1. Flag large mast producing trees that can be saved on site including trees on lots outside bufer zone and within cul-de-sac circle.
2. Construct stone wall on south side of Lot 13 along 50 ft buffer.
3. Construct stone wall on east side of LOT 10 along 50 ft buffer.
4. Plant buffer trees and shrubs along east and west sides of Detention Basin on Lot 9. (10 white pine and 20 northern arrowwood)
5. Convey Conservation Easement on remaining land to Town of Hampton.

An abutter was questioning the 100 yr flood plan. His concern was the drainage (runoff) of the water in conjunction with the 100 yr storm. Nathan Page also had concerns with the drainage. A discussion ensued on the drainage. Mr. Fatello was conerned not only with the wetlands but also the uplands and the habitat (woodcock in particular). Mr. Samuelson asked about where the wildlife is in conjunction with the wetland. Mr. Fatello pointed out on the plan where the wildlife is. Ms. Marcotte suggested reducing number of lots and placing remaining developable upland in easement and gaining tax benefits. Mr. Gangai motioned to recommend to the Planning Board that the Special Permit be granted with the stipulation ^{that the} of recommendations as set forth by Mark West. ^{be included as condition} Also recommend the number of lots be reduced around the cul-de-sac to protect the wild life habitat (upland) and minimize drainage problems. The productive use of this land should not be measured by how densely it is developed. Ms. Goethel seconded the motion. All were in favor.

WETLAND BUREAU ACTIONS

- A. Craven
1074 Ocean Blvd

Permit was granted with conditions.

- B. Carroll
Winnacunnet Rd

The Wetland Bureau is asking for an engineering study.

- C. Boars Head Eight
507-509 Ocean Blvd.

The permit was granted.

PLANNING BOARD REFERRALS

- A. Sea Ketch Restaurant
127 Ocean Blvd

The tented area on the second level is to be converted to a permanent area. This lot has no wetland and offers no open space for wild life habitat!! The Commission had no objections or comments. Ms. Marcotte will notify the Planning Bd.

- B. Woodland Estates of Hampton

Please see above.

OLD BUSINESS

- A. LifeWise Community Projects -
Groundwater demonstration.

Ms. Goethel will ^{phone} the schools and will report at the next meeting.

- B. Project SERVE -

This is not feasible at this time. Plans are for Ms. Marcotte and Ms. Goethel to meet with Ms. Peterson to plan for the January & Spring semesters.

- C. Citizens for NH Land & Community Heritage

The slide show was held at Lane Memorial Library on October 20, 1999. Ms. Thimble, Dr. Falk and Mr. Gangai were in attendance.

CONSERVATION COMMISSION PUBLIC HEARING
October 26, 1999
Page 6

OLD BUSINESS (cont)

D. Membership

Dr. Falk has not yet received his letter of membership and needs to be sworn in.

NEW BUSINESS

A. Victory Garden

Ms. Thimble stated the water has been turned off and the Victory Garden has paid ~~the~~ the Conservation Commission the balance due of \$150.00.

B. Budget Committee's review of our budget will be either on 11/9/99 or 11/11/99.

C. Vote was unanimous to petition for a money article to continue the Salt Marsh Restoration Project.

D. The prioritization of the local inventory of important National & Cultural Resources will continue at the next meeting.

E. New Hampshire Association of Conservation Commissions Meeting will be held on 11/6/99.

G. Violations

Ms. Marcotte has a standing appointment with the Building Inspector each Wednesday morning. Currently investigating Kohane off North Shore Rd and 5 others.

CORRESPONDENCE

Workshops, brochures and news articles were reviewed.

TREASURER'S REPORT

The Treasurer's Report was reviewed.

CONSERVATIO COMMISSION PUBLIC HEARING
October 26, 1999
Page 7

The next meeting will be held on Tuesday, November 23, 1999 at 7:00 p.m. meeting in the Town Selectmen's Room. The site walk will be on Saturday, November 20, 1999, meeting in the Town Parking Lot a 9:00 a.m.

Ms. Thimble motioned to adjourn at 11:15 p.m., seconded by Mr. Tilton. All were in favor.

Respectfully submitted,

Sue Launi

Secretary