

CONSERVATION COMMISSION PUBLIC HEARING

October 27, 2009

FINAL

The meeting was called to order at 7:00 p.m. by Chairperson Nathan Page at the Hampton Town Office Meeting Room. Commission Members present were Jay Diener, Ellen Goethel, Sharon Raymond, Barbara Renaud and Peter Tilton Jr. Commission Member Dr. Ralph Falk, was absent. Alternate Steve Scaturro was present. Alternate Mark Loopley was absent. Rayann Dionne, Conservation Commission Coordinator, was present. Mark Olson represented the Planning Board.

The Minutes of September 22, 2009 were reviewed and accepted with corrections noted.

The site walk was held on Saturday, October 24, 2009 meeting at the Town Hall Parking Lot at 9:00 a.m. The following sites were visited:

- A. 44 Smith Ave.
- B. 3 Wall Street
- C. 21 Hickory Lane
- D. Visit culvert at High Street off Mill Pond

PRESENTATION

Ice Pond Dam - Dubois and King

Sean Patenaude from Dubois and King presented the Ice Pond Dam Repair Project. The presentation went as follows:

- A. Project Overall
 - Dam history, dam construction and deficiencies
- B. Analysis & Repair Options
 - The dam safety inspection was held on August 4, 2009.
 - Existing conditions, inadequate hydraulic capacity and non-menace hazard classification.
- C. Hydraulics and Hydrology
- D. Repair Options
- E. Costs
 - Total anticipated costs - \$25,000 - \$40,000 and approximately 4 weeks to do project.

NHDES APPLICATIONS

- A. 143 Island Path
 - Nancy Wheeler
 - Jones and Beach - Agent

The applicant met with the Commission to discuss the addition of a 10' x 10' screened porch over the existing ground deck and the construction of a garage attached to an existing shed. Several modifications to the proposed plan were made during the discussion and the marked-up plan was signed and dated by the Chairman. After a brief discussion, Mrs. Goethel motioned to not oppose the granting of the wetlands permit for this project based on the revised 10/22/09 project proposal including the following modifications: (1) the un-permitted stairs which extend across the entire west and south sides of the ground floor deck will be reduced to a maximum width of 4' on the west side and maximum width of 6' on the south side. The remaining stairs will be removed per agreed by the applicant; (2) the width of the portion of lawn along the south property line adjacent to the salt marsh selected for re-vegetation with native plants will increase from 7' to 14'; (3) granite markers will define the edge of the existing lawn and area to be

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NHDES APPLICATIONS (cont)

A. 143 Island Path (cont)

Nancy Wheeler
Jones & Beach

converted to natural vegetation and will be a minimum of 6" above the ground; and (4) replacement plants will be planted along the new edge of the naturally vegetated area. The Conservation Commission will be notified in writing at beginning and end of project. Mr. Diener seconded the motion. All were in favor.

B. 3 Wall Street

Christine Foto
Paul Powell - Agent

This minimum impact expedited application is to remove the existing deteriorated wood retaining wall and replace with a concrete wall of the same footprint. After a brief discussion, Ms. Renaud motioned to sign the minimum impact expedited application, seconded by Mr. Tilton. With Ms. Raymnd opposed, all were in favor.

C. 531 Winnacunnet Rd.

Nicki Watson and Mitch Bristow

This minimum impact expedited application is to add a second story within the existing footprint of the house and a second story deck. Mr. Tilton motioned to have the Chairman sign the expedited application. Mrs. Goethel seconded the motion. All were in favor.

SPECIAL PERMITS

- A. 143 Island Path
Nancy Wheeler
Jones & Beach - Agent

This special permit is for the addition of a 10' x 10' screened porch over the exiting ground floor deck and the construction of a garage attached to an existing shed. After a brief discussion, Mrs. Goethel motioned to grant the Special Permit for this project based on the revised 10/22/09 project proposal with the following modifications and usual stipulations: (1) the un-permitted stairs which extend across the entire west and south sides of the ground floor deck will be reduced to a maximum width of 4' on the west side and a maximum width of 6' on the south side with the remaining stairs to be removed; (2) the width of the portion of lawn along the south property line adjacent to the salt marsh selected for re-vegetation with native plants will increase from 7' to 14'; (3) at least three granite markers will define the edge of the existing lawn and area to be converted to natural vegetation and help to ensure that the naturally vegetated area does not get mowed in the future; and (4) replacement plants will be planted along the new edge of the naturally vegetated area and the Commission will be notified at the beginning and end of the project. Mr. Diener seconded the motion. All were in favor.

- B. 44 Smith Street
Glenn Robbins

This special permit is to remove existing structure (35.8' x 12') building a new single story structure (40.8' x 12.5'). Will be continued to the November 24, 2009 Conservation Commission Public Hearing.

- C. 15 Church Street
Gabiello Gabrielli
Matt McCormack - Agent - MSC Engineers
Jim Gove - Gove Environmental

This special permit is to relocate a garden and replace existing garden with gravel. Mrs. Goethel motioned to grant the special permit for the relocation of the garden and installation of permeable pavers, retaining wall, and detention area as per the plan dated 10-13-09 and signed and dated by the Chairman with the following stipulations: (1) applicant has agreed to develop a landscaping plan that must be approved by the Commission prior to implementation; (2) applicant has agreed to install a guard rail along the top of the retaining wall to prevent snow from being pushed into the wetland; (3) snow stored on the property must be outside of the 50' buffer; (4) applicant will notify the Conservation Coordinator when the base for the pavers has been completed; (5) all of the fill that is removed for the installation of the permeable pavers must be disposed of off-site; and (6) the Commission would like the Planning Board to require a maintenance plan for the detention area. Ms. Raymond seconded. A short discussion on the dumpster and maintenance plan ensued. With three in favor, Mr. Diener and Mr. Page opposed, Ms. Renaud abstained.

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SPECIAL PERMITS (cont)

D. 3 Wall Street

Christine Foto

Paul Powell - Agent

This special permit is to remove the existing deteriorated wooden retaining wall and replace with a concrete wal of the same footprint. Mrs. Goethel motioned to grant the special permit for the removal of the existing wooden retaining wall and construction of a new concrete wall in the same location per the plan dated April 6, 2009 and signed and dated by the Chairman and with the following stipulations: (1) applicant has agreed to revise the drawing to include more details on the exact location of the retaining wall and the erosion controls to be used during the removal of the existing retaining wall and installation of the new retaining wall; (2) Conservation Commission notified the applicant that permission from the Town of Hampton is necessary because erosion controls will need to be placed on town property; (3) any equipment needed to complete this project must be operated on the applicant's property; and (4) applicant has agreed to notify the Conservation Coordinator when the erosion controls are in place prior to any excavation activities. Mr. Diener seconded. With Ms. Raymond opposed, five were in favor.

E. 531 Winnacunnet Rd

Nicki Watson and Mitch Bristow

This special permit is for the addition of a second story within the existing footprint and a second story deck. Mr. Tilton motiond to grant the special permit for the addition of a second story within the existing footprint of the building and a second story deck per the plan dated September 24, 2009 and signed and dated by the Chairman with the following stipulations: (1) second story deck shall remain open above and below and the deck above and below cannot be enclosed in the future. Mrs. Goethel seconded the motion. All were in favor.

F. 21 Hickory Lane

Richard & Helen Whiteside

Mark Defeo

This special permit is to build a pitched roof over an existing shed roof, staying within the same footprint and installation of a new well and well line. Mr. Diener motioned to recommend the granting of the special permit for the replacement of the existing shed roof with pitched roof and the installation of a well line per the plan signed and dated by the Chairman and with the following stipulations: (1) applicant has agreed to submit an erosion control plan to the Commission for approval after the State has approved the well and well line location; (2) applicant has agreed to contact the Conservation Coordinator with regards to the dumpster placement if one is deemed necessary; and (3) applicant has agreed to work with the Coordinator to develop a bank stabilization plan using native plants. Ms. Renaud seconded. All were in favor.

BOARD OF SELECTMEN REFERRALS

N/A

APPOINTMENTS

N/A

PLANNING BOARD ACTIONS

1. 90 Kings Highway
Proposed 8' x 10' addition. Approved with Conservation Commission stipulations.
2. 12 Nor'East Lane
Remove and replace retaining wall. Approved with Conservation Commission stipulations.
3. 50 Nudd Ave.
Construct a rain garden in 50' buffer. Continued to November 4, 2009.
4. 44 Smith Street
Demolish existing structure and build a new one. Continued to November 4, 2009.
5. 132 Island Path
Construct a garage and add a screened in porch. Continued to November 4, 2009.

ZONING BOARD ACTIONS - DECISIONS

None

DES ACTIONS

1. 92 Ashworth Ave
Remove an existing deteriorated chain line fence. Construct 175 linear feet of concrete block retaining wall to a maximum height of 4' and construct a 313 sq ft rain garden in the southeast corner of the lot for improved site drainage. Approved.
2. 15 Dumas Ave
Build a garage on top of existing hot top. Approved.

Impact 305 sq. ft. for the purpose of expanding an existing garage. Approved.

OLD BUSINESS

- A. 86 Drakeside
Rayann should approve a restoration plan for a violation. Ms. Renaud motioned and Mr Diener seconded. All were in favor.
- B. Taylor River Dam
Mr. Tilton gave a brief review and he and Ms. Renaud will be going to a meeting.

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NEW BUSINESS

A. New Hampshire Association of Conservation Commissions Annual Meeting to be held on Saturday, November 7, 2009 in Concord.

Mr. Page stated that the Old Stage Bridge going up Nov. 6 or 7, 2009.

CONSERVATION COORDINATOR UPDATE

Rayann attended the Salt Marsh Ecology workshop Study at the Great Bay Discovery Center on October 23, 2009.

Rayann visited Tidewater Campground and everything looked really good.

Rayann will write a letter to the DPW regarding the High Street culvert.

TREASURER'S REPORT

Ms. Renaud stated that this will be available at the next meeting.

The next meeting of the Conservation Commission Public Hearing will be held on Tuesday, November 24, 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 10:45 p.m., seconded by Mr. Page. All were in favor.

Respectfully submitted,



Sue Launi
Secretary