

HAMPTON CONSERVATION COMMISSION
March 25, 1991

Members Present: Stephen Joyce, Chairman
A. Reid Bunker, Jr., Vice-Chairman
James Clifford
Rev. Robert Gollledge
Peter Tilton, Jr.

The Chairman Called the meeting to order at 7:10 p.m.

Charles Preston - Glade Path - Mr. Preston said he'd like to get a fence approved. He said he plans to sell his 35-foot lot to Rita Mercier, and she wants to put up a fence. He said he owns the back lot and will continue the lot line between them. He said a condition of the purchase is that she be able to put the fence up along the east side to the edge of the marsh. He said he didn't know what kind of fence it would be, but assumes it will be wood. Ms. Mercier said she didn't like chain link fences. There are split-rail on other lots nearby, he said. Mr. Preston said he offered the land to all of his abutters at different times. He said it was suggested that he put in galvanized pipes and cement. He said Frank Richardson walked the property before. He knew of no deed restriction on the property when he bought it. He went to the Building Inspector three months ago, he said, and found that fences are allowed in the buffer zone in the Town of Hampton. It was put into the property deed that the lot was unbuildable, so Mr. Mercier can't do anything to it.

Mr. Bunker asked if it will be into the buffer and wetland as well. Mr. Preston said it will be into the buffer only. Mr. Bunker said this plan has precedent-setting aspects. He asked if there are any other such fencing arrangements. Mr. Clifford said there are split-rail fences around. Mr. Joyce said someone else across the street has a chain link and stockade fences. From a historical standpoint, properties have been staked out with stone walls and fences for hundreds of years.

Mr. Tilton said he didn't see how approving the plan would be a problem. Mr. Joyce said it won't be cutting off access to any other property. Mr. Tilton said it's not an overlap of Town and state functions. Mr. Preston said the fence would be running perpendicular to the road from Glade Path to Island Path. The fence would also serve to break wind, he said.

Rev. Gollledge asked if there are any limits to height. Mr. Joyce said that's part of the zoning ordinance. Mr. Tilton said the fence won't be breaking any zoning ordinances. Two or three years ago, it could have been put up without commission approval, he said, adding that he had no objection to the plan.

Mr. Preston said he thinks Ms. Mercier just wants the fence up to mark the property line.

Mr. Tilton said the plan will have no impact on the wetlands. Mr. Bunker moved that the commission doesn't object to the fence being put up, as long as the fence is aesthetically nice. Rev. Gollledge seconded the motion, which passed unanimously.

Well-tapping - Mr. Clifford said he was approached by North Hampton selectmen, who told him that a well is being tapped and the water is being datelined for the main beach. He said a well in the back

of a property at North and Birch roads will be tapped. Mr. Clifford said he feels that if it's tapped, it will pull from the Coakley Landfill and the water will be contaminated. The Hampton Water Works has already started drilling, and the North Hampton commission is very concerned. He said he thinks it's worth the Hampton commission's interest to find out what's going on. He also warned that the smaller wetlands, such as ponds, will be drained because of this.

Mr. Tilton said this is one of those cases that must be proved by the people who are complaining.

Mr. Bunker suggested that Chairman Joyce get in touch with the North Hampton commission and possibly schedule a meeting with them. He said a commission member could also meet with the state. Mr. Joyce said they need all the facts. Mr. Tilton said the more it gets on record ahead of time, the better. He suggested sending a note to the North Hampton commission.

Treasurer's Report - Mr. Bunker said the Town has a new treasurer. As of January 15, the commission had \$357,000. It now has about \$8,000. Dues are \$400. Mr. Bunker said he wasn't sure if the commission should pursue the Mace property, since the commission is offering \$4,000 for it. Mr. Mace is still out of Town, he said.

Transfer Station - Mr. Joyce said the selectmen want to build a transfer station at the corner of Landing Road and Rt. 51. He said a letter from the State Wetlands Board about the project said that the wetlands at the proposed site have considerable habitat value due to trees, etc. The letter said the Wetlands Board doubted that a mitigation plan could compensate for this loss, and their advice was that Town consider alternative sites.

Rev. Colledge suggested that the commission send the selectmen a letter stating its opposition, and adding that the commission fully concurs with the Wetlands Board's position.

Site Inspections - Mr. Tilton said he, Mr. Bunker and Mr. Weber made a site inspection in Ice Pond Estates and another in the Industrial Park. Both plans went up for approval at the Zoning Board of Adjustment meeting, which Mr. Tilton attended.

Mr. Tilton said all 3 commission members were opposed to the Ice Pond petition. He said the petitioner wanted a large house pushed back from the road and encroaching into the wetlands. The petitioner from Ice Pond Estates withdrew his petition so he could change his plans. The Timberland proposal in the Industrial Park was not opposed by the commission and the ZBA granted a variance for the petition. Mr. Joyce said site walks are being arranged by phone.

Minutes - Mr. Tilton moved to approve the minutes of February 11, 1991 as corrected. Rev. Colledge seconded the motion, which passed unanimously.

Perkins Property - Mr. Bunker said the Perkins property was conveyed, and the Town now owns it. He said Leston Perkins and his brother requested to have the contents of the blacksmith shop on the property.

Member Moves - Mr. Bunker said he sold his house and has moved to Stratham. Mr. Joyce said he would look into whether Mr. Bunker could remain a member of the Hampton commission.

Adjournment - The meeting adjourned at 7:55 p.m.

Maureen Cummings
Secretary