

CORRECTED COPY

CONSERVATION COMMISSION PUBLIC HEARING
October 26, 2004

The meeting was called to order at 7:05 by Ellen Goethel, Chairperson. Present were Jay Diener, Dr. Ralph Falk, Daniel Gangai, Charlie Preston, Bonnie Thimble and Peter Tilton Jr. Alternate attending was Nathan Page. Planning Board Representative attending the meeting was Keith Lessard.

The Minutes of August, 24, 2004, September 28, 2004 and October 26, 2004 will be reviewed at the November 23, 2004 meeting.

A site walk was held on Saturday October 23, 2004 at 9:00 a.m. Commissioners met at the Town Hall Parking Lot. On the agenda were as follows:

- A. 477 Winnacunnet Rd.
Add deck and remove a shed
- B. Ocean Blvd and Eisenhower St
Gas lines in sand dunes
- C. 55 Harbor Rd
Condo Development

Demo Permits:

- A. Emerald Ave
- B. 132 North Shore Rd

NH WETLAND BUREAU APPLICATIONS

- A. 55 Harbor Road
Hampton River Marina

This application is for a condo development within the jurisdictional wetlands. Joe Coronati from Jones and Beech Engineering gave the overview. The proposed project is for the construction of a 28 unit and a 16 unit condo complex at the existing Hampton River Marina. (total 44 units) The project is to be constructed within the already developed /disturbed 100' tidal buffer to the Atlantic Ocean with an impact of 78,000 sq. ft. to the buffer. This proposal is the least impacting alternative by limiting the construction to the upland tidal buffer that lies in an area that has already been developed and currently has several small structures and is either paved or covered in gravel. To install a system of catch basins to collect the storm water run off from the parking area. There are currently no storm water measures in place. After the discussion Mr. Tilton motioned to not oppose the application for 55 Harbor Rd with several stipulations: (1) review planting schemes for approval; (2) dumpster locations; (3) old travel lift be inactive; (4) oils collection site inside the maintenance building; (5) no fertilizers per Shore Land Protection Act; (6) there will not be any work done on the rip rap around the project; and (7) the Commission be notified in writing at beginning and end of project. Mr. Gangai seconded the motion. All were in favor. Mr. Tilton then motioned to not oppose the Town Permit with the same stipulations. Mr. Diener seconded. All were in favor.

CONSERVATION COMMISSION PUBLIC HEARING

October 26, 2004

Page 2

NH WETLAND BUREAU APPLICATIONS (cont)

B. Ocean Blvd and Eisenhower St.
Northern Utilities

This application is for gas line work in jurisdictional wetlands. Mr. Bob Prokop, NH Certified Wetlands Scientist, addressed the Commission along with Northern Utilities Representatives. Northern Utilities is replacing an existing gas line which is in need of upgrading. The new line is being installed along the Eastern shoulder of the road off Rt. 1A and Eisenhower Street extending from Seabrook-Hampton Bridge South to Methuen St. Temporary impact of sand dunes at 2 locations to excavate jacking pits to install a new natural gas line under Ocean Blvd. Impacted sand dunes will be restored once installation is completed. Approximately 5,000 lin. ft. of new gas is being installed in the road in order to avoid sand dunes impacts. The new line must cross Ocean Blvd. to connect to an existing stub already located in the dunes. After the presentation, Mr. Gangai motioned to not oppose the DES Permit and be informed of the start and finish of the project in writing, a \$3000 Restoration Bond to be held in escrow until December 1, 2007 as an assurance that the plantings in the dunes have 2 successful growing seasons. Dr. Falk seconded the motion. For the Town Permit, Mr. Gangai motioned to recommend to the Planning Board to not oppose with the same stipulations. Dr. Falk seconded the motion. All were in favor.

C. Page Meadow
180 Drakeside Road (Drakes Appleton)

This is an amendment to the NH Wetlands Bureau application for 48 condo units (two buildings) and associated parking within the jurisdictional wetlands. Goals of the revised site plan are as follows: (1) minimizing impact to the highest value wetlands on site i.e. Hampton marsh; (2) concentrating development close to Drakeside Rd.; (3) minimizing overall site disturbance; and (4) protection of the highest value wild life habitat on site. Wetlands impacts 34,700 sq. ft and mitigation 22.25 acres of conservation easement with 7.31 acres of uplands and 14.94 acres of wetland. The proposed easement includes the highest functioning wetlands and their associated buffers and the highest value wild life habitat. Public access will be included in the form of a small gravel parking lot along Drakeside Rd. Fields will be maintained through protection covenants by the Homeowners Assoc.

At this time the public was invited to give comments. Mr. John McClosky of 3 Hampton Meadows was concerned about the motion of re-hearing for the Zoning Board and the safety, traffic and density. Mr. Crean Syros was concerned with the underground springs of fresh water and not to shut that down. Also the density was a concern and he was in favor of the Nature Trail. Ms. Anne Syros also had concerns with the underground water. At this time the Public comments were ended as there were no other speakers.

Mr. Tilton motioned to not oppose the application for 180 Rear Drakeside Road as the current plan addresses the major concerns of the project and believes it addresses the needs of the Town and the needs of the applicant and the environmental concerns of the Conservation Commission guidelines. Ms. Thimble seconded the motion. With Mr. Diener abstaining, the rest were in favor. Mr. Tilton then motioned to recommend the granting of the Special Permit to the Planning Board with the same motion as before and with the stipulation of being notified at start and end of project in writing. Ms. Thimble seconded the motion. With Mr. Diener abstaining, all were in favor.

SPECIAL PERMITS

- D. 477 Winnacunnet Rd
Marc & Elizabeth Keroack

This Special Permit is for an addition of a deck within the Town Wetlands Conservation District. This is to amend the request to the Planning Board. After a brief discussion, Mr. Gangai motioned to not oppose the Special Permit for the deck with stairway (east side toward the road) the underneath remain grass, the deck is built off of the 2nd floor as per the site plan, being notified of start and finish of project in writing and the Shore land Protection is followed with no use of pesticides or fertilizer. Mr. Preston seconded the motion. All were in favor.

- E. 377 Ocean Blvd
Fatima Realty Trust

This Special Permit is for the demolition of existing buildings and construction of a 2 level condo building with associated parking within the wetlands conservation district. There were no changes in the Plan. Mr. Diener motioned to recommend the Special Permit with the usual stipulations of being notified at start and finish of project in writing, and Shore Land Protection. Mr. Gangai seconded the motion. All were in favor.

PLANNING BOARD REFERRALS

- A. Mary Batchelder/Purinton Lane

Dr. Falk motioned to send back to Planning Board as this is not an issue for the Commission. Mr. Diener seconded. All were in favor.

WETLAND BUREAU ACTIONS

1. DES File #2002-2463 – Completion of dock removal at end of Bragg Ave 10/12/04
2. DES File #2002-96 – 4 Post Rd. Complete restoration
3. DES File #2003-00 – 443 Golden Corridor off Duston Ave. Approved with stipulations 7/23/04
4. DES File #2004-01 - 355 DOT Rte 101 and 95 – widen Hampton Toll Plaza, Approved 8/20/04

PLANNING BOARD ACTIONS

1. 7 & 9 Gill St – Demo and rebuild. With Conservation Commission stipulations. Approved 9/7/04.
2. Hampton River Boat Club – 115 Landing Rd., with Conservation Commission stipulations. Approved 9/7/04

OLD BUSINESS

1. Mrs. Goethel reviewed letters received from Jane Gallagher and Gayle Sweeney regarding concerns about Wild Life Habitat around Town.

CONSERVATION COMMISSION PUBLIC HEARING

October 26, 2004

Page 4

NEW BUSINESS

The Annual Meeting of the New Hampshire Conservation Commission is Saturday, November 6, 2004 and all Commissioners are urged to attend.

The Commission has acquired a fax/copy machine in the Conservation Commission office.

The next meeting will be held on Tuesday, November 23, 2004 meeting in the Town Office Meeting Room at 7:00 p.m. The next site walk will be Saturday, November 20, 2004 at 9:00 a.m. meeting at the Town Office Parking Lot.

Mr. Tilton motioned to adjourn at 9:30 p.m. Dr. Falk seconded the motion. All were in favor.

Respectfully submitted,



Sue Launi
Secretary