

HAMPTON CONSERVATION COMMISSION PUBLIC HEARING

August 25, 2009

FINAL

The meeting was called to order at 7:00 p.m. by Chairperson Nathan Page at the Hampton town Office Meeting Room. Present were Commission Members Jay Diener, Sharon Raymond, Barbara Renaud and Peter Tilton Jr. Commission Members absent were Dr. Ralph Falk and Ellen Goethel. Alternates Mark Loopley and Steve Scaturro were absent. Rayann Richard, Conservation Commission Coordinator, was absent. Keith Lessard represented the Planning Board.

The Minutes of July 28, 2009 will be reviewed at the September 22, 2009 meeting.

The site walk was held on Saturday, August 22, 2009 at 9:00 a.m. meeting at the Town Office Parking Lot. The following sites were visited:

- A. 50 Nudd Ave
- B. 15 Church Street
- C. 26 Tuttle Ave
- D. 12 Nor'East Lane
- E. 1019 Ocean Blvd.

PUBLIC SESSION

Replacement of 3 undersized culverts with a box culvert at Landing Road. This is to facilitate a better flushing. Brad and Paula Bailey, 94 Landing Rd., addressed the Commission. After a brief discussion, Ms. Raymond motioned to continue the Public Hearing at the September Conservation Commission Meeting. Mr. Diener seconded. All were in favor.

NH DES APPLICATIONS

- A. 143 Island Path
Nancy Wheeler
Jones & Beach, Agent

This dredge & fill application is for the construction of a garage attached to an existing shed over an existing gravel driveway and a screen porch located on top of an existing deck. After a brief discussion, Ms. Raymond motioned to oppose the granting of the wetlands permit for the construction of a screened in porch on the existing deck and a garage. The Commission does not feel that the proposed mitigation (removal of crushed stone and addition of plantings) effectively compensates for the construction of the screened in porch and garage. The applicant has agreed to discuss the project further with her project engineer and continue this discussion of the project at the September 22, 2009 Conservation Commission meeting. The Commission would like the opportunity to review the applicant's findings and provide a written update on the Commission's position before the NHDES makes a final decision on this permit application. Mr. Diener seconded the motion. All were in favor.

- B. 15 Church Street
Gabriello Gabrielli
Corey Colwell, MSC Engineers, Agent

This application is to relocate a garden and replace existing garden with gravel. This is a dredge and fill application. The applicant requested a continuance to a future date yet to be determined.

NH DES APPLICATIONS (Cont)

- C. 50 Nudd Ave.
Paul & Debra Barrett
Mark West - Agent

This dredge & fill application is to construct a 691 sq ft addition including a pervious/crushed stone driveway and rain garden. The driveway and addition are outside of the 50 ft buffer. Tidal disturbance in the upland tidal buffer zone is 3,752 sq ft. At this time the discussion was opened to the public. Mr. Janelewicz spoke in favor of the plan. As there were no one else to speak, discussion was closed to public. Based on the discussion with the applicant, the Conservation Commission supported the original location of the rain garden within the 50 ft buffer zone. The applicant was further advised to contact NHDES and tell them to review the original plan dated August 25, 2009 and file a Town Special Permit for the rain garden installation. Ms. Renaud motioned to not oppose the granting of the wetlands permit for the construction of a 691 sq ft addition to the existing house and the installation of a rain garden and pervious driveway based on the revised plan dated August 25, 2009. The Commission requests the applicant to design and submit a planting plan for the rain garden prior to the construction. Mr. Tilton seconded the motion. All were in favor.

SPECIAL PERMITS

- A. 143 Island Path
Nancy Wheeler

The Conservation Commission met with the applicant at the July 28, 2009 meeting. The applicant has agreed to continue the review of this project at the September 22, 2009 meeting as the project engineer was absent.

- B. 67 Plymouth St
Peter Baccus

This special permit is to construct wooden stairs over the seawall for access to the beach. After a brief discussion, Mr. Tilton motioned to grant the special permit for work within the Town Wetlands Conservation District for the installation of the seawall stairs as per the drawing dated August 13, 2009 and the side view drawing dated 08-21-09 and signed by the Chairperson. The Commission stipulated that the middle landing of the stairs must be securely fastened to the seawall rocks and the usual stipulations. Mr. Diener seconded. All were in favor.

- C. 26 Tuttle Ave
Laurice Haines

This Special Permit is to enlarge the living area by enclosing an 8' x 18' portion of the existing deck. After the discussion, Ms. Raymond motioned to recommend the granting of the special permit for work within the Town Wetlands Conservation District for the construction of an 8' x 18' enclosure over the existing deck as per the plan stamped 8-21-09 and signed and dated by the Chairperson. The applicant has agreed to remove an existing concrete patio (138 sq ft) located the northwest edge of the property adjacent to the salt marsh as mitigation. The applicant has also agreed to plant the entire length of the northwest fence with native vegetation. The Commission has stipulated that the rubber mulch within the fenced area needs to be removed and a planting plan needs to be approved the Conservation Coordinator before installation along with the usual stipulations. Mr. Diener seconded the motion. All were in favor.

SPECIAL PERMITS (Cont)

- D. 15 Church Street
Gabriello Gabrielli

This has been continued to a future date yet to be determined.

BOARD OF SELECTMEN REFERRALS

- A. 12 Nor East Lane
Dan Hoefle

This referral was for the replacement of the retaining wall. This will be continued at the September 22, 2009 meeting.

- B. 595 Ocean Blvd
Lupo's Restaurant

Town's interest with regard to the Town Land which is currently used for restaurant parking. Discussion ensued on the need for a survey as there is fill in the salt marsh and parking on the filled in area. A wetland delineation is needed by a soil scientist to determine the extent of fill that has been added.

APPOINTMENTS

- A. 4 Chase St
James Monagle

Review of an approved Town Special Permit for which the footprint of the building has been revised based on Zoning Board recommendations. The Commission reviewed the revised plan for 4 Chase Street (plan revision date of 8/19/09, signed and dated by the Chairperson). The Commission would like to update their recommendation from January 28, 2009 to address the changes to the original plan. The Commission does not have any objections to the building modifications, but would like to add two new stipulations in addition to those stated in the letter dated January 28, 2009: (1) parking areas are to be constructed of permeable pavers and (2) area at the back of the home will be planted with grass or native plantings in addition to the proposed rain garden. Mr. Diener motioned to write a letter to the Planning Board regarding the eco pavers. Mr. Tilton seconded the motion. All were in favor.

PLANNING BOARD ACTIONS

- A. 515 Winnacunnet Rd #5

Construct second floor using existing footprint. Build ground floor deck and second story cantilevered deck. Approved with Conservation Commission stipulations.

- B. 20 Birch Rd

Replace the shed over the original foundation which is still in place. Approved with Conservation Commission stipulations.

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PLANNING BOARD ACTIONS (Cont)

C. 26 Tuttle Ave

Go out eight (8) feet onto deck to enlarge living area of present sun room. Will have gutters with rain barrels to catch water. Continued to 09-02-09 meeting.

D. Witch Island Way

Construct six (6) condominium units within the previously approved Witch Island Condominium project. Continued to 09-16-09 meeting.

E. 67 Plymouth St

Install wooded stairs with railings in back of 67 Plymouth St to provide access to beach/river. Continued to 09-02-09 meeting.

ZONING BOARD ACTIONS

None

DES ACTIONS

A. 65 Lafayette Rd

Demolition and construction activities on 3,000 sq ft of previously developed upland tidal buffer zone to remove the existing structure and impervious pavement and construct a new 175' x 75' building with appurtenant pervious pavement and rain gardens. The new building will be located more than 50 ft from the highest observable tide line. Approved.

OLD BUSINESS

Mr. Diener mentioned that there has been black tarp put on the Japanese Knotweed at Ice Pond.

NEW BUSINESS

None

CONSERVATION COMMISSION COORDINATOR UPDATE

None

The next meeting of the Conservation Commission Public Hearing will be held on Tuesday, September 22, 2009 at 7:00 p.m. meeting in the Town Office Meeting Room. The next site walk will be announced and will meet at the Town Office Parking Lot.

Mr. Diener motioned to adjourn at 9:50 p.m., seconded by Mr. Tilton. All were in favor.

Respectfully submitted,



Sue Launi
Secretary