

CONSERVATION COMMISSION PUBLIC HEARING

May 26, 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, Dr. Ralph Falk, Sharon Raymond and Barbara Renaud. Ellen Goethel and Peter Tilton Jr. were absent. Alternate Mark Loopley sat in for Mrs. Goethel. Rayann Richard, Conservation Commission Coordinator, was present. No representation from the Planning Board.

The Minutes of April 28, 2009 were reviewed and accepted with corrections noted.

The site walk was held on Tuesday, May 19, 2009 at 6:30 p.m. meeting at the Town Office Parking Lot. The following sites were visited:

- A. 7 Pearl St
- B. 7 Gill St
- C. 19 Wayside Farms
- D. 60 Lafayette Rd
- E. 65 Lafayette

NH WETLAND BUREAU APPLICATIONS

- A. 95 Toll Booths
NH DOT and Agent - Tidewater Environmental
Kevin Nyhan and Robert Driscoll

This is a dredge and fill application. This application is to modify the existing 95 Hampton Toll Plaza for open road tolling (high speed tolling). A new northbound and southbound lane would be added to the outside of the existing toll plaza; six interior toll lanes would be eliminated at the interior of the toll plaza and replaced with four high-speed lanes (2 northbound and 2 southbound, separated by a concrete median). After the presentation, Mr. Diener motioned to oppose the granting of a wetlands permit for the expansion of the Interstate 95 Hampton Toll Plaza because the application lacked specific information regarding the drainage and treatment of highway runoff. Due to lack of information the Commission's ability to evaluate the true effects of this expansion on the wetlands adjacent to the highway. NHDOT has agreed to provide a drainage study and treatment plans which will be reviewed at the next Conservation Commission Meeting on June 23, 2009. Before the NHDES makes a final decision on this permit application, the Commission would like to review the additional information and provide a written update their position to the NHDES. Ms. Raymond seconded the motion. All were in favor.

Mrs. Goethel joined the meeting at 8:15. Mr. Loopley is now sitting in for Mr. Tilton.

- B. 65 Lafayette Rd.
John Karp - Brayton Energy

This dredge and fill application is for the demolition of existing building and construction of a 100' x 150' new building. After a discussion on this project, Mrs. Goethel motioned to oppose the granting of this wetlands permit because the applicant lacked formation regarding the placement of rain gardens, type of plants to be used, and detailed drawings on the potential alterations to the existing perimeter berm. The applicant has agreed to provide rain gardens plans and berm drawings which will be reviewed at the June 23, 2009 Conservation meeting. The Commission would like the opportunity to review this additional information and provide a written update on the Commission's position before NHDES makes a final decision on this application. The Commission also had concerns about the condition of the existing septic system and would like to see an inspection performed before any permits are granted. Ms. Raymond seconded the motion. All were in favor.

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SPECIAL PERMITS (Cont)

A. 35 Park Ave

Ms. Raymond seconded the motion. All were in favor. Mrs. Goethel motioned to incorporate all the changes to the Planning Board. Mr. Diener seconded the motion. With Mr. Loopley abstaining, all were in favor. Mr. Page signed the Plan.

B. 65 Lafayette Rd.

Brayton Energy - John Karp

Please see page 1. The special permit has been postponed until the June 23, 2009 meeting. The applicant has agreed to continue their application until that time in order to provide some additional information as listed below:

1. Indicate on the appropriate plans the location of the proposed rain gardens.
2. Provide a planting plan for the rain gardens indicating the types and quantity of plants that will be used.
3. Provide more information on how the perviousness of the non-pavement areas will be maintained.
4. Provide spot elevations for 61 Lafayette Rd (abutting property) in order to better understand the drainage between the two properties.
5. Provide a plan for any alterations that will be made to existing perimeter berm.
6. Commission would like to view any available information on the condition of the existing septic system.

C. 7 Gill St.

Angelina Marquis and Diane Gorman

This special permit is for replacement of an existing fence and extension of fence to rear boundary and the installation of a shed in the wetland buffer zone. After a brief discussion, Mrs. Goethel motioned to recommend the granting of the special permit for the fence only and opposing the shed. Ms. Renaud seconded the motion. All were in favor.

PLANNING BOARD REFERRALS

A. 160 Lafayette Rd

Tidewater Campground

Not discussed.

B. 501 Winnacunnet Rd

Condo construction.

The Planning Board asked the Commission to review the plan to construct a new two-unit building east of an existing two-unit building for a total of 4 units and eight parking spaces. The entire footprint of the project falls outside of the 50 ft. buffer zone. The only concern raised by the Commission was whether or not the NHDES Wetland Bureau has reviewed and approved the proposed filter berm which lies within the 100 ft. tidal buffer zone. The Commission would recommend that the applicant provide a copy of the written approval from NHDES, if it exists, otherwise a NHDES Wetland Bureau review should be requested. The Commission was appreciative of the opportunity to provide feedback and is more than willing to provide additional input if needed.

BOARD OF SELECTMEN REFERRALS

A. 595 Ocean Blvd
(Lupo's Restaurant)

This is concerning the Town's interest with regard to the Town Land which is currently used for restaurant parking. The Commission was asked by the Selectmen to evaluate the proposition of selling or leasing the portion of Town land which abuts Lupo's Restaurant. Ms. Richards read a letter from Stephen Blyth, 34 Barbour Rd., regarding the Town owned land. The Town land which is adjacent to and behind the restaurant has been used for customer parking by the current restaurant owner and previous owners. The Commission unanimously opposes the sale of any Town land that is located in the Wetland Conservation District. The land in question is within this jurisdictional area. The Commission requests visitation to the site to verify the presence and extent of potential state violations as well as the opportunity to discuss this site in more detail at the June 23rd Commission meeting.

APPOINTMENTS

A. Peter Green
88 Drakeside Rd

This is to discuss the tree removal and potential driveway alterations. A brief discussion ensued on the fill that was dumped in the driveway. Mrs. Goethel needs mediation for the trees that came down. A restoration plan is needed. The Commission advised that a current wetlands delineation is needed by a soil scientist before the Commission could determine what violations may have occurred.

PLANNING BOARD ACTIONS

A. 1044 Ocean Blvd.

Replacement of Rosa Rugosa bushes. Continue to June 3, 2009.

B. 120 Glade Path

Replace a 90' existing retaining wall and construct a dock that is 150' long, which includes a 118' pier, 24' long ramp and a 10' x 20' float. Continued to June 3, 2009.

C. 501 Winnacunnet Rd

Building on the parcel of land east of the exiting two-Unit building, totaling four units with eight parking spaces. Continued to June 3, 2009.

92 Ashworth Ave.

To construct a concrete block wall and restore a portion of tidal wetlands by removing an old dilapidated chain-linked fence. Continued to May 20, 2009.

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ZONING BOARD ACTIONS - DECISIONS

N/A

DES ACTIONS

N/A

OLD BUSINESS

A. A brief discussion on the large amounts of trash being dumped along the access road to the Trestle Bridge off of Rt 1/101 interchange. Ms. Richards will notify the DOT that the Commission would like to file a complaint about the Trestle Bridge.

CONSERVATION COORDINATOR UPDATE

Ms. Richards lead a discussion on tree cutting and whether the Commission should follow the new SPA guidelines for tree cutting, or the "50% rule."

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

Dr. Falk motioned to adjourn at 11:00 p.m., seconded by Mr. Diener. All were in favor.

Respectfully submitted,



Sue Launi
Secretary