

**HAMPTON CONSERVATION COMMISSION PUBLIC HEARING
MINUTES**

September 25, 2012

FINAL

PRESENT: Jay Diener, Chair
Barbara Renaud
Gordon Vinther

ALTERNATES: Diane Shaw

Rayann Dionne, Conservation Commission Coordinator
Brendan McNamara, Planning Board Representative

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by the Chairman, Jay Diener, at the Hampton Town Office Meeting Room.

The Minutes of June 26, 2012 and July 24, 2012 were reviewed and accepted. The August 28, 2012 Minutes will be reviewed with the September 25, 2012 Minutes at the October 23, 2012 meeting.

SITE WALK

1. 80 Island Path
2. 50 Church St. - Hampton DPW
3. 437 Winnacunnet Rd
4. 355 Lafayette Rd & 24 Winnacunnet Rd

NHDES APPLICATIONS

- A. 50 Church Street - Hampton DPW
David Romily - Agent

This is a dredge and fill application for the construction of a new sewer pump station. Mr. David Romily, Wright-Pierce Engineering, gave the history of the pump station. The pump station was built in 1967 and it's time to upgrade the old station. Once the new station is built, the old station will be demolished. After the demolition, that area will be converted to parking so that there will be minimal overall reduction in the number of parking spaces in the lot, and the entrance to the parking lot will be relocated to that space as well. Mr. Diener and Ms. Renaud were concerned if there were going to be impacts within the 50 ft. grass area. Mr. Diener asked about the snow plowing. Mr. Romily answered that they have to plow for the pump station to keep it clear but it's not the resident parking lot.

NO PUBLIC COMMENT

SUMMARY

Commission members supported the project as long as the following stipulations are met.

1. A 5 ft. vegetated buffer strip should be installed along the western fence line adjacent to the wetland to help slow down and infiltrate storm water before it enters the salt marsh. The Conservation Commission would also like to see this area planted with native species, such as Rosa rugosa or Bayberry, that provide a shrub like hedge and are appropriate for the existing soil conditions.
2. Snow shall be plowed and stored a minimum of 50 ft from the wetland edge.
3. The Commission will be notified at the beginning and end of the project.

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NHDES APPLICATIONS (cont)

A. 50 Church Street (cont)

MOTION by Ms. Renaud to not oppose the granting of NHDES permit for the construction of a new sewer pump station.

SECONDED by Mr. Vinther.

VOTE: All in favor

MOTION PASSED.

SPECIAL PERMITS

A. 52 Nudd Ave

Richard Atwood - Owner

Alex Ross, Ross Engineering - Agent

Mark Jacobs - Soil Scientist

This application is for the after-the-fact repaving of an existing driveway and installation of a new drainage system within the limits of the Town Right-of-Way (ROW) at 52 Nudd Ave. Mr. Ross reviewed the original concerns with the Commission: existing swale, plantings too close to wetland edge, construction in buffer, and storm water drainage. Ms. Renaud stated that the shed in back should be gone.

OPEN TO PUBLIC

Mr. Paul Barrett, 50 Nudd Ave., asked what the grade is at the corner of the house at 52 Nudd Ave. Mr. Ross answered it was 6.9 at the corner of the house and 7.1 at the center of the street.

Mr. Rick Allard, 52 Nudd Ave., stated that the Barrett's back yard was filled and the elevation has not changed.

Mr. Walter Januelewicz, 46 Nudd Ave., stated that the storm water backs up to his driveway which is two houses eastward of 52 Nudd Ave.

All were concerned with the drainage.

CLOSED TO PUBLIC

Mr. Diener was concerned with the conflicting sets of elevations. Mr. Diener also commented that if the back yard is naturally vegetated and there should be no impacts on abutting properties. Ms. Renaud cannot support the plan due to conflicting elevations. Ms. Shaw concurred with Ms. Renaud. Mr. Vinther recommended that the driveway be restored to its original grade.

SUMMARY

The Conservation Commission recognizes that the new drainage system is outside of the Wetland Conservation District (WCD) however, this system is being added as a result of driveway alternations that are partially within the WCD. The Conservation Commission recommends denying the Town Special Permit for the concerns below:

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SPECIAL PERMITS (cont)

A. 52 Nudd Ave. (cont)

SUMMARY (cont)

1. Concern that the current driveway elevation is greater than the pre-construction elevation. Based on site walks and photos there is a noticeable drop-off between the newly paved section to the east of the stairs at 52 Nudd Ave and the driveway of 50 Nudd Ave. The Commission cannot support a re-paving project that re-directs or impedes the flow of storm water on Nudd Ave.
2. The Commission cannot support any project that may negatively impact abutting properties, especially when it involves flooding and potential property damage.
3. Proposed drainage system will be located in the Town's ROW. The Commission cannot support a storm water treatment design that involves retrofitting the existing Town drainage swale and burdening the Town with on-going maintenance of a new culvert and underground pipe. The Commission recommends that the property owner reduce the driveway to its original footprint, re-establish the previous grades, and restore the swale.
4. Commission supports the removal of the unpermitted temporary shed with concrete slab and large outdoor toolbox as well as the plantings proposed along the wetland edge.

This portion of Hampton is densely developed and constantly deals with flooding. The Commission strongly believes that the expanded sealed surface and proposed drainage should not be permitted because they have not been designed to treat storm water on-site and the current conditions pose threats to abutters.

MOTION by Mr. Vinther to recommend that the Planning Board deny the Special Permit.

SECONDED by Ms. Shaw.

VOTE: All in favor.

MOTION PASSED.

B. 80 Island Path

Kevin Garcia

Henry Boyd Jr. - Agent

This Special Permit, an after-the-fact application, is for the replacement/re-construction of a deck and stairs using the existing footprint. The Commission's only concerns were to remove the materials under the deck and that the underneath of the deck shall not be used for storage.

NO PUBLIC COMMENTS

MOTION by Ms. Renaud to recommend the Special Permit.

SECONDED by Ms. Shaw.

VOTE: All in favor.

MOTION PASSED.

SPECIAL PERMITS (cont)

- C. 355 Lafayette Rd & 24 Winnacunnet Rd
Kennebunk Savings Bank
Joe Coronati - Jones & Beach Engineering
Rob Graham - Conway Companies

This Special Permit is for re-paving a portion of an existing parking lot and installation of pervious pavers for a total reduction of 1414 sq. ft. of impervious surface. Mr. Diener asked if the dumpster pad could be moved outside of the buffer. Mr. Coronati stated "no". Ms. Shaw asked about the chemicals in the snow and dumping the snow on the plantings. Mr. Coronati stated the plants in the rain garden will absorb the snow melt and help to remove contaminants.

NO PUBLIC COMMENTS

SUMMARY

There will be an overall reduction of sealed surface within the 50 ft. buffer at 24 Winnacunnet Rd. A number of parking spaces in/adjacent to the wetlands buffer will be repaved with permeable materials and "No Snow Storage" signs with arrows will be placed along the wetlands buffer. The Commission commended the applicant for significantly reducing the amount of sealed surface in the buffer and installing low impact drainage features outside the buffer.

MOTION by Mr. Vinther to recommend the granting of the Town Special permit with the usual stipulations.

SECONDED by Ms. Renaud.

VOTE: All in favor.

MOTION PASSED.

- D. 437 Winnacunnet Rd
437 Winnacunnet Rd Realty LLC
Alex Ross, Ross Engineering - Agent

This Special Permit is for the installation of a grassed swale to improve storm water drainage. Richard Roy and Ray Maher were present from the Condo Association. The details of the application are as follows:

1. Move wooden benches outside the buffer.
2. Re-direct downspouts from the edge of the garage to the top of the driveway.
3. Remove existing pavement currently in the buffer, except for that portion in front of the wall on the eastern side of the driveway/parking area.
4. Install swale to direct the storm water run off.
5. Regrade pavement to ensure proper drainage while maintaining safe and desirable slopes.
6. Build concrete approved slab to protect pavement in front of dumpster from heavy loads.

Ms. Renaud was pleased with the applicant's efforts. Ms. Dionne asked why there is a need for a detention pond. Mr. Ross answered that the existing grades are not steep enough. Mr. Diener asked why the eastern side of the swale is half grass and half stone. Mr. Ross explained that where the grass doesn't grow the use of stone is used. Mr. Ross also stated it would help prevent the growth of unwanted vegetation that might impede the flow of water. Mr. Diener asked how much water goes down the swale to need a detention pond. Mr. Ross answered the enough water for a 10 x 10 detention pond. Mr. Diener asked with a driveway on top what will prevent the water from going onto abutting properties. Mr. Ross stated that the driveway pitched to direct storm water toward the swale. He also stated there was a berm that would

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SPECIAL PERMITS (cont)

D. 437 Winnacunnet Rd (cont)

prevent water at the top of the driveway from going onto the abutter's property. Mr. Diener asked how wide is the grass swale. Mr. Ross answered 4ft. Mr. Diener also had concerns with three trees that are very close to the swale and whether it would be possible to install the swale without damaging them. Mr. Vinther asked about the patio elevation. Mr. Ross stated above 12 ft.

PUBLIC COMMENTS

Mr. Richard Roy and Mr. Ray Magher were the builders of the patio and gave a brief history of that.

SUMMARY

The Conservation Commission recommends the granting of the Town Special permit with the list of site improvements as presented on the 2005 plan along with the following stipulations and usual stipulations:

1. "No Snow Storage" signs shall be installed at the edge of the driveway that is within the 50 ft. buffer and in front of the riprap erosion control.
2. No additional structures or sealed surface shall be allowed in the drainage easement.

MOTION by Ms. Renaud to recommend the approval of the Special Permit to install the grass swale and storm water drainage contingent on the Planning Board accepting the "as built" plan as the plan of record, as opposed to the originally-approved plan from 2005.

SECONDED by Mr. Vinther.

AMENDED by Mr. Diener. Snow storage doesn't go near the swale. Signage where the snow storage is and no additional structures in the drainage easement.

SECONDED by Ms. Shaw.

VOTE: All in favor for both motions.

MOTIONS PASSED.

**E. 48 Hobson Ave
Kelly Ford**

This Special Permit after-the-fact application is for the enlargement of previously existing 8' x 6' deck.

SUMMARY

This application was continued from June 24, 2012 to allow the applicant more time to file the necessary NHDES Standard Dredge & Fill permit application. However, the applicant has failed to properly file the NHDES application and has not responded to any emails or phone messages from the Conservation Coordinator since mid-July. Based on the applicant's lack of communication, along with the fact that the applicant is aware of the permitting process, the Commission recommends denying this Special Permit.

Mr. Brendan McNamara asked that the Commission provide a chronology of this site for the Planning Board along with the recommendation letter.

MOTION by Ms. Renaud to recommend denying the Special Permit due to lack of communication.

SECONDED by Ms. Shaw.

VOTED: All in favor.

MOTION PASSED.

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PLANNING BOARD REFERRALS

- A. 372 Exeter Rd.
John Lovetree
Jones & Beach Engineering - Agent

This referral is for a 3-lot subdivision and private road improvements. This project was revised because there were modifications to the proposed driveway since the Commission's review in July. The location of the driveway has been modified following Conservation Commission's recommendation to approve.

SUMMARY

The Commission does not have any issues with the driveway modification. However, information requested in July had not been added to the plan set. The following needs to be added:

- 1, Update of Plan E-1 to include language for the required rain garden signage. The signage should read, "Rain Garden Maintenance Mandatory, Subject To Annual Town Inspection".
2. Each sign post shall be cemented in place.

MOTION by Ms. Renaud to send letter to the Planning Board recommending acceptance of modification to the Plan previously submitted subject to the stipulations of the Conservation letter dated 07-30-12.

SECONDED by Ms. Shaw.

VOTE: All in favor.

MOTION PASSED.

OLD BUSINESS

- A. 2012 Warrant Articles -

The Commission will be asking for \$10,000 for the purpose of refunding the Hampton Conservation Land Acquisition Fund . The Commission reviewed draft warrant article written by Mr. Diener.

- B. Hurd Farm Signage budgeted for 2012

This will be discussed at the next meeting when Mrs. Goethel will be in attendance.

- C. Acceptance of the Quitclaim deed for proposed gravel parking area for public trail access at Longview Place (Drakeside Rd).

Ms. Dionne mentioned that the Quitclaim deed arrived today. The Commission needs to accept this prior to the Board of Selectmen's Meeting.

MOTION by Ms. Renaud to accept the Quitclaim deed for parking area for public trail access at Longview Place (Drakeside Rd) subject to approval of the Town Attorney. The applicant needs to have the parking area excluded from the mortgage on the property that is being held by Centrix Bank.

SECONDED by Mr. Vinther.

VOTE: All in favor.

MOTION PASSED.

NEW BUSINESS

A. Wetland mitigation discussion and potential zoning ordinance article.

The Commission discussed mitigation options and to implement them into the Conservation Commission Ordinance.

The next meeting of the Conservation Commission Public Hearing will be held on Tuesday, October 23, 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.

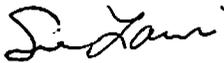
ADJOURNMENT

MOTION by Ms. Shaw to adjourn at 11:00 p.m.

SECONDED by Mr. Vinther

VOTE: All in favor

Respectfully submitted,



Sue Launi
Secretary

HAMPTON CONSERVATION COMMISSION

DATE:

MANIFEST:

CHECK #:

AMOUNT:

PAYABLE TO:

FOR:

ATTEND MEETING:

PREPARATION OF MINUTES:

CORRECTION OF MINUTES:

CASSETTES:

MAILING:

OTHER:

TOTAL:

Payment of the above amount for service rendered is hereby approved

Ellen R. Mitchell
James Strawn
Jay Deane