

CONSERVATION COMMISSION PUBLIC HEARING
April 24, 2012

FINAL

The meeting was called to order at 7:00 p.m. by the Chairperson, Jay Diener, at the Hampton Town Office Meeting Room. Commission Members present were Sharon Raymond, Barbara Renaud, Steve Scaturro and Peter Tilton Jr. Alternates present were Nathan Page (Acting Conservation Coordinator) and Diane Shaw and Gordon Vinther. There was no representation from the Planning Board.

Mr. Diener thanked Mr. Page for filling in for Ms. Dionne during her leave of absence. Ms. Dionne will be returning for the May Meeting.

The Minutes of January 24, 2012, February 28, 2012, and March 27, 2012 were reviewed. Mr. Tilton motioned to approve the January 24, 2012 Minutes, February 28, 2012 Minutes and the March 27, 2012 Minutes with corrections noted. Ms. Raymond seconded the motion. All were in favor.

NHDES APPLICATIONS

- A. Pease Development Authority
Division of Ports and Harbors
Dan Robbins, Appledore Engineering , and Gero Marconi, Division Director

Appledore Marine Engineering for the State of New Hampshire - NHDES Wetlands Permit Application for maintenance dredging and Federal navigation improvements for the Hampton - Seabrook Harbor. This project involves the maintenance dredging and Federal navigation improvement dredging of approximately 81,600 cubic yards of sandy material from Hampton Harbor entrance channel, Seabrook Harbor and Hampton Harbor with a hydraulic dredge.

The dredged material will be placed along Hampton Beach and Seabrook Beach which is located adjacent to the project area. The work will be performed during a 5 month period between Oct. 1 and March 15. Dredging of the inner harbor will be performed between Oct. 15 and thru Feb 13. Dredging in the entrance channel will occur between Oct 15 and Marsh 15 and work on the receiving beaches will occur between Oct 1 and March 15.

Mr. Tilton motioned to not oppose the dredging of the harbor, seconded by Ms. Raymond. All were in favor.

SPECIAL PERMITS

- A. 52 Tide Mill Rd
Brian & Lisa Arakelian

The applicants were not present. The Special Permit application that had been submitted was for additional plantings in the buffer as mitigation for allowing the applicant to keep their lawn that extends into the buffer. However, there is a deed restriction that stipulates that the buffer remain in its normal vegetative state. Mr. Diener discussed this with the Town Attorney who said that the way the deed restriction was written prevents the Town or Conservation Commission from authorizing the Registry of Deeds to remove the restriction. The applicants were advised of this, and it was suggested that they amend the Special Permit to ask for permission for the lawn, but that they also continue it until they can find a way to get the deed restriction removed. The best course of action would be for them to locate Mr. Dave Johnson, the previous owner who had the deed restriction added, and negotiate its removal with him. Once that is done, the applicant may come back to the Commission with their after-the-fact application for the lawn that has been planted in the buffer. The Commission members agreed that they could not prevent the applicant from trying to have the deed restriction removed, but that they did not want to write a letter to the Registry of Deeds to state that the Commission supports the removal of the deed restriction. The Commission agreed to

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SPECIAL PERMITS (cont)

A. 52 Tide Mill Rd (cont)

write a letter to the Planning Board to advise them that the current Special Permit application, at the wish of the applicant, is being amended and indefinitely continued.

PLANNING BOARD REFERRALS

None

PLANNING BOARD ACTIONS

1. 436 Winnacunnet Rd.
Voted to deny the applicant.

ZONING BOARD ACTOINS - DECISIONS

None

DES ACTIONS

None

OLD BUSINESS

None

NEW BUSINESS

None

CONSERVATION COORDINATOR UPDATE

Mr. Page gave an update on the Plan Review Committee (PRC). The Seacoast United Soccer proposal was planned to be discussed at an upcoming PRC meeting. The Seacoast United Soccer is submitting full design plans with environmental report, drainage & traffic analysis in support of a site plan expansion proposal at the existing Seacoast United Soccer Club. The expansion includes a 36,000 sq. ft. basketball building with associated parking, drainage and utilities. It also proposes a driveway connection to Hardardt's Way. There will be a need for on-site testing. Mr. Page presented the plan to the Commission to get input and questions for that PRC meeting.

Mr. Page stated that the DES application for Esker Rd. has been withdrawn. This DES application for Esker Rd that was withdrawn was one that was discussed at our January, 2012 meeting, was for a driveway that would front on Esker Rd, and was withdrawn before DES rendered an opinion.

TREASURER'S REPORT

Ms. Renaud gave a report on the CD Land Fund. The CD matures this month. Ms. Lavin was not going to renew the CD in our Land Acquisition Fund because we would be needing those funds in the near future for the Batchelder Farm Conservation Easement.

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Mr. Diener reminded all of the Auction for the Rain Barrels at the Town Office on Saturday, April 28th at 10:00 am.

The next meeting of the Conservation Commission Public Hearing will be held on Tuesday, May 22, 2012, meeting in the Town Office Meeting Room. The site walk will be announced and will meet at the Town Office Parking Lot at 9:00 a.m.

Mr. Tilton motioned to adjourn at 8:45 p.m., seconded by Ms. Shaw. All were in favor.

Respectfully submitted,

Sue Launi, Secretary