

NORTH HAMPTON CONSERVATION COMMISSION
Meeting Minutes
February 8, 2010

1) ROLL CALL AND ADMINISTRATIVE

The meeting was called to order at 7:04 p.m. Present were Chris Ganotis (Chair), Lee Brooks (Vice Chair), Shirley Carter, Stanley Knowles and Alternates Philip Thayer and Lisa Wilson. Members of the public included Phil Wilson, North Hampton For- Ever Co-Chair, Mr. Robert Field, Esq., Mr. Steve Oles, Engineer, MSC Engineering and Mr. James Long, Wetlands Scientist, NH Soil Consultants.

2) CONSIDERATION OF MINUTES

December 8, 2009 Regular Meeting

After review of minutes, a motion was made by Lee Brooks, duly seconded by Shirley Carter, to approve the December, 2009 minutes. It was voted unanimously with Stanley Knowles abstaining.

3) TREASURER'S REPORT

Chris Ganotis presented the report. *After review of the report, a motion was made by Philip Thayer, duly seconded by Stanley Knowles, to approve the report.* The vote was unanimous in favor of the motion.

4) NEW BUSINESS

1. Map 6, Lot 147-2, 112 Mill Rd. Use of Mill Pond to meet lot area requirement, ZBA Case 2010:02

Mr. Steve Oles, the Engineer representing the applicant, reviewed his client's application for a subdivision and variances for lot sizing of 4.6 acres to be split into two lots to 2.47 and 2.14 acres on the property. As part of the application, Mr. Oles pointed out that part of the new lot included as lot area that was in the wetlands but not in a "Body of Water". The argument was that an area with a depth of under 6 feet could support vegetation and was thereby considered as wetlands and not a body of water. He cited the 1979 Corps of Engineers definitions for wetlands. Atty. Field stated that land beneath bodies of water cannot be used to be included as part of a lot and rebutted that Mill Pond is a body of water and its boundary is not at the area below 6 feet. He further rebutted that riparian rights apply for owners of land abutting the pond and this proposed lot could affect the water quality of the Little River. After much discussion, *a motion was made by Philip Thayer, duly seconded by Stanley Knowles, to further investigate the Army Corps definitions of 1979 and of 1987 and to further review this proposal by the ZBA Meeting on March 23.* The motion carried unanimously.

After the meeting adjourned, the Chair subsequently requested that both Mr. Oles and Mr. Fields provide summaries of their presentations to the Commission to ensure that their positions were stated clearly. These summaries are appended to these minutes.

2. Map 6, Lot 108, 66 Woodland Rd., ZBA Case 2010:01

It was requested to allow a wetlands setback of 15 feet from a wetlands boundary for an addition to a home on the developed lot. After some discussion, ***a motion was made by Stanley Knowles, duly seconded by Philip Thayer, to recommend to the Zoning Board to disapprove this application because of the proximity to the wetland.*** The motion carried unanimously.

3. Map 5, Lot 32, 20 Chapel Rd. ZBA Case 2010:05

A request was made to permit the erection of a new home with an attached garage 21.1 feet from Chapel Road on a vacant lot of record and special exception for the Article IV section 409-12 to permit the erection of the home/garage within 20 feet from an inland wetland. Because of the proximity of the wetland, there is insufficient acreage to meet the wetlands setback requirement. In further discussion, it was suggested that the Commission consult with Dr. Leonard Lord of the Rockingham County Conservation District, to more thoroughly review the effectiveness of the proposed rain garden and determine whether there is sufficient area within the buffer to mitigate runoff and determine environmental impact of the proposed plan. After some discussion, ***a motion was made by Lee Brooks, duly seconded by Philip Thayer, to seek an expert opinion and analysis from Dr. Leonard Lord before making a recommendation to the ZBA.*** The motion carried unanimously.

5) OLD BUSINESS

1. New Hampshire Association of Conservation Commissions, membership
Dues \$250.00

A motion was made by Shirley Carter, duly seconded by Lee Brooks, to pay this amount. The motion carried unanimously.

2. Guest Speaker presentation: Collaboration with Library Professor Jeffrey Bolster, UNH, "Environmental Change in NH" March 31, 2010

A Commission Member volunteer was called upon to oversee this event on behalf of the Commission. Philip Thayer volunteered to speak to Susan Grant to coordinate the guest speaker presentation.

3. Greystone Project: The Chair received a letter from Attorney Allison S.F. Lambert of Wiggin & Nourie, PA, to notify the Commission of the auction of the Greystone property. There is a current obligation in the property deed for the baseline and monitoring of the conservation land on the property. The prior owner did not meet the obligations prior to bankruptcy. The Commission directed the Chair to send a letter to the Planning Board to notify Mr. Joseph Roy, the new owner, that he must confirm that he will meet the conservation deed obligations as a condition of any further Planning Board approvals.

4. Town Forest Signs

Lisa Wilson reported that the signs will be ordered and delivered soon, with a discount of 15% off if ordered by Feb.15. With the prior approval of the Town Administrator, she will make the payment and subsequently include an invoice and purchase order for reimbursement.

5. Little River Salt Marsh Restoration

The project is virtually completed, with several punch list items remaining for completion.

6. Four tax forfeiture parcels and one donation parcel were approved by the Select Board to amend the parcels' deeds with Conservation Deed Restrictions. This is being completed by the Town Administrator.

7. CELCP Proposal preparation. The applications will be written Tracy Degnan, Rockingham County Conservation District, for one or more North Hampton Forever parcels. ***A motion was made by Lee Brooks, seconded by Philip Thayer, to withdraw from the Capital Reserve 8 checking account not to exceed \$2,500 to complete CELCP grant applications for parcels in Winnicut River Watershed.*** The motion carried unanimously.

6) OTHER BUSINESS

1. ZBA Correspondence

Described above in New Business

2. North Hampton For Ever Update

Reported by Phil Wilson - 2 projects are being worked on with a March 15 deadline for CELCP applications.

3. Planning Board Correspondence

A letter will be written to the Planning Board regarding the Greystone project conservation obligations of the owner.

7) OTHER CORRESPONDENCE AND PUBLIC COMMENTS

Chris Ganotis met with Peter Parker and Cynthia Swank regarding the upgrading of Conservation Commission files in the town Office.

Dave Kellam asked for a letter of support to fill a director position at PREP previously held by Jennifer Hunter, who has resigned.

Correspondence was received from Dr. Leonard Lord regarding the Rockingham County Conservation District Assistance Program.

Chris updated the Conservation Land inventory. It totals approximately 1,287 acres of conservation land in North Hampton.

There being no further business, ***a motion was made by Lee Brooks, duly seconded by Shirley Carter, to adjourn the meeting.*** The motion unanimously passed and the meeting was adjourned at 9:30 p.m.

Respectfully submitted,
Beverly Moore
Recording Secretary