

CONSERVATION COMMISSION PUBLIC HEARING

April 29, 2008

FINAL

The meeting was called to order at 7:01 p.m. by Ellen Goethel, Chairperson, at the Hampton Town Office Meeting Room. Present were Commission Members Jay Diener, Dr. Ralph Falk and Nathan Page. Commissioners Dan Gangai, Sharon Raymond and Peter Tilton Jr. were absent. Alternate Barbara Renaud was present sitting in for Peter Tilton Jr. Alternate Pete MacKinnon was absent. Steve Scaturro, Conservation Coordinator, was present. Tom Higgins was the representative from the Planning Board.

The site walk was held on Saturday, April 22, 2008 meeting at the Town Hall Parking Lot at 9:00 a.m.

- A. 426 High Street
- B. James Street Town Access
- C. 58 Glade Path
- D. Lot 1 Have Lane

The Minutes of January 29, 2008, February 26, 2008 and March 25, 2008 were reviewed and accepted with corrections noted.

NH WETLAND BUREAU APPLICATIONS

- A. 1026 Ocean Blvd.

Joe Coronati, from Jones & Beach, addressed the Commission on this revised permit application. After a short discussion, and no public comments, Mr. Page motioned to not oppose the granting of a revised Standard Dredge & Fill wetlands permit for the demolition of an existing single family residence and construction of a new residence (Plan dated April 14, 2008). The Commission would like to include their original requests as follows: (1) the patio at the east side (ocean side) of the project be constructed of permeable surface; (2) markers place at the two corners of the property on the ocean side; (3) porous pavement for the driveway; (4) there will be no permanent or temporary impact within the first 50 feet from the highest observable tide line and silt fence and hay bales in place at 51 feet from the highest observable tide line prior to any construction; (5) DES scrutinize the square footage of permanent existing impact or square footage of new impact both permanent and temporary more completely; and (6) notification to the Commission at the start and completion of project. The Commission would like to include that the brick walkway and patio will be constructed of porous concrete. Dr. Falk seconded the motion. All were in favor.

- B. 1048 Ocean Blvd

This minimum impact expedited application is to demolish existing dwelling and construct a new dwelling. The proposed project will require impacts to the 100' tidal buffer zone for the re-building of a single family residence. The project includes the removal of the existing home and the larger foundation that supports the ocean front decking for the construction of a new residence. The impacts to the tidal buffer zone total 3,536 sq. ft. (permanent 2,531 sq. ft. and temporary 1,015 sq. ft.) At this time, the meeting was open to the public. Mr. Keith Lorder, previous owner, showed pictures of the last 4 months showing tide line to the rocks. Mr. Henry Stoney revisited his comments from the last meeting. As there were no more comments, the public session was closed. After a brief discussion, Mr. Diener motioned to not recommend the signing of the application due to the following concerns: (1) the delineation of the highest observable tide line is not accurate and it should be anywhere from 5 to 10 feet closer to the structure and high tide line re-delineated; (2) the calculation of pervious and impervious material may be inaccurate on the plan because the applicant considers the bluestone walkways to be pervious and the the Commission does not agree and asked the applicant to come back but applicant declined; (3) Commission asked applicant to have the project on the same

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NH WETLAND BUREAU APPLICATIONS (cont)

B. 1048 Ocean Blvd

footprint or move the structure back to be further away from the edge of the highest observable tide line and the applicant declined. (4) would like to see a drainage study on site; (5) concern of amount of impervious material will cause flooding or drainage onto the abutting properties; (6) concerned about the amount of impervious material for the walkways along both sides of the property which may have a negative impact on the drainage; (7) concern that the bluestone pavers could become projectiles during a storm event and cause damage and or injury to the property and adjacent properties; and (8) increase in the footprint does not meet the standards set forth in the Shoreland Protection Act and the project as presented not be granted a Shoreland Protection Act waiver. Since the applicant chose not to come back to the Commission with a new plan to address the concerns of the Commission, the Commission would ask the DES to deny this application as proposed. Mr. Page seconded the motion. All were in favor.

C. 58 Glade Path

Richard Zannini addressed the Commission. This application is to replace failing existing earthen berm with rip rap berm. The berm is getting more narrow with each storm and wave action causing erosion. Mr. Page motioned to not oppose the granting of a wetlands permit for reconstruction of an earthen berm with rip rap as per cross section plan dated April 29, 2008 with the following stipulations: (1) rip rap foot does not encroach further into the salt marsh any further than the existing earthen berm; and (2) Commission is notified at start and completion of project. Mr. Diener seconded the motion. All were in favor.

D. 426 High St.

Luke Hurley from Gove Environmental addressed the Commission. The purpose of this project is to dredge 1600 sq. ft. (314 cu.yd.) of wetlands consisting of poorly drained material for the expansion of an existing pond. Mr. Page motioned to oppose the granting of a wetlands permit for work to reconstruct the pond. Although this is a smaller expansion of the original project the Commission is not convinced this change to the wetland type is an improvement to the wetland. The Commission would not be adverse to a pond being being increased into the upland instead of digging into and destroying the vegetated wetland. The Commission would ask that the applicant have a drainage study done to ensure that the project will not negatively impact the abutters property. Mr. Diener seconded. 3 voted in favor of the motion and Ms. Renaud abstained.

SPECIAL PERMITS

A. 446 High Street

This special permit is for the building addition within the Town Wetlands Conservation District. Move the existing 2nd floor deck 12' to the west. Install picket fence along tree line from the edge at High Street to the north west corner of the building. Ms. Renaud motioned to not oppose the Wetlands Impact special permit for an addition to the dwelling. (The plan is signed and dated by the Conservation Commission Chair dated April 29, 2008.) The Commission thanked the applicant for redesigning the original proposal with the recommendations from the Commission. The following stipulations have been agreed with by the applicant: (1) picket fence will be placed entirely in the 50' buffer and not in wetland; (2) debris in the wetland will be cleaned out and no yard waste etc. placed within the wetland; (3) existing sump pump discharge will be moved to drain to the easterly side of the property, away from the wetland; (4) Conservation markers will be placed along the buffer (at owner's expense); (5) most northerly shed will be removed; and (6) part of the existing pavement will be removed and vegetated (as per the plan). The usual stipulations will also be followed. Dr. Falk seconded the motion. All were in favor.

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SPECIAL PERMITS (Cont)

B. 1048 Ocean Blvd.

This special permit is to demolish existing dwelling and construct a new dwelling. Mr. Diener motioned to not recommend this special permit for the demolition of the existing dwelling and construction of a new dwelling with a new footprint closer to the edge of the highest observable tide with the same concerns as listed in the DES application. (please see page 1) Mr. Page seconded the motion. All were in favor.

C. 58 Glade Path

This special permit is to replace failing existing earthen berm with rip rap berm. Mr. Page motioned to not oppose the granting of the special permit for work within the Town Wetlands Conservation District at 58 Glade Path to reconstruct the existing earthen berm with rip rap per the cross section plan dated April 29, 2008. The Commission feels that the rip rap will be an improvement to the deteriorating earthen berm which exists now with the usual stipulations. Mr. Diener seconded the motion. All were in favor.

PLANNING BOARD REFERRALS

None

APPOINTMENTS

None

PLANNING BOARD ACTIONS

None

DES ACTIONS

OLD BUSINESS

A. Update on 40 Tide Mill Road
Mike Zuba

The Commission hopes that the restoration plan will be done soon.

NEW BUSINESS

B. Michael Green
16 Alexander Dr

Replace easement. RSA41:14A easement relocation requires recommendations from the Planning Board and the Conservation Commission prior to the Public Hearings. Ms. Renaud motioned to write a letter to the Selectmen stating no concerns. Mr. Diener seconded the motion. All were in favor.

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Mr. Diener motioned to go out of Public Hearing at this time. Dr. Falk seconded the motion. All were in favor.

Mr. Page motioned to go back to Public Hearing. Mr. Diener seconded. All were in favor.

CONSERVATION COORDINATOR UPDATE

A. Mr. Scaturro reviewed the proposal for decks 6' or more above ground. Mr. Page motioned to leave the discretion of the Conservation Coordinator to send the letter regarding the decks. Mr. Diener seconded. All were in favor.

Mrs. Goethel asked for a motion to pay the annual dues of \$715.00 to the RCCC and order books. Mr. Diener motioned to pay the dues and purchase the books. Ms. Renaud seconded. All were in favor..

Mrs. Goethel read a letter regarding Ice Pond Town Property Management agreement between the Board of Selectmen and Conservation Commission. Mr. Page motioned to have the Commission sign the agreement. Ms. Renaud seconded the motion. All were in favor.

The next regular monthly Conservation Commission Public Hearing will be held on Tuesday, May 27, 2008, at 7:00 p.m. meeting in the Town Office Meeting Room. The next site walk will be held on Saturday, May 24, 2008 meeting at the Town Office Parking Lot at 9:00 a.m.

Mr. Page motioned to adjourn at 10:05 p.m., seconded by Mr. Diener All were in favor.

Respectfully submitted,



Sue Launi
Secretary