

CONSERVATION COMMISSION PUBLIC HEARING

September 25, 2007

FINAL

The meeting was called to order at 7:00 p.m. by Ellen Goethel, Chairperson, at the Hampton Town Office Meeting Room. Present were Commission Members Jay Diener, Dr. Ralph Falk, Nathan Page and Sharon Raymond Commissioners Daniel Gangai and Peter Tilton Jr. were absent. Alternate Barbara Renaud were present. Alternate Pete MacKinnon was absent. Barbara Renaud set in for Daniel Gangai. Steve Scaturro, Conservation Coordinator, was present. There was no representation from the Planning Board.

There was no site walk this month.

The Minutes of July 24, 2007 and August 28, 2007 were reviewed and accepted with corrections noted.

NH WETLAND BUREAU APPLICATIONS

A. 43 Ocean Drive  
Vincent Foley

This minimal impact application is to demolish and reconstruct residence within 100' of highest observable tide. Ms. Sherry Davis from NH Soil Consultants gave a brief overview of the application. Mr. Page motioned to oppose the granting of the DES Standard Dredge & Fill permit for the above property for the following reasons: (1) the applicant is demolishing the existing structure and moving towards the ocean; (2) suggested that the deck, which will be within the State Jurisdictional Wetland, could be raised at least 6 ft to allow for the dune vegetation and stabilize; (3) applicant has an egress directly off the back of the deck through the dune which could be made out the side onto the public access to protect the dune area; and (4) applicant has been raking the dune to keep it from building or vegetating out around the deck. The Commission would like to see the dunes allowed to establish themselves and stabilize the area. Ms. Raymond seconded the motion. All were in favor.

B. 81 Brown Ave  
Karen Robinson and Martin Wright

Replace existing porch with larger porch within the State Jurisdictional Wetlands.

The applicant has asked for another extension on this permit in order to put together more information to complete this application. They will be on the Agenda for October 23, 2007. If a decision is reached prior to the October meeting by the State, the Commission asks that the application be denied as there are serious questions that need to be addressed in Public Meeting format.

SPECIAL PERMITS

A. 81 Brown Ave  
Karen Robinson and Martin Wright

Please see above.

September 25, 2007

Page 2

SPECIAL PERMITS (Cont)

B. 1060, 1062, 1064 & 1066 Ocean Blvd.  
Arthur Nadeau

Mr. Arthur Nadeau addressed the Commission as a representative for all properties. This is for restoration of patios within Town Wetlands Conservation District. Mr. Page motioned to recommend the granting of a Wetlands Impact Special Permit for repair and reconstruction of patios within the Town Wetlands Conservation District as per the plan presented to the Commission dated "revised 9/3/07", with the following stipulations: (1) patio at 1060 is replaced in kind with concrete and pavers; (2) there should not be drains in any of the patios at any of these addresses; (3) patio at 1066 has both pavers and grass and stone pavers; (4) drainage area between the houses is permeable allowing for absorption of runoff; and (5) usual stipulations. Mr. Diener seconded the motion. All were in favor.

C. 55 Harbor Rd.  
Hampton River Marina

Mr. Luke Hurley from Gove Environmental addressed the Commission. This Special Permit is to reconstruct bulkheads in the marina within the Town Wetlands Conservation District. Mr. Diener motioned to recommend the granting of this Wetlands Impact Special Permit for reconstruction of the retaining and rip rap walls as per the plan presented on September 25, 2007 with the following observations: (1) oil spilled on the ground adjacent to the boat launch ramp which could seep into the water; (2) silt booms in place during construction and hope that they are made a stipulation of the permit; (3) a sufficient number of zinc's along the metal retaining walls be used to avert a major electrolysis problem in the near future; and (4) all work to be accessed from above using silt booms. Ms. Renaud seconded the motion. All were in favor.

PLANNING BOARD REFERRALS

A. 40 Tide Mill Rd  
Michael Zuba

This Planning Board Referral is for an after-the-fact fill within the Town Wetlands Conservation District. Mr. Zuba came before the Commission with a verbal restoration plan and agreed to come back to the Commission at the October 23, 2007 Meeting with the plan in writing including: (1) silt fence and hay bales added and properly installed along the entire edge of the work area; (2) fill is removed and taken from the Town Wetlands Conservation District; (3) restoration planting plan is supplied to the Commission for approval including any plantings; (4) supply some type of filtration plan for the sump pump discharge prior to entering the wetland; (5) low stone wall on the right side of the back yard that holds the fill back from the wetlands should also be removed; and (6) usual stipulations. Mr. Page motioned to table this application until the October 23, 2007 Meeting. Mr. Diener seconded. All were in favor.

CONSERVATION COMMISSION PUBLIC HEARING

September 25, 2007

Page 3

PLANNING BOARD REFERRALS (Cont)

B. 11 Fieldstone Circle  
Frank Sestito.

Mr. Luke Hurley, Gove Environmental and Attorney Chris Boldt, Donahue, Tucker & Ciandella, addressed the Commission. After a brief review, Ms. Renaud motioned to inform the Planning Board that the restoration plan was accepted by the Commission with the following stipulations: (1) removal of fill, riprap, stone wall and wood chips from within wetland and 50 foot buffer area as per the plan dated September 20, 2007; (2) Conservation Coordinator will be notified at the beginning of restoration and nearing complete and when fully completed and will also oversee the project; (3) applicant will not be required to place granite markers along the wetland boundary but will place Conservation Discs in two areas (one at the end of the driveway and another along the eastern side of the property along the property line); (4) sprinkler system and hose (sump pump) will be removed from within the 50 ft buffer; (5) project will be completed within the Spring 2008 planting season; (6) silt fencing will be used during restoration at the limit of the work area; (7) rip rap will be removed last to protect the stream from any siltation or erosion from the project; and (8) usual stipulations. Mr. Diener seconded the motion. All were in favor.

APPOINTMENTS

A. Discussion with Ted Palmiere, 1019 Ocean Blvd. Mr. Palmiere came before the Commission to discuss the violations to his Special Permit from 2005. Mr. Palmiere showed the Commission as built elevation showing extra fill that was placed in the 50 ft buffer on his property. He has agreed to meet with the Commission at the October 23, 2007 meeting and bring the restoration plan which includes the following: (1) removal of all but 5 feet of peastone along the foundation of the house (area should slope downwards towards the wetland at a 3 to 1 slope until the original elevation is achieved with the 50 ft buffer); (2) silt fence and hay bales will be used during removal; (3) Mr. Palmiere will come back with a planting plan; and (4) all stipulations attached to the original permit will be in effect. Mr. Page motioned to have all the additional fill removed beginning 5 feet out from the original grade with 3 to 1 slope. Ms. Raymond seconded the motion. All were in favor.

PLANNING BOARD ACTIONS

A. 25 1/2 Nudd Ave.  
John McLean

Permit granted for demolition and reconstruction following stipulations outlined by the Conservation Commission.

B. 968 Ocean Blvd.

Approval granted to the Soussans following stipulations outline in Planning Board Decision.

C. 3 Gale Road  
Joe Coronati

Continued to 10-03-07 Planning Board Meeting.

CONSERVATION COMMISSION PUBLIC HEARING  
September 25, 2007  
Page 4

PLANNING BOARD ACTIONS (Cont)

- D. 40 Tide Mill Road  
Michael Zuba

Continued until 10-03-07 Planning Board Meeting to allow Mr. Zuba to work with Conservation Commission to create a restoration plan.

DES ACTIONS

- A. 81 Brown Avenue  
Karen Robinson and Martin Wright

Replace existing porch with larger porch within State Jurisdictional Wetlands; incomplete application.

- B. 968 Ocean Blvd  
Laura Soussan

Rip rap Rock wall obstructing public right of way; DES application incomplete.

OLD BUSINESS

- A. Vote on Ice pond final lot line adjustment. Mr. Page motioned to proceed with the new deal . Dr. Falk seconded. All were in favor.

- B. NROC Update.

NEW BUSINESS

- A. Discuss Landing Road Restoration and payments, WHIP, RCCD. Mr. Page motioned to expend \$25,000 above the original agreement for Landing Road Restoration. Dr. Falk seconded. All were in favor.

CONSERVATION COMMISSION PUBLIC HEARING

September 25, 2007

Page 5

CONSERVATION COORDINATOR UPDATE

Steve Scaturro, Conservation Coordinator, gave his report.

Bragg Ave. - vehicle tracks through State Jurisdictional Wetland as well as makeshift bridge using a tire and lumber.

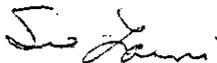
Wooden docks storage in State Jurisdictional Wetlands. Will file DES complaint on behalf of Conservation Commission.

Dr. Falk motioned to reimburse Mr. Scaturro for the dutch pavers. Mr. Diener seconded. All were in favor.

The next Conservation Commission Public Hearing will be held on Tuesday, October 23, 2007 in the Town Office Meeting Room at 7:00 p.m. The next site walk will be held on Saturday, October 20, 2007 meeting at the Town Office Parking Lot at 9:00 a.m.

Mr. Deiner motioned to adjourn at 10:15 p.m., seconded by Mr. Page. All were in favor.

Respectfully submitted,



Sue Launi  
Secretary