

CONSERVATION COMMISSION PUBLIC HEARING

July 28, 2009

FINAL

The meeting was called to order at 7:00 p.m. by Chairperson Nathan Page at the Hampton Town Office Meeting Rom. Present were Commission Members Jay Diener, Dr. Ralph Falk, Ellen Goethel, Sharon Raymond, Barbara Renaud and Peter Tilton Jr. Rayann Richard, Conservation Commission Coordinator, was present. Alernate Steve Scaturro was absent. Keith Lessard represented the Planning Board.

The Minutes of May 26, 2009 were reviewed and accepted with corrections noted.

The site walk was held on Saturday, July 25, 2009 at 9:00 a.m. meeting at the Town Office Parking Lot. The following sites were visited:

- A. 35 Brown Ave
- B. 47 Hobson Ave
- C. 32 Nor East Lane
- D. 140 Kings Highway
- E. 29 Birch

APPOINTMENT

Julie LaBranche, Planner, Rockingham Planning Commission

Ms. LaBranche discussed issues of concern, current initiatives/studies, and to draft recommendations for the new National Resources Chapter. The Commission gave input into these issues and Ms. LaBranche will incorporate all the ideas into a report.

NH WETLAND BUREAU APPLICATIONS

- A. 515 Winneconne #5
Bonnar Spring

This dredge and fill application is to construct a second floor using the existing footprint, building a patio in place of the first floor deck, and building a second story cantilevered deck. The patio will be constructed of permeable pavers. After a discussion, Mrs. Goethel motioned to not oppose the granting of the wetlands permit for the addition of a second story, a second floor cantilevered deck (4' x 23'), and a 10' x 16' patio (constructed of permeable pavers) on the north side of the building. The Commission does not oppose the applicant's request for the entry of stairs (4' wide) and landing (4' x 3') to be located at the center of the north side of the building in front of the front door and within the footprint of the patio. The Commission would like to be notified at the start and finish of the project. Mr. Diener seconded the motion. All were in favor.

- B. 35 Brown Ave.
Frank Gelsomini

This dredge and fill application is to repair an existing retaining wall by replacing stones which have fallen into the tidal creek to ensure no further erosion. This application has already been approved by the NHDES.

NH WETLAND BUREAU APPLICATIONS (Cont)

C. 32 Nor East Lane

This is a Shoreland Protection permit to remove a portion of the existing concrete driveway and replace it with a one car garage. Work is outside of the 50' and 100' buffer zones. The Commission reviewed the Shoreland application for the expansion of an existing garage. A portion of the sand dune located along the northwest corner of the property has been removed. The former sand dune is now covered by a bocce ball court and driveway pavers. Mrs. Goethel motioned to write a letter to the Shoreland Board and to write a letter to Frank Richardson regarding the potential violation as the owner of the property is requesting a new permit. Mr. Diener seconded the motion. All were in favor.

SPECIAL PERMITS

A. Witch Island Way

Amy Agnew et al
Jones & Beach Engineering - Chris Albert

This special permit is to re-do a previously approved 13 unit condominium consisting of 6 2-unit and 1 1-unit buildings to a 12 unit condominium consisting of 5 2-unit and 2 1-unit buildings. Mr. Diener motioned to grant the special permit for the construction of a 12 unit condominium complex as per the site plan dated 7/15/09 and signed and dated by the Chairman with the following stipulations:

1. The permanent and temporary impacts on the Town special permit application need to be recalculated because the addition of fill needed to achieve the proposed elevation increase is currently classified as a temporary impact instead of a permanent impact.
2. The applicant has been requested to provide a planting plan for the areas behind each of the units that falls within the 50' buffer.
3. The applicant has also been requested to provide an operations and maintenance plan for the storm water management practices, including but not limited to maintenance of the pervious pavement and drainage swales being implemented at the site.
4. The Commission strongly supports the implementation of a deed restriction requiring an annual maintenance report for each of the chosen storm water management systems.

Ms. Raymond seconded the motion. All were in favor.

B. 67 Plymouth St

Peter Baccus

This special permit is to construct wooden stairs over the seawall for access to the beach. Mrs. Goethel motioned to have the applicant return to the August 25, 2009 Conservation Commission meeting. The applicant has agreed to continue this application at the August 25, 2009 meeting. Ms. Renaud seconded the motion. All were in favor.

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SPECIAL PERMITS (Cont)

C. 515 Winnacunnet Rd
Bonnar Spring

Construct a second floor using the existing footprint, including a patio at ground level, and build a second story cantilevered deck. Mrs. Goethel motioned to grant the Special Permit for the addition of a second story, a second floor cantilevered deck (4' x 12') and a 10' x 16' patio (constructed with permeable pavers, on the north side of the building as per plan dated 6-23-09 and signed and dated by the Chairman. Changes that were made to the plan during the meeting were also initialed by the Chairman. The applicant's request for the entry stairs (4' wide) and landing (4' x 3') to be located at the center of the north side of the building in front of the front door and within the footprint of the patio was also granted. With the usual stipulations, Mr. Diener seconded the motion. All were in favor.

D. 35 Brown Ave
Frank Gelsomini

Repair an existing retaining wall by replacing stones which have fallen into the tidal creek to ensure no further erosion. Mrs. Goethel motioned to grant the Special Permit for repairs to the existing stone retaining wall with the following stipulations:

1. Applicant has agreed to remove by hand the stones from the retaining wall that have fallen into the tidal creek.
2. Elevation of the wall will be increased no more than 12" and no fill will be added behind the wall.
3. Cement will be applied by hand to the top stones of the wall to provide a secured top.
4. New rocks to be added to the wall can only be stored along the back edge of the driveway or adjacent to the front edge of the driveway and road.

Ms. Renaud seconded the motion. All were in favor.

E. 29 Birch
Mark Sikorski

This special permit is to replace a shed damaged by a winter storm using the existing foundation. Mrs. Goethel motioned to grant the special permit for replacing the existing 12' x 16' metal shed with a new wooden shed as per the plan signed and dated by the Chairman with the following stipulations:

1. New wooden shed will be attached to the existing wooden shed, be placed on top of cement blocks and not to exceed a 12' x 16' footprint.
2. Applicant has agreed to remove the section of the shed floor that extends past the old shed's foundation.
3. Applicant has agreed to remove all of the wood and grass clipping debris along the wetland edge.

Mr. Diener seconded the motion. All were in favor.

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SPECIAL PERMITS (Cont)

F. 26 Tuttle Ave

Laurice Haines

This special permit is to enlarge the living area by enclosing an 8' x 18' portion of the existing deck. Mr. Diener motioned to continue the review of this project, with the applicant's permission, at the August 25, 2009 meeting. The applicant was provided with some possible mitigation options which will be considered and revised plans will be discussed at the next meeting. Dr. Falk seconded the motion. All were in favor.

PLANNING BOARD REFERRALS

None

BOARD OF SELECTMEN REFERRALS

None

APPOINTMENTS

A. 4 Chase Street

Jim Monagle (Atty Peter Saari)

This appointment was to discuss a revised building footprint review

PLANNING BOARD ACTIONS

A. 7 Gill Street

Replace the existing fence and extend the fence to the rear boundary line and add a new 8' x 8' shed. Approved the replacement and extension of the fence portion of the special permit with Conservation Commission stipulations. Denied the construction of an 8' x 8' shed.

B. 67 Plymouth Street

Install wooden stairs with railings in back of 67 Plymouth Street to provide access to beach/river. Continued to August 5, 2009.

C. 143 Island Path

Construct a garage over an existing gravel driveway and a screen porch located on top of the existing deck. The existing shed is to remain and the garage will be attached to it. Continued to August 5, 2009.

D. 65 Lafayette Road

Construction of a 15,000 sq ft production / manufacturing facility and associated site improvements. Approved with Conservation Commission stipulations.

E. 1044 Ocean Blvd.

Replace stolen Rosa Rugosa bushes into original locations (four bushes). Approved without a recommendation from the Conservation Commission.

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PLANNING BOARD ACTIONS (Cont)

F. 4 Chase Street

Removal of existing structure and reconstruction of the dwelling. Increase height of structure to accommodate two additional levels. Continued to September 16, 2009.

ZONING BOARD ACTIONS - DECISIONS

A. Chase Street

Replace an old existing nonconforming building with no on-site parking with a smaller and more conforming one with on-site parking the frontage for which is on a private street. Continued to July 16, 2009.

B. 32 Nor'East Lane

Build a garage addition which will not meet front setback requirements. Approved.

DES ACTIONS

A. 24 Harbor Rd (Seaview at Hampton)

After-the-fact approval to retain the 1,600 sq ft 18 slip docking facility with a 2.5 ft x 39.5 ft gangway currently in place. Denied.

B. 95 Toll Plaza

NH DOT - expansion of the 95 Toll Booth. Approved - stipulation that mitigation for this project and work under permit 2004-01355 must be completed before the end of the project.

OLD BUSINESS

A. Bid review for invasive species control at Landing Rd and Drakeside Rd. All bids must be submitted in accordance with the forms supplied by the Town. Bids will be received until 4:00 p.m. on Wednesday, July 22nd and are due at the Town of Hampton, Hampton Conservation Commission and a copy of the full bid package to the Rockingham County Conservation District.

CONSERVATION COORDINATOR UPDATE

Ms. Richard gave a brief update on 595 Ocean Blvd (Lupo's Restaurant) and obtaining serial photos.

The next meeting of the Conservation Commission Public Hearing will be held on Tuesday, August 25, 2009, at 7:00 p.m. meeting in the Town Office Meeting Room. The next site walk will be announced and will meet at the Town Office Parking Lot.

Mr. Diener motioned to adjourn at 11:00 p.m., seconded by Ms. Renaud. All were in favor.

Respectfully submitted,



Sue Launi
Secretary