

HAMPTON CONSERVATION COMMISSION
May 28, 1991

Members Present: Stephen Joyce, Chairman
Peter Tilton, Jr.
Vivianne Marcotte
Alberta True
A. Reid Bunker, Jr.
James Clifford

The meeting was called to order at 7:05 p.m.

Mace Property - Len Mercer and Roger Mace were present to discuss the land that abuts the Perkins property. Mr. Bunker said discussions started last October when they met with the commission about selling the land. In November, the commission made an offer of \$300,000, which was rejected. On December 27, the commission agreed to an offer of \$4,000, but by then Mr. Mace and Mr. Mercer had gone south for the winter. Mr. Bunker said the Town attorney said the legal cost involved would be about \$280, and the engineering cost would be \$325. He said an engineering survey would cost about \$2000, but Shevenelle-Galien would walk the property for free. There are 10 acres, valued at \$8200. The property is 200-feet wide, extending from Niles Brook and then into North Hampton, in which there is about 1 a

Mr. Tilton asked how taxes are handled when a property goes across a Town line. Mr. Mace said the Town line goes across the property, so they go by that. About 9 acres of the property are in Hampton.

Mr. Tilton asked how much it would cost to subdivide the land if the North Hampton portion became a problem. He said they would donate the North Hampton part of the state, so they don't get complaints about paying taxes on North Hampton land.

Mr. Mercer said he hoped the land would be kept green in perpetuity. He said they'll wait to hear from Mr. Bunker.

Mr. Bunker said they'll have to schedule a public hearing. Mr. Joyce said maybe they could donate the land to the North Hampton conservation commission. Mr. Tilton suggested getting public input about what to do about the North Hampton piece.

Mr. Joyce said maybe North Hampton could pay a token fee.

Mr. Clifford said there will be a gate put up at Jonty's Lane, and boulders will be put across the road further down. The DPW is managing the gate, and abutters will be given keys. He said a pick up truck was stopped for dumping on the property and the driver was fined \$300.

James Tsiatsios - 515 Winnacunnet Road Mr. Tsiatsios said at best, there's much rot in his structure. He said he'd like to do renovations, and expand upward. Footprint wise, it will probably be about one foot larger. He said he's proposing a 1-foot thick steel reinforced slab on the ground, with 2-foot concrete walls around it. He said the first story will stay exactly the same size. He said there will be a 5 x 5 porch, adding a second story with a hip roof. There will be a 52 inch difference between what's there now and what he proposed to do.

Mr. Joyce said he looked at it, and his only concern was that it's somewhat similar to the shed on Island Path they were presented with last month. But, there is a buffer between the house and the marsh in this case.

Mr. Tsiatsios said he measured between 15-18 feet between

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the edge of the building and the marsh.

Mr. Bunker said he objects because what's there now is replaceable. The pouring of cement in the area is wrong, he said. Other units adjacent to the property have similar block support. He said he wouldn't be in favor of a 1-ft. cement pad. He said he'd like to see a building no larger, going up as he did. He said it's a very sensitive area, as far as the impact of liveable space. He said he wouldn't want to see anything anymore substantial than concrete blocks supporting the structure. He said he thinks the blocks would be more stable.

Mr. Tilton said whatever is put there would have to be put down firmly so that it doesn't settle. Mr. Tsiatsios said the ground was already pretty well packed, and hasn't been disturbed in years.

Mr. Joyce said the commission is just an advisory board, and whatever is decided, the petition will go to the state Wetlands Board and the ZBA.

Mr. Tilton said not having seen it, he doesn't know, but he likes the idea of it staying on supports. If it's structurally necessary to add more supports, they wouldn't have a problem.

Mrs. Marcotte said she'd prefer to see the property in line with the others. The foundation should be kept on blocks or pilings.

Mr. Clifford said the commission takes care of the ramifications of the area, and the ZBA takes care of how it looks. He said it's a tender area as it is, so poured cement wouldn't be wise, so he'd also object to the concrete-poured slab. He said the ZBA would take care of the configuration of the building.

Mr. Joyce said the application is for dredge and fill. He said the plan doesn't show anything being removed or added. It just shows the area under the house being disturbed.

Mr. Clifford explained that when there's a full moon tide or a storm surge, it would be displacing water, which won't be absorbed by the earth.

Mr. Bunker said a footing foundation would still affect the water. Mr. Clifford told the petitioner he should have the least mass possible.

Mr. Bunker moved that the commission would not object to blocks, provided the foundation remain as is, and up to 10 blocks be used for support. Mrs. True seconded the motion, which was voted on unanimously.

Phil Richards - 80 Exeter Rd. - Mr. Richards said he's interested in putting fill in his backyard, which is in a wetlands area. He said the yard was previously filled, but the left corner was not squared off. He said he'd like to fill that corner.

Mr. Tilton said he'd like to see it before making a decision. Mr. Richards said he'd like to stop short of the gully. Mr. Clifford suggested that the commission take a site walk on the property, and all agreed. Mr. Richards said he was flexible on the amount that should be filled.

Woodland Rd. - Mr. Joyce said he was called to woodland Rd. about alleviating a drainage situation. He said there's a house near Ice Pond Estates. It may have been taken care of. He said the question is whether the commission needs to act on it, since it appears not to be wet anymore. He said he suggested they do nothing which the ~~commiss~~

commission agreed with.

Stair Repair- Mr. Joyce read from a report by the State Department of Resources which said work will be done on the stairs at Hampton Beach State Park. Mr. Bunker said if they're repairing the stairs, that's good.

Cutler Ave. - Someone reported building activity at Cutler Ave. After Mr. Joyce went there, he received an application. He said the house is right next to Eel Ditch. An existing house has been elevated, and substantial work has been done to the foundation. They poured a concrete foundation, as well as putting in a lawn, and cobblestone driveway.

Mr. Clifford said the commission should find out if anything done was permitted. If not, it was done illegally. Mr. Joyce said they may be replacing a defective foundation or stairs. Mr. Clifford said they should find out if the Building Inspector knew about it beforehand.

Mr. Bunker Moved for the commission chairman to write a letter to the state saying that the commission objects to this and action should be taken. The commission's recommendation is restoration of the disturbed area. Mr. Clifford seconded the motion, which passed unanimously. Mr. Joyce said he'd also inquire about whether the Building Inspector gave any permits.

Nature Conservancy - Mr. Joyce said Kathy Doyle of the conservancy wants a date to come before the selectmen, and would like a volunteer from the commission to go with her. Mr. Tilton said he would go to the meeting and let the others know what date is picked.

Jim LeBlanc land - Mr. Bunker said Mr. LeBlanc, who owns the Wave Motel, has about 3½ acres that were assessed at \$40,000. Mr. Bunker said Richard Millette told him engineering work on the land would cost about \$2000, so it seemed like it would be an expense to the Town to take the title for the property. Mr. Tilton suggested getting a conservation easement on the non-buildable lot. Mr. Bunker agreed that a conservation easement might be the answer because it would cost Town Counsel only about \$200 to draw it up. He said he'd ask Mr. LeBlanc to come to a regular meeting.

Leavitt Property- Mr. Joyce said the commission had decided to let John Hangan walk the property. The chairman said they could say that they accept the land, but don't know its location.

Dedication of Cole Marsh - Mr. Joyce said the water-floral habitat area would be donated June 1, from 9-12 in Derry.

Minutes - Mr. Bunker moved to accept the minutes of April 22, 1991 as written. Mrs. True seconded the motion, which passed unanimously.

Elections. - Mr. Joyce announced that he would be resigning from the commission, so a new chairman would be needed. Mr. Clifford said he wanted to propose a dual-chairmanship. He also nominated Michelle Petillo to be a full-time member. The consensus was that the chairman would be voted on next month.

Landowner Lease Fees - Mr. Tilton said he went to a meeting in Newington on the state's proposal to charge coastal landowners lease

fees . He said Bob Prokop wrote a report about what to do, and every comment from the audience was negative.

Hammond Property - Mr. Bunker asked what action was taken on the 6 acres that was to be a gift from Elizabeth Hammond. Mr. Joyce said they sent a letter to Town Counsel saying that they wanted Mr. Hangen to walk the site. Mr. Joyce said he'd mention to Town Counsel Seth Junkins when he inquires about the Leavitt property.

Next Meeting - The next meeting will be held June 25.

Adjournment - The meeting adjourned at 8:30.

Maureen Cummings
Secretary