

HAMPTON CONSERVATION COMMISSION PUBLIC HEARING

MINUTES

July 23, 2013

PRESENT: Peter Tilton Jr., Vice-Chair  
Barbara Renaud  
Sharon Raymond  
Diane Shaw, alternate  
Rayann Dionne, Conservation Commission Coordinator

**CALL TO ORDER:**

The meeting was called to order at 7:15 p.m. by the Vice Chairman, Peter Tilton, at the Hampton Town Office Meeting Room.

**CONSIDERATION OF MINUTES**

MOTION by Ms. Renaud to approve the June 25, 2013 minutes with edits provided. Ms. Renaud has been very pleased with the minutes and feels that they are a great resource.

SECOND by Ms. Raymond

VOTE: 4-0-0

**APPOINTMENTS**

**APPLICATIONS**

A. Cusack Rd - Culverts

Applicant: Town of Hampton – DPW, Ryan Flynn

Application Type: NHDES Dredge and Fill

This project is for the replacement of three existing corrugated metal culverts and the clean out of an existing swale on the north side of Cusack Rd. Early this spring, Cusack Rd began experiencing excessive flooding at the end closest to Ocean Blvd that was attributed to culvert failure. There are three corrugated metal culverts, dual 18” and a single 18”, in this section of the roadway. Approximately 100 ft separate the dual and single culverts. DPW was given emergency authorization from NHDES Wetland Bureau to replace each of these culverts in-kind. The new culverts are 18” but instead of metal are HDPE plastic. A by-pass pump was used to divert the water around the culverts during replacement. They also used large concrete blocks to create headwalls which were not part of the original design but necessary. Ms. Renaud asked if the swale on the north side of the road is large enough. Mr. Flynn commented that they had to work with what was there, but the clean out was needed. Ms. Raymond commented that the NHDES application lacked an engineered plan and only had a sketch of the work area and associated photos. Mr. Tilton commented that based on the photographs it appears that these culverts pass underneath the existing sewer line. Mr. Flynn responded that it does and that the sewer pipe is actually supported by pilings in this section of the roadway. Ms. Raymond asked whether the sewer pipes were encased in concrete at the intersections with the culvert to prevent potential leakage into the drain. Mr. Flynn was not certain since he was not present during the site work, but he did believe that the sewer pipes had thick plastic sleeves at the cross points. Ms. Raymond pointed out that it is common practice to install concrete encasements at these types of intersections and the lack of one could result in a future issue. Mrs. Dionne said that she

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would follow-up with Chris Jacobs to understand what material was used at the intersections and the rationale.

NO PUBLIC COMMENT

MOTION by Ms. Renaud to not oppose the NHDES Standard Dredge and Fill application for the replacement of 3 existing corrugated metal culverts and the clean out of an existing swale on the north side of Cusack Rd. A note will be added to the letter indicating that the culverts pass underneath the sewer pipe as it is not obvious in the sketch provided. The Commission also requested that the Conservation Coordinator get further clarification from DPW as to whether a sleeve or concrete encasement was installed.

SECOND by Ms. Shaw

VOTE: 4-0-0

B. 40 Tide Mill Rd

Applicant: Michael Zuba

Application Type: Special Permit

This application is for after-the-fact permission to retain a 12'x18' crushed stone patio and an 8'x 8' shed that was installed without a Special permit. Mrs. Dionne explained that these violations were identified during the final site visit for a 2010 Special permit which was only granted for the removal of a side deck/landing and the reduction of a rear deck to off-set the enlargement of the existing 3-season room. The Commission shared their displeasure with repeat violations on a property where the owner is well aware of the limitations and appropriate procedure to follow if additional work is proposed in the buffer. This same property and owner had a violation in 2007 for adding fill and re-grading the buffer without a Special permit and restoration of this area was required.

Mr. Zuba explained that the patio contains approximately 2" of 3/8" crushed stone that was placed on top of the existing soils. There was a lengthy discussion about the installation of a permeable patio area. At first, permeable pavers were discussed however the property owner did not seem in favor of installing a 12-18" stone base which is required to make the patio permeable. Therefore, the discussion shifted toward grass grid paver systems which can be installed with minimal effort once the current patio material is removed. Ms. Raymond looked up a few different styles of grass grid systems to show the applicant who was unfamiliar with the product. The property owner was also encouraged to visit the Great Bay Discover Center in Greenland which has installed the grass grid system in a handicapped accessible walkway. The property owner seemed amendable to the installation of a grass grid system. Mrs. Dionne also volunteered to look up additional information for the property owners on examples of grass grid systems.

The Commission then turned their focus to the location of shed. Currently the shed is located on the northwest side of the house between the 3-season room and the end of the house. The shed is

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too close to the home and does not meet fire code. The property owners have proposed an alternative location that would be on the wetland edge. None of the Commission members supported this new location. Mr. Tilton asked about whether the house has gutters and about the installation of a rain garden. The property owner was not familiar with rain gardens but was open to the idea. The location and size of the rain garden was discussed. Mrs. Dionne commented that she could supply the property owners with some installation guidelines. The Commission supported the idea of a rain garden that was at least 128 sq. ft. (double the size of the shed) and located where the shed is currently and the shed would be relocated to the west end of the house. The exact placement of the shed must meet building code requirements and maximize its distance from the wetland edge.

Mr. Zuba asked if the proposed plantings as shown on the current plan were acceptable. None of the Commission members had any objections to the additional plantings.

NO PUBLIC COMMENT

MOTION by Ms. Renaud to grant the Special Permit at 40 Tide Mill Rd for the after-the-fact installation of a patio and shed subject to the following conditions and the usual stipulations:

1. All of the installed patio stone and sand shall be removed and disposed of outside of the 50' buffer. The area will either be re-loamed and seeded or, if the property owner chooses, a grass grid system may be installed. The property owner must present the grass grid system manufacturer's specifications and installation procedure to the Conservation Coordinator for approval prior to installation.
2. The 8'x8' shed shall be relocated to the west side of the house. The placement of the shed must meet the building code requirements while maximizing its distance from the wetland edge.
3. A rain garden shall be installed between the 3-season room and west rear corner of the house. The garden shall be a minimum of 128 sq. ft. The rain garden design and planting plan shall be provided to the Conservation Coordinator for approval before installation.
4. The Conservation Coordinator will provide the property owner with some examples of grass grid materials and guidelines for designing and installing a rain garden.
5. There shall be **no** additional unpermitted impermeable surfaces on this property. The penalty for any future violation shall be the removal of all of the violating surfaces and the 8'x8' shed. Please note that relocation of the shed to different location than currently recommended qualifies as a violation.
6. The property owner shall schedule a final inspection with the Conservation Coordinator following completion of the work on the patio, relocation of the shed, and installation of the rain garden.
7. The plantings shown on the current plan are acceptable.

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SECOND by Ms. Shaw

VOTE: 4-0-0

C. 133 North Shore Rd

Applicant: Nicholas and Cornelia Bolton

Agent: Henry Boyd of Millennium Engineering

Application Type: Special Permit

Neither the property owner nor the agent was present to discuss this application. The Commission briefly discussed the origin of the project which was the subdivision of 152 North Shore Rd. During the subdivision approval, the property owners received a conditional variance from the Zoning Board to allow the construction of a single family residence within 25ft of the wetland buffer subject to the approval of all Boards concerned. It is through the Special Permit process that the setbacks from the wetlands can be discussed and concerns addressed. The Commission would prefer that the Planning Board postpone their review of this application until the Commission has had an opportunity to meet with the applicant and thoroughly review the project.

NO PUBLIC COMMENT

MOTION by Ms. Renaud to recommend the denial of this Special Permit unless the applicant agrees to attend the Conservation Commission meeting on August 27, 2013 to discuss this plan in detail. This will give the Conservation Commission an opportunity to provide input and a recommendation regarding the issuance of the Special Permit to the Planning Board prior to their discussion.

SECOND by Ms. Raymond

VOTE: 4-0-0

**OLD BUSINESS**

Hurd Farm Signage

There was no new information to discuss on the project.

**NEW BUSINESS**

A. Temporary Secretary

Mrs. Dionne shared that while she is out on maternity leave a temporary secretary will be needed. She was not sure if anyone on the Commission would be interested in doing this task while she was out. There were no volunteers. Mrs. Dionne said that she would check with other Board secretaries to see if anyone is interested before trying to find someone outside of the Town Hall. Ms. Raymond recommended checking with Jamie Bradley to see if she knows of anyone who might be interested that is a recent graduate. Mrs. Dionne also commented that depending

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on how the part-time employee weekly hours are defined, there is a chance that she will not be able to do the minutes in 2014. The person who is selected for the temporary position has the potential to become the permanent secretary.

**CONSERVATION COORDINATOR AND CHAIRMAN UPDATE**

**Phragmite Cutting along Landing and Drakeside Roads**

Mrs. Dionne shared an update from Tracy Degan of the Rockingham County Conservation District about this year's phragmite control. She did not have a cost estimate yet for the herbicide treatment but should have one soon. She did comment that the Special Permit needed to do the application needs to be submitted soon. Mrs. Dionne asked the Commission if they would be comfortable authorizing Mrs. Degan to proceed with securing the permit and the estimate for the phragmite treatment. This will be reviewed and decided upon at the August meeting. The Commission agreed.

MOTION by Ms. Renaud to move forward with securing the Special Permit for the herbicide treatment of phragmites along Landing and Drakeside Roads

SECOND by Ms. Shaw

VOTE: 4-0-0

**TREASURER'S REPORT**

Ms. Renaud shared a financial spreadsheet with the Commission. Mrs. Dionne asked if the remaining land acquisition monies should be placed back into a CD. It was decided that right now CDs are not earning much interest and if there are any opportunities to acquire land the money should be readily available.

MOTION to Adjourn by Ms. Renaud at 8:40

SECOND by Ms. Shaw

VOTE: 4-0-0