HAMPTON CONSERVATION COMMISSION
January 22, 1991

Members Present: Stephen Joyce, Chairman
Peter Tilton, Jr.
Rev. Robert Golledge
James Clifford
Alternate Vivianne Marcotte
Alternate Michelle Petillo

Timberland Company - Merrill Industrial Drive

Application for fill permit. Keven McCarthy & David Knowles, representing Timberland Company, were present with engineer Richard Millette to propose adding 76,000 sf of warehouse space. Mr. Millette said they have to cross the wetland to make that addition. He said the second wetland line is at the extreme rear of the property. The permit is to cross 45,000 sf of wetland to construct the bulk of the building and paved loading area. He said they've produced a combination area that has become a pond. The Town requires a design for 50-year-storm. He said they limited the outflow to a 10-year-storm. The pond holding area would fill up under the influence of the 50-year-storm. He said it would be metered out, but the outflow was limited to a 10-year storm.

He said they're mitigating almost 42,000 sf. They said Frank Richardson of the state wetlands was pleased because they were filling 45,000 sf and mitigating 42,000 sf (almost all of it). Mr. Millette said they filed 2 applications. One is a special permit application which they made to the Planning Board.

Mr. Joyce said he & Mr. Tilton walked the site, but didn't see any wet areas since everything was frozen. Mr. Tilton said he looked for wildlife use, but saw less than he thought he would. He said he likes the idea of the 10-year-storm because he doesn't like to see water coming in faster than necessary. Mr. Millette said the water will be metered through a culvert drainage treatment swail. He said they'll be going to the Planning Board with the proposal on February 6.

Mr. Joyce said this proposal was similar to one off Timber Swamp Rd owned by Frank DeFreze. Mr. Tilton said Mr. DeFreze didn't offer mitigation.

Mr. McCarthy said he's been on the site a lot, and has noticed only fox and rabbit tracks. He said the cover for wildlife has disappeared.

Mr. Tilton said the site will look more like a wetland.

Mr. Tilton moved to not oppose the state wetlands application, as long as the mitigation is carried out as per plan. Miss Petillo seconded the motion, which ~~was~~ carried 6-0 in favor.

Mr. Clifford asked if this would be the final development by the Timberland Company. Mr. Knowles said he didn't think they have much more space. Mr. McCarthy said this would be replacing a warehouse in Portsmouth. He saidhe didn't foresee anything else on the site. Mr.

Clifford said he had no problems as long as they will mitigate 42,000 sf. M

Mr. Tilton moved to not oppose the special permit application for the same project.Mrs. Marcotte seconded the motion which passed unanimously 6-0.

Leavitt property - The Chairman read a letter from Town Counsel Seth Junkins, who wrote that there was a vote at the last Town Meeting that a public hearing must be held before non-monetary gifts are accepted. Mr. Joyce said the commission should walk the property.

Nature Conservancy- Mr. Joyce said the nature conservancy wants to work with the commission's protection agreement. He said they identified several places in Hampton which have rare species and natural communities. The conservancy wants to find out if anyone is ~~planning~~ selling or tranferring land. Mr. Tilton said the conservancy is nationally known and is reputable.

Next Meeting - The chairman announced that the next meeting will be held Monday, February 11.

Adjournment- The meeting adjourned at 8 p.m.

Maureen Cummings
Secretary

HAMPTON CONSERVATION COMMISSION
February 11, 1991

Members Present: Stephen Joyce, Chairman
A. Reid Bunker, Jr., Vice-Chairman
Peter Tilton, Jr.
James Clifford
Alternate Vivianne Marcotte

Nature Conservancy - Ed Spencer and Kathy Doyle were present to represent the N.H. Chapter of the Nature Conservancy, which is a non-profit organization that has programs in all 50 states. Mr. Spencer said the conservancy's purpose is to protect biological diversity, which they do by identifying which species are the most rare and where they occur. They try to manage the most threatened example so that they survive and thrive.

He said they work closely with the N.H. Inventory Program, which uses all the data from U.N.H., Dartmouth College and other sources to determine the full range of species in the state, and the location of those species that are most endangered. The conservancy is committed to aquiring, developing and protecting the land where they're found. They do that by aquiring prperty or informing the land owner that they are harboring rare species.

For land that's a habitat for rare species, they have established the registry program. They find out if the land owner will manage their property as in the past, or if they'll sell or transfer the property. He said they ask the land owners to inform the conservancy before selling or transferring their land. He said that helps the conservancy to get an idea of which properties will be threatened in the future.

An area suitable for registry protection is the Hampton Marsh area. Kathy Doyle is in charge of the marsh and other seacoast projects, Mr. Spencer said. He said they wanted to inform the commission about what they're doing, and find out if they have any information that would be helpful to the conservancy.

Mr. Bunker asked how the conservancy is funded. Mr. Spencer said it's funded by membership dues. He said when they're aquiring property, they raise the money through fund drives. It's totally a privately-funded organization,he said.

Mrs. Doyle said the commission, and past commissions have done a great job, pointing out the Hampton land they've aquired. She said the primary land boundary runs along Eel Ditch down to Tide Mill Creek. The Town owns most of the property in the primary area. Two unprotected sites are individually owned. He said they're looking at those as registry sites. Another site in the area is the Hobbs Estate. Mrs. Doyle said the reason the conservancy wants to protect that area is because it's one of only two areas in the state where the common turn has been identified. She also showed secondary sites that the conservancy would like to target.

Mr. Joyce asked who's responsible for taxes when a landowner enters an agreement. Mr. Spencer said the landowner is, adding that the agreement changes nothing legally.

Mr. Clifford asked if the land use chnges for sportsmen. Mr. Spencer said it does not.

Mrs. Doyle said the turn was last seen in 1989, when the Audubon Society sighted many of the birds.

Mrs. Doyle said the conservancy gets a commitment from the landowner not to disturb the habitat in the area. Many times the land-

owners don't realize that they have endangered species on their properties.

Mr. Joyce said the commission is receiving more and more calls from landowners wanting to donate property.

Mr. Bunker & Mr. Clifford volunteered to be contacts from the commission who Mrs. Doyle could speak to before calling a landowner about the registry program. Mr. Joyce said the conservancy could also use the commission meetings to meet with landowners.

Mr. Spencer said the N.H. Fish and Game Department has no direct role in this, but works closely with the Audubon Society.

Gidley - Application to build within 100' of wetlands

Glen Gidley appeared on behalf of his mother, Phyllis Gidley. Mr. Gidley said in 1984, a 13-lot subdivision was done on the land. Seven duplexes (14 units) have since been constructed on the land. In 1984, the Wetlands Board didn't take jurisdiction on the upland area, so no permits were required at the time, but the jurisdiction was waived with the understanding that the property owners put a burm in, which they did. Mr. Gidley said the burm seems to be blending in with the environment, whereas some created wetlands that he's seen look manmade. He said they replaced some of the plants.

The burm seems to be serving its purpose, since he hasn't noticed any encroachment on the marsh areas. He said he wasn't aware of the 100' setback rule until he came in to renew his building permits. He proposed that the buildings will range from 5 feet to 20 feet from the burm.

The property is in the residential C seasonal zone. As part of the original subdivision, the sewer line was extended all the way to Glade Path. He said all the homes will have Town sewer and Town water.

Mr. Gidley said the foundations will be poured concrete with 4-foot frost walls. He said little fill will be required, since the lots are basically at grade. He said he has heard no complaints about flooding at high tides. He said the property was designed so that the streets flood but the homes don't.

Mr. Tilton said the property was previously filled with gravel. His concern had been that the homes have Town sewage. Other than that, he said he had no problem with the application.

Mr. Joyce said the commission looked at a proposal on Eel Ditch and opposed it because it was so close to Eel Ditch and would have been too much for the area. He said this is not a running creek but is salt marsh.

Mr. Tilton said there are houses on both sides. Mr. Gidley said the burm is 5 feet wide. He said right now, he's just doing the paperwork for the proposed new homes, since the last one sold in late 1988 or early 1989. The lots are approved, but the new setback rule took effect since the last home was sold, he said.

When questioned about the last lot, Mr. Gidley said that house was not etched in stone. Unless the general layout changes, he said he doesn't have a problem with meeting anything in the zoning ordinance.

Mr. Bunker asked how the commission would know if there were an intrusion to the marsh. Mr. Tilton said they would be able to see it. Mr. Gidley said the whole burm is visable from Route 51, and Mr. Tilton

someone would have to go through it in order to build on the other side.

Mr. Joyce said this is the kind of design he likes to see because the burm can't be moved.

Mr. Gidley said the lots have been approved as duplex lots, but there was an increase in the sales of single-family homes last year. He said they'd like the flexibility to have either type of home built on the lots. He said lot #12 would probably have a home more consistent to the other homes than what was shown on the plan. He said he's been in touch with Frank Richardson, who was involved in 1984. He said he's familiar with the property, and advised him how to proceed. He said garbage has been dumped on the empty lots, but they clean it up as well as they can.

Mr. Clifford said the burm is firmly entrenched and there are existing dwellings on the property.

Mr. Bunker said it disturbed him that the subdivision is already there, because it's a sensitive area. Mr. Clifford said the conservancy representatives had just addressed what they would like to do with that area.

Mr. Gidley said they've only owned the land since 1983. He said when they obtained the property, it contained buildable lots. Mr. Tilton said he would recommend that at least the Town ordinance be complied with. Mr. Gidley said he could live with any stipulation as far as setbacks are concerned.

Land Gift - Mr. Joyce said the Board of Selectmen voted to accept a gift of 2 pieces of land known as Hop Ground in the Little Neck Marsh. The land, which belonged to the estate of Homer Johnson, was given at no cost to the Town. An environmental assessment done by John hangen showed the property appears to be marshland with no surface environmental degradation.

Mr. Bunker moved to accept the gift subject to John Hangen doing a visual inspection of the property. Mr. Tilton seconded the motion, which passed unanimously.

Carl Cutler - application to fill and excavate for an existing camp

When the applicant came before the commission a few months ago, they suggested that he remove 200 sq. ft. of impermeable surface from his driveway, which he didn't object to. The Wetlands Board wrote that stipulation in as part of their approval.

Leon Sicard - The Wetlands Board reported that Mr. Sicard is not complying in a timely manner to restoring property as he was ordered to.

Hemlock Haven - The owners were fined $2000 at a Wetlands Board hearing.

Elizabeth Coakley and Perry Construction - Mrs. Coakley's $1000 fine is still being decided upon.

Gary Bratsos - The commission had been concerned with the septic system on the site. The Wetlands Board approved pilings to be replaced contingent on N.H. WSPCD approval.

Land Gift - Elizabeth Hammond - Mr. Tilton moved to conditionally approve the land gift from Elizabeth Hammond as long as John Hangen

walks the property and finds nothing visually objectionable. Mr. Bunker seconded the motion, which passed uananimously.

Mace Property - Mr. Bunker said he attempted to speak to Len Mercier regarding the Mace property, but Mr. Mercier is in the southwest and Roger Mace is in Florida.

Perkins Property - Mr. Bunker said he wrote the Perkins family a letter stating that the commission plans to close on the transaction. Mr. Joyce said he received a call from Town Counsel Seth Junkins, who said the closing would take place February 15. He said Atty. Junkins will take all the restrictions out of the deed unless the commission sees something they want to remain.

Mr. Bunker said he would try to attend the closing. He stated Mr. Perkins owes back taxes on his home, and an interpretation of N.H. law said that either the taxes should be paid outright, or the money should be taken out of the purchase and put in escrow. After discussion, the commission said members felt it was 2 separate transactions. Mr. Bunker said he would tell Atty. Junkins that the commission's feeling is that the deal should go through as planned, as long as the taxes have been paid up to date on the land the Town is aquiring.

Dune Grass - Mr. Joyce said he received a call that a resident is mowing dune grass like a regular lawn. Mr.Tilton said the Wetlands board is in charge of dune grass regulations.

Minutes - Mr. Tilton moved to accept the minutes of January 22, 1991 as corrected. Mrs. Marcotte seconded the motion, which passed unanimously.

Change in Meeting Day - The Chairman announced that commission meetings will now be held on the fourth Monday of the month rather than the fourth Tuesday. The next meeting was scheduled for March 25 in the Meeting Room of the Lane library.

Tree & Shrub Program - Mr. Bunker presented an article about a Tree and Shrub program in another Town. Mr. Joyce said there's already a shade tree commission in Hampton.

Hunting Regulation Meeting - Mr. Joyce said the Rye conservation commission had held a meeting February 4 to exchange information about how to police and regulate hunting on the seacoast. No Hampton conservation commission members attended, since they weren't notified in time.

Adjournment - The meeting adjourned at 9 p.m.

Maureen Cummings
Secretary

HAMPTON CONSERVATION COMMISSION
March 25, 1991

Members Present: Stephen Joyce, Chairman
A. Reid Bunker, Jr., Vice-Chairman
James Clifford
Rev. Robert Golledge
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 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. Golledge 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. Golledge 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 the Town consider alternative sites.

Rev. Golledge 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. Golledge seconded the motion, which passed unanimmously.

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

HAMPTON CONSERVATION COMMISSION

April 22, 1991

Members Present : Stephen Joyce, Chairman
A. Reid Bunker, Jr. Vice-Chairman
Vivianne Marcotte
Peter Tilton, Jr.
Alberta True
Alternate Dave Weber

The Chairman called the meeting to order at 7:05 p.m. He said that Peg Lawrence retired from the commission, so Mrs. Marcotte would become a regular member.

Ed & James Rush, 226 Island Path - Mr. Rush said he wanted to raise his shed, putting a block foundation under it. He said he wanted it 2 blocks high. If they find the building, which was built before 1945 to be rotted, they want to put a 12' x 16' shed there. He said they'd like it to be 1 foot smaller each way than the present shed. It will have no electricity, water or sewage.

Mr. Joyce said it appears to be fairly graded on 3 sides. There's standing water on the back side. It's basically at the high water mark for the most part.

Mr. Rush said there's no where else to put the shed, since the lots are only 50' x 50'. The lawn is in front and if it were placed in back, it would be on top off the septic tank.

Mr. Joyce said his only concern is that several people have come in with existing structures with pilings wanting to do the same thing. In one case, the commission recommended that they replace the pilings, but in another case, they recommended that they didn't. This case is a little different, but for continuity, the building should be on pilings as opposed to being filled with gravel and having concrete poured down. He said the impact would be minimal & it would definetly be an improvement . Mr. Bunker said he has no objections to pilings. He said he also wouldn't want to see the area filled, or have acement floor.

Mr. Tilton said they can put it as high up on pilings as they want to. Mr. Rush said they wanted to get away from pilings, stating that a cement foundation would be much sturdier. Mr. Tilton said restaurants and other kinds of buildings are on pilings, since they're quite sturday.

Mr. Rush said the expense of putting piles down until they hit something solid would be astronomical. He asked if they could use cement pilings, like a house on Glade Path has.

Mr. Tilton said he would say they could use cement pilings. Mr. Rush said if the only way to get permission is to put it on cement pilings, that's what they'll do.

Mr. James Rush said they're trying to make it decent. His son asked if they could take the building down. Mr. Tilton said they could, as long as the size of the new building isn't larger.

Mr. Bunker moved for the commission to not oppose the replacement of cement pilings and either to repair or the replacement of the utility shed at 226 Island Path. Mr. Tilton seconded the motion, which passed unanimously.

Nature Conservancy Report - Kathy Doyle was present to pass out sheets on the Hampton Registry status. There are 22 total tracts, some of which have condominiums on them. She said she has identified all landowners and contacted them by letter. Kathleen Battcock, and Nancy Coes agreed to register their land. Dorothy Cummings potentially might register her land. Eva Guyon, whose property is near the Wave Motel, bought the property to

build on. She didn't build at the time, and now is no longer allowed to build on it. Mrs. Doyle said she was angry and would not register the land. James LeBlance, Wave Motel owner, wants to donate the back portion of his land that abuts the commission's property. The White Gables Cabin owner who has the main property with cabins behind it, was very receptive. David Cargill, who lives next to White Gables, said no. Mrs. Doyle said she was unable to get in touch with Joseph Reardon and Donald McCarthy. Seabreeze Condominiums are forwarding Mrs. Doyle's letter to the President of their condominium association. Share&'Dev. Corp. had a non-listed number.

Mrs. Doyle said she would like to see more Hampton properties registered. It's difficult because there are so many condominiums, she said. In Rye & Portsmouth, about 50% of property owners contacted registered, but it's easier there because most of the landowners live there year-round. The hard part of dealing with condominiums is getting in touch with the association president, but she said she would continue to pursue them. She said Dorothy Moreau was another potential landowner to register, but she's been unable to reach her since the initial phone call.

Mr. Bunker suggested calling Chris Congdon, who developed Island View. Mrs. Doyle asked about the possibility of the Town registering property with the Conservancy. The commission members said they had no objections. Mrs. Doyle said the agreement is that if the landowner were ever to do anything with the property, they should notify the conservancy first because the conservancy may want to purchase it.

PLS Development, lot #5- The application was for a Special Permit for a driveway for access to a house lot that otherwise meets all requirements. Mr. Bunker said he's not in favor of the road across the wetland. Mr. Joyce said if they had a hardship and a substantial piece of dry land, he might go along with it, but they don't. Mr. Bunker said they're looking at the proposal with many questions. Mr. Joyce said they're going by what they see at face value. The commission members could go to the Planning Board meeting to express their concerns. Mr. Tilton said from what is seen, there's too much wetland. Mr. Tilton moved that the commission is opposed to the application for a special permit for a driveway for an access to a house because it appears there's too much wetland area affected to justify access to a small, dry parcel. Mr. Bunker seconded the motion, which passed unanimously.

Blacksmith Shop - Leston Perkins requested to remove his belongings from the blacksmith shop on his former property. Arthur Moody suggested selling the surplus goods at a Town auction. Mr. Joyce said his view is that when a property is sold, the seller takes most of his personal belongings with him. The consensus was that Mr. Perkins could take his belongings out of the shop.

March 25 minutes- Mr. Bunker moved to accept the March 25, 1991 minutes. Mr. Weber seconded the motion, which passed unanimously.

Commission Membership - Alberta True was re-appointed to the commission. The Chairman said if anyone has an idea for an alternate, they can suggest it to the commission. Mr. Bunker suggested the two youngsters who attended conservation camp last summer.

Out-fof-Town Residency- Mr. Joyce said there was concern expressed about a non-Town resident (Mr. Bunker) voting on money matters. He said he wouldn't want to lose Mr. Bunker's input. Mr. Bunker said he wanted to remain on the commission, but probably shouldn't be vice-chairman anymore. Mr. Tilton said he was approached by John Walker about being an alternate to the Planning

Board. The commission said that would be a good liason between boards.

North Hampton Meeting - Mrs. Marcotte attended the meeting regarding the well and HWW. She said the mext meeting would be April 25. Hampton would berepresented by Mary Louise Woolsey and North Hampton and Rye would also be represented.

Meeting Day - The Chairman said the commission will go back to meeting on the 4th Tuesday of the month. The next meeting will be held May 28.

Wetlands Mitigation Seminar - Mr. Bunker & Mr. Tilton said they'd attend the seminar on May 9.

Adjournment - The meeting was adjourned at 8:45p.m.

Maureen Cummings
Secretary

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 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-Gallen 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 Hamtpon portion became a problem. He said they would donate the North Hampton part ot 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 reenforced slab on the ground, with 2-feet 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

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 does't settle. Mr. Tsiatsios said the ground was already pretty well packed, nad 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.

Paul ~~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 prefviously 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 gulley. 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 at 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 nothi

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 commisssion 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 8½ 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 woud 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 hte 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 actionwas 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

HAMPTON CONSERVATON COMMISSION
June 25, 1991

Members Present: Stephen Joyce, Chairman
Peter Tilton, Jr.
Alberta True
Vivianne Marcotte
Michelle Petillo
Rev. Robert Golledge
Alternate Dave Weber

Mr. Joyce called the meeting to order at 7:05 p.m. He showed the commission reports he'd just received in the mail about non-comparative wetlands and about the expansion of Rt. 101 from Epping to Hampton.

Beach Plum Way Mr. Joyce said the owner of a cottage wants to square off the property and sell it. Mrs. Marcotte said the only problem would be with the Sullivan property next door. Mr. Joyce said the commission hasn't been intervening on waterfront properties. He said the abutters might be notified. Mr. Tilton moved for the commission to not intervene in the Beach plum Way application. Mrs. Marcotte seconded the motion, which passed unanimously.

Full-time Membership - Mr. Joyce told Miss Petillo her term is up, but he recommended that the Selectmen appoint her as a full-time member. He suggested that she send Arthur Moody a written request.

Alternate - Mr. Joyce said Nathan Page, who attended conservation camp last year, requested to become an alternate. The consensus was that it would be a good idea.

LeBlanc and Ice Pond Estates Properties- Speaking for Mr. Bunker, Mr. Weber said Mr. Bunker didn't do anything on the LeBlanch property yet and said the Ice Pond Estates is a dead issue as far as the Town is concerned.

Mr. Bunker's Membership- Mr. Tilton said Mr. Bunker wants to talk to the Selectmen about what capacity he could serve, since he's no longer a Town resident. Rev. Golledge said he'd encourage the selectmen to let Mr. Bunker remain part of the commission. Mrs. Marcotte said the commission should send the Selectmen a letter stating how they feel.

Magee Property - Atty. Junkins wrote that much information has to be obtained before an agreement is made. He said the deposit amount and closing date have to be known. The title search won't be done but engineer Richard Millette will do a boundary survey. A public hearing must be held, with a complete roster of the commission. He wrote that he suggested they not aquire the North Hampton section of the property.

Mr. Tilton said he thought they should buy it and give it to North Hampton. Otherwise, they'll have to pay to subdivide it. Rev. Golledge said they should consult someone from North Hampton about it. Mr. Tilton said it's legally subdivided between the two Towns. Mr. Tilton said $500 would be a large enough deposit on a $4000 selling price. The commission will schedule a public hearing during their regular meeting in July.

Nature Conservancy- Mr. Tilton said he would arrange a meeting between Kathy Doyle of the conservancy and the Selectmen.

Eel Ditch Property- Mr. Joyce said he spoke to Assistant Building Inspector Neal Gadwah about the construction there. Mr. Gadwah's interpretation is that if they work within an existing footprint, they don't need a permit.

Mr. Tilton said the Town got into trouble for putting a sewer line in within the wetlands boundaries. Mr. Joyce said the Building Department said a block foundation can be replaced within the same footprint. Mr. Tilton said that applies to the Town wetlands ordinance, not the state buffer ordinance. Mr. Joyce said someone should ask the Building Department if there's a misinterpretation of the state buffer law.

New Chairman- Mr. Joyce said since he was leaving, he suggested that maybe one person could chair, with the secretary doing the clerical work. Miss Petillo said she could handle the correspondence after her night courses are completed. Mrs. Marcotte suggested nominating Mr. Clifford as Chairman, if Miss Petillo would do the paperwork. Mr. Joyce also said the commission might accomplish more projects by lining up citizen committees to help. Miss Petillo said she wouldn't mind being Vice-chairman. Rev. Golledge moved for Peter Tilton, Jr. to be Chairman pro temp. Miss Petillo seconded the motion, which passed unanimously.

Ordinance- Mr. Tilton said any Town official could get a free copy of the zoning ordinance, including the wetlands ordinance, in the Building Inspector's office.

Paul Richards - Exeter Rd.- Mr. Richards wanted to square off his yard. Mrs. Marcotte said she didn't think it was a good idea, but if he wants to pursue it, he can. Mr. Tilton said the state might not let him do it, and he might save money by not going thorugh the process.

Mace Property Deposit - Mrs. Marcotte said $500 is more than enough money for a deposit. Rev. Golledge suggested $200, which all agreed to.

Minutes - Rev. Golledge moved to accept the minutes of May 28, 1991 as corrected. Mr. Tilton seconded the motion, which passed unanimously.

New Record Location - Mr. Tilton said the commission needs a better phone to keep their records. He said maybe they could use a file cabinet in the back corner of the library. Miss Petillo said she'd look into it.

Adjournment- The meeting adjourned at 8:19 p.m.

Maureen Cummings
Secretary

HAMPTON CONSERVATION COMMISSION
July 23, 1991

Members Present: James Clifford, Co-Chairman
Michelle Petillo, Co-Chairman
Peter Tilton, Jr.
A. Reid Bunker, Jr.
Vivianne Marcotte
Alberta True
Rev.

Mr. Tilton (who had been acting chairman), called the meeting to order at 7:05 p.m.

Bob Lemire - High St. Mr. Tilton said Mr. Lemire's fine would be suspended as long as he restores the property the way it was ~~previously~~ before the fill went in. His fine was for $600.

Dept. of Resource and Economic Development - The State of N.H. was given a dredge and fill permit to fix steps, and part of the sea wall.

Ernest Cory, Nashua - Dredge and fill application for 4 Bittersweet Lane. Mr. Cory said he has brick and cement steps that he wants to replace, but is in the 100 ft. buffer. He lives off Brown Ave. behind the fire station. Mr. Tilton said there's a pocket of 50 feet of marsh. He said he intervened so that the commission could discuss it. He said it's on the same footprint. The proposed total is 24 Sf. Mr. Bunker said he's not concerned about the steps and Rev. Golledge said he saw no problem. Mr. Tilton said he would write that the commission is not concerned.

Lapsed Application - Mr. Tilton said the commission walked the Aruwade property two years ago. He said he thought the commission commented on how the detention pond should be, but approved it. They're just refilling it, he said. Mr. Clifford said the commission didn't have much say about the 32-lot subdivision, but were only called about the retention pond.

Intervention Period - The period the commission has to intervene after seeing an application has been increased from 10 days to 14 days, said Mr. Tilton.

Report on Tsiatsios' addition- said the addition is on the existing cottage. He said the Wetlands Board went along with the commission's recommendation for 10 pilings.

Michael Holland- Mr. Tilton said the commission opposed the application. He said there is no known septic and the placement of pilings are difficult without disburbing the salt marsh. The property is for sale. The Wetlands Board denied the permit.

Grant Offered - The Greater Portsmouth Community Foundation is offering a grant from Alex Schulman's fund. He said The application has to be in before August 15, 1991. Rite Tilton

Mace Property Public Hearing - Mr. Tilton said he spoke to Mr. Mace and Mr. Mercier about the 10 acres to be purchased. Rev. Golledge asked about the North Hampton piece of the property. Mr. Tilton said that's what this public hearing was about, but no one was present

except the commission members. Mr. Bunker said he spoke to Town Counsel Seth Junkins, who will give the commission the option agreement for the seller to sign. He said they should have time to have the property checked by Shevenelle-Gallen for hazardous waste. It will have a $4000 purchase price. The commission will put $500 down.

Rev. Golledge moved to amend the original proposal for a $200 deposit to a $500 deposit. Mrs. Petillo seconded the motion, which passed unanimously. Mr. Bunker said they will have a 60-day option period, and 30 days to close. Mr. Clifford said gates have been placed on the property. Country lane

LeBlanc Property - Mr. Bunker said the owner of the 3-4 acres behind the Wave Motel is willing to give a conservation easement. With an easement, no engineering is required. Atty. Junkins said it would cost about $150. He saidMr. LeBlanc is aware that this won't decrease his taxes, but he'd like the property to stay as it is.

Mr. Bunker said one of the commission's duties is to make sure the conservation areas are monitored, and aren't filled or developed. The commission needs to know where the LeBlanc easement stops and starts.

Treasurer's Report - Mr. Bunker said the commission's balance as of July 10, 1991 was $8,725.21.

Swail Grass,- Mr. Clifford asked what the rule is about cutting swail grass, since he said someone on High St. was manually cutting it. Mr. Bunker said he thinks it can't be cut manually. Mr. Tilton said he wondered how that differs from marsh haying.

Dorothy Ellison- Mr. Bunker said Mrs. Ellison wants to donate 5 acres of marshland bordering Taylor River or Hampton River. He said she was going to send a map. If the commission can't identify where the land is located, they shouldn't take it, he said. He said he would follow up on it.

Election of Officers- Mr. Tilton said Mr. Bunker has moved out of Town,but his term is not up until 1992. Mr. Clifford accepted a one-year appointment as co-chairman. Mr. Tilton said one of the co-chairmen will have to take the correspondence.

Rev. Golledge moved to elect Mr. Clifford and Ms. Petillo as co-chairmen until the spring of 1992. Mrs. Marcotte seconded the motion, which passed unanimously.

Mr. Clifford said he'd like to start posting the commission meeting agendas in the Town office. He said he'd also like the members to all have business cards identifying them as commission members. Mr. Tilton said Stephen Joyce, former commission chairman, may still have some cards.

Next Meeting- The next meeting will be held August 27.

Adjournment - The meeting adjourned at 7:45 p.m.

Maureen Cummings, Secretary

HAMPTON CONSERVATION COMMISSION
August 27, 1991

Members Present: James Clifford, Co-Chairman
Michelle Petillo, CO-Chairperson
A. Reid Bunker, Jr.
Vivianne Marcotte
Alberta True
Peter Tilton, Jr.
Rev. Robert Golledge

Mr. Clifford called the meeting to order at 7:04 p.m.

Minutes - Rev. Golledge moved to accept the minutes of July 22, 1991 as corrected. Mr. Bunker seconded the motion, which passed unanimously.

Foss Property - Mr. Bunker said after taking a site walk on the property, he felt the owner is environmentally conscious, and seems to be doing more than is required. Rev. Golledge said he wished everyone were as sensitive about the environment as Mr. Foss. Mr. Tilton said Mr. Foss put in an underground pool that was larger than needed.

Mr. Clifford said if anything, this proposal would be enhancing the area, since the owner wants to preserve all the wildlife, such as deer and fox.

Budget Request - Mr. Clifford said that Mr. Richards, Town Manager, has requested that the commission turn in the 1992 budget.

Mr. Tilton saidit would be appropriate to say that last year, the commission received no operating budget, even though they always have in the past.

Mr. Bunker said the commission now has about $5,000.00 in savings. Mrs. True said she felt the commission should ask for an appropriation of $4,000.00 for operating costs. Mr. Clifford said he'd prefer to ask for $5,000.00, due to the cost of boundary searches and secretarial expenses.

Conservation Land - Miss Petillo said she's now in the process of looking at tax maps. She will give the maps to the Building Inspector and they will compare them to the wetlands maps. From that comparison, they will determine what is conservation land.

Mr. Tilton suggested getting an idea of where the land is located, and then asking owners not to auction it off, because it's conservation land. He said he would ask engineer Richard Millette how much a surveyor would charge.

Norman and Margaret Chabot - 12 Battcock Ave. - Miss Petillo said the petitioner is proposing a deck extension. She said the wetlands Board wrote to say they would suspend action until they receive written action from the conservation commission within 40 days of the date they filed, which was July 22.

Mr. Clifford said August 29, (2 days after this meeting was held), would be the deadline on the 40 days. Miss Petillo said she would call the coastal office to get an extra 5 days if possible.

Mr. Tilton said he thinks the commission could let it go,

because it's the state buffer that would be encroached upon.

Mr. Tilton moved that the commission not object to the petition of Norman and Margaret Chabot unless a site inspection reveals a difficulty and as long as the construction is as proposed, with pilings and not a poured foundation. Rev. Golledge seconded the motion, which passed unanimously.

Tedesco - 72 Mooring Drive - Miss Petillo said this petition was a proposal to add to an existing porch.

Mr. Bunker said he would object to this petition without having the details. Mr. Tilton said if the owners are local, they could meet with commission members when they go for a site inspection.

Coastal Management Priorities - Miss Petillo said she received a memo from the Office of State Planning asking the commission to decide which coastal management programs, including wetland, coastal hazards, and marine debris, are the most important. Mr. Tilton said he had already answered that form.

Salt Meadow Condominiums - Cusak Rd.- Mr. Clifford said he has read an advertisement stating that the Salt Meadow Condominiums were under the jurisdiction of the Rockingham County Conservation Commission. He asked why it wasn't under the Hampton Conservation Commission's jurisdiction instead.

Mr. Tilton said there's no such entity as the Rockingham County Conservation Commission, He said there is a Rockingham Conservation District, but he said they would not have jurisdiction, since they're only an advisory group.

Mr. Clifford said there was another group of condominiums mentioned under the same premise. He said he would look for the advertisement.

Municipal Law Lecture Series - Miss Petillo announced the lecture series would be held in September and interested commission members could sign up.

Commission Cabinet in Library - Miss Petillo said the library gave permission for the commission to have a file cabinet in the basement. The public would have access to the cabinet. She said material like the Army Corps of Engineers' guide called, "Are You to Work in a Wetland or Waterway?' would be perfect to submit for the cabinet. Mr. Clifford said the commission could also submit a video about metal residue on the bottom of the harbor.

Miss Petillo added that she would write former commission chairman Stephen Joyce a letter to ask if he has anything to send along to the library.

Mr. Tilton said there were materials in the Planning board workroom in the Town Office that might be good for submission as well.

Members' Residency - Mr. Bunker has moved to Stratham, but found an RSA stating that one doesn't have to be a Town resident to serve on a conservation commission. Mr. Bunker said there should be something in the Selectmen's Meeting minutes stating that the Selectmen approve his continued membership on the commission.

Mr. Clifford said he told the Selectmen he wanted something in writing stating that Mr. Bunker's membership was approved. He said the response he received was that it didn't need to be in writing. He feels that either a letter from the Selectmen or the inclusion in their minutes about Mr. Bunker's approval is necessary. He said they could put it on Monday, September 9's Selectmen meeting agenda that the commission would like a vote of confidence on Mr. Bunker's membership, specifying the RSA.

Rev. Golledge said the note should request his continuation as a member, while pointing out the contribution Mr. Bunker has made and will continue to make to the commission.

Miss Petillo said she would write a letter and have Mr. Tilton review it for approval.

Rev. Golledge moved for one of the commission's chairpersons to direct a letter to the Selectmen validating the continuing membership of A. Reid Bunker, Jr. on the conservation commission until March, 1992. Mrs. Marcotte seconded the motion, which passed unanimously. Mr. Bunker abstained from the vote.

Mace Property - Mr. Bunker said on August 12, Mr. Bunker met with the Selectmen, who voted unanimously to purchase the Mace property. He said he walked the property with commission members and Roger Mace. He talked with Atty. Junkins about gettinginto a purchase and sales agreement. With the commission's approval, he said he'd like to send a letter to the Mace family stating the commission is exercising its option. Atty. Junkins doesn't want to do a title search, but will prepare the deed. He said he should obtain permission from the Selectmen for Atty. Junkins to work for the commission on future aquired properties. Mr. Bunker said the only thing they're waiting for now is a letter from Shevenelle-Gallen.

Dorothy Ellison Property - Mrs.Ellison is interested in donating 5 acres of marshland to the Town. Mr. Bunker & Mr. Tilton said they met with Ruth Stimson, who showed them where the property is located (which had been the problem in purchasing the property). Mr. Bunker said the commission could recommend that the Selectmen accept this property as a gift.

Mr. Clifford said he didn't want the commission to get into the role of being a tax relief group. Mr. Tilton said if Mrs. Ellison stops paying taxes, the Town will get the property anyway.

Mr. Clifford said the commission members are conservation-minded but are not in the tax relief business. He said the Ellison land can't be developed. Mr. Tilton said it has been the commission policy to take undevelopable land. Mr. Clifford said he wondered how that would be viewed by the people.

Rev. Golledge said the federal government is re-interpreting the definition of wetlands.

Miss Petillo said the commission can look at land and determine that it's undevelopable, but a developer could look at the same land differently.

Rev. Golledge moved for the commission to request that the Selectmen receive this property as a gift. Mr. Tilton seconded the motion.

Miss Petillo said she could understand Mr. Clifford's concern about setting a precedent on tax relief, but felt personally that the more land the commission can keep from being developed, the better.

Mr. Tilton said it will be the Selectmen's decision.

Rev. Golledge moved the question. Mrs. Marcotte seconded and the commission voted unanimously to move the question.

The commission then voted unanimously in favor of the motion to request the Selectmen to accept the Ellison property as a gift.

Mr. Bunker said this would have to be placed as an agenda item.

Alternate Filling Position - Mr. Clifford said the commission now has seven members, and he proposed to have an alternate fill Mrs. True's position in her absence over the winter. The consensus was that alternate Nathan Edgar, who attended conservation camp last summer, could fill the position.

Adjournment - The commission adjourned at 8:24 p.m.

Maureen Cummings
Secretary

HAMPTON CONSERVATION COMMISSION
September 24, 1991

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

Mr. Clifford called the meeting to order at 7 p.m.

Jack Graves - 86 Woodland Rd. - Mr. Clifford said Mr. Graves intends to donate part of his backland to the conservation commission. Mr. Graves does not want the land to be developed. Mr. Clifford said he hadn't looked at the property, which is bounded by the Walker and Yost properties. He said he wanted to arrange a site walk on the land by commission members.

Mrs. Marcotte said that piece of land doesn't encompass much area. She said it would seem strange for the commission to own a property that's right in the middle of a housing area. Mr. Tilton said that would make it tough to manage.

Mr. Clifford said he doesn't know how much acreage is involved, and wouldn't know if it would be appropriate for the commission to own it until he sees it.

Mr. Bunker said it's a 2-3 acre property. Mrs. Marcotte said it was worth looking at, and the site walk was arranged for September 27.

18 McKay Ave. Mr. Bunker said Dori Wiggin of the State Wetlands Board would be inspecting this property on september 26. He said he would be present to receive her input.

Mr. Bunker's Membership -Mr. Clifford said that the commission sent the Selectmen a letter formally requesting approval of Mr. Bunker's continuing membership and enclosed the RSA which showed that it would be legal for him remain on the commission. Mr. Clifford said Selectwoman Mary louise Woolsey responded that having a letter on file was sufficient and that the matter doesn't need to be brought to the Selectmen's attention any further.

N & M Chabot - Battcock Ave. - Mr. Clifford said the Chabots are proposing a deck on an existing footprint, with no new construction toward the marsh.

Mace Property - Mr. Bunker said a report from Town Counsel Seth Junkins said that nothing derogatory was found on the Mace property. He also said an environmental impact report on the property showed no toxic waste there.

Shirley Marshall, 10 Fairview Ave., Malden - Mr. Clifford said Ms. Marshall submitted an application for dredge and fill. The property is next to the Hampton River, and the abutting property is on Island Path. The petitioner wants to replace a partial foundation with a full fouhdation. The original was done without mortar. The piers are tilting at various

angles and a house was to be raised high enough for a new foundation. Mr. Tilton said it was too late to intervene because the deadline was September 2.

Deer Hunting Meeting - The Rye Conservation Commission sent a memo that due to problems that have arisen due to a reduced habitat, accidental shootings, etc., education on this topic is essential. The meeting was held September 24 (the same date as this meeting), and Mr. Clifford and Mr. Bunker said they would try to attend after this meeting concluded.

Commission Budget - Mr. Clifford said the commission has asked for a $5,000 budget. Mr. Bunker said something formal must be presented.

Allison Property - The property is located across from the Boat Club. Mr. Clifford said he would ask about being put on the Select-men's agenda regarding this property, unless Miss Petillo had already done so.

Minutes - The minutes of August 27, 1991 were accepted as corrected.

Atty. Junkins' Approval - Mr. Bunker said Atty. Junkins would like the Selectmen to give him a blanket approval to do routine work for the commission so that he doesn't have to get permission each time. He said that should be placed on the Selectmen's agenda as well.

Adjournment - The meeting adjourned at 7:40 p.m.

Maureen Cummings
Secretary

Tues
10/29 @ 7:00 A.M. - 31 Brown Ave
Richard Collins

HAMPTON CONSERVATION COMMISSION
October 22, 1991

Members Present: James Clifford, Co-Chairman
Michelle Petillo, Co-Chairman
Vivianne Marcotte
Peter Tilton, Jr.
A. Reid Bunker, Jr.
Rev. Robert Golledge
Alberta True

Miss Petillo called the meeting to order at 7:07 p.m.

Minutes - Mr. Bunker moved to accept the minutes of September 24 as written. Mrs. True seconded the motion, which passed unanimously.

Hunter's Meeting Mr. Tilton said he attended the meeting about deer hunting in Rye held in September. He said the main point of the meeting, attended by 30-40 people, was that thereare bad feelings existing toward the way the N.H. Fish and Game Department is stocking pheasants. He said there was also discussion about new regulations.

Leo Mercier, 20 Susan Lane - Miss Petillo said the applicant wanted to add a carport and deck. She said after taking a site walk, the commission members who were there decided that there was no problem with the carport and the deck would be acceptable as long as it's not enclosed. She said they will be building the deck, but it will have cement footings. Mrs. Marcotte said the deck is fine as long as they don't pour concrete. Mr. Tilton said the property is surrounded by a fence.

Patricia Kelley - 15 Red Coat Lane - Miss Petillo said the commission did not walk this site, adding that it wasn't necessary She said the applicant wanted to add on to the side of the house facing the road. It looked like nothing would be affected by this, she said. Mrs. True said when she spoke with State Inspector Dori Wiggin, Mrs. Wiggin stated she had no problem with this petition.

Haasan Kahn - 520 High St. -Miss Petillo said Mr. Kahn was planning to build, and was applying for a dredge and fill permit. Mr. Tilton said the commission should intervene, and even if there is no time to intervene, a letter should be sent to the State Wetlands Board stating that the commission wants no more fill in this area. He also said a letter to Mr. Kahn from John Walker, of the Planning Board, said the Town would not be paying for the sewer connection to the property.

Paul Collins - 3 Brown Ave. - Miss Petillo said Mr. Collins wants to add a storage shed on his property, and said the commission should have a site walk on the property. A site walk was scheduled for October 29.

Samuel Tedesco - 72 Mooring Drive - Miss Petillo said Mr. Tedesco's application for a porch was denied by the Wetlands Board.

Richard and JoAnn Downey - Miss Petillo said the State Wetlands Board

reviewed the Downey's after-the-fact application, and denied the 40-foot retaining wall.

Ellison Property - Mr. Bunker said the Selectmen voted unanimously to accept the gift of the property.

Atty. Junkins' Compensation - Mr. Bunker said that the Selectmen told him that for routine conversations, etc., Town Counsel Seth Junkins would be compensated by the Town. If he worked on a major project, his compensation would be part of the deal.

Fish and Game Meeting - Mr. Tilton announed that a meeting run by the N.H. Fish and Game Committee Chairman, regarding pollution problems with shellfish and clams will be held at the Urban Forestry Center in Portsmouth on October 28.

Conservation Commission - The 21st Annual Meeting for Conservation Commissions will be held Saturday, November 2. The cost is $20 per person, and $25 with lunch included. Miss Petillo said interested members could sign up.

Mosquito Control - Miss Petillo read a letter from Sarah MacGregor, of the Seacoast Area Mosquito Control Project. The letter said many salt marshes in the state face degradation and overall decline of health. The implementation of a 4-part marsh water management program will control mosquitoes naturally. A successful program needs careful planning and Ms. MacGregor asked interested commission members to contact her. Mr. Tilton said the Hampton Mosquito Commission will be looking at the issue next spring, and want to involve the Conservation Commission. He suggested writing Ms. MacGregor to find out if there are any new developments.

Seminars - Miss Petillo read a letter from the Forest Societies about the commission sponsoring students for conservation camp. The student selection can be made at any time. Mrs. Marcotte said if the commission had a budget, it would be a good idea. Mr. Tilton said the commission had sponsored students in the past.

Commission Budget - Miss Petillo said she was told she couldn't turn in the commission's budget because the budgets were to be done that night (3 weeks ago). Miss Petillo said she gave Selectwoman Mary Louise Woolsey the $5000 figure the commission would like, and the reasons that amount is needed. Mr. Bunker said the commission now has about $4700 in its account.

Properties With Unpaid Taxes - Mr. Bunker said he spoke to the tax collector about 2 properties taken by the Town because of unpaid taxes. The two lots, known as the Woodland lot and the Philbrick lot, were both owned by Richard and Elizabeth Graney. Mr. Bunker said according to tax collector Ann Kaiser, these lots are in the process of being taken over by the Conservation Commission.

Miss Petillo said she was going to ask Atty. Junkins if the commission could aquire these lots. She said she doesn't know what the policy is on lots the Town aquires because of unpaid taxes.

Adjournment - Rev. Golledge moved to adjourn the meeting at 7:54 p.m. Mr. Tilton seconded the motion, which passed unanimously.

Maureen Cummings, Secretary

LaPlante
Cupstairs

HAMPTON CONSERVATION COMMISSION
November 26, 1991

Ellen Laddan
Jerry Widema

Members Present: James Clifford, Co-Chairman
Michelle Petillo, Co-Chairman
Peter Tilton, Jr.
A. Reid Bunker, Jr.
Richard True
Rev. Robert Golledge

4,728.—
reg expenses & surveys Dias. Salary

Minutes - Mr. Bunker moved to accept the minutes of October 28 as corrected. Rev. Golledge seconded the motion, which passed unanimously.

Wetlands Board Deadline - Mr. Clifford said the conservation commission has 14 days to ~~make a recommendation on~~ intervene applications. He said the Wetlands Board approved the Kelly, Marshall and Mercier applications, stating that the commission had no comment, even though Miss Petillo mailed in the commission review.

Miss Petillo said she hadn't been addressing the review to anyone in particular. She said she will now send them to Dulbert Downing. Mr. Clifford said the commission is missing out on getting their opinion into the state because they've missed the deadline on these applications by a few days each.

Miss Petillo said she doesn't always get the application until a few days before it's due.

101 Widening Project - Mr. Clifford said the state sent a written report about what buildings will be taken down to widen the highway. He said there will be no ramifications to Hampton, since only the most western part of Hampton, which borders Exeter, will be affected. Mr. Tilton said the widening project is being done by sections. Mr. Bunker said the widening will go through no matter what happens now. Mr. Clifford said the report was informational, and needs no reply from the commission.

Tax Abaters ments - Mr. Bunker said the issue of unpaid taxes on properties purchased or given to the Town has come up 4 times. He said when the Mace Property deal was closed, the unpaid taxes weren't ~~discussed~~ pd. He said the Selectmen decided to pay $106 on the Mace Property. Town Counsel Seth Junkins will write the former landowner telling them they owe taxes. all their portions of

The Ellison property had an unpaid balance of $8.55, which the Selectmen agreed to abate.

Mr. Bunker said the Selectmen requested that for future gifts of land to the Town, the commission should present detail on the land's assessed value and taxes. He said when the Ellison property was brought before the Selectmen, the taxes weren't mentioned. In the future, the taxes should be addressed, and the Selectmen will decide whether to have the former owners pay the taxes or give them abatements.

September, 1989 Minutes - Mr. Bunker said Selectman Arthur Moody requested the commission minutes from September, 1989.

Arthur Dreigh, Hobson Ave. - Miss Petillo said the application concerned an already existing deck. She said there was nothing terribly wrong with it, and she sent a letter stating the

commission had no objections. She said the commission received 3 new applications:

Reginald Jakes proposed replacing an old rotted deck and adding on a new deck at Glade Path Road. Miss Petillo said she would look at it herself, and would contact the other commission members if she thought it needed to be checked out. The applicant will be adding about 7 feet to what's existing.

Karen Green, 601 Ocean Blvd. - Miss Petillo said the applicant is squaring off part of an existing building. The distance from the marsh to the building is 50 feet. Mr. Tilton said it appeared to be in a yard, rather than in a marsh. He said he had no objections as long as it's in the yard. Mr. Clifford said he thinks it's very close to the marsh and should be checked out. A site walk was scheduled for November 29.

Question on Permit - Mr. Bunker said there's a new building near the marsh. Mr. Clifford said he didn't remember seeing an application for it. Mr. Tilton suggested asking Building Inspector Ray Hutchinson if the owner received a building permit.

John George - 487 Winnacunnet Rd. - Miss Petillo said Mr. George is adding a family room, with a storage room below. A site walk was scheduled for November 29.

Bill from N.H. Association of Conservation Commissions - Miss Petillo said the commission owes $494.00 in dues to the association. Mr. Tilton said the association does a lot of lobbying for conservation-related bills. Mr. Tilton moved that the commission pay the dues. Mrs. True seconded the motion, which passed unanimously.

Salem Conservation Commission - Miss Petillo said that commission oversees a 179-acre parcel of forest land off Rt. 111. The Salem commission wanted to know how other municipalities govern open land.

Town of Hampton Dump Proposal - Miss Petillo said there was much landfilling and it's the proposed site of the transfer station. Mr. Tilton said that shouldn't be a problem. Tide Mill Rd. is already impacted by the dump. Miss Petillo said 1300 sf will be filled, and it might be a good idea to look at is as a group. Mr. Bunker agreed, adding the commission should respond to the proposal. A site walk was scheduled for December 6.

Co-Chairman Resigning - Miss Petillo said she would be resigning as the commission's co-Chairman effective January 1. She said she felt she wasn't able to give her duties the time and effort they deserve. Mr. Tilton said she did as well as anyone has in the last five years. Mr. Bunker said the commission will miss her and that she's well-organized. Miss Petillo said she'd like

to remain on the commission, but was unsure if she could.

Thank You - Carolyn Brewster sent the commission a thank you letter for the flowers given to her for her retirement.

Coastal Program Grant - Mr. Tilton said if the commission has projects in the coastal zone, there's a good chance it could receive state funds. He said the requirement is that the project has to be a certain distance away from tidal influence.

Future Commission Actions - Mr. Clifford said the commission must take immediate action to deal with Miss Petillo's resignation. He said he was arranging site walks and Miss Petillo had been doing the paperwork. Mr. Tilton asked Miss Petillo if she'd consider staying on if the workload were spread out. Miss Petillo said she can't take the time to write letters, etc. Mr. Tilton said he would take responsibility for state interventions and applications.

Mr. Clifford said anyone chairing the commission should have training in what needs to be done, in order for the group to be a good working body. She said she didn't know how other commissions did it. He said he thought the co-chairmen idea would make it easier, but there was still confusion over what needed to be done. Mr. Clifford said if the commission met bi-monthly, they'll need alternates. Mr. Tilton said they could have worksessions.

Mr. Bunker said the projects the commission could be doing are endless. Mr. Tilton said probably only about 25% of commissions in the state really have the time and money to do projects. He said the Hampton Commission is getting more credence from other boards.

Mr. Bunker said with the current land value, the commission could be managing some good aquisitions.

Mr. Tilton said he would take care of applications for now.

Mr. Bunker said the commission could meet bi-weekly and brainstorm. He also suggested asking for Selectwoman Woolsey's input. A special meeting was scheduled for December 11 at 7 p.m.

Access to the Perkins Property - Mr. clifford said the keys to the Perkins property are floating. Rev. Golledge said if there is a gate, the keys should be tightened up. Mr. Bunker said the commission should send a letter to the Town Clerk stating that only commission members and land owners should have the keys. Mr. Clifford said Jonty's Lane is public property. He said Public Service put the gates in, but there's no stipulation that they're not for public access.

Next Regular Meeting - The next regular meeting will be held December 17 at 7 p.m.

Adjournment - Mr. Bunker moved to adjourn the meeting at 8:35 p.m. Mrs. True seconded the motion, which passed unanimously.

Maureen Cummings

Secretary

HAMPTON CONSERVATION COMMISSION
December 17, 1991

Members Present: Jim Clifford, Co-Chairman
A. Reid Bunker, Jr.
Peter Tilton, Jr.
Vivianne Marcotte
Alberta True

Mr. Clifford called the meeting to order at 7:15 p.m. He said Miss Petillo would not be present because she has the flu.

Martin Gunther - proposed house lot - Dick Parker, of Parker Survey representing Mr. Gunther, said Mr. Gunther has two lots at the end of Roberts Drive behind the old state police headquarters. He said Mr. Gunther asked the ZBA to lift the restriction that the lots are non-developable. He said they were considered to be that way because of drainage problems. He saidthe drainage problems can be resolved by bringing the sewage into the Town of Exeter. The Planning Board said they are substandard lots, so Mr. Gunther agreed to combine the two lots. They need a variance from the Board of Adjustment because they're asking to infringe on the 50-foot buffer zone.

A very small portion of the lot is left as developable, and Mr. Gunther is requesting to infringe on the wetlands buffer by 800 sq. ft. Mr. Parker proposed that a 26' x 38' house might be reasonable.

Mr. Parker said he felt this was reasonable because the 50-ft. buffer is already infringed upon. He said if the commission approved and the ZBA granted the variance, any infringement to the buffer zone would be cleaning the damage already done. Some of the mess there now can be cleaned up, he said. The small encroachment may help in the long run, he said, adding that Mr. Gunther is trying to do the best he can with the property, while causing the minimum effect to the land.

Mr. Tilton said it seems like the whole Roberts Drive area will be draining on that corner if he makes a bigger lot by adding more wetland.

Mr. Parker said Mr. Gunther has been paying taxes, and would like guidance as to what he can do on the property.

Mr. Clifford asked who did the previous damage that left the mess. Mr. Parker said someone put in a catch basin, and channeled it, He said they think the Town did it, but are not sure. He said Mr. Gunther would be willing to clean it up.

Mr. Clifford stated that two wrongs don't make a right, and the second wrong would be going into the buffer zone. The statement that the situation would be improved by doing so is hypothetical.

Mr. Parker said Mr. Gunther wasn't aware he owned the land when the damage was done, and he probably hasn't walked down to see it.

Mr. Tilton said Ash Brook goes through there. Mr. Parker said what was done may not have been illegal at the time, since the wetlands buffer zone was enacted within the last 5 years.

Mr. Parker said the tax map says that the lots were not

next Feb meeting 18th

to be built upon. The records indicate that the concern was about resolving the drainage issue. This has been dealt with, since the town of Exeter agreed to take the sewage. He said they can deal with storm drainage by making less of a ditch. They could also put in stones and spread it out.

Mr. Clifford asked what Mr. Gunther would do if the person who put the drainage pipe in objects to these plans. Mr. Clifford read statements in the ZBA minutes from abutters who said they objected if the water was going where it wasn't supposed to.

Mr. Parker said the installation of the catch basin caused the mess. He said Mr. Gunther wouldn't take it out unless he was asked to, and unless he could improve the property using some other means. Mr. Clifford said the ZBA minutes included abutters' statements that back up already occurs when there is precipitation.

Mr. Parker said the water goes into the catch basin, but is blocked off because of debris. He said their proposal would create a better position to keep it open.

Mr. Tilton said from what he could see, sheet flow is now going across the lot. Fill would be needed in order to make a house lot, which would result in the water being diverted and a bad situation on the corner.

Mr. Parker said the water could be redirected. He said they could put growth in to slow it down. The increase in water from the sealed area would be small. He said the property would be regraded to eliminate the slope. They would clean it up and put in shrubbery. He said they would have a swailing area instead of the ditch, and could put in a triangular series of stones.

Mr. Bunker said it troubles him to see a house being built there. He said standing water is there now and it would be encroaching on abutters. Sloping will happen, and will even find its way back into the wet areas, creating its own hazard. He said he thinks that area is too sensitive and said it was agreed years ago that the lots were undevelopable.

Mr. Parker said they weren't buildable until the situation was dealt with (which they have done). He said if the Planning Board didn't mean for them to be lots at some point, the lot lines wouldn't be on the subdivision. He said Mr. Gunther feels he owns land that he has a right to do something with.

Mr. Bunker said with the soft economy, Mr. Gunther might consider donating the land to the commission and in return getting a tax advantage.

Mr. Clifford added that since Mr. Gunther is not in a hurry, Mr. Parker could ask him if the commission could have the land abutting the brook. He said there have been too many ambiguous statements, and there is nothing in writing validating what actually took place.

<u>Perkins' Equipment</u> - Ansell Palmer, President of the Hampton Historical Society, said townspeople have asked if some of the equipment on the former Perkins property could be donated to to the Historical Society. He said the Town recently boarded up the windows and moved some of the Perkins' equipment into

the blacksmith shop.

Mr. Clifford said he's not sure Mr. Perkins remembers that these artifacts are there. He said he would ask Mr. Perkins if he wants anything that remained on the property. Mr. Tilton asked if there are any plans to refurbish the blacksmith shop at some point. Mr. Palmer said there are not so far. He said about a year ago, the Town loaded up equipment and brought it to the Historical Society. He said it needs to be determined who the equipment belongs to.

Gunther Proposal - Vote - Mr. Tilton said the debris on the property was vegetable garden garbage and items from a dump stop. There is no hazardous waste on the site. He said the property is a good deer habitat and Ash Brook had native trout up to up to a few years ago.Mr. Clifford said he had heard smelt also lived in the brook.

Richard True, ZBA member, said his board needs a vote or some other factual input in writing.

Mr.Clifford said he was in total agreement that the area is too sensitive. Mr. Tilton moved that the conservation commission is not in favor of this lot, or pair of lots, being developed as house lots for the following reasons: 1) It would not help the drainage situation in the neighborhood, 2) He said it would be a severe impact on the wildlife habitat along Ash Brook, 3) Future encroachment on the buffer zone beyond 800 sq. ft. could likely occur. Mr. Bunker seconded the motion, which passed unanimously.

Mr. True said he questioned some of Mr. Parker's statements, such as when he said trespassers on the property put the drain in.

Commission Guidelines - Mr. Clifford read guidelines Miss Petillo had listed for members' information. Site walks should be scheduled with other commission members. Letters requesting the commission's intervention in wetlands board applications should be sent within 40 days to Delbert Downing. Plans for construction can be picked up at the Town Office, and returned after site walks are completed. When writing to Mr. Downing to intervene, tax maps and the lot numbers of properties in question should be included.

Announcements - Mr. Clifford read a memo for Department of Environmental Services, which said as of January 1, 1992, a U.S. Coast Guard map will be required with all wetland applications.

Mr. Clifford read a statement about the marsh area, that said the stockpiling of materials in the water is in violation unless it's specifically permitted.

Reginald Jacques - Mr. Tilton said Dori Wiggin inspected the Jacques property and stated that everything on it was permitted by the state except the shed; which was built without permission.

Mr. Bunker moved that the commission not object to the action taken by Mr. Jacques. He stated that the commission is aware that the shed was built before permission was asked for, and disapprove of it being constructed in that manner. However, he said the construction was not so disruptive that the commission recommends the removal of the structure. Mrs.

Marcotte seconded the motion, which passed unanimously.

Commission Re-Organization - Mr. Clifford said that Miss Petillo will remain a commission member, although she resigned as co-chairman. Mr. Clifford said he will need help for the commission to be run by co-chairmen. Mr. Tilton said he will help with the paperwork for applications. Mr. Bunker said he will pick up mail. Mrs. Marcotte said she will start frequenting Selectmen meetings and will keep tabs on the budget process. (Mr. Bunker mentioned that the commission now has $4728.70 in its account). Mr. Bunker told Mrs. Marcotte that Ellen Lavin, Town treasurer, has information on the commission's running expenses.

Mr. Bunker said he will also pursue land gifts to the Town. Mr. Clifford said after Mr. Tilton shows him how to take care of interventions, he will handle them.

Alternates - Mr. Bunker said the commission has recommended to the Selectmen that Sheila Nudd and Nathan Edgar be commission alternates.

Minutes - Mr. Tilton moved to accept the minutes of November 26 as corrected. Mr. Bunker seconded the motion, which passed unanimously.

Keys to Gated Properties - Mr. Bunker suggested that when keys are passed out, the user signs a form stating that they respect ecology by not lending the keys to anyone else and not dumping on the property.

Mr. Tilton said security locks should be placed on the gates so that no copies are made. He said it costs about $2 per key for a security lock, and that they may get a good price to have a larger volume of keys made. Mr. Tilton said he would speak to the Department of Public Works about getting the security locks and will find out if the Town will pay for it.

Next Meeting - The next meeting was scheduled for January 28, 1992.

Adjournment - The meeting adjourned at 9 p.m.

Maureen Cummings
Secretary