

February 27, 2007  
Hampton Conservation Commission Agenda

- I Call to Order: 7:00 pm
- II NH Wetland Bureau Applications
  - A. None
- III Special Permits
  - A. 488 High Street. James & Candice Stellmach. Demolition of existing structure and reconstruction of a new house within the Town Wetlands Conservation District.
  - B. 16 Ross Ave. Kevin Emory. Second floor screened in porch with removal of existing shed away from the edge of the wetland onto existing driveway pavement within the Town Wetland Conservation District.
  - C. 76 Kings Highway. Northbeach Investments, Inc. Build 6 tourist cabins within the Town Wetlands Conservation District.
- IV Planning Board Referrals
  - A. None
- V Appointments
  - A. 7 Pearl St. S. Pelletier. After the fact deck in violation of previous special permit. Returned from the Planning Board for discussion.
- VI Planning Board Actions
- VII DES Actions
- VIII Old Business
- IX New Business
  - A. Discuss formation of a committee to discuss possibility of acquiring Conservation Easements in the vicinity of Great Meadow on the Nitus Brook Watershed.
  - B. Discuss Forence Collins offer to donate parcel 274-0167-0000 of salt marsh to the Town of Hampton.
- X Review Minutes
- XI Treasure's Report
- XII Adjourn

CONSERVATION COMMISSION PUBLIC HEARING CORRECTED

February 27, 2007

The Meeting was called to order at 7:05 p.m. by Ellen Goethel, Chairperson. Present were Commission Members Jay Diener, Dr. Ralph Falk, Sharon Raymond and Peter Tilton Jr. Commission Member Daniel Gangai was absent. Alternate Nathan Page was present and was sitting in for Daniel Gangai. Alternate Peter MacKinnon was absent. Fran McMahon was representing the Planning Board.

SPECIAL PERMITS

- A. 433 High Street  
James & Candice Stellmach

This Special Permit is for the demolition of existing structure and reconstruction of a new house within the Town Wetlands Conservation District. Candice Stellmach and Ray Lavin, Builder, addressed the Commission. After a discussion of the project, Mr. Page motioned to recommend the Planning Board allow the demolition of existing structure. We do not recommend that the application for a special permit for the construction of a new single family house be granted at this time for the following reasons: (1) the applicant did not have a complete plan showing the impact within the 50 ft wetland buffer; and (2) the applicant wanted to clean out the fill and regrade the buffer area to change the drainage on the property by changing the elevation within the buffer. The Commissioners need to see a plan for the regrade and spot elevations before and after and also a planting plan for the area and the usual stipulations. We asked the Planning Board to send back to the Conservation Commission for reviewing the plantings and regarding in the buffer. The applicant needs to also bring an updated footprint showing doors, steps, etc. Dr. Falk seconded the motion. All were in favor.

- B. 16 Ross Ave.  
Kevin Emory

This Special Permit is for a second floor screened in porch with removal of existing shed away from the edge of the wetland onto existing driveway pavement within the Town Wetland Conservation District. Kevin Emory addressed the Commission. After a brief discussion, Mr. Tilton motioned to recommend the granting of the special permit for closing in a second floor deck within the Wetlands Conservation District with the following stipulations: (1) applicant has agreed to reduce the sq ft of impact within the buffer by moving the existing shed onto the end of the paved driveway; (2) agreed to plantings to be approved by the Conservation Commission along the wetland edge at the back of the property; (3) applicant has agreed that there will be no further intrusion into the buffer; and (4) usual stipulations. Mr. Diener seconded the motion. All were in favor.

- C. 76 Kings Highway  
Randy Radkay - Northbeach Investments Inc

This Special Permit is for building 6 tourist cabins within the Town Wetlands Conservation District. Randy Radkay addressed the Commission. After a brief discussion, Mr. Page motioned to recommend the special permit with the following stipulations: (1) applicant has agreed to pull down the existing structure; (2) ask the Planning Board have a drainage study done before granting the special permit; (3) ecopavers be used for parking; (4) increase the elevation within the buffer by about an inch; (5) place Conservation buffer markers at the edge of his property where the buffer begins and along the sides of the shed behind the proposed pool; (6) grass between the cabins with no paved areas; and (7) document for this development should include that the pool will not be drained on site and yard waste is to be removed from the site and not dumped into the wetland. All customary stipulations as well. Dr. Falk seconded the motion. All were in favor.

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APPONTMENTS

- A. 7 Pearl Street  
S. Pelletier

This appointment is for an after the fact deck and hot tub in violation of previous special permit. The Pelletiers have returned from the Planning Board for discussion. Attorney Craig Salomon, Steve Riker and Sherry Davis from NHSC addressed the Commission. The history of the permits was reviewed by Atty. Salomon. After the review Mr. Riker explained what his job description is and that he is looking for poorly drained soil. At this time, Mrs. Goethel read the letter from December 2006 sent to the Planning Board from the Commission with the decision reached by the Commission. All the Commissioners concur with the letter of December 2006. Ms. Raymond raised the question of moving the deck up to the 2<sup>nd</sup> or 3<sup>rd</sup> level. Atty. Salomon then asked for a 5 minute break to discuss with the Pelletiers. At 9:20 the meeting broke for the intermission. At 9:25 the meeting reconvened. Atty. Salomon then gave a recommendation of removing some of the bottom deck and adding a patio. A discussion ensued regarding the viability of doing that and moving the electrical box. After a lengthy discussion, it was agreed by Atty. Salomon and the Pelletiers to come back for the March 27, 2007 Conservation Public Hearing. At this time, Mr. Page motioned to continue this appointment at the March 27, 2007 Conservation Meeting and that would give the applicant time to consider expanding the 2<sup>nd</sup> or 3<sup>rd</sup> floor deck and to move the hot tub from the 1<sup>st</sup> floor deck. Ms. Raymond seconded the motion. All were in favor.

NEW BUSINESS

- A. Discuss formation of a committee to discuss possibility of acquiring Conservation Easements in the vicinity of Great Meadow on the Nilus Brook Watershed. Mr. Page motioned to form a subcommittee to look into this. Dr. Falk seconded the motion. All were in favor.
- B. Discuss Florence Collins offer to donate parcel 274-0167-0000 of salt marsh to the Town of Hampton. Mr. Page motioned to accept the piece of property and allow the Chairperson to negotiate this with the Town Attorney as inexpensively as possible. Mr. Diener seconded the motion. All were in favor.

Mrs. Goethel stated that the NROC meeting is on May 1, 2007 at 6:30 p.m.

Mrs. Goethel gave an update on Ice Pond.

TREASURER'S REPORT

Mrs. Goethel gave an update on the financial accounts.

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The next meeting will be held on Tuesday, March 27, 2007, meeting in the Town Office Meeting Room at 7:00 p.m. The next site walk will be held on Saturday, March 24, 2007, meeting at the Town Office Parking Lot at 9:00 a.m.

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

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Respectfully submitted,



Sue Launi  
Secretary