

CONSERVATION COMMISSION PUBLIC HEARING  
October 24, 2006

The meeting was called to order at 7:02 p.m. by Ellen Goethel, Chairperson. Present were Commission Members Jay Diener, Sharon Raymond and Pete Tilton Jr.. Commission Members Dan Gangai, Dr. Ralph Falk and Bonnie Thimble were absent. Altermante Nathan Page was present and was sitting in for Dan Gangai. Planning Board member Bob Viviano represented the Planning Board at this meeting.

The site walk was held on Saturday, October 21, 2006 meeting at the Town Parking Lot at 9:00 a.m.

- A. 488 High Street
- B. 13 Seaview Ave
- C. Corner of Gill & Pearl Streets
- D. 429 Ocean Blvd
- E. 31-33 Ocean Blvd
- F. 63 Mooring Drive
- G. 52 Falcone Dr
- H. 89 Woodland Rd
- I. 16 Katie Lane

The Minutes of September 26, 2004 were e-mailed to the Commissioners for review.

NH WETLAND BUREAU APPLICATIONS

- A. 11 Chase Street  
John Fleming

This application is to replace foundation of existing house with concrete block foundation within the State Jurisdictional wetland. Straw bales and silt fence will be installed. All excavated soil will be returned to perimeter of the cottage. After the discussion, Mr. Tilton motioned to not oppose the granting of a wetlands permit for work to put a foundation under the existing house with the following stipulations: (1) the area around the tidal creek is cleaned up of debris including any yard waste; (2) lawn care must follow guidelines set forth in the Shoreland Protection Act and no grass clippings in the buffer or wetlands; (3) foundation will remain on the original footprint of the house; (4) no additional structures of any kind or any sealed surface in the buffer; and (5) the Commission will be notified in writing at the start and finish of the project. Mr. Diener seconded the motion. All were in favor.

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NH WETLAND BUREAU APPLICATIONS (cont)

B. 63 Mooring Drive  
James Kirylo

Construction of new retaining wall within the State Jurisdictional wetlands. After the discussion, Mr. Page motioned to not oppose the granting of a wetlands permit for work to construct retaining wall within the State Jurisdictional Wetlands with the following stipulations: (1) the wall ties into the abutter's walls on both sides of the property; (2) the wall is similar in nature and construction to both of the abutter's walls; (3) there is no further encroachment into the marsh than what is existing; (4) the existing fence is removed and all debris including any lawn debris is removed from the marsh; and (5) the Commission is notified in writing at start and finish of the project. All were in favor.

SPECIAL PERMITS

A. 31 Park Ave.  
Tom Burness

This amended application is for new driveway construction within the Town Wetlands Conservation District. Mr. Page motioned to not oppose the granting of the Wetlands permit for work within the State Jurisdictional wetland with the following: (1) buffer should remain undisturbed to the degree possible in the process of construction and elevations not be changed, no additional fill is allowed and no change in elevation using existing fill; (2) proper erosion control will be in place before construction begins and remain in place until the area is stabilized and removed after construction is complete; Silt fence and hay bales; (3) no additional structures, sealed surface in the buffer other than shown on the plan, a new special permit is needed for any structure in the buffer; (4) lawn care must follow the guidelines of the Shoreland Protection Act, no grass clippings in the wetlands or buffer; (5) Commission will be notified at the beginning and end of the project and before an occupancy permit is issued; (6) the applicant has changed the application and should send an amended application to DES and the Conservation Commission and should coincide with the changes which were presented to the Commission at their September 2006 meeting. The Commission is still concerned with the change that the addition point source drainage will have on the existing house and wetland. Ms. Raymond seconded the motion. The vote was unanimous.

B. 63 Mooring Dr  
James Kirylo

Construction of new retaining wall within the Town Wetlands Conservation District. Mr. Page motioned to not oppose the granting of a Special Permit for work within the Wetlands Conservation District with the following stipulations: (1) the wall ties into the abutter's walls on both sides of the property; (2) the wall is similar in nature and construction to both of the abutter's walls; (3) there is no further encroachment into the marsh than what is existing; and (4) the existing fence is removed and all debris including any lawn debris is removed from the marsh. Mr. Tilton seconded the motion. All were in favor.

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SPECIAL PERMITS (cont)

C. 13 Seaview Ave  
Barbara DeFreitas

This special permit application is for an 8' x 10' shed within the Town Wetlands Conservation District. After a discussion Mr. Tilton motioned to oppose the granting of a Special Permit for allowing the shed to remain in the Town Wetlands conservation district for the following reasons: (1) the Commission has asked the applicant to move the shed outside of the wetlands conservation district after they have demolished and rebuilt their new home and applicant has denied this request; (2) there is ample space to place the shed outside of the wetlands conservation district even after the new house has been constructed; (3) placement of the shed as it stands now would have been denied if it was presented prior to putting it in place; (4) the shed does not provide wildlife habitat as the applicant has claimed; (5) the Commission recommends relocating the shed; and (6) when the shed is moved and house demolished and rebuilt, add the usual stipulations. Mr. Diener seconded the motion. All were in favor.

D. 89 Woodland Rd

New Subdivision within the Town Wetlands Conservation District. Joe Coronati from Jones & Beach Engineers, addressed the Commission. This is for a six lot subdivision with town water and sewer on a new road to be constructed to Town Standards. Special Permit request is for temporary work zone and grading in the rear of a proposed house. No impervious to be constructed in the buffer. Although the Commission does not oppose the granting of a Special Permit for work with the Wetlands Conservation District for the temporary impact in the town wetlands district for the construction of a house attached to the existing barn, Mr. Page motioned to postpone action on the Special Permit; (1) until Ambit Engineering has had a chance to review and report back on the drainage plans; (2) the retention pond should be removed from within the Town road right of way; (3) this project will be collecting all of the runoff from the entire property and discharging it to a single outlet which drains off of the property onto the abutting property; (4) the abutter/owner of the property where the drainage will flow should be consulted about the discharge; and (5) and the usual stipulations. Mr. Diener seconded the motion. All were in favor.

E. 11 Chase Street  
John Fleming

Replace foundation of existing house. Mr. Diener motioned to not oppose the granting of this Special Permit for work within the Wetlands Conservation District with the following stipulations: (1) the area around the tidal creek is cleaned up of debris including any yard waste; and (2) the foundation will remain on the original footprint of the house. Mr. Page seconded. All were in favor.

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SPECIAL PERMITS (cont)

F. Ocean Blvd  
Surfside 30

Repair existing parking lot within the Town Wetlands Conservation District. Adele Fiorelli addressed the Commission. The project proposes to impact an area of previously disturbed tidal wetlands and wetland buffer to elevate the existing parking lot on the above referenced property in order to eliminate flooding during high tides and storm events. The meeting then opened to the Public. The following residents and abutters spoke: Mr. Wanemaker is concerned with runoff and cracks in the retaining wall; Mr. Duggan is concerned with snow drainage to fence and drainage in general; Mr. & Mrs. Porter are concerned with water in the parking lot; Mr. Matson is concerned with his property getting wet. At this time the Public session was closed. At this time Ms. Raymond motioned to not oppose the granting of a Special Permit for work within the Wetlands Conservation District for repair of an existing parking lot with the following stipulations which the applicant has agreed to: (1) the condo association will have a bi-annual cleanup/sweeping of the parking lot to keep debris out of the adjacent salt marsh; (2) snow storage will be outside of the 50' buffer; (3) applicant will inspect and repair the retaining wall at the northern end to protect the integrity of the new pavement and the abutters property; (4) additional curbing will be replaced from 99.1 point on the project plans in a southerly direction along the northeast corner between the abutter on tax map 255 lot 19; (5) the drainage plan will help split the sheet runoff so that it does not become a point source of pollution into the marsh; and (6) the usual stipulations. Mr. Tilton seconded the motion. All were in favor.

PLANNING BOARD REFERRAL

A. 429 Ocean Blvd

This is a site plan review to construct 15 condo hotel units. Mrs. Goethel sent a letter to the Planning Board stating a site walk was held and the Commission discussed the project at 429 Ocean Blvd at our regular monthly meeting on October 24, 2006. The Commission has one request since the applicant is changing the buffer from a viable grassy area which acts to filter runoff prior to it entering the marsh, to gravel parking spaces, to make sure that the gravel parking area is never paved and remains pervious.

B. 16 Katie Lane

Easement for gas. Ms. Raymond motioned to recommend approval of the change of easement adjustment and have Mrs. Goethel send letter to Selectmen stating the Commission recommends the acceptance of the pump station easement relocation area at 16 Katie Lane as per the RSA 41:14a process. Mr. Tilton seconded the motion. All were in favor.

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APPOINTMENTS

A. NROC Program Assistance

Amanda Stone from the Natural Resources Outreach Coalition (NROC) addressed the Commission. This presentation was on how to deal with growth in southeastern New Hampshire. A slide presentation ensued and how it would be helpful to our community.

B. Review Conservation Easement document for Longview Place (formerly Page's Meadow).

The Commission voted at the October 24, 2006 meeting to accept the Conservation Easement for Page's Meadow as finalized by Attorney Mark Gearreald. Mrs. Goethel will send a letter to the Selectmen.

OLD BUSINESS

A. Discuss Landing Road Marsh Restoration.

Mr. Page motioned to allow Mrs. Goethel to negotiate with RCCD and other entities for leveraging project expenditures for marsh restoration at Landing Road and Drakeside Road Project Area. Mr. Diener seconded the motion. All were in favor.

TREASURER'S REPORT

Not available for this meeting.

The next meeting will be held on Tuesday, November 28, 2006 meeting in the Town Office Meeting Room as 7:00 p.m. The next site walk will be held on Saturday, November 25, 2006 meeting at the Town Office Parking Lot at 9:00 am.

Mr. Tilton motioned to adjourn at 10:20 pm , seconded by Mr. Diener. All were in favor.

Respectfully submitted,



Sue Launi  
Secretary