

CONSERVATION COMMISSION PUBLIC HEARING

April 27, 2004

The meeting was called to order at 7:00 p.m. by Ellen Goethei, Chairperson. Present were Jay Diener, Dr. Ralph Falk, Daniel Gangai, Bonnie Thimble and Peter MacKinnon. Commissioner not present was Peter Tilton Jr. Alternate Charlie Preston was present. Alternates absent were Heather Day and Fred Palazzolo. Planning Board Member Representative Tom Higgins was also present.

A site walk was held on Saturday, April 24, 2004 at 9:00 a.m. Commissioners met at the Town Hall Parking. On the agenda were as follows:

1. 78 Island Path
Demolition of garage and rebuild on same footprint.
2. 6 Hemlock St
3. 45 Tide Mill Rd
4. 7 & 9 Gill St
5. 110 Landing Rd
6. 3 Page Lane.
7. Glade Path

The Minutes of February 24, 2004, March 23, 2004 and April 27, 2004 will be reviewed at the May 25, 2004 Meeting.

NH WETLAND BUREAU APPLICATION

Diane & Terrance Gauthier
78 Island Path

This application is for the demolition and construction of a garage within the same footprint, within the jurisdictional wetlands. This is an expedited permit. After a brief presentation, Dr. Falk motioned to sign the permit, and asked that the Commission be informed at the start and finish of the project, that proper erosion control be utilized as stated in the Shore land protection act, and that no insecticide or fertilizer shall be used on the property. This was seconded by Mr. MacKinnon. All were in favor.

6 Hemlock St
Ocean Vista

Mr. Joe Coronati from Jones and Beech Engineering, and Mr. Mark West, West Environmental, presented the proposal. This application is for work within the jurisdictional wetland. It proposes construction of 5 condo units. The project proposes a combined total impact (temporary and permanent) of 4,105 sq. ft. of upland within the 100 ft. tidal buffer zone. Temporary impact of 435 sq. ft. is proposed within the Town's 50 ft. wetland buffer to fresh water wetlands. After the presentation, Mr. Diener motioned that he would not recommend as it stands now as Unit #5 is in the 100 ft. buffer, there is illegal fill on site within the tidal buffer, a high density use of the property and the area is too sensitive for this type of development and the construction of the buildings will change the grade of the buffer substantially which will effect the water quality of the marsh ecosystem. Ms. Thimble seconded the motion. An amendment was made to the motion that the driveways will have echo pavers and the grass will be maintained. Mr. Diener seconded the amendment. All in favor.

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NH WETLAND BUREAU APPLICATIONS (Cont)

Yankee Fisherman's Co-Op

After Mrs. Goethel gave a brief overview of this application, she stepped down as Chairman for the discussion and vote. Mr. Gangai chaired the discussion. This is a dredge and fill permit for 2.4 miles out in the ocean ESE of Hampton Beach. This is for the installation and operation of 5 long lines for the purpose of growing mussels in the North Atlantic Ocean. Dr. Falk motioned to not oppose the application for the dredge and fill permit. Mrs. Thimble seconded the motion. All were in favor.

At this time Mrs. Goethel stepped back in as Chairman and resumed the meeting.

DOT

Mrs. Goethel stated that the DOT had signs to put up in Line Swamp in Hampton. Mr. Gangai motioned to not oppose the DES permit for DOT. Dr. Falk seconded the motion. All were in favor.

Page Property off Drakeside Road
Maynard Realty Trust

Tom Nigrelli addressed the Commission for an amended plan review. This is for construction of a road and condominium in jurisdictional wetlands. After hearing the updated plan, the discussion was opened to the public. Mr. Kyeon Cyros, abutter, was frustrated and concerned about water run off. Mr. Nathan Page stated that it was a better plan and headed in the right direction. Ms. Thimble stated that the plan was a good start. Dr. Falk was concerned with density wetland impact. Mr. Gangai stated that the plan was better but was also concerned with water run off. Mr. Diener stated the lesser impact was the lower wetlands but the plan was better. Mr. MacKinnon agreed that the plan was better. Mrs. Goethel was very concerned about the density and that echo pavers should be used.

SPECIAL PERMITS

78 Island Path
Diane Gauthier

Ms. Thimble motioned to recommend the granting of a Special Permit for demolition of the existing garage and replacement on the same footprint. The usual requests of being informed at the start and finish of the project, proper erosion control be utilized as stated in the shore land protection act and no insecticides or fertilizer be used on the property. Mr. Diener seconded the motion. All were in favor.

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SPECIAL PERMITS (cont)

6 Hemlock St
Ocean Vista

Dr. Falk motioned to not oppose the granting of a Special Permit to Ocean Vista for work within the Wetlands Conservation District as long as the following conditions are met:

(1) The back yards of Units 4 & 5 are redesigned to have no grass or landscaping other than a replanting to its native vegetative state (maintenance free yard); (2) grade in buffer is brought back as close to the original grade as possible; (3) A deed restriction is put on units 4 & 5 that states there will never be added any structure or patio in the rear of the units. No decks, patios or walkways. (4) No fertilizer or insecticide. (5) At least one granite marker is placed along the wetland buffer line behind each unit. (6) Notification of start and end of project. (7) Proper erosion control (8) Owners of the building inform the building department where the fill came from as it appeared to have objects in it. Mr. Gangai seconded the motion. With Ms. Thimble opposed, six were in favor.

Page Property off Drakeside Road
Maynard Realty Trust

Please see NH Wetland Bureau Application.

45 Tide Mill Rd

Mr. Diener motioned to not oppose the granting of a Special Permit for the rebuilding of the first floor deck within the wetlands conservation district with the following conditions: (1)

The new deck is not any closer to the wetland boundary than the present deck. (2) The deck will never be screened in or have a roof. (3) The deck is open to the elements with rainwater to flow through it. (4) Clean up under the deck and have grass. (5) Notification at start and finish of the project. (6) Proper erosion control be used. (7) The deck needs to be open on all sides. (8) No additional structures be placed into the 50 foot buffer. Dr. Falk seconded the motion. All were in favor.

7 & 9 Gill Street

Dr. Falk motioned to not oppose granting a Special Permit for work within the wetlands conservation district to demolish existing buildings and replacing with 2 family condo with the following conditions:

(1) There will never be any further construction at the rear of the residence. (2) No decks, patios or walkways. (3) driveway remain of a permeable surface, eco pavers, gravel or grass. (4) wetland boundary be marked by granite markers. (5) No plantings are placed inside wetland. (6) A row of native plantings is planted along the wetland edge inside the buffer. (7) The Commission be notified at start and finish of the project. Mr. Diener seconded the motion. All were in favor.

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WETLAND BUREAU & PLANNING BOARD ACTIONS:

Permit #2003-1037, 65 Church St., Aquarion Water Company, Approved. Wireless telecommunication platform.

Permit #2004-197. 515 Winnacunnet Rd. Horizons Condominium Assoc. Approved. Temporary impact for installation of utility lines.

61 Lafayette Rd. Scott Lundeen. Notice of incomplete expedited application for construction of pool within the jurisdictional wetlands.

PLANNING BOARD ACTIONS:

Approved. 515 Winnacunnet Rd. Special Permit to allow temporary impact in the wetlands conservation district for installation of utility lines.

Denied. 542 & 544 High Street. Dan Kellar. Pavement within the wetlands buffer. Asked to hire wetlands scientist to delineate the wetlands buffer and come back with amended application to address flooding concerns.

Approved with Conservation Commission stipulations. 31 Stowecroft Dr. Bevan Bloemendall. Work within the wetlands conservation district to repair retaining wall.

Lincolnshire (car barn warehouse) referred back to Conservation Commission for discussion on culvert crossing and conservation easement.

OLD BUSINESS

Mrs. Goethel stated that RFP is out for delineation on Taylor River.

The next meeting will be held on Tuesday, May 25, 2004 at 7:00 p.m. meeting in the Town Office Selectmen's Room. The next site visit will be Saturday, May 22, 2004 at 9:00 a.m. meeting in the Town Parking Lot.

ADJOURNMENT

Ms. Thimble motioned to adjourn at 10:15 p.m., seconded by Mr. Diener. All were in favor.

Respectfully submitted,



Sue Launi
Secretary