

## CONSERVATION COMMISSION PUBLIC HEARING

November 28, 2009

FINAL

The meeting was called to order at 7:00 p.m. by Vice Chairperson Ellen Goethel at the Hampton Town Office Meeting Room. Commission Members present were Jay Diener, Sharon Raymond, Barbara Renaud and Peter Tilton Jr. Commission Members Dr. Ralph Falk and Nathan Page were absent. Alternates Steve Scaturro and Mark Loopley were absent. Rayann Dionne, Conservation Commission Coordinator, was present. Fran McMahon represented the Planning Board.

The Minutes of October 27, 2009 were reviewed and accepted with corrections noted.

There was no site walk this month.

A. 61 Lafayette Rd (drive by only)

### NHDES APPLICATIONS

A. 61 Lafayette Rd  
Allen Cummings  
Altus Engineering - Agent

This is a standard dredge and fill application. This application is for the replacement of an existing septic system and the applicant's engineer was present in the owner's absence. The applicant's engineer met with the Commission on November 24, 2009 to discuss the replacement of the existing septic system. After discussing the application, Mr. Tilton motioned to not oppose the granting of the wetlands permit for this project based on the plan dated October 23, 2009 in conjunction with the following modifications and stipulations:

1. Based on visual observations and aerial photographs presented by the engineer, a great deal of debris exists behind the building and adjacent to the salt marsh. The Conservation Commission has requested that this area be cleaned up to ensure that the debris does not enter the salt marsh or the Taylor River during high tides.
2. The erosion controls adjacent to the Taylor River should be placed on the upland side of the rip rap retaining wall. The erosion controls along the southeasterly side of the property adjacent to the salt marsh should be placed an additional 5 ft landward from the location indicated on the current project plan.
3. All excavation spoils must be removed and disposed of off-site.
4. All materials needed to complete the project must be stored outside of the 50 ft buffer or preferably off-site.
5. The current project plan must be updated to include the location of the conservation and access easement along with any sealed surfaces within its boundaries, if it is determined that the conservation and access easement is still legally binding.

Mr. Diener seconded the motion. All were in favor.

#### SPECIAL PERMITS

This special permit is  
B. 44 Smith Street  
Glenn Robbins

This special permit is to remove an existing structure (35.8' x 12') and building a new single story structure (40.8' x 12.5'). After the discussion, Ms Raymond motioned to recommend the granting of the special permit for the removal and construction of a new dwelling per the plan dated July 22, 2009, revised November 11, 2009 and signed and dated by the Vice Chair. The applicant authorized Paul Powell (contractor) and Stuart and Priscilla Fanning (land owners) to represent him in his absence. The Commission permitted the applicant's contractor to draw the location of the silt fence and hay bales on the plan referenced above. Please include the following stipulations and the usual stipulations:

1. Applicant's representatives agreed to develop a landscaping plan that must be approved by the Conservation Commission prior to implementation.
2. The applicant's representative agreed to notify the Conservation Coordinator when the erosion controls are in place prior to any excavation activities.

Mr. Diener seconded the motion. All were in favor.

#### PLANNING BOARD REFERRALS

N/A

#### BOARD OF SELECTMEN REFERRALS

N/A

#### APPOINTMENTS

N/A

#### PLANNING BOARD ACTIONS

1. 21 Hickory Lane

Build a pitched roof over the existing shed roof of the house, staying within the existing footprint. Installation of a new well to alleviate burden on existing community well. Approved with Conservation Commission stipulations.

2. 3 Wall Street

Existing wooden retaining wall to be removed and new concrete retaining wall to be installed in the same location. Approximately 60' in length 10" wide. Approved with Conservation Commission stipulations.

PLANNING BOARD ACTIONS (cont)

3. 531 Winnacunnet Rd

Add a 2<sup>nd</sup> floor to current footprint of ranch home. Add a 6' x 24' balcony/deck on second floor south side. In the future add a 30' x 6' deck on west side first floor. Approved with Conservation Commission stipulations.

4. 44 Smith Ave

Demolition of existing cottage. Rebuild new cottage. Continue to 12-02-09

5. 132 Island Path

Construct a garage over an existing gravel driveway and a screen porch located on top of the existing deck. The existing shed is to remain and the garage will be attached to it. Approved with Conservation Commission stipulations.

6. Witch Island Way

Construct six condominium units within the previously approved Witch Island Condominium project. Approved with Conservation Commission stipulations.

ZONING BOARD ACTIONS - DECISIONS

None

DES ACTIONS

1. 92 Ashworth Ave

Remove an existing deteriorated chain line fence. Construct 175 linear feet of concrete block retaining wall to a maximum height of 4' and construct a 313 sq ft rain garden in the southeast corner of the lot for improved site drainage. Approved.

2. 15 Dumas Ave

Build a garage on top of existing hot top. Approved.

Impact 305 sq. ft. for the purpose of expanding an existing garage. Approved.

DES ACTIONS

1. 213 Island Path

Impact 400 sq ft within the previously developed 100 ft tidal buffer zone to add a 20' x 20' garage to the existing non-conforming structure and remove the existing front porch, existing shed, and the existing second driveway for net reduction of impervious surface of 431 sq ft. Approved.

2. 50 Nudd Ave

Impact a total of 3.752 sq ft within the previously disturbed/developed upland tidal buffer zone to construct a 691 sq ft addition to an existing dwelling and to construct a pervious pavement driveway and a rain garden. Approved.

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OLD BUSINESS

A. The revised conceptual drawings were reviewed for the Ice Pond Dam prepared by Dubois and King.

B. Taylor River Dam

Mr. Tilton and Ms. Renaud attended the Taylor River Dam meeting.

NEW BUSINESS

A. Discuss the addition of regulations on tree cutting in the 50 ft wetland buffer. The Conservation Commission has drafted the following language with regards to cutting trees in the wetland 50 ft buffer because this activity is not currently addressed in the regulations. The Conservation Commission would appreciate it if the Planning Board would incorporate this language in a 2010 zoning ordinance warrant article:

“In order to preserve the natural beauty of the forest, protect shorelines from erosion and pollution, protect stream temperature and aquatic life, and provide important and necessary wildlife habitat, any cutting of trees within the Wetlands Conservation District shall conform to the provisions of RSA 483-B (Comprehensive Shoreland Protection Act). This will make a single set of consistent requirements for property owners to comply with.”

Ms. Raymond motioned to accept as written, seconded by Mr. Tilton. All were in favor.

CONSERVATION COORDINATOR UPDATE

TREASURER'S REPORT

Ms. Renaud gave a Treasurer's report.

The next meeting of the Conservation Commission Public Hearing will be held on Tuesday, December 22, 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.

Ms. Renaud motioned to adjourn at 8:45 p.m., seconded by Ms. Raymond. All were in favor.

Respectfully submitted,



Sue Launi  
Secretary