

**CONSERVATION COMMISSION PUBLIC HEARING**

**July 26, 2011**

**FINAL**

The meeting was called to order at 7:00 p.m. by the Vice Chairperson Ellen Goethel at the Hampton Town Office Meeting Room. Commission Members present were Sharon Raymond, Barbara Renaud and Peter Tilton. Commission Members Jay Diener and Steve Scaturro were absent. Alternates Diane Shaw and Gordon Vinther were present. Rayann Dionne, Conservation Coordinator, was present. Mark Loopley was present representing the Planning Board.

The site walk was held on Saturday, July 23, 2011 at 9:00 a.m.

1. 14 Battock
2. 43 Hobson Ave & 24 Manchester St.
3. 461 Ocean Blvd.
4. 1019 Ocean Blvd.

The Commission welcomed Gordon Vinther as a new Alternate to the Commission.

The Minutes of June 28, 2011 were accepted with corrections noted.

**NHDES APPLICATIONS**

- A. 461 Ocean Blvd. - Seabreeze Condominiums  
John Gregerick, President of Seabreeze Condominiums  
Mark West, West Environmental

This is a NHDES Minimum Expedited Permit for the repaving of an existing paved parking area. After a brief discussion, Ms. Renaud motioned to sign the application, seconded by Mr. Tilton. All were in favor. The Vice Chair signed and dated the application.

- B. 43 Hobson Ave & 24 Manchester St.  
Carl Campbell, Agent

This is a NHDES Minimum Expedited Permit for in-kind replacement of an existing retaining wall. After the discussion, Ms. Renaud motioned to sign the Minimum Expedite Permit, seconded by Ms. Raymond. All were in favor. The Vice Chair signed and dated the applications.

**SPECIAL PERMITS**

- A. 461 Ocean Blvd - Seabreeze Condominium  
John Gregerick, President  
Mark West, West Environmental

This Special Permit is for the repaving of an existing paved parking area. After a brief discussion, Ms. Renaud motioned to recommend the granting of the Special Permit per the plan signed and dated by the Vice Chair with the following stipulation and the usual stipulations:

1. The applicant has agreed to amend note #5 on the erosion control detail to remove the use of wood chips.
2. The applicant has agreed to use Geotextile fabric and 3" stone instead of only 2" stone when constructing the 1 ft. wide stone edging along the salt marsh side of the parking area.
3. All work shall be performed during the low tide cycle.

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**SPECIAL PERMITS (Cont)**

**A. 461 Ocean Blvd. - Seabreeze Condominium (Cont)**

4. The Commission requests that the applicant submit post-construction photos of the work area.
5. The Commission recommends that the Condo Association conduct an annual clean-up of man-made debris within the salt marsh that is located on their property. Only hand tools and no motorized equipment shall be used for all clean-up activities. All debris shall be taken off site and not stored within the 50 ft. buffer.
6. The Conservation Coordinator will provide the applicant with proper techniques for cutting and disposing of phragmites.

This was seconded by Ms. Raymond. All were favor.

**B. 43 Hobson Ave. & 24 Manchester St.  
Carl Campbell, Agent**

This Special Permit is for in-kind replacement of an existing retaining wall. Ms. Renaud motioned to recommend the granting of this Special Permit per the plan signed and dated by the Vice Chair with the following stipulations and the usual stipulations:

1. The Commission accepted the applicant's request to replace the rear portion of the existing asphalt and stone driveway at 43 Hobson Ave. with permeable pavers which was not originally presented in the application.
2. The applicant has agreed to update the plan to include the dimensions of the shed located at 43 Hobson Ave.
3. No work on the retaining wall shall begin at 24 Manchester St. until 230 sq ft of asphalt from the driveway has been removed. The removal of this sealed surface was offered as mitigation for work performed under an approved 2008 Town Special Permit. However, this mitigation is still outstanding. Once the asphalt has been removed, the applicant shall schedule a final site walk with the Conservation Coordinator to verify that the proper amount of sealed surface has been removed.
4. The applicant is aware that the retaining wall at 24 Manchester St is on Town property and permission from the Hampton Board of Selectmen must be obtained prior to beginning the project.
5. The applicant has agreed to submit a more detailed description on the re-grading around the deck at 43 Hobson Ave. The re-grading shall be permitted, but shall not exceed 5 ft from the edge of the deck.
6. The dismantling of the retaining wall and construction of new retaining wall shall be performed by hand and on the upland side of the salt marsh. The removed blocks and excavated soils shall be properly disposed of off-site.
7. All work on the retaining walls shall be performed during the low tide cycle.
8. The Commission requests that the applicant submit post construction photos of the work area.

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

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**SPECIAL PERMITS (Cont)**

- C. 1019 Ocean Blvd.  
Richard & Martha Hyslip

This Special Permit is for the replacement of existing stone driveway with permeable pavers and two proposed light posts. After a brief discussion, Ms. Shaw motioned to recommend the granting of the Special Permit per the plan signed and dated by the Vice Chair with the following stipulations and the usual stipulations:

1. The applicant has agreed to present the final dimensions of the lighting posts to the Conservation Coordinator prior to installation.
2. The applicant shall remove the stone placed around the Rosa rugosa plants which are planted along the wetland edge. The stone was not part of the approved 2008 planting plan for this area.

This was seconded by Mr. Tilton. All were in favor.

**PLANNING BOARD REFERRALS**

None

**BOARD OF SELECTMEN REFERRALS**

None

**APPOINTMENTS**

- A. Dave Martin  
14 Battock

This appointment is for the construction of a deck and fence prior to obtaining necessary Town and State Permits. The discussion centered around the height of the deck and whether it should be permeable. The property owner decided to remove the deck instead of pursuing the necessary permits. This will be put on the Agenda for the August Meeting.

**PLANNING BOARD ACTIONS**

- A. 56 & 60 Beach Plum Way  
Reinforce existing sea wall. Approved with Conservation Commission stipulations.
- B. 571 Winnacunnet Rd.  
Repair of damaged footings, foundation and supports for 16 ground level decks. Install erosion barriers and rip rap under decks. Approved with Conservation Commission stipulations.
- C. Esker Road (Lot 280-50)  
Construction of gravel driveway to existing lot from Esker Road in 50 ft buffer from man-made wetland in existing drainage swale. Withdrawn.
- D. 434 High St  
Construction of 10 single family condominium units. Approved with Conservation Commission Stipulations.

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**ZONING BOARD ACTIONS - DECISIONS**

None

**DES ACTIONS**

**A. 569 Ocean Blvd**

Impact 1,274 sq ft in order to rebuild a house destroyed by fire with similar footprint.  
Shoreland approved.

**OLD BUSINESS**

**A. Ice Pond Dam - Project Development**

Amended scope of services for the engineering design of the Ice Pond Dam. Mr. Tilton motioned to update the estimate of the current conditions, seconded by Ms. Raymond. All were in favor.

**NEW BUSINESS**

**A. Strengthening the Town's wetlands ordinances**

This will be tabled to the next meeting to allow Mr. Diener to review.

**B. Legal Memo - steps for accepting land donations.**

The Conservation Members were fine with the steps presented in the Legal Memo.

**C. Usual Stipulations - language update.**

Review the checklist (special stipulations checklist for special permit applications). Mr. Tilton motioned to make the changes to the checklist, seconded by Ms. Shaw. All were in favor.

**D. Hornaday Award - project ideas.**

This was tabled for a future meeting.

**E. Phragmites**

Discussion ensued on the phragmites cutting and how effective has the cutting been and has there been a reduction since the cutting at Drake side & Landing Roads. Funds need to be spent for this project. It was the consensus of the Commission that a meeting with Tracey Degnan needs to be arranged.

**TREASURER'S REPORT**

Ms. Renaud distributed the quarterly report to the Commissioners.

The next meeting of the Conservation Commission Public Hearing will be held on Tuesday, August 23, 2011, meeting in the Town Office Meeting Room. The site walk will be announced and will start at the Town Office Parking Lot.

Mr. Tilton motioned to go into Non-Public Session at 9:25 p.m. per RSA91:A, seconded by Ms. Renaud. A roll call was conducted with all voting "yes".

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**Mr. Tilton motioned to go back to Public Session at 9:35 p.m. Mr. Loopley seconded the motion. All were in favor.**

**Ms. Raymond motioned to seal the Minutes of the Non-Public Session , seconded by Mr. Tilton. All were in favor.**

**Ms. Raymond motioned to adjourn at 8:50 p.m. seconded by Ms. Shaw. All were in favor.**

**Respectfully submitted,**



**Sue Launi  
Secretary**