

CORRECTED COPY

CONSERVATION COMMISSION PUBLIC HEARING

May 24, 2005

The meeting was called to order at 7:01 p.m. by Ellen Goethel, Chairperson. Present were Commission members Jay Diener, Daniel Gangai, Bonnie Thimble and Peter Tilton Jr. Commissioners Dr. Ralph Falk and Charlie Preston were absent. Alternate Nathan Page sat in for Dr. Falk. Alternate Peter MacKinnon was absent. There was not representation from the Planning Board.

The site walk was held on Saturday, May 21, 2005:

- A. 14 Francis Street – deck & fence
- B. 475 Winnacunnet Rd -deck
- C. 24 Boars Head Terrace – demo & rebuild
- D. 49 Dumas Ave – minimal impact
- E. 78 Barbour Rd – screened in porch
- F. 31 Munsey Drive – build pond
- G. 8 Bittersweet Lane – wrap around deck
- H. 67 & 66 Island Path
- I. 2 Huckleberry Lane

The Minutes of February 22, 2005, March 22, 2005 and April 26, 2005 were reviewed. All were in agreement to accept the Minutes with one correction noted.

NH WETLAND BUREAU APPLICATIONS

- A. Jane Gallagher
31 Harbor Road

This application is for modifications to existing permit. Raise the existing 2 story structure, replace existing substructure and construct new above level. Perform minor modifications to new second floor level. Construct new 3 story 15'6" x 42' 0" long. Part of the existing structure that is scheduled to be modified is in the 50 ft. buffer zone. Minimal excavation will occur within the 50 ft. buffer zone in order to accommodate these new building features. At this time Mrs. Goethel opened the discussion up to the audience. Mr. Ron Dube of 35 Harbor Rd. spoke. His concern was about the height of the new building and the closeness to his property line. He stated that the fence which is scheduled to be replaced is his fence on his property and would like for that to be corrected on the site plan. Mr. Tilton motioned to not oppose the modifications to the existing permit as presented with the normal stipulations and no floor drains. Mrs. Thimble seconded the motion. A discussion ensued. Mr. Diener amended the motion to take a look at the height and guidelines and also addition of plantings need to be addressed before construction. Mr. Page seconded the motion. The vote was unanimous on the amendment. The vote was also unanimous on the motion. Mr. Tilton then motioned to not oppose the Special Permit 400 sq. ft. for temporary impact and demolition and reconstruction of the foundation and to correct a drainage problem caused by an unforeseen consequence of a previously permitted activity on an abutting property.

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NH WETLAND BUREAU APPLICATIONS (cont)

A. 31 Harbor Rd (cont)

The lawn care guidelines set forth in the Shoreland Protection Act must also be followed. Mr. Page seconded the motion. All were in favor.

B. 1032 Ocean Blvd

The project proposes a new residential dwelling to improve the aesthetic quality and livable space. The new dwelling is proposed no closer to the ocean than what already exists on site. The proposed project is to raze the existing two buildings on the property and build a new house. After the discussion, Mr. Page motioned to not oppose the application with the usual stipulations and that permeable surface for the walkway and with the understanding that the patio be removed from the back. Mr. Tilton seconded the motion. Mr. Diener amended the motion stating the proposed patio be constructed of a permeable material. All were in favor. Mr. Page motioned to add the amendment. Mr. Tilton seconded the motion. With Mr. Gangai abstained, all were in favor.

Mr. Tilton motioned to not oppose the granting of a Special Permit for work within the buffer for demolition and building of a new residence at 1032 Ocean Blvd. The walkways within the 50 ft. buffer will be of permeable material allowing for necessary stairs. The walkways will be located on the South side of the main building 5 ft. in width. The patio shall be of permeable surface also. The outside living space is treated as a part of the house and not a deck. Mr. Page seconded the motion. With Mr. Gangai abstained, all were in favor.

C. Ocean Blvd Northern Utilities

This application is for the temporary impact of 600 sq. ft. (60' x 10') of previously disturbed tidal buffer zone to replace 4" natural gas line. No wetlands or sand dunes would be impacted. All work is confined to previously disturbed areas. The old line will be left in place to reduce the area disturbed. Mr. Tilton motioned to recommend the permit, seconded by Mr. Diener. All were in favor. Mr. Diener motioned to not oppose the Special Permit with the regular stipulations, seconded by Mr. Gangai. All were in favor.

D. 49 Dumas Ave

This is an expedited application for the addition to existing single family home within the State Jurisdictional Wetlands. This is for an addition between the existing home and garage. Mr. Gangai motioned to allow Mrs. Goethel to sign the application. Mr. Tilton seconded. All were in favor.

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NH WETLAND BUREAU APPLICATIONS (Cont)

E. 66-68 Island Path

This application is for constructing a stacked rock wall, grading, replacing a shed, and rearing/replacing the pilings/foundation of two single family residences that currently exist on the property. The project is necessary to prevent erosion and damage to the pilings/foundation of two existing residences and is in the interest of public health and safety. After a brief overview, Mr. Page motioned to not oppose the application with the usual stipulations. Mr. Gangai seconded the motion. All were favor.

Mr. Tilton motioned to grant the Special Permit for work within the buffer to build a retaining wall and repair and replace the pilings on two single family residences. The wall should not go the entire length of the property and that the fill which will be placed on the property between the two walls will not erode into the adjacent salt marsh. The Commission requests notification of any change in the original application. The shed will be moved as close to the road as possible to restore the marsh under the old shed. Ms. Thimble seconded the motion. All were in favor.

F. 2 Huckleberry Lane -- Robert Pilat

Mike Parsant from NH Soil Consultants addressed the Commission. This application is to correct drainage problem that has occurred as a result of the actions of an abutting property. The berm that was created when the abutter's sewer line was installed prevents over land flow, therefore resulting in ponded water in the Pilat's yard. This proposal requests permission to fill and regrade the Pilat's lawn to match the height of the berm and allow for proper drainage.

Mr. Diener motioned to not oppose the granting of a wetlands permit for work to correct drainage problem caused by an unforeseen consequence of a previously permitted activity on an abutting property. The boundary markers should be elevated and clearly visible. No soil is placed near the trunk of pine trees along the berm and no construction equipment will go beyond the property line. The Lawn Care guidelines set forth in the Shoreland Protection Act must be followed.

Notification to the Commission at the start and end of the project in writing and proper erosion control. Ms. Thimble seconded the motion. All were in favor.

Mr. Tilton motioned to grant a Special Permit for work to correct a drainage problem. Ms. Thimble seconded the motion. All were in favor.

G. 55 Harbor Road

Luke Hurley from Gove Environment addressed the Commission. Mrs. Goethel stepped down as Chairperson for this application. Mr. Diener assumed the Chairperson for this application. A sewer improvement is proposed for the site with the help of the State DES Grant. Sewer sanchions are proposed at two locations, D dock and the gas pump dock. This sewer will be connected to the Town's sewer system via a force main. At the same time, the client is proposing to bring cable TV to al of the slips. A temporary impact to the 50' tidal buffer for placing the utilities underground is proposed. Mr. Page motioned to table the decision on the application until our next meeting of June 28, 2005 with the approval of the applicant. At that time answers to several questions about construction, equipment (flexible piping along the docks) and safeguards in the check valves etc. which were brought up by the Commission. Mr. Tilton seconded the motion. All were in favor.

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PLANNING BOARD REFERRAL

- A. 1019 Ocean Blvd
Ted Palmiere

The footprint of the house in the 50' buffer does not exceed 700 sq. ft. The deck is cantilevered 7' out around the north side of the house. The driveway should be permeable surface. Discussion ensued on whether to vote on a completed plan as this plan is not complete. It is missing the driveway. Mrs. Goethel suggested making a complete list of all needed on the plan and send it to the Planning Board. i.e. driveway, dimension and sq. ft. of cantilevered deck, contour lines, permeable surface & sq. ft of driveway (length & width), distance from lot lines, elevation and wetland delineation. Mr. Palmiere will also receive a list. All were in favor of this list.

OLD BUSINESS

- A. Prime wetlands project update.

NEW BUSINESS

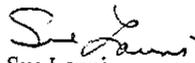
- A. Victory Garden Update

Ms. Thimble gave a quick update. The Hampton Recreation Dept will help in the cutting of trees and mowing of the grass.

The next meeting will be held on Tuesday, June 28, 2005, meeting in the Town Office Meeting Room at 7:00 p.m. The next site walk will be Saturday, June 25, 2005 at 9:00 a.m. meeting at the Town Office Parking Lot.

Mr. Diener motioned to adjourn at 11:00 p.m. Mr. Tilton seconded the motion. All were in favor.

Respectfully submitted,


Sue Launi
Secretary