

CONSERVATION COMMISSION PUBLIC HEARING
September 28, 2010

FINAL

The meeting was called to order at 7:00 p.m. by the Chairperson Jay Diener at the Hampton Town Office Meeting Room. Commission Members present were Nathan Page, Sharon Raymond, Barbara Renaud, Steve Scaturro and Peter Tilton. Commission Member Ellen Goethel was absent. Alternante Mark Loopley was present. Alternate Dr. Ralph Falk was absent. Keith Lessard was representing the Planning Board.

The Minutes of August 24, 2010 will be reviewed at the October 26, 2010 meeting.

The site walk was held Saturday, September 25, 2010 at 9:00 a.m. meeting at the Town Office Parking Lot.

- a. Butternut Hollow (140 Kings Highway #12)
- b. 30 Glade Path
- c. 19 Thornton St.
- d. 17 Vanderpool

NHDES APPLICATIONS

- A. Huckleberry Lane Salt Marsh
Dr. Gregg Moore - UNH Research Professor
Jeff Wilson

This NHDES Dredge & Fill Application is for a vegetation management plan for salt marsh adjacent to Huckleberry Lane (Audubon parcel). This two year management program is funded by USDA-NRCS and UNH involves the use of non-chemical cut and harvest methodology to discourage and/or eliminate the Phragmites at the site. After the presentation and discussion, Mr. Tilton motioned to not oppose the granting of the wetlands permit, seconded by Mr. Scaturro. All were in favor.

- B. 30 Glade Path
Dave Lefebvre
Alden Beauchemin, Nobis Engineering

This NHDES Dredge & Fill Application is for the installation of a riprap retaining wall along the rear property line abutting the salt marsh. After a brief discussion, Mr. Tilton motioned to not oppose the granting of the wetlands permit for the construction of the riprap wall. If DES goes grant this application, the following stipulations were requested by the Commission:

1. Require written consent from the adjoining condex owner to allow the installation of rip rap to extend across the entire rear property line.
2. The western edge of the riprap wall terminates at the property line.
3. None of the tasks needed to complete this project shall occur on property owned by the Town of Hampton (the salt marsh parcel along the rear property is owned by the Town).
4. The property line shall be staked and the applicant has agreed to add the tie distances from the house to the toe of the riprap wall to ensure that the riprap does not extend on to Town property.
5. All work materials shall be store on the road side of the condex units.
6. A planting plan shall be submitted to the Conservation Coordinator prior to installation.
7. The work shall occur during the low tides of the month.

Ms. Renaud seconded the motion, with Ms. Raymond opposed, the remainder of the Commissioners were in favor.

Mr. Scaturro left the meeting at 8:15 p.m.

SPECIAL PERMITS

- A. 19 Thornton St.
Marielle Riendeau
Ben Holmes - Rye Beach Landscaping

This special permit is for the reconstruction of the seawall. The applicant had received emergency approval to construct the wall in February 2010. The applicant submitted the required as-built plan. After a brief discussion, Ms. Renaud recommended the granting of this special permit with the usual stipulations. Mr. Loopley seconded the motion. All were in favor.

- B. 140 Kings Highway #12 (Butternut Hollow)
John Flemming
Ray Piet -Agent

This special permit is to replace an existing 6' x 10' shed, maintaining the same perimeter footprint. After a short discussion, Mr. Loopley motioned to recommend the granting of this special permit (per the plan signed and dated by the Chair) with the following stipulation and the usual stipulations:

1. The new shed must be at least 6" off the ground to allow water to follow underneath the shed.

Mr. Tilton seconded the motion. All were in favor. The plan was signed and dated by the Chair.

- C. 17 Vanderpool
Ginny & Robert Chatigny

This special permit (after-the-fact) is for the installation of the retaining wall, re-grading, installation of a sump pump, and a reconfiguration of the driveway footprint. The Commission realized that this property has frequent flooding and that the clear objective was to reduce the flooding. A lengthy discussion of the proposed plan and the effectiveness of the design ensued. Commission Members expressed a concern that the area must rely on a sump pump to expel the water. A concern about whether the proposed elevation changes would impact the two on-site drainage easements was also discussed. The Commission was unanimous in their position that without a professional designed plan based on a drainage analysis it could not be determined with confidence that the design would be effective and not cause additional flooding issues. Mr. Page motioned to continue the discussion to the October 26, 2010 meeting with the applicant's approval, seconded by Mr. Tilton. With Mr. Loopley abstaining, all were in favor.

Mr. Loopley left the meeting at 9:15 p.m.

- D. 30 Glade Path
David Lefebvre - Agent
Alden Bachman (Nobis Engineering)

After a brief discussion, Mr. Tilton motioned to recommend the granting of the special permit (per the plan signed and dated by the Chair) with the same stipulations as in the DES application. (Please see Page 1) Ms. Renaud seconded the motion. With Ms. Raymond opposed, the remaining Commissioners were in favor. The plan was then signed and dated by the Chair.

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SPECIAL PERMITS (Cont)

E. Huckleberry Lane Salt Marsh

Dr. Gregg Moore -UNH Research Professor
Jeff Wilson

This special permit is for the Vegetation Management Plan for salt marsh adjacent to Huckleberry Lane (Audubon parcel). The proposal involves the use of non-chemical cut and harvest methodology to discourage and/or eliminate the Phragmites at the site. This is a two year management program that is funded by USDA-NRCS and UNH. After a brief discussion, Ms. Renaud motioned to grant the special permit with the usual stipulations. Mr. Scaturro seconded the motion. All were in favor.

PLANNING BOARD REFERRALS

A. 285 Ocean Blvd.

Mrs. Mitchell's Country Shoppe

The Commission reviewed the Site Plan (dated 08-17-10) as requested by the Planning Board. The Commission does not have any issues or concerns regarding this site plan in relation to the Wetland Conservation District. However, the plan does not contain any setbacks with regards to the Highest Observable Tide Line (HOTL) which are used to determine if a NHDES wetlands or Shoreland Protection Act permit is required. The applicant needs to add the HOTL setbacks and, based on the project's location, obtain the necessary permits (if any) from NHDES. Mr. Page motioned that there is no issue on the site and is out of the Commission's jurisdiction. Mr. Tilton seconded. All were in favor.

APPOINTMENTS

A. Steve Slovanski

Mr. Slovanski addressed the Commission with his concerns about ATV traffic near White's Lane Conservation Land. The use of fire arms were also a concern from residents. Mr. Tilton responded that a lot of hunting is done on that property. As far as the ATV traffic, the residents should inform the police. ATVs are not allowed. Even though there is signage stating this, this area abuts many private parcels from which ATV access is possible.

PLANNING BOARD ACTIONS

A. 40 Tide Mill Road

Replace and expand existing sunroom, reduce back deck and remove side deck.
Approved with Conservation Commission stipulations.

B. 17 Vanderpool Drive

Install locking-block retaining wall and widen driveway. Continued to 10-06-10.

C. 21 Vrylenas Way

Construct deck. Approved with Conservation Commission stipulations.

D. 15 Munsey Drive

Lawn restoration. Approved with Conservation Commission stipulations.

E. 20 Great Boars Head Ave. Partially constructed stone retaining wall. Continued to 10-06-10.

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ZONING BOARD ACTIONS - DECISIONS

None

DES ACTIONS

None

OLD BUSINESS

- A. Creating an off-site mitigation fund. Mr. Tilton will take charge of this project and will report next month.
- B. Letter to new home owners that have 50' buffers on their property. This will be addressed at the October meeting.
- C. Potential conservation easement - grant funding. The project is not going forward.
- D. Potential financing for the Ice Pond Dam. The dam will probably need to be replaced. The bid will have to include an updated plan and develop design and do permitting. Dubois & King are the present Engineers on the project.

NEW BUSINESS

- A. Review meeting dates for November and December. November 23, 2010 and December 21, 2010 are the agreed dates for the meetings.

CONSERVATION COORDINATOR UPDATE

- A. 436 Winnacunnet Rd. wants to do a driveway going to Esker Rd. in the Spring.
- B. Town Special Permit changes to the Planning Board.
- C. Quickclaim Deed was accepted for High Street. Ms. Renaud motioned to accept the deed, seconded by Mr. Page. All in favor.

TREASURER'S REPORT

Ms. Renaud gave an update and has started a Historical Report.

The next meeting of the Conservation Commission Public Hearing will be held on Tuesday, October 26, 2010, meeting in the Town Office Meeting Room. The site walk will be announced and will start at the Town Office Parking Lot.

Mr. Page motioned to adjourn at 10:30 p.m., seconded by Mr. Tilton. All were in favor.

Respectfully submitted,



Sue Launi
Secretary