

## NORTH HAMPTON CONSERVATION COMMISSION

Minutes - September 11, 2007

### 1) ROLL CALL

Present when the meeting was called to order at 7:05 p.m. was Chris Ganotis, Chair, Lee Brooke, Vice-Chair, Shirley Carter, Stanley Knowles, John Peterson, Alternates Peter Simmons and Lisa Wilson, and Selectmen Representative Emily Creighton. (Brian and Patty arrived later as noted)

### 2) CONSIDERATION OF MINUTES

- *August 14, 2007*

Chris read changes to amendments suggested by Emily. *After a motion, duly seconded*, it was voted to approve the minutes as amended.

- *August 28, 2007 Public Hearing Minutes*

*After a motion, duly seconded*, it was voted with Emily abstaining, to approve the minutes as presented.

- *August 28, 2007 Special Meeting Minutes*

*After a motion, duly seconded*, it was voted with Emily abstaining, to approve the minutes as presented.

### 3) TREASURER'S REPORT – August 2007

John distributed and reviewed the report. He is in the process of renewing the November 2007 CD with Centrix Bank for another year. *After a motion, duly seconded*, it was voted to accept the report as presented.

### 4) NEW BUSINESS

#### 1. Planning Board application review requests

- a. Lamb application, 129 Atlantic Avenue, Map 006 Lot 083 for bridge crossing over wetlands. Site walk scheduled for September 13, 5:00 p.m.

John Chagnon of Ambit Engineering was present to explain the plan. The proposal is for a two-lot subdivision and the back lot has received the necessary variances from the ZBA. The property is bisected by Little River and will require crossing three wetland areas to reach the new home in the rear. John told the members that pre-made bridges will be constructed and put in place using the existing abutments. He said there are no permits required for private bridges and has confirmed with the State that no permits are required since the wetlands are being crossed over by a bridge.

Commission comments and questions included the treatment planned for icy, winter weather on the surface of the bridges, location of the 140B soils, and possible house locations. John indicated that the surface of the bridges may be scored during construction, the driveway is initially planned to be gravel though they reserve the right to apply for a special use permit in the future, and pointed out the general area on the plan where the home would be built. Members confirmed that minimal trees should be removed from inside the buffer zone and noted that the driveway access will likely require an easement from the front lot. (*Brian arrived at this time*). *After a motion, duly seconded*, it was voted to table action pending the site walk scheduled for Thursday, September 13, 2007 at 5:00 p.m.

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*Note: These minutes were approved by a majority vote of the Conservation Commission at its regularly scheduled meeting on October 9, 2007.*

b) Birmbas application, Map 022 Lot 014 Parcel 003 for wetland crossing on driveway. Engineer review of project and abutter discussion with Commission.

As an abutter, Chris recused himself as Chair for this application and Vice-Chair Lee Brooks presided over this agenda item of the meeting. Christian Smith of Beals Associates was present to explain the plan. He said there will be 1,230 square feet of wetlands impact due to the driveway construction. Christian pointed out the location of two proposed culverts on the proposed driveway. There has been an updated drainage analysis completed for the application. The driveway is proposed to be a gravel surface with runoff along a parallel swale to the rear of the property. (*Patty arrived at this time*). Christian asserted that the drainage plan would reduce the runoff from the property.

Chris Ganotis spoke as an abutter to the proposal in opposition to the plan. He explained the history of surface runoff flooding from the property and the resulting overflow through a culvert beneath Post Road onto his property across the street. He submitted a written statement to clarify his position (attached). Chris indicated that Mr. Bimbas has a right of way with the existing driveway that would provide him the access needed. He asked that the Conservation Commission seriously consider rejecting the driveway proposal due to the cumulative increased off-site runoff, and recommend to the Planning Board that the driveway is not needed as it would create further damage to his property, other abutters, and the wetlands.

Christian offered that calculations project the new culvert will reduce runoff by 38% and water flow caused by the new driveway is planned to run to the rear of the site. He again pointed to the swale on the side of the driveway that will catch runoff and direct it to the rear.

***After a motion, duly seconded***, it was voted to take no action pending a scheduled site walk at 223 Post Road for Thursday, September 13, 2007 at 4:00 p.m. Christian was asked to flag the location of the driveway. Members confirmed that Chris could attend the walk. Upon conclusion of this agenda item, Chris returned to chair the rest of the meeting.

## 2. New Conservation Land acquisitions

### a) Tax lien properties

Members discussed a letter from Interim Town Administrator Philip Munck regarding four properties acquired by the town via tax liens. Map 15, Lot 8 is two acres near the Winnicut River and other contiguous conservation land. Map 12, lot 29 is two acres abutting existing conservation land on Mill Road. Map 9, Lot 4 is .29 acres on Exeter Road and abuts the pending Robie conservation land on the east and near the Eaton property. Map 3, Lot 32 is one acre located in the Twelve Shares area and is accessible from Hampton. It is in the same general location as the United Church of Christ parcel currently pending purchase.

Members decided that since three of the four parcels already abut existing conservation, there would be no risks or liability in accepting the properties since they are already Town-owned. The Twelve Shares parcel can be monitored in conjunction with the UCC parcel. They concluded that the acquisitions would be in the public interest and suggested that some of these properties could be merged with the abutting conservation land. ***After a motion, duly seconded*** it was voted to notify the Board of Selectmen to request acceptance of all four properties.

### b) Offer to purchase Dupont parcel, M/L 017-41-003

Land is located on the east side of Lafayette Road next to the railroad tracks and is available for purchase. There was a consensus that the parcel, due to setbacks, is too small to be built upon and may only be of use as an amalgamated parcel to the Acura dealership. No action was taken at this time.

## 5) OLD BUSINESS

### 1. Wildlife Assessment status report

Stan will be meeting with Dr. Peter Pekins from UNH who has a graduate student to begin the assessment project funded by the Fuller Foundation grant.

### 2. Colin Gagnon Eagle Scout Project status

Colin reported that he would be meeting with Jane Kent Rockwell on Thursday. During his discussion with her, and in response to her concern of trash being left on the property, Colin has offered to remove it. He will provide copies of the liability waivers signed by her and Dick Wollmar at the next Conservation meeting.

### 3. North Hampton Forever update

- a. Dalton deed – Purchase and Sale closing scheduled for Friday, September 14<sup>th</sup>. Chris indicated that the Commission can request that the warrant article for the Town Forest be sponsored by the Selectmen.
- b. UCC deed – Search still being conducted for previous owners to insure clear title.
- c. Donais parcel – Purchase approved by Selectmen at last night's meeting; proceeding to closing.
- d. Jenkins easement – A number of administrative details pending.
- e. Robie transaction, TPC – Still need language for boundary along Winnacut River, right-of-way to back easement, and agreement on haying of the easement land.
- f. Rockingham County Conservation District oversight – RPC will monitor and oversee the Dalton parcel as required by the Daltons and will request a one-time monetary donation of approximately \$2,000. Several members spoke again about the value of this parcel as a Town Forest.

### 4. Chris Kane progress report

GIS Mapping – Chris Kane's correspondence indicated that he has collected the file information from the town office, obtained appropriate records from the Registry, completed most of the GIP mapping and completed field work for the Metallious and Rostramo properties.

## 6) CORRESPONDENCE

- DES letter to Sky Maher re: Minimum Impact Expedited application incomplete and items needing submittal.
- DES letter to James Jones re: complaint of violations on Lafayette Road.
- DES Special Permit granted to Rouzbeh Yassini, 54 Ocean Boulevard, for foundation drain leading to existing NHDOT catch basin to NH Route 1A.
- Natural Resources Outreach Coalition (NROC) assistance deadline November 16, 3007.
- UNH Student Project Program letter dated 9/4/07 thanking for past participation and encouragement to utilize the Community Environmental Outreach Program in the future.
- UNH Cooperative Extension letter dated 9/23/07 from Fred Borman re: introduction as the Rockingham County Extension Forester. Members felt he could be contacted and utilized for help with the Dalton Tree Farm property.
- ZBA Letter of Aug 7, 2007 – Selectmen voted not to moderate/chair a meeting with ZBA and Conservation Commission. Chris said the Commission would be able to comply with the procedural requirements stipulated in the letter given the amount of time between the two boards' meeting dates. He reiterated his concern that the ZBA acknowledge the Conservation Commission's recommendations and/or suggestions and an increased attentiveness in looking at wetlands' impacts of applications before the ZBA. Peter **MOTIONED** that the Conservation Commission have a joint meeting with the Zoning Board of Adjustment as it would be a good idea for the two to meet since the

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Selectmen decided not to participate in a three-way meeting. Suggestions followed about the possibility of a meeting with all the land use boards and discussion ensued regarding past difficulties in receiving notification on wetland variance applications. Chris reiterated that the procedural details of receiving wetland variance information has been resolved. He would like the ZBA to acknowledge the Commission's input in regards to wetlands impact. Peter said the meeting could clarify the situation about not receiving notification from the ZBA. **MOTION FAILS FOR LACK OF SECOND.**

**7) OTHER BUSINESS AND PUBLIC COMMENTS**

Phil Wilson spoke from the audience and indicated that the Planning Board will be requesting a joint meeting for the three land use boards to discuss the 100-foot setback requirement.

*After a motion, duly seconded,* it was voted to adjourn at 9:15 p.m.

Respectfully submitted,  
Janet Perkins  
Secretary