

NORTH HAMPTON CONSERVATION COMMISSION
Minutes - August 14, 2007

1) ROLL CALL

Present when the meeting was called to order at 7:03 p.m. was Chris Ganotis, Chairman, Shirley Carter, Brian Chevalier, Stanley Knowles, John Peterson, Alternates Peter Simmons and Lisa Wilson and Selectmen Representative Emily Creighton.

2) CONSIDERATION OF MINUTES – July 10, 2007

After a motion, duly seconded, it was voted with Peter, John, and Stanley abstaining, to approve the minutes as presented.

3) TREASURER'S REPORT – July 2007

Report was distributed and discussed. John reported that the CD expiring in November 2007 will be rolled over for another one-year certificate with a slightly lower interest rate. *After a motion, duly seconded*, it was unanimously voted to accept the Treasurer's Report.

4) NEW BUSINESS

- a) Minimum Impact Expedited Application
Phyllis Maher
Ocean Blvd., Map 001, Lot 139
Repair sea wall

The application and accompanying plan were reviewed. Total wetlands impact is 220 square feet and will affect 22 linear feet along the wall. Property owner Judge Mayer explained that the tides have caused the rocks to settle further down into the sand. He said the two properties to his left have shored up the wall and both withstood the most recent storm very well. *After a motion, duly seconded*, it was voted with Peter abstaining, to approve the application as presented.

- b) ZBA Application No. 2007:18
Wetlands variance request at 34 Woodland Road, Map 002, Lot 047.

Members reviewed the application and plan. The proposal requests a ten-foot addition 52 feet from the wetlands setback. During discussion, members felt there was not enough information in the application upon which to make recommendations or comments. It was suggested that a more current wetlands delineation completed by a wetlands scientist would be helpful in the Commission's review. *After a motion, duly seconded*, it was voted, with Peter opposing and Lisa abstaining, to notify the ZBA that 1) the Conservation Commission felt there was not enough information on the application; and 2) since the wetlands were not clearly delineated, they would like to request a current delineation of the wetlands on this parcel and the surrounding area completed by a wetlands scientist. Peter requested that the record indicate his disagreement as he said the plot plan clearly defines the wetlands delineation, type of soil, and when and by whom the wetlands were delineated.

NHCC 08-14-07

1

Note: These minutes were approved by a majority vote of the Conservation Commission at their regularly scheduled meeting on September 11, 2007.

c) Conservation Commission/ZBA Correspondence and Communication

Chris reported that the Conservation Commission's comments regarding the Electa Savage and Jarrod Patten ZBA wetlands variances were rejected due to the format in which they were received. Discussion ensued regarding past procedures regarding wetlands applications and subsequent Conservation Commission review provided to the ZBA. The chair pointed out the ZBA's disregard of the Conservation Commission's recommendations, their history of approving all wetlands setback variances since 2003 and the perception that the ZBA has not been acting in the best interest of the Town. ***A motion was made, and seconded***, that the Conservation Commission ask the Board of Selectmen, to bring together, at their meeting, the Zoning Board of Adjustment members and the Conservation Commission members to review and get clarity of the procedures that are now being required of the Conservation Commission to have their recommendations considered by the ZBA. Suggestions were made about improving communication and opening the dialog between the Conservation Commission and ZBA Chairs. Chris clarified, for the record, that he declined a private meeting as solicited by the Interim Town Administrator to attend a non-public meeting with the ZBA. ***The motion was amended***, to have the three entities meet at their earliest convenience for the purpose of having open dialog on any items they deem necessary and appropriate to discuss. Emily stated that she believes effective communications is necessary between boards to ensure all work in the best interest of the Town. She also stated that she is in favor of a meeting to facilitate positive communications between these two boards and that she will contact her fellow Selectmen to garner support for the joint meeting. ***Vote: Unanimous For.***

A motion was made, and seconded, that the Conservation Commission and ZBA still meet should the Board of Selectmen not wish to participate pursuant to the above motion. Discussion followed on the importance of the Selectmen attending the meeting in facilitating communication. Chris was not in favor of the motion until the Commission hears the Selectmen's decision regarding the above motion. Peter spoke in favor of the joint meeting in response to the ZBA's August 7, 2008 letter. Members clarified that a no vote signifies waiting to hear the Selectmen's response for a three-way meeting prior to further action by the Conservation Commission; a yes vote indicates proceeding with a two-way meeting between the Conservation Commission and ZBA. ***Vote: For 2 (Peter, Emily); Opposed 6 (Chris, John, Stan, Lisa, Shirley, Brian). Motion Fails.*** Chris clarified that a "no" is to wait for a response from the Selectmen regarding the three-way meeting; not an indication of unwillingness to meet at all.

5) OTHER BUSINESS

a) Colin Gagnon – Eagle Scout Project Update

Colin reported that he is preparing a complete information package of the project for Mrs. Rockwell so she can sign the consent letter. Stan will also write her a letter of endorsement from the Conservation Commission on Colin's behalf.

b) Marston Farm Mowing

After a motion, duly seconded, it was unanimously voted to authorize Chris to make arrangements with Walter Nordstrom for mowing of the property.

c) Fuller Foundation Grant Update

The list of licensed/certified wildlife specialists is expected within the week.

d) NH Forever Update

NHCC 08-14-07

2

Note: These minutes were approved by a majority vote of the Conservation Commission at their regularly scheduled meeting on September 11, 2007.

- The Robie closing is scheduled to close, pending receipt of the survey, during the first or second week of September.
- The Dalton closing will be scheduled very soon after easement details are completed.
- The Jenkins property will also be scheduled for closing very soon.
- The Church parcel has some title clearance issues being worked out; once completed, the closing can proceed.

6) CORRESPONDENCE

- Letter of appreciation from the student recipient of the SCA donation.
- DES Wetlands Permit approval copy for Dietrich Ebert.
- Copy of corrected Eaton recorded deed.
- NH Estuaries Project Great Bay Boat tour scheduled for two dates in September.

There being no further business, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,
Janet Perkins
Secretary