

HAMPTON CONSERVATION COMMISSION PUBLIC HEARING
MAY 26, 2015
MINUTES

PRESENT:

Jay Diener, Chair
Peter Tilton, Vice Chair
Barbara Renaud, Clerk
Diane Shaw
Sharon Raymond
Pat Swank, Alternate
Nathan Page, Alternate (Joined the meeting at 8:30 p.m.)

Also Present: Rayann Dionne, Conservation Coordinator
Mary-Louise Woolsey - Selectmen Representative
Keith Lessard, Planning Board Representative

I. CALL TO ORDER:

The meeting was called to order at 7:00 p.m. by Chairman Jay Diener, at the Town Hall Selectmen's Meeting Room.

II. REVIEW OF MINUTES:

MOTION: It was moved by Ms. Renaud to approve the April 28, 2015 Minutes with edits provided.

SECOND: Mr. Tilton

VOTE: 4 in favor, 2 abstain (Ms. Raymond and Ms. Swank) **MOTION PASSED**

Appointment – Taken out of order.

Charlie Gasperoni, Eagle Scout Project. Mr. Gasperoni appeared before the Commission to explain his Eagle Scout project, requesting support from the Commission prior to appearing before the Board of Selectmen. He asked for input as to location of the proposed Kiosk at the Town Forest. He provided a pamphlet which showed models of Kiosks at various locations including Newburyport and Topsfield. He stated that a lot of people do not know anything about the Town Forest and he would like to provide that information, adding signage where needed. He stated this project would encourage better appreciation of the environment and the Town Forest.

He said there is a lot of information that can go on the Kiosk as well as additional appropriate signage. He stated that if the Kiosk goes near the gate at White's Lane there will be less chance of vandalism and there may be heavier traffic. A trail map would be shown for all three trails, and he would add new signs which may be put at the intersection of White's and Jonty's Lane. He also noted that some brush would have to be cut to reestablish the pathway at Warren's Trail.

On question of Mr. Diener, Mr. Gasperoni said that he would handle the fund raising after he gets approvals which should be within the next six weeks. He is proposing later summer or early fall for the project to be completed. He also said he would consider two smaller Kiosks similar to the one in Topsfield. The one Kiosk near the gate at White's Lane appeared to be the preference of the Commission, with perhaps a second one at Jonty's Lane. The Commission also favored the vertical trail markers with "do" and "don't" reminders. There was discussion about providing dog waste bags, but it may be difficult for the DPW to remove those bags on a regular basis. Carry in/carry out signs were suggested. Also, signage regarding dogs being leashed.

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Mr. Tilton cautioned Mr. Gasperoni to make sure the signs are on Town Property, and Ms. Dionne said she would walk the area with him before the signs go up.

The Commission was impressed with Mr. Gasperoni's well-presented plan and offered their assistance. Mr. Diener suggested that when Mr. Gasperoni goes before the Board of Selectmen, he should let them know he is working with the Conservation Coordinator on the details.

III. APPLICATIONS

1. 465 Winnacunnet Rd. Owner - Unutil. Agent – Tom Murphy of Unutil.

Install three voltage regulators in-line with the 3346 Line, which supplies the Winnacunnet Rd tap. This is a NHDES Expedited Wetland Permit and Town Wetlands Permit.

Mr. Murphy stated that Unutil is proposing to install 3 voltage regulators along the 3346 transmission line. Three utility poles will need to be installed plus the installation of some underground conduit. The work will be in the buffer and not in the wetland. Further, to save on space, rather than going to a substation, they would like to take advantage of the right of way. He noted that voltage drops off around the residential area in the summer and the easiest way to increase the voltage is to install the additional equipment. This proposal has the least impact and is less of a safety issue. Mr. Murphy said that the area will be restored to what is now there and voltage regulators will be up off the ground. There will be erosion control along the buffer to minimize sediment erosion. He noted the area is now lawn, and it is possible to restore back to lawn.

Commission discussion: Mr. Tilton said he agreed with the proposal as viewed at the site walk. Ms. Renaud and Mr. Lessard spoke of the knot weed, and Mr. Murphy said that could be cleaned up on a year-to-year basis. Ms. Swank asked about the restoration of the site, and Mr. Murphy said it will be cleaned up.

PUBLIC COMMENT: No Public Comment

MOTION: It was moved by Mr. Tilton to authorize the Chair to sign and date the NHDES Expedited Wetland Permit for the Unutil installation of three voltage regulators and underground conduit in line with the 3346 line which supplies the Winnacunnet Rd tap as shown on the plan dated April 2014.

SECOND: Ms. Raymond

VOTE: 5 in Favor 0 Opposed, 1 Abstain (Mr. Diener)

MOTION PASSED

MOTION: It was moved by Mr. Tilton to recommend the Planning Board grant the Town Wetlands Permit for the Unutil installation of three voltage regulators and underground conduit in line with the 3346 line which supplies the Winnacunnet Rd tap as shown on the plan dated April 2015, with the following stipulations:

- **Proper erosion control will be in place before construction begins and remain in place until the area is stabilized and removed after construction is complete. Silt fence and hay bales (salt hay bales for tidal areas);**
- **The buffer should remain undisturbed to the degree possible in the process of construction and elevations not be changed. No additional fill is allowed. No change in elevation is allowed;**
- **There are to be no additional structures such as sheds, swimming pools, gazebos, patios or other sealed surface, etc. in the buffer, other than that shown on the approved plan. A new Special Permit is required for the erection of any additional structure(s) in the buffer;**
- **The Conservation Commission shall be notified in writing upon commencement and completion of the project and before an occupancy permit is issued. Schedule a final inspection with the Conservation Coordinator upon completion of the project;**

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- **This permit will expire two years from the date that it is granted by the Planning Board. Refer to Hampton Zoning Ordinance, Section 2.3.5 for information on permit extensions.**

SECOND: Ms. Shaw

VOTE: 5 In Favor, 0 Opposed, 1 Abstain (Mr. Diener)

2. 52 Mooring Drive. Owners - Marissa McGrath and Katherine Crafts. Agent – John Difeo, DBA Difeo Construction. Construct a 10' x 23' deck with permeable Flow Thru decking, reduce parking area by 228 sq. ft., convert the driveway area from gravel to crushed ¾" stone, install stone perimeter drip edge, and replace existing retaining wall with a block wall. This is a NHDES Standard Dredge and Fill application and Town Wetlands Permit.

Mr. Difeo was present to speak for the owners. He stated that the project is a 10' x 23' deck to the rear of the home. The owners would also like to update the driveway as it is lower than the neighbor's and water runs off onto the street. They would like to install gravel for better draining. The driveway goes back to the shed and they would like to stop the drive where the stairs are located and add a landscape line, which would give back the last 20 feet for soil and grass. This also gives back 1/3rd of the driveway to permeable grass. It is planned to use river stone for better rainwater drainage while adding Rosa Rugosa and other hearty plants. The block wall would be installed which will hold the rear yard and protect the marsh as well as their property. On the plan presented this evening, it shows the existing conditions and permeable impact.

Commission discussion.

Ms. Swank asked if a barrier be put up so people will not go beyond the end of the proposed driveway by the stairs, and would it be a distinguishing stopping place with landscaping and edging with grass. She also asked if native grasses will be planted. Mr. Difeo said he would discuss the grasses, etc. with Ms. Dionne.

Ms. Dionne said that the decking proposed is flow-through and does allow vegetation to grow underneath. She recommended planting a low-growing ground cover. Mr. Difeo said that the owner would like composite decking with river stone under the deck; however, they are willing to make changes that are being discussed.

Ms. Raymond said she has a problem with the block wall in the back, as a wall would be obstructing the flow of the water. She does not want to see a condition on-site that would trap water on the property and increase the likelihood of flooding.

Mr. Lessard commented that the deck does not look comfortable to walk on and has mixed opinions on how to make it safe for a family. He agrees that more of a rip-rap rather than a cement wall would allow more water to flow through.

Ms. Renaud said there are two options on the table, a traditional composite or flow-through deck. Mr. Difeo said that the homeowner would prefer traditional, but will trade off vs not having a deck at all. She also stated that flow-through is now being recommended near the marshes and she would like to see this used. Ms. Dionne noted that flow-through is recognized by NHDES as permeable and would not have an impact.

Mr. Tilton stated that they should use rip-rap with a series of good size stone with space. Mr. Difeo said that the existing stockade fence goes to the ground and there is no flow. Further, the owners wish to look at the marsh which would mean a low profile.

Mr. Diener questioned why they would want anything to impair water flow to marsh, and Mr. Difeo said the owners would like something so the soil and grass will not wash away and things would not flow in from the marsh.

Mr. Tilton said he is 100% behind a flow through deck and further suggested that at the end of the driveway, install a bollard which could be moved if necessary.

PUBLIC COMMENT. There was no public comment.

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Mr. Diener said there are three basic issues, one is what to do to prevent people from extending depth of the parking area; the material of the deck; and what goes between the property and the marsh. He likes the idea of a ballard at the back end of the driveway and questions if any type of a wall is needed between the property and marsh. He said plantings would be a solution. Mr. Difeo said he would discuss this with the homeowner.

Mr. Diener stated the Commission can make recommendations this evening with specifications to be followed, or Mr. Difeo could consult with the owners and come back to the Commission with specifics. Mr. Difeo stated he could make the decision and will continue with the Commission's recommendations this evening.

MOTION: It was moved by Ms. Renaud not to oppose the NHDES Standard Dredge and Fill application for the property located at 52 Mooring Drive, to construct a 10' x 23' deck with permeable flow-thru decking, reduce parking area by 228 sq. ft., convert the driveway area from gravel to crushed ¾" stone, install stone perimeter drip edge, and replace existing retaining wall with a block wall with the following stipulations:

- Installation of a barrier along the rear property boundary such as a split rail fence or plantings that allows water to flow through. The Conservation Commission does not support the installation of a block retaining wall because it will impede stormwater flow.
- Installation of a semi-permanent parking barrier, such as a bollard, at the end of the driveway to better delineated the edge of parking and deter cars from parking closer to the salt marsh.
- The Conservation Commission supports the use the FlowThru decking with the planting of a grass or low growing ground cover underneath.
- The Conservation Commission be notified at the beginning and end of the project.

SECOND: Ms. Shaw

VOTE: 5 in Favor, 0 Opposed, 1 Abstain (Mr. Diener) **MOTION PASSED**

MOTION: It was moved by Ms. Renaud to recommend the Planning Board grant the Town Wetlands Permit for the property located at 52 Mooring Drive, to construct a 10' x 23' deck with permeable flow-thru decking, reduce parking area by 228 sq. ft., convert the driveway area from gravel to crushed ¾" stone, install stone perimeter drip edge, and replace existing retaining wall with a block wall based on the plan of 4-30-15 signed and dated by the Chair, with the following stipulations:

- Installation of a barrier along the rear property boundary such as a split rail fence or plantings that allows water to flow through. The Conservation Commission does not support the installation of a block retaining wall because it will impede stormwater flow.
- Installation of a semi-permanent parking barrier, such as a bollard, at the end of the driveway to better delineated the edge of parking and deter cars from parking closer to the salt marsh.
- The Conservation Commission supports the use the FlowThru decking with the planting of a grass or low growing ground cover underneath.
- Use of Wetlands Conservation District markers at the wetland buffer edge and located on either side of the house. Wetland markers can be purchased at the Hampton Planning Office.
- Permeable surface driveway.
- Any deck must be open above and below allowing for vegetation to grow beneath.
- Lawn care must follow the guidelines set forth in the NHDES Shoreland Protection Act (Env-Wq 1400). No storage of grass clippings or yard waste in the wetland or its buffer.
- All proposed plantings shall have at least 75% success after two (2) growing seasons. Any plants

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- that do not survive shall be replanted or replaced with another suitable plant species.
- Proper erosion control will be in place before construction begins and remain in place until the area is stabilized and removed after construction is complete. Silt fence and hay bales (salt hay bales for tidal areas).
 - The buffer should remain undisturbed to the degree possible in the process of construction and elevations not be changed. No additional fill is allowed. No change in elevation is allowed.
 - There are to be no additional structures such as sheds, swimming pools, gazebos, patios or other sealed surface, etc. in the buffer, other than that shown on the approved plan. A new Wetlands Permit is required for the erection of any additional structure(s) in the buffer.
 - The Conservation Commission shall be notified in writing upon commencement and completion of the project. A final inspection shall also be scheduled with the Conservation Coordinator upon completion of the project.
 - This permit will expire two years from the date that it is granted by the Planning Board. Refer to Hampton Zoning Ordinance Section 2.3.5 for information on permit extensions.

SECOND: Ms. Shaw

VOTE: 5 in Favor, 0 Opposed, 1 Abstain (Mr. Denier) MOTION PASSED

3. **4 Ocean Drive.** Owner - 4 Ocean Drive, LLC. Agent – Gove Environmental.
Redevelopment of the site by tearing down the existing single family home and construction of new residence. This is a NHDES Standard Dredge and Fill application and a Town Wetlands Permit. This is a continued discussion from April 28, 2015.

Mr. Gendron, of Edward N. Herbert Associates, James Gove, Gove Environmental, and the Mr. Faro, Owner, were present.

Mr Gendron thanked the Commission for allowing them to come back this evening. He noted that he had met with Ms. Dionne and Mr. Diener to talk about the rear deck off the back of the property being pulled out of the 50 foot buffer. This is one of the changes made in the revised plan presented this evening. It has been pulled back 10 sf and there is now 10 sf of deck for storage use. The front deck will now have sand and plantings under a section of it, and permeable pavers under the rest. The former screened area has been abandoned. ½ inch stone will be used to take care of the storm water.

Further, the driveway has been downsized, the roof drains are guttered, and all water will infiltrate into the ground via 4 dry wells. A 2 foot stone drip edge has been added which will help. They have attempted to create a zero run off. The deck is different in that it has been reduced in size and the stairs are mostly outside the 50' buffer.

Commission Discussion:

Mr. Diener thanked the applicant for reworking the plan. He noted that looking at the rear elevation, it does not appear that the height of the arches was increased as had been previously discussed. Mr. Gendron said that Mr. Faro would like the arches higher by another foot, which will be done. Mr. Faro stated that this could be part of the specifications.

Mr. Lessard noted this is a nice project. Ms. Raymond questioned if there were grade alterations and Mr. Gendron said the grade is between 18 and 16 which is above flood elevation, and is not intended to change. Mr. Page noted he was glad to see a decrease in impervious coverage.

PUBLIC COMMENT: No public comment.

MOTION: It was moved by Mr. Tilton not to oppose the NHDES Standard Dredge and Fill application for the property located at 4 Ocean Drive for redevelopment of the site by tearing down the existing single family home and construction of a new residence with the following stipulations:

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Notification at beginning and end of the project; and, the property owner has agreed to raise the north side ground floor arches by at least 12”.

SECOND: Ms. Raymond

VOTE: 5 in Favor, 0 Opposed, 2 Abstain (Mr. Page and Mr. Diener)

MOTION PASSED

MOTION: It was moved by Mr. Tilton to recommend the Planning Board grant the Town Wetlands permit for the property located at 4 Ocean Drive for redevelopment of the site by tearing down the existing single family home and construction of a new residence with the following stipulations:

- The property owner has agreed to raise the north side ground floor arches by at least 12”.
- Use of Wetlands Conservation District markers at the wetland buffer edge on the sides of the structure at the locations indicated on the signed plan. Wetland markers can be purchased at the Hampton Planning Office.
- Permeable surface driveway.
- The ocean side deck must remain open above and below.
- Lawn care must follow the guidelines set forth in the NHDES Shoreland Protection Act (Env-Wq 1400). No storage of grass clippings or yard waste in the wetland or its buffer.
- Removal of trees that are not dead, diseased, or unsafe must be performed in compliance with the NHDES Shoreland Protection Act Section Env-Wq 1403.05
- All proposed plantings shall have at least 75% success after two (2) growing seasons. Any plants that do not survive shall be replanted or replaced with another suitable plant species.
- Proper erosion control will be in place before construction begins and remain in place until the area is stabilized and removed after construction is complete. Silt fence and hay bales (salt hay bales for tidal areas).
- The buffer should remain undisturbed to the degree possible in the process of construction and elevations not be changed. No additional fill is allowed. No change in elevation is allowed.
- There are to be no additional structures such as sheds, swimming pools, gazeboes, patios or other sealed surface, etc. in the buffer, other than that shown on the approved plan. A new Wetlands Permit is required for the erection of any additional structure(s) in the buffer.
- The Conservation Commission shall be notified in writing upon commencement and completion of the project. A final inspection shall also be scheduled with the Conservation Coordinator upon completion of the project.
- The Conservation Coordinator shall not sign the Occupancy Permit until all of the Wetlands Permit conditions have been met.
- An As-Built Plan including grades/elevations shall be submitted following project completion and then a final inspection shall be scheduled with the Conservation Coordinator.
- This permit will expire two years from the date that it is granted by the Planning Board. Refer to Hampton Zoning Ordinance Section 2.3.5 for information on permit extensions.

SECOND: Ms. Raymond

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VOTE: 5 in Favor, 0 Opposed, 2 Abstain (Mr. Page and Mr. Denier)

MOTION PASSED

4. **28 Hobson Ave.** Owner - Mark Carnevale. Agent – Henry Boyd of Millennium Engineering, Inc. Lift the existing dwelling and reconstruct the foundation using the same footprint. This is a Town Wetlands Permit and NHDES Standard Dredge and Fill Permit.

Mr. Boyd stated that the existing dwelling is going to be raised to put in a new foundation. He spoke of the lots being so small and overbuilt that it was necessary to secure the neighbors permission to allow a small excavator to get to the back of the property. Further, there is little room to work but the house will be lifted, excavated underneath, and a suitable footing will be put in then the foundation will be put down. The floor will be raised by about a foot above the base flood elevation. There will be adequate flood venting which will help meet the new flood insurance requirements and will make sure the structure does not collapse. He said there will be no new grading and the house will look the same as it does now.

Mr. Boyd stated that the DES application has been submitted.

Commission Discussion:

Mr. Diener suggested the owner speak with his insurance agent to see if rates would go down if the floor is raised a foot.

Ms. Dionne stated that on the site walk she noted the exceptional amount of sealed surface and questioned whether when that portion of the sealed surface is cut, could it be replaced with stone.

Mr. Boyd said he would make recommendations and add to the plan before going before the Planning Board

Ms. Raymond asked whether the deck will remain at the same height, and Mr. Boyd said perhaps two steps would have to be added to go up to the deck.

Mr. Lessard stated he cannot find the percent of sealed surface on the plan. Mr. Boyd said that the area is calculated within the 50', and he will add a note so show the values. He also asked what will be in the bubble on the plan, and Mr. Boyd said both post development and pre development.

Ms. Renaud said she wants to be sure the current amount and the proposed amount of sealed surface is indicated so the Commission will know how much was pulled out.

Mr. Tilton requested a 2 foot stone drip edge be around the perimeter of the building.

Lastly, Mr. Boyd said he is not sure if the contractor is removing the deck or not; and, the foundation will be poured, however he does not know if the crawl space will be dirt or finished.

PUBLIC COMMENT: There was no public comment

MOTION: It was moved by Mr. Page not to oppose the NHDES Standard Dredge and Fill application for the property located at 28 Hobson Avenue to lift the existing dwelling and reconstruct the foundation using the same footprint with the following stipulations: Install a two foot stone drip edge around the dwelling except for under the rear deck; remove the pavement to the east of the existing northside deck and replace with suitable plantings; and, the Conservation Commission be notified at the beginning and end of the project.

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SECOND: Mr. Tilton

VOTE: 6 In Favor, 0 Opposed, 1 Abstain (Mr. Diener) MOTION PASSED

MOTION: It was moved by Mr. Page to recommend the Planning Board grant the Town Wetlands Permit for the property located at 28 Hobson Avenue to lift the existing dwelling and reconstruct the foundation using the same footprint with the following stipulations:

- **Install a 2' stone drip edge around the dwelling except for under the rear deck.**
- **Remove the pavement to the east of the existing Northside deck and replace with suitable native plantings.**
- **Use of Wetlands Conservation District markers at the wetland buffer edge along the eastern and western boundary lines. Wetland markers can be purchased at the Hampton Planning Office.**
- **All proposed plantings shall have at least 75% success after two (2) growing seasons. Any plants that do not survive shall be replanted or replaced with another suitable plant species.**
- **Proper erosion control will be in place before construction begins and remain in place until the area is stabilized and removed after construction is complete. Silt fence and hay bales (salt hay bales for tidal areas).**
- **The buffer should remain undisturbed to the degree possible in the process of construction and elevations not be changed. No additional fill is allowed. No change in elevation is allowed.**
- **There are to be no additional structures such as sheds, swimming pools, gazebos, patios or other sealed surface, etc. in the buffer, other than that shown on the approved plan. A new Wetlands Permit is required for the erection of any additional structure(s) in the buffer.**
- **The Conservation Commission shall be notified in writing upon commencement and completion of the project. A final inspection shall also be scheduled with the Conservation Coordinator upon completion of the project.**
- **The Conservation Coordinator shall not sign the Occupancy permit until all of the Wetlands Permit conditions have been met.**
- **Submit a copy of the foundation certification to the Conservation Coordinator.**
- **This permit will expire two years from the date that it is granted by the Planning Board. Refer to Hampton Zoning Ordinance Section 2.3.5 for information on permit extensions.**

SECOND: Ms. Swank

VOTE 6 in Favor, 0 Opposed, 1 Abstain (Mr. Diener) MOTION PASSED

5. 10 Anchor St and 3 Anchor Ct. Owners - Jacob Councilman and Michael Roy.

Install granite curbing along the parking area (3,000 sq. ft.) edge and install 1.5" of crushed stone. This is a Town Wetlands Permit.

Present was Mr. Councilman who explained he wanted to maintain his driveway with crushed stone and granite edging along the parking area which is 3,000 sf.

Commission Discussion:

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After seeing the property at a site walk, Mr. Tilton said this is a difficult spot and the above plan is as good as one can do. Ms. Renaud said she was glad to see the curbing go in and asked how long this application of new stone would last. Mr. Councilman said it should last a few years. Mr. Lessard asked the size of the granite blocks, and Mr. Councilman said they would be 12' x 4' standard curbing and would go 85 feet, as he wants something that will not move. He also commented that the sea hay washes in, but he has a snow fence; and, further would like to remove the broken, rusted chain link fence.

Ms. Dionne requested that he stake out where the curbing is going before installing it. Mr. Diener questioned how much extra depth with the crushed stone, and Mr. Councilman said it would be 1 and ½ inches deep.

PUBLIC COMMENT. There was no public comment.

MOTION: It was moved by Ms. Renaud to recommend the Planning Board grant the Town Wetlands Permit for the property at 10 Anchor Street and 3 Anchor Court to install standard granite curbing along the parking area (3,000 sq ft) edge and install 1.5" of crushed stone based on the plan signed and dated by the Chair, with the following stipulations:

- **The location of the granite curbing shall be staked and inspected by the Conservation Coordinator prior to installation;**
- **There are to be no additional structures such as sheds, swimming pools, gazeboes, patios or other sealed surface, etc. in the buffer, other than that shown on the approved plan. A new Special Permit is required for the erection of any additional structure(s) in the buffer;**
- **The Conservation Commission shall be notified in writing upon commencement and completion of the project.**
- **Schedule a final inspection with the Conservation Coordinator upon completion of the project.**
- **This permit will expire two years from the date that it is granted by the Planning Board. Refer to Hampton Zoning Ordinance, Section 2.3.5 for information on permit extensions.**

SECOND: Ms. Raymond

VOTE: 6 in favor, 0 Opposed, 1 Abstain (Mr. Diener)

MOTION PASSED

- 6. 5, 6, & 7 Anchor Ct. Owners - Cindy Porter, Ron Wanderlich, and Rob Vittozzi.** Install 2" of ¾" crush stone over the existing ROW, driveways and perimeter of the buildings. This is a Town Wetlands Permit.

Ron Wanderlich was present representing Anchor Court owner/residents who would like to work with the owners of 3 Anchor Court and 10 Anchor Street in putting down crushed stone which would tie in with Anchor Street and properties beyond the buffer. Mr. Wanderlich said he would like to put down two inches of stone, while moving in tandem with #10 and #3, above. The current stone has sunk and he would landscape the edging to prevent losing more stone.

PUBLIC COMMENT. There was no public comment.

MOTION: It was moved by Ms. Raymond to recommend the Planning Board grant the Town Wetlands Permit for the property located at 5,6, & 7 Anchor Ct. to Install 2" of ¾" crush stone over the existing ROW, driveways and perimeter of the buildings based on the plan signed and dated by the Chair, with the following stipulations:

- **There are to be no additional structures such as sheds, swimming pools, gazeboes, patios or other sealed surface, etc. in the buffer, other than that shown on the approved plan. A new Special Permit is required for the erection of any additional structure(s) in the buffer;**

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- **The Conservation Commission shall be notified in writing upon commencement and completion of the project.**
- **Schedule a final inspection with the Conservation Coordinator upon completion of the project.**
- **This permit will expire two years from the date that it is granted by the Planning Board. Refer to Hampton Zoning Ordinance, Section 2.3.5 for information on permit extensions.**

SECOND: Mr. Tilton

VOTE: 6 In Favor, 1 Abstain (Mr. Diener)

MOTION PASSED

- 7. 44 and 50 Timber Swamp Rd.** Owners - Michael and Susanna Dunbar. Agent – Joe Coronati of Jones and Beach Engineering, Inc. 5-lot Subdivision. This is a Town Wetlands Permit.
Mr. Coronati and Mr. and Mrs. Dunbar were present.

Mr. Coronati stated that the Dunbar's live on Timber Swamp, but not on this parcel. He stated there are two pieces of property in front of the Planning Board, which consist of (1) a small lot with frontage on Timber Swamp and (2) a lot consisting of seven acres. On the east side of the property there are two structures, a house used as part of the Windsor Chair Shop. Both structures are used for commercial use. There are no residences on this parcel.

The property is split zones, Industrial and Residential RAA District (one acre lot sizing). There is no sewer or water. Two properties are 8.2 acres combined and a variance was received from the ZBA to allow a residential subdivision using reduced frontage on Timber Swamp. There would be a private drive to access the three residential lots in the back. The applicant went to the ZBA with a subdivision plan for three residential lots in the back, all being well over an acre, and a proposal to put two industrial lots in front. The lot lines were moved so the Windsor Chair Shop would be on the same lot as that zoned for commercial use.

Commission Discussion:

The applicant was requested to look at poorly drained soils, and Gove Environmental inspected and did find poorly drained soils. There is now a section of buildable uplands that cannot be accessed without crossing the buffer from an area of very poorly drained soils, included in the Wetland Conservation District.

There would be a common driveway of gravel and it was necessary (for the Fire Department) to widen the driveway to 20 feet. The Commission is looking at the buffer impact associated with constructing the common driveway. It would be 2000 sf temporary and 1560 sf permanent impact. Mr. Tilton asked if the three house lots are subdivided and is this a part of the proposal.

Mr. Coronati stated that additional buffers in the other areas would be mitigated for impact. The river, he said is critical so land in the back of the lots could have expanded buffers to provide additional protection in a more sensitive wetland habitat. This, he said, could be offered as a Deed Restriction.

Ms. Renaud asked if the septic and well placement is adequate and referred to Zoning Section 2.7.3, Disposal of Sewage.

Mr. Lessard stated that crossing a wetland buffer is a legal use of land.

Mr. Coronati noted there are 45 feet of uplands that are clearable. Further, that by taking out 1500 sf from Lot 3 that would bring most of that lot out of the buffer.

Ms. Dionne pointed out that Plan A1 notes the sealed surface is 60% and she spoke about how the wetlands were delineated, as well as delineation of poorly drained. She referred to the PRC Meeting discussion on this project. She stated more subdivision plans are being submitted and making sure the wetlands and area of poorly and very poorly drained soils are properly mapped is critical. She stated that reports or logs regarding wetland delineations have not been received and, in this case, plans have not been stamped by the

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certified soil scientist. Wetland delineations should be reviewed on a project such as this and others. The delineations are critical and can play a major role when determining whether a lot is buildable or not.

Mr. Diener stated that the Commission has a right to ask for wetland delineation reports and logs when appropriate.

Ms. Dionne also said note #16 on Plan C1 Note is confusing, and also recommends that notes #17 and #18 be moved to Plan A2. The wellhead proposed on the new industrial lot was once on the plan and is now not there. Mr. Coronati stated that this wellhead location is no longer necessary.

Mr. Page said a property should be allowed to be developed if it meets the criteria. He asked Mr. Coronati if the utilities will be underground, and Mr. Coronati said the utilities will be underground. Mr. Coronati also stated that the driveway is typically 16 or 17 feet from the buffer (excluding the buffer crossing).

Ms. Swank stated that she feels more reasons are needed as to why an independent review should not be requested. Ms. Dionne said that the wetlands were delineated in 2014 and poorly and very poorly drained soils in 2015.

Mr. Dunbar stated he had worked with the Commission for a year and a half trying to put the property into conservation and when he finally realized he could not do this, he chose to develop the land for financial reasons. He said this is his and Mrs. Dunbar's retirement. When originally working with the plan he had proposed five residential lots and now has three. He stated he is pro conservation and is gentle with his property. He also noted that on the left is another stream which has a large buffer in order to protect it. He further said he is trying to be considerate of neighbors, he has some 60 acres, and is not a developer.

Mr. Diener stated the Commission is not trying to create problems for Mr. Dunbar, but needs to make sure that ordinances and properties are well protected.

Ms. Shaw said she is looking at a basket full of "ifs" given plans are being reworked. She noted that snow removal will be a problem and she has no comfort level in the current presentation.

Ms. Woolsey stated that this building will be in marginal lands and also this is a back-wood area with no public water.

Ms. Dionne noted that the Fire Department has looked at the plans; however, this is not in the purview of the Conservation Commission.

PUBLIC COMMENT. There was no public comment.

Mr. Coronati said he can provide reports and is not proposing to make any other changes to the plans/lot layout. Mr. Diener asked if notes or log books do not exist, where would the information come from. Mr. Diener also commented that the ZBA did grant a variance.

Mr. Page said his main concern is allowing the crossing of the buffer... He also raised a concern about gravel creep into the buffer. He recommended edging along the driveway section that cross the buffer.

Ms. Dionne stated that her concern is the impact to the buffer and looking what is in the ground.

MOTION: It was moved by Ms. Raymond to recommend the Planning Board grant the Town Wetlands Permit for the five lot subdivision located at 44 and 50 Timber Swamp Road based on the plan signed and dated by the Chair, with the following stipulations:

- **The buffer areas toward the back of the 3 house lots shall be expanded by a ratio of at least 3:1, meaning that the increased buffer square footage shall be three times larger than the square footage of buffer impact. The expanded buffer areas will be drawn on the recorded plan with a note explaining that these areas are protected by the Wetland Conservation District Ordinance. The expanded buffers shall also be referenced in the appropriate property deeds.**
- **Installation of edging along the common driveway where it intersects the buffer. The edging**

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shall be substantial enough to keep the gravel within the foot print of the driveway and prevent stone migration/expansion.

- The square footage of Lot 4 shall be adjusted such that the area outside of the Wetland Conservation District equals 30,000 square feet.
- Monumentation at 50 foot intervals along the wetland boundaries.
- Use of Wetlands Conservation District markers at the wetland buffer edge. Wetland markers can be purchased at the Hampton Planning Office.
- Lawn care must follow the guidelines set forth in the NHDES Shoreland Protection Act (Env-Wq 1400). No storage of grass clippings or yard waste in the wetland or its buffer.
- Removal of trees that are not dead, diseased, or unsafe must be performed in compliance with the NHDES Shoreland Protection Act Section Env-Wq 1403.05
- All proposed plantings shall have at least 75% success after two (2) growing seasons. Any plants that do not survive shall be replanted or replaced with another suitable plant species.
- Proper erosion control will be in place before construction begins and remain in place until the area is stabilized and removed after construction is complete. Silt fence and hay bales (salt hay bales for tidal areas).
- The buffer should remain undisturbed to the degree possible in the process of construction.
- There are to be no additional structures such as sheds, swimming pools, gazebos, patios or other sealed surface, etc. in the buffer, other than that shown on the approved plan. A new Wetlands Permit is required for the erection of any additional structure(s) in the buffer.
- The Conservation Commission shall be notified in writing upon commencement and completion of the project. A final inspection shall also be scheduled with the Conservation Coordinator upon completion of the project.
- The Conservation Coordinator shall not sign an Occupancy Permit until all of the Wetlands Permit conditions have been met.
- An As-Built Plan for each of the newly constructed dwelling units including grades/elevations shall be submitted following project completion and then a final inspection shall be scheduled with the Conservation Coordinator.
- This permit will expire two years from the date that it is granted by the Planning Board. Refer to Hampton Zoning Ordinance Section 2.3.5 for information on permit extensions.

SECOND: Ms. Renaud

VOTE 4 in favor, 1 opposed (Mr. Tilton), 2 abstained (Ms. Swank and Mr. Diener)

MOTION PASSED

IV. Appointments

1. 230 Exeter Rd. Peter Ross, Agent – Joe Coronati of Jones and Beach Engineering, Inc. Conceptual review of two possible development layouts.

Mr Coronati spoke to the conceptual hearing for a property Mr. Ross has purchased at 230 Exeter Road. He provided a color rendering showing upland and wetland. It is in the middle of a heavily developed section of town, which he described as an old-school Hampton development.

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The piece was set up to be developed with a set of houses in a row going in. The property was sold to Mr. Ross, who tried once at the ZBA to do a three-lot subdivision to the front with no development to the rear which would be left as woods. There was a lot of abutter opposition at that meeting in that people did not understand it was the front to be developed.

With this plan, twelve acres would be deeded to the Town. He also noted that Mr. Ross wants to make one more attempt before the ZBA to get an endorsement.

Mr. Ross stated he wants to develop the front along Exeter Road and deed the back 12 acres to the Town. To get the three single-family Condominiums in the front, variances are needed from the ZBA. He is trying to maintain the look of the neighborhood with the detached town houses. If this does not work, he will develop the land with nine condominium homes on the property. He stated he is working around the resurfacing of Exeter Road in that he wants to pull the utilities off Exeter Road prior to the resurfacing, or he cannot get under the ground for five years.

Mr. Ross stated that in 2012, the Conservation Commission sent a letter to the ZBA stating that the Commission favored the three-lot subdivision and asked if the Commission would agree to send a similar letter with the above 3 unit development in the front.

Mr. Diener stated he is not comfortable advising Boards on what to or not to recommend as a variance as this portion of the property is out of the Commission's purview. He did say, however, that he would be comfortable sending a letter similar to the letter sent in 2012. Mr. Coronati asked if the letter could contain some of the benefits to this proposal, which may strengthen the letter.

MOTION: It was moved by Ms. Renaud to have a letter sent from the Chair of the Commission to the ZBA noting the low-impact development benefits.

SECOND: Ms. Swank

VOTE: 6 in Favor, 0 Opposed, 1 Abstain (Mr. Diener) MOTION PASSED

Ms. Raymond left the meeting at 10:40 p.m.

2. Eagle Scout Project - Charlie Gasperoni. See Page 1

V. Old Business - Postponed until the June Meeting.

- a. 2016 Warrant articles
- b. Summer/Conservation easement internship
- c. Land between Route 101 and North Hampton – Strategy
- d. Rain Garden Cost-Share Grant
- e. Draft Education slides for Channel 22

VI. New Business - Presentation of the Conservation Plaque to a Hampton Academy graduate.

Mr. Diener asked for a volunteer to present the Conservation Plaque to a Hampton Academy graduate at their graduation on Thursday evening, June 18th. Ms. Swank will see if she is available that evening.

VII. Conservation Coordinator and Chair update

1. Mr. Diener reported that the Timber Swamp Substation Deed has been recorded, after a Special Permit was granted to PSNH in 2006. The Deed consists of a 32 acre parcel donated to the Conservation Commission.
2. Two Rain Garden properties will be installed at Mill Road and Little River Road. Mr. Diener encouraged volunteers for a few hours on a Saturday or Sunday. This, he said, would be a good opportunity to learn about Rain Gardens.

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VIII. Adjourn

MOTION: Ms. Renaud moved to adjourn the meeting at 11:00 p.m

SECOND: Mr. Tilton

VOTE: 6 in favor, 0 opposed.

MOTION PASSED

The next Conservation Commission Public Hearing will be held on June 23, 2015.

Respectfully submitted:

Anne Marchand, Recorder