

CONSERVATION COMMISSION PUBLIC HEARING  
March 22, 2011

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 Ellen Goethel, Sharon Raymond, Barbara Renaud and Steve Scaturro. Commission Members Nathan Page and Peter Tilton were absent. Alternate Mark Loopley was absent. Alternate Diane Shaw was present. Rayann Dionne, Conservation Coordinator, was present. Mark Olson was present representing the Planning Board.

The Minutes of January 25, 2011 were reviewed and accepted with corrections noted.

The site walk was held on Saturday, March 19, 2011 at 9:00 a.m.

1. 569 Ocean Blvd.
2. 497 Winnacunnet Rd
3. 434 High St
4. Landing Rd Culvert

#### ELECTION OF OFFICERS

Mr. Diener took nominations for the following offices: Mrs. Goethel nominated Ms. Renaud for Treasurer. Mr. Scaturro seconded the motion. All were in favor. Mrs. Goethel nominated Mr. Diener for Chairman. Mr. Scaturro seconded the motion. All were in favor. Mr. Diener nominated Mrs. Goethel for Vice Chairman. Mr. Scaturro seconded the motion. All were in favor.

#### APPOINTMENT

Julie-Ann Baumer, from the Victory Garden, addressed the Commission. There are 35 plots spoken for and there is a waiting list. The plots are \$20.00 each. Ms. Baumer mentioned that the fence is broken and needs repair. All donations needs to be filtered through the Board of Selectmen. Mrs. Goethel informed her that depending on how much the project costs it may have to go out for bid. The Commission also discussed the amount of funds that can be carried over and/or held in the Victory Garden account. The Conservation Coordinator will ask the Finance Department about the allowable amount.

#### NHDES APPLICATIONS

- A. 569 Ocean Blvd  
D & J Realty Trust  
West Environmental, Agent

This Standard Dredge and Fill Application is to rebuild a house that was destroyed by a fire with the same amount of impervious surface. After a discussion, Mrs. Goethel motioned to send a letter to DES recommending the granting of the wetlands permit. If DES does grant this application the Commission requests the inclusion of the following stipulations:

1. A row of native plantings, such as Rosa rugosa, between the western edge of the parking area and the 50 ft. buffer. These plantings will help to delineate the parking spot and prevent the expansion of Parking into the 50 ft. buffer.
2. The Conservation Commission is to be notified at the beginning and end of the project.

Ms. Raymond seconded the motion. All were in favor.

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SPECIAL PERMITS

- A. 434 High St  
RCC Choice Properties, LLC  
Jones & Beach, Agent

This special permit for the removal of two existing buildings and construction of 10 single family condominium units with a private roadway. Peter Ross, RCC Choice Properties and Joe Coronati of Jones and Beach addressed the Commission. After discussion, the Conservation Commission noted that the proposed development is very dense and relies entirely on porous pavement and rain gardens to treat all site generated storm water and runoff. The Commission is in favor of porous pavement under the appropriate conditions. However, following the review of the groundwater depths, it appears that there is insufficient separation from seasonal high groundwater to guarantee the pavement's imperviousness year round. After a discussion, Mrs. Goethel motioned to recommend the granting of this Town Special Permit with the following stipulations and the usual stipulations:

1. The applicant agreed to store snow outside of the 50 ft. buffer. Snow storage shall not damage or be placed on top of the rain gardens. The Commission suggests that the rain gardens be moved back from the driveway to best ensure that they are not covered with stored snow. The applicant has agreed to not use the fire truck turn-around for snow storage.
2. 50 ft wetland buffer markers shall be placed along the eastern tree line between the proposed roadway and wetland. Additional wetland buffer markers shall be placed at the buffer edge behind proposed units 7, 8, 9 and 10.
3. The 50 ft buffer shall remain in a naturally vegetated state meaning no application of fertilizers and no mowing. Any portion of the buffer that will be impacted by construction activities must be replanted and allowed to return to its naturally vegetated state.
4. The applicant agreed to make a change to note #12 on Plan C-2 to re-calculation of the proposed impervious and pervious surfaces.
5. The applicant agreed to revise the existing sealed surface calculation to exclude the gravel driveway which is considered to be pervious.
6. The Commission would like to see the following items addressed in the Condominium Documents:
  - A. A maintenance plan for the porous pavement which requires that the annual inspection report be submitted to the Planning Department and Commission.
  - B. The 50 ft buffer markers shall not be removed or tampered with.
  - C. The 50 ft buffer shall remain in a naturally vegetated state.
  - D. No grass clippings shall be disposed of in the 50 ft buffer.

Ms. Renaud seconded the motion. With Mr. Scaturro voting "no", all were in favor.

Mrs. Goethel motioned to have the Chairman sign the demolition permit. Ms. Renaud seconded the motion. All were in favor.

**PLANNING BOARD REFERRALS**

- A. 497 Winnacunnet Rd  
Douglas Bennett  
Mike Yeager, AME Engineering

This referral is for the installation of a retaining wall and patio - revised plans. The Commission met with the above applicant to discuss the revised plan for the construction of a dry block retaining wall and concrete slab that will extend from the retaining wall 2 ft past the first row of sonotubes. Ms. Raymond motioned to recommend the granting of this Special Permit for the construction of the retaining wall and concrete slab (per the plan signed and dated by the Chair) with the following stipulations and the usual stipulations:

1. The elevations outside of the retaining wall construction envelope will remain unaltered. No fill will be added to the wetland side of the retaining wall and no alterations to the current slopes around the building foundation.
2. No new or off-site material shall be used to back fill the retaining wall.
3. All storm water must discharge and be treated within the boundaries of the property.
4. A planting plan for the toe of the retaining wall must be submitted and approved by the Conservation Coordinator prior to installation.
5. The applicant agreed to remove the asphalt slab located underneath the deck and adjacent to the basement door.
6. Any crushed stone placed underneath the deck shall allow for sufficient infiltration. Stone dust is not acceptable.

Mrs. Goethel seconded the motion. This vote was unanimous.

**PLANNING BOARD ACTIONS**

- A. 72 Island Path  
Removal of one story dwelling and construction of new building addition with deck. Construction of new pervious walk and driveway. Approved with Conservation Commission stipulations.
- B. 497 Winnacunnet Rd.  
Construction of a 4 ft retaining wall to support 2 story deck system. Continued to April 6, 2011.

**ZONING BOARD ACTIONS - DECISIONS**

- A. 434 High St.  
Remove existing 2 dwellings and construct 10 individual single family dwellings with the land to be in condominium ownership. Approved but subject to Conservation Commission approval.

**DES ACTIONS**

None

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### OLD BUSINESS

- A. Review the draft Conservation Commission rules and procedures document. The Commission was unanimous with the rules and procedures.
- B. Board of Selectmen's Code of Ethics. It was unanimous to send a letter to the Board of Selectmen letting them know that the Commissioners have been following this all along.

### NEW BUSINESS

- A. Additional invasive species control at Drakeside and Landing roads. There is still some funding available. The Commission will ask what the percent matching fund would be and to also speak to the Town Manager about this.
- B. Ice Pond Dam - project development. Ms. Raymond suggested hiring an Engineer to assess the dam.
- C. Landing Road culvert retainage.  
Repair work needs to be done. Mrs. Goethel motioned to contact NRCS, seconded by Mr. Scaturro. All were in favor.
- D. Mr. Diener mentioned that Jones & Beach are surveying Great Meadow. Mrs. Goethel stated that the Town Manager should know about this.
- E. On Sunday, April 3, 2011, in the late morning, mapping the trails will take place.

### CONSERVATION COORDINATOR UPDATE

Ms. Dionne reported that five new property owners received letters about the 50 ft wetlands and six Expiration notices were sent.

### TREASURER'S REPORT

Ms. Renaud gave a year end report.

Mrs. Goethel motioned to give Mr. Diener the permission to write a letter requesting to the Seabrook Power Plant requesting permission to use money originally designated for Huckleberry Lane and Island Path on the Ice Pond Dam Project Ms. Raymond seconded the motion. All in favor.

The next meeting of the Conservation Commission Public Hearing will be held on Tuesday, April 26, 2011, meeting in the Town Office Meeting Room. The site walk will be announced and will start at the Town Office Parking Lot.

Mrs. Goethel motioned to adjourn at 9:30 p.m., seconded by Ms. Raymond. All were in favor.

Respectfully submitted,

Sue Launi