

CORRECTED COPY

CONSERVATION COMMISSION PUBLIC HEARING

July 27, 2004

The meeting was called to order at 7:00 p.m. by Ellen Goethel, Chairperson. Present were Commission members Daniel Gangai, Bonnie Thimble and Peter Tilton Jr. Alternate Charlie Preston was present sitting in for Jay Diener and Alternate Nathan Page was sitting in for Dr. Ralph Falk. Alternates Heather Day, and Fred Palazzolo were absent. Also attending was Ken Sakurai, Planning Board member representative.

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

- A. Hampton River Boat Club: Stabilize Ramp
- B. 143 Winnacunnet Road
Addition to back of building
- C. 477 Winnacunnet Road
Cutting for addition of 3 season porch in tidal wetland
- D. 431 Winnacunnet Rd
Subdivision back to Conservation Commission from Planning Board
- E. 435 Winnacunnet Road
Enclose existing deck
- F. 17 Birch Road
Wetland buffer
- G. 15 Huckleberry Lane
Needs to know where wetland is
- H. 5 Viking Street

The Minutes of May 25, 2004 were reviewed. All were in agreement to accept the Minutes with corrections as noted.

PUBLIC HEARING

- A. The purchase of the property located at Tax Map 110, Lot 3C, fronting on Barbour road using the Conservation Land Fund.

Mr. Robert Casassa, Casassa & Ryan, addressed the Commission on behalf of the seller of the property, Ms. Shirley McCrae. Ms. McCrae is offering the Commission 23 acres for \$150,000 for conservation use. Ms Mary Louise Woolsey addressed the Commission in strong support to purchase the land. As there were no other speakers, Mr. Page motioned to close the Public Hearing, seconded by Mr. Tilton. All were in favor. Mr Page then motioned to purchase the property, seconded by Ms. Thimble. All were in favor. Mrs. Goethel will send a thank you note to Ms. McCrae.

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PUBLIC HEARING (Cont.)

B. Taylor River Prime Wetland Assessment Project

The expenditure of up to \$4,000.00 from the Conservation Land Fund as matching funds for a grant from the Estuaries Project to finish the Taylor River Prime Wetlands Assessment project. As there were no comments from the public, Mr. Tilton motioned to close the Public Hearing, seconded by Ms. Thimble. All were in favor. Mr. Tilton motioned to spend the \$4,000.00, seconded by Mr. Page. All were in favor.

At this time the Public Hearing was closed.

NH WETLAND BUREAU APPLICATIONS

A. State DOT Route 101 and 95 interchange
Line Swamp.

The proposed project will widen the toll plaza located on the ramp between 101 and Interstate 95. Portions of the adjacent ramps will be realigned and widened to provide better alignment with the widened toll plaza. Mr. Preston motioned to not oppose this application, seconded by Mr. Page. All were in favor.

B. Hampton River Boat Club

This application is for the resurfacing of the ramp and concrete slab. The existing ramp needs resurfacing to concrete slab. After a brief discussion, Mr. Gangai motioned to not oppose the application, seconded by Ms. Thimble. All were in favor.

TOWN OF HAMPTON APPLICATIONS FOR SPECIAL PERMITS

A. 535 Winnacunnet Rd

This Special Permit is to enclose a deck within the Wetlands Conservation District. After a brief overview, Mr. Page motioned to enclose the deck with the following stipulations: (1) proper erosion control per the state shore land protection regulations is employed; (2) there will be no increased impact on the ground; (3) notification at the start and finish of construction. This was seconded by Mr. Tilton. All were in favor.

PLANNING BOARD REFERRALS

A. 8 Hemlock
Ocean View Condo

The Planning Board sent the applicant back to the Commission to discuss the nature trail. Mark West gave a brief overview. There will be no trees cut along the trail and erosion control will be in effect. There will also be silt fencing along the trail. After the overview, Mr. Tilton motioned to not oppose the project, seconded by Mr. Page. All were in favor.

B. 431 Winnacunnet Rd

Mr. Page stepped down from the discussion as this is his next door neighbor. This discussion centered around the subdivision. Granite markers were suggested. After the discussion, Ms. Thimble motioned to not oppose, seconded by Mr. Gangai. All were in favor.

C. 10 Patricia Street

After Mr. Bibeau presented this project, the Conservation Commission did not approve of the changes to Mr. Bibeau's special permit application. The Commission would like to reaffirm their previous recommendation. The lot would hold a smaller building that would not impact the Wetlands Conservation District per the Ordinance. The Commission would also be in favor of an alternate design plan with lower density. Mr. Bibeau was asked to reposition the building and sealed surfaces to offer the least impact to the wetlands. He had not done so. The project does not meet the standards for permitted uses as per the Commission's Zoning Board Ordinance 2.3.3B.7. After a discussion, it was clear that the applicant had not met the requirements asked by the Commission. The new proposal impacts the wetland even more. Mr. Gangai motioned that the Commission does not approve of the changes to Mr. Bibeau's special permit application and to reaffirm the recommendations made previously. Mr. Tilton seconded the motion. All were in favor.

WETLAND BUREAU ACTIONS

A. Michael & Charlotte Lapierre
Permit #2000-01270

Violation letter for restoration of sand dune.

B. Kimberlie Flowers
40 Highland Ave.
Violation #2003-15

Approval of seed mix for wetland restoration.

OLD BUSINESS

Appointment:

Mr. Jack Kopka
Re: Barbour Road Violation

Mr. Kopka addressed the Commission on this violation. Mrs. Goethel read a letter that was written to Mr. Gillick of the Planning Board stating that the buffer was not to be disturbed and the deck should be off the ground 8 ft. and remain open. Also the footprint of the house be moved 2 ft forward toward the street, the driveway be permeable surface, no structures in the buffer (that means a retaining wall), proper erosion control be used before and during construction, and that the Commission be notified before and finish of the project. It was apparent that these suggestions were not followed. After the discussion, Ms. Thimble motioned to write a memo, seconded by Mr. Tilton. All the Commissioners were in agreement with the motion. It was suggested that Mr. Kopka come back with a restoration plan.

VIOLATIONS STATUS – All of the below are Court violations

- A. 3 Page Lane – Illegal fill – leveled the fill after the cease and desist order.
- B. 1019 Ocean Blvd – Cease & desist order
- C. 20 Juniper Lane – Wetlands violation.

Mrs. Goethel gave an update from Trust for Public Land on Hurd Farm.

NEW BUSINESS

- A. Mrs. Goethel read a letter of complaint from a Schooner Landing resident regarding a pond that was filled in.
- B. Mrs. Goethel informed the Commission that Commissioner Peter MacKinnon resigned to Alternate. Mr. Preston will assume the role of Commissioner from Alternate.
- C. Second half Prime Wetlands assessment application.
- D. Write protocol for Wetlands Violations. Mrs. Goethel met with Mr. Barrington and also spoke to the Town Attorney.
- E.

CORRESPONDENCE

Mrs. Goethel reviewed seminars, brochures and workshops and phone calls she had received.

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TREASURER'S REPORT

The Treasurer's Report was not available for this meeting.

The next meeting will be held on Tuesday, August 24, 2004 meeting in the Town Office Meeting Room as 7:00 p.m. The next site walk will be Saturday, August 21, 2004 at 9:00 a.m. meeting in the Town Office Parking Lot.

Mr. Page motioned to adjourn at 10:00 p.m., seconded by Mr. Tilton. All were in favor.

Respectfully submitted,


Sue Launi
Secretary