

Hampton Conservation Commission
Draft Minutes
Tuesday, May 26, 2020

1 **Present:** **Jay Diener, Chair**
2 **Barbara Renaud, Vice-Chair**
3 **Pete Tilton**
4 **Pat Swank**
5 **Sharon Raymond**
6 **Deborah Wrobel**

7
8 **Also Present: Rayann Dionne, Conservation Coordinator**
9 **Keith Lessard, Planning Board Representative**

10
11 **I. Call to Order:**

12 The meeting was called to order by Chair Diener at 6:30 PM.

13 Chair Diener read the meeting preamble, relative to the Governor’s issuance of Emergency Order
14 #12, authorizing Towns to meet electronically with no physical location pursuant to Executive
15 Order #2020-04. The public notice was posted with instructions on the Town website
16 <https://hamptonnh.gov/> for the public to access the meeting by calling 1-857-444-0744 and
17 entering password 156034. If there are any problems to contact (603) 929-5805 or email
18 rdionne@hamptonnh.gov. In the event the public cannot access the meeting it will be postponed.

19 Chair Diener asked the members present to identify themselves by Roll Call and indicate if there
20 was anyone in the room with them.

21 Jay Diener (alone), Barbara Renaud (alone), Pete Tilton (alone), Deborah Wrobel (alone),
22 Sharon Raymond (alone), Pat Swank (alone), and Rayann Dionne (alone).

23 **II. Appointments**

24 **1. Pollinator Pathways– [Presentation link](#)**

25
26 Margie Dean, Vicki Brown and Evy Nathan appeared on behalf of Pollinator Pathways. Ms. Dionne
27 provided a link to the presentation materials.

28
29 Ms. Brown noted she joined as the third founder. Ms. Dean founded the program in 2018 with Ms.
30 Nathan the second founder in Kingston. The one-year anniversary was last October. There are two more
31 volunteers.

32
33 Ms. Brown identified Who the seven pollinators are:

- 34
- 35 • Bees – NH has 300 native species of ground or cavity nesting bees
- 36 • Butterflies – NH has less than 100 species
- 37 • Moths – NH has 2200 species, there are moths that are night pollinators
- 38 • Birds – NH has one native species of Hummingbird, the Ruby Throated Hummingbird
- 39 • Flies – the Hoverfly is a “bee mimic”
- 40 • Beetles – such as the firefly have habitats on swamp milkweed
- 41 • Wasps – some wasps remove the unwanted pests from the garden.

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42
43 Ms. Brown noted bats are also pollinators, but NH has no native species of fruit bats such as Arizona and
44 South America do.
45

46 Ms. Brown referenced the decline of pollinators by species in the presentation over the last three years as
47 the “insect apocalypse.” There has been a 75% decline in the last thirty years. Ms. Brown referenced
48 what Albert Einstein said about if bees disappear, humans will disappear soon after. There would be a
49 significant impact on the quantity and quality of the food supply and crops. One-third are pollinated by
50 insects.
51

52 Ms. Brown noted the ecosystem is affected by the decline of pollinators which in turn impacts the decline
53 of bird species. NH has 2 Billion species of birds. Many, 92 million, Red Winged Black Birds have
54 declined since 1970 due to herbicides and pesticides. All contribute to biodiversity.
55

56 Ms. Dean indicated the program started when she was talking to a friend about a butterfly garden and read
57 an article about Pollinator Pathways and thought it would be a nice project for Kingston. Evy jumped on
58 Board and the program had a table at the gym which began with 25 people. A map was put up of the
59 Town of Kingston and everyone interested put a sticky diamond on the map. Education is a big part, the
60 more you learn the more want to help. Today there are over 300 on the email list for the monthly
61 newsletter from Bethlehem to CA to VA.
62

63 Ms. Dean noted insects and birds don’t travel far and are tethered to the habitats in the neighborhood.
64

65 Ms. Dean noted 11 communities in Rockingham County have partnered with Pollinator Pathways, four
66 other counties are interested and many more have subscribed as individuals. The goal is to restore
67 habitats with education one yard at a time. Even those without a yard can contribute with a container
68 garden on a balcony.
69

70 Ms. Dean asked the Commission to consider joining and designating a liaison who could be a member of
71 the Commission now, or a resident, Master Gardener later on. The program asks for assistance as a co-
72 host with one program per year. The program provides the materials, resources and helps with
73 promotion. Many attend these programs from other Towns. Ms. Dean provided a slide showing the tool
74 kit of resources available.
75

76 Chair Diener asked about the liaison’s responsibilities and Ms. Dean indicated they would be asked to
77 attend one quarterly meeting, respond to emails and help with one program per year.
78

79 Mr. Lessard noted he works with the school district and is constantly encouraged to eliminate stinging
80 insects and feels divided by growing plants to attract bees and then murdering them. A lot of people are
81 allergic.
82

83 Ms. Dean noted bees don’t go looking for people to sting. She noted she has had them walk up and down
84 her arm and eat jelly. “You can’t walk in a field of flowers and not expect to see a bee.” Some of the
85 bees you see on your lawn are simply trying to get from point A to point B. There are some wasps that
86 are nasty like the white tailed hornets who build paper nests but there are other plants you can plant to
87 attract other kinds of pollinators such as hummingbirds that won’t attract bees, or a butterfly garden.
88

89 Bees respond to colors, yellows and purples more so than reds or oranges. Planting can be done in areas
90 not near people. Education about honey bees can be brought to school. Evy added the pathways can be a
stepping stone for the pollinators. They don’t have to be everywhere. Everyone doesn’t have to be

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91 involved. There isn't a lot everyone can do about climate change, but this is something everyone can do
92 to help pollinators.

93
94 Chair Diener thanked Ms. Dean, Ms. Brown and Ms. Nathan for coming and will get back in touch with
95 Ms. Brown by email.

96
97 **2. Seabrook-Hampton Estuary Alliance – Conservation Land Project – [Presentation Link](#)**

98
99 Chair Diener indicated research was done concerning potential parcels for acquisition or easement near
100 the estuary as a SHEA project.

101
102 Nathan presented the research for SHEA and provided a map of Hampton color codes with pink being
103 outside the estuary and green being already conserved.

104
105 Nathan indicated the methods for the research based on NH Coastal Viewer and Town GIS by toggling
106 layers concerning predicted migration, water resource focus areas and areas that could use restoration.
107 The assessing data was recorded on a spreadsheet and broken down on the slide, some as vacant, some as
108 developed, the values – some of which are more than \$1,000 per acre and a better easement opportunity.
109 Some are multiple parcel owners and there are some parcels without information and those that are
110 private owned.

111
112 Nathan used a specific area as an example south of Lafayette Road (Route 101). The brown parcels are
113 the estuary boundary, there are five parcels of interest, three less expensive, 4 of the Hampton Boating
114 Club that will combine well with the existing Conservation parcels on the edge of the estuary.

115
116 Nathan concluded the presentation with a draft letter that can be used to reach out to landowners.

117
118 Chair Diener asked about the developed parcels and Nathan noted they had sizeable enough undeveloped
119 tracts to pursue an easement on.

120
121 Chair Diener asked where the values came from and Nathan noted he used the assessing data from Vision
122 Solutions.

123
124 Chair Diener indicated SHEA started a similar project in the area of the Town Forest and identified
125 private parcels and acquired 15 acres.

126
127 Chair Diener asked where the Commission could find the presentation and Ms. Dionne indicated she can
128 share it with those interested or post on the member website.

129
130 Mr. Tilton noted the Boat Club was re-organized as a non-profit and stipulated if the Club ceases the
131 parcels were to go to NH Fish & Game.

132
133 Ms. Renaud asked about the un-numbered parcel in orange and Nathan noted it is a private home with a
134 dock on it, a neighbor of Mr. Tilton's.

135
136 The Commission thanked Nathan for his good work on the project and presentation.

137
138 **III. Applications**

139

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140 **3. 38 Island Path** **Town Wetlands Permit**

141 **Owner:** Richard and Martha Bernier Rev. Trust

142 **Agent:** Norman Carpentier

143 Raise the existing residential structure to meet current floodplain regulations. All work will take
144 place within the existing building footprint and stairs. The total permanent impact is 955 sq. ft.
145 with 464 sq.ft. of temporary impact for machine access and workspace. Any disturbed areas will
146 be restored.

147

148 Mr. Carpentier of Carpentier Construction indicated he was representing Richard and Martha
149 Bernier for the application for a Town Wetlands permit. The structure has a finish floor
150 elevation of 8.5' to be moved to 11.5.' The foundation will be removed to install helical piers
151 and the house will be lowered onto them. There are a few additional steps for egress, 19 SF
152 increase. There will be no on-site excavation. The foundation is removed and replaced by
153 machine.

154

155 Chair Diener asked the Commission if they had any comments and being none, Chair Diener
156 opened the hearing to the public for comments and questions at 7:29 PM. Ms. Dionne noted
157 there were no public on the call at the moment.

158

159 **MOTION:** Ms. Swank motioned to recommend approval of the Town Wetlands Permit for 38
160 Island Path to raise the existing structure to meet current flood plain regulations.

161 **SECOND:** Mr. Tilton seconded the motion.

162

163 **ROLL CALL VOTE:** 5-0-1 (Chair Diener abstained)

MOTION PASSED

164

165 Renaud – yes, Tilton – yes, Wrobel – yes, Raymond – yes, Swank – yes, Diener – abstain.

166 Ms. Dionne read the stipulations out loud.

167

168 Install at least two Wetlands Conservation District markers at the wetland buffer edge. The
169 markers must be permanently affixed to a structure such as a dwelling, fence, or a post cemented
170 into the ground. Wetland markers can be purchased at the Hampton Planning Office. Ms.
171 Dionne will work with the contractor and owners for proper placement.

172

173 Any deck shall be open above and below and shall not be enclosed.

174 The application of fertilizer, pesticides, insecticides, or herbicides is prohibited in any tidal or
175 inland wetland, area of poorly and very poorly drained soils, vernal pools, or their buffers.
176 However, the application of limestone is permitted within the buffer.

177 No storage of grass clippings or yard waste in the wetland or its buffer.

178 Proper erosion control will be in place before construction begins and remain in place until the
179 area is stabilized and removed after construction is complete.

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180 The buffer should remain undisturbed to the degree possible in the process of construction and
181 elevations not be changed. No additional fill is allowed.

182 The Conservation Commission shall be notified in writing upon commencement and completion
183 of the project. A final inspection shall also be scheduled with the Conservation Coordinator
184 upon completion of the project.

185 This permit will expire two years from the date that it is granted by the Planning Board. Refer to
186 Hampton Zoning Ordinance Section 2.3.5 or information or permit extensions.

187 Ms. Dionne questioned whether the Commission would like to require an As-Built plan. Mr.
188 Carpentier indicated the owners paid to have the lot surveyed the plan dated 3/18/20 by
189 Millennium Engineering shows the minor sq. ft. change to the stairs but the structure is going
190 straight up and back down, not moving side to side.

191
192 Ms. Raymond indicated the Commission should be able to verify the plan and if not, then
193 provide an as-built plan. Chair Diener clarified if the completed work does not appear to match
194 then the Commission can request an As-Built plan.

195
196 **4. 191 Island Path** **NHDES Standard Wetlands Permit**

197 **Owner:** Judy LeClerc

198 Replace and expand the existing 4' x 13' deck to 10' x 13' using a pervious decking material and
199 installing plantings along the perimeter the deck.

200
201 Ms. Dionne indicated the applicant would like the Commission to review the application in her
202 absence. The Commission saw the application for the Town Wetlands Permit under a year ago
203 to narrow a deck in poor condition. The Commission cut down the size of the deck to 10'x13'
204 (by 1' foot) and stipulated the deck construction be pervious material and the project have a
205 planting plan. The Commission supported the application and the Planning Board approved it.
206 Ms. Dionne was not sure why the delay from that approval to this NHDES filing. The
207 application is consistent with what the Commission saw when it reviewed the Town Wetlands
208 Permit.

209
210 Chair Diener opened the hearing to the public at 7:36 PM for comments and questions and being
211 none closed the hearing to the public for deliberations.

212
213 **MOTION:** Ms. Renaud motioned to not oppose the NHDES Standard Wetlands Permit for 191
214 Island Path to replace and expand the existing deck.

215 **SECOND:** Mr. Tilton seconded the motion.

216
217 **ROLL CALL VOTE:** 5-0-1 (Chair Diener abstained) **MOTION PASSED**
218 Renaud – yes, Tilton – yes, Wrobel – yes, Raymond – yes, Swank – yes, Diener – abstain.

219

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220 Chair Diener recommended the letter to NHDES reference the previous stipulations concerning
221 the decking material and planting plan. Ms. Dionne indicated those appeared in the application
222 and will verify that.

223

224 **IV. Review Minutes – April 28, 2020**

225

226 Ms. Renaud indicated a typo on Line 194.

227

228 **MOTION:** Ms. Renaud motioned to approve the April 28, 2020 minutes as amended.

229 **SECOND:** Ms. Swank seconded the motion.

230

231 **ROLL CALL VOTE:** 5-0-1 (Chair Diener abstained)

MOTION PASSED

232

233 Renaud – yes, Tilton – yes, Wrobel – yes, Raymond – yes, Swank – yes, Diener – abstain.

234 **V. New Business**

235

236 **1. RSA 41:14-a Proceeding – 9 Bradford -Release of Deed Restriction #4**

237

238 Ms. Dionne indicated the parcel was formerly Town-owned, leased land which was then
239 purchased. Stipulations that made sense then, don't make sense now. The applicant is looking
240 to release restriction #4 with respect to buildings within 7' of boundary and outbuildings
241 attached.

242

243 **MOTION:** Ms. Renaud motioned to not oppose release of Restriction #4 for 9 Bradford Street.

244 **SECOND:** Mr. Tilton seconded the motion.

245

246 **ROLL CALL VOTE:** 5-0-1 (Chair Diener abstained)

MOTION PASSED

247

248 Renaud – yes, Tilton – yes, Wrobel – yes, Raymond – yes, Swank – yes, Diener – abstain.

249 **2. RSA 41:14-a Proceeding - 97 Ocean Boulevard – Release of Deed Restriction #3 & #4**

250

251 Ms. Dionne indicated the applicant was looking to release Deed Restriction numbers 3 and 4
252 which pertain to fences no greater than 3' tall and all outbuildings being attached to the dwelling.
253 This property is located outside of the Wetland Conservation District.

254

255 Ms. Renaud asked if deed restriction removal requests were mostly for sheds as far as attaching
256 to the structure and Ms. Dionne indicated it could be anything within the 7' boundary where
257 structures are almost touching each other.

258 **MOTION:** Ms. Renaud motioned to not oppose release of Restriction #3 for 97 Ocean
259 Boulevard.

260 **SECOND:** Mr. Tilton seconded the motion.

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261
262 **ROLL CALL VOTE:** 5-0-1 (Chair Diener abstained) **MOTION PASSED**

263
264 Renaud – yes, Tilton – yes, Wrobel – yes, Raymond – yes, Swank – yes, Diener – abstain.

265 **3. Town Forest and land acquisition**

266
267 Ms. Dionne provided the Commission with a map of the Town Forest as an attachment by email.

268
269 Chair Diener indicated the spreadsheet with assessing and appraised value of the parcels is being
270 checked for corrections with assessing. Chair Diener recommending putting aside \$20,000 for
271 acquisitions with Lots 1 and 2 having 15 and 11 acres respectively and a value of \$16,500 and
272 \$11,000 respectively. The parcels are surrounded by Town Land and would be great to acquire
273 to fill in the block. Chair Diener noted he is looking for a vote of the Commission to allocate out
274 of the Conservation Fund to acquire two parcels.

275
276 Mr. Tilton indicated he was in favor and noted it would help quite a bit for marking trails in a
277 contiguous area to work on.

278
279 Chair Diener questioned whether ultimately the Commission would prefer to try to purchase all
280 of the parcels or just those two.

281
282 Ms. Dionne the Commission could vote to allocate funding for the other parcels if the
283 Commission doesn't hear back from the owners of Parcels #1 and #2, set a dollar amount and
284 leave the door open. Mr. Tilton noted that made sense.

285
286 Ms. Swank asked how much was in the Conservation Fund and Ms. Dionne estimated
287 approximately \$100,000. Ms. Renaud noted it was \$86,000 prior to this year's approval of an
288 additional \$20,000 Warrant Article, which Ms. Dionne noted is frozen due to the circumstances.
289 Ms. Dionne indicated the Commission acquired 11 acres between Parcels #2 and #3 last year.

290
291 Chair Diener asked the Commission if they were in favor of setting aside funds for the primary
292 purchase of Parcels #1 and #2 and also #3 and #4 to see who has the greater interest and asked
293 the Commission to determine the amount of money to be spent.

294
295 Mr. Tilton recommended \$30,000.

296
297 Ms. Swank asked the value of Parcels #3 and #4 and Chair Diener indicated #3 had 17 acres and
298 an appraised value of \$18,700 and Parcel #4 had 6 acres and an appraised value of \$6,600. Chair
299 Diener noted the Assessing Department had Parcel #3 assessed for \$350,000 in error which was
300 brought to their attention – there was no building frontage. Ms. Swank questioned whether it
301 could be accessible through Rock Rimmon. Ms. Dionne noted the parcel show in the orangey-
302 red is owned by North Hampton, it extends into North Hampton. The Commission can legally
303 own a parcel in another Town and could be approached in the future with an agreement drafted
304 to have permission to maintain the trail between Parcel #4 and #5.

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305 Ms. Swank questioned whether Parcel #3 should be added as well? Ms. Dionne recommended
306 reaching out to all the parcels in yellow. The owners of Parcels #1, #2 and #3 have been reached
307 out to before. Adding Parcel #3 would bring the total close to \$46,200. Ms. Dionne noted one
308 parcel owned by siblings seemed to be a timing issue, they weren't opposed. Ms. Renaud noted
309 the value would double to include #1-#4.

310
311 Chair Diener noted Parcel #5 which had 4.72 acres had an appraised value of \$234,000. Ms.
312 Swank noted there is a property in between but perhaps they think they can get a driveway in
313 there.

314
315 **MOTION:** Mr. Tilton motioned to authorize the expenditure from the Conservation Fund of up
316 to \$30,000 primarily for the acquisition of Parcels #1 and #2 and if not interested to reach out to
317 acquire Parcels #3 and/or #4.

318 **SECOND:** Ms. Renaud seconded the motion.

319
320 **ROLL CALL VOTE:** 5-0-1 (Chair Diener abstained) **MOTION PASSED**

321
322 Renaud – yes, Tilton – yes, Wrobel – yes, Raymond – yes, Swank – yes, Diener – abstain.

323
324 **VI. Old Business**

325
326 **1. 2021 Warrant Articles Ideas**

327
328 Chair Diener recommended the Commission give thought to any Warrant Articles they would
329 like to bring this year. Quite a few passed last year. Chair Diener recommended keeping this
330 item on the agenda for further discussion.

331
332 Ms. Renaud mentioned the Flood Plain Ordinance and requiring the developer to look at
333 projections for SLR going forward, to see if the structure would last 50 years. Perhaps adding as
334 a requirement #4 to 2.4.7.

335
336 Chair Diener asked the Commission their general feeling about the concept in general. NHDES
337 has incorporated into their wetlands proceeds and the Commission could recommend inclusion to
338 ours. Some of the projects are only required to meet the standard for today and are not required
339 to see if SLR would put the parking or access way under water. Chair Diener questioned
340 whether it should be included in the Master Plan as forward thinking before making the
341 ordinance. Look at where and the guidance and the kind of process to bring to bear in situations.

342
343 Ms. Raymond indicated she preferred to follow NHDES guidance and science. There could be a
344 lot of fights, starting with Planning Board, if we take away the ability to develop land,
345 incorporate NHDES guidance, nothing different.

346
347 Chair Diener indicated the Commission could recommend requiring it in broader areas than
348 NHDES can and could work with the Planning Board on that. Would not have jurisdiction

349

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350 outside the WCD. The recommendation could be that the guidance be incorporated elsewhere in
351 Town.

352

353 Ms. Raymond noted she was not on board with going beyond NHDES science.

354

355 Mr. Tilton asked about the responsibility of lenders to watch out for the viability of projects in
356 10-20 years. Ms. Raymond noted the flood certifications, the first-floor elevations are tied to the
357 flood plain.

358

359 Chair Diener noted not enough people are looking at the project. Some would want to adapt
360 after seeing the report, others will just thank us for sharing.

361

362 **2. Natural Resource Inventory**

363

364 Ms. Dionne indicated there was not a lot to report. The goal is to have a subcommittee meeting
365 in June and reassess.

366

367 **3. Coastal Hazards Master Plan Chapter – update**

368

369 Ms. Raymond noted there was a brief meeting. The new consultant was on board for the Coastal
370 Hazard piece. Discussions were on how to work with the public going forward and meeting
371 virtually. The likelihood is that meetings are not likely in the near future.

372

373 Ms. Dionne asked if there was a schedule to develop the chapter and Ms. Raymond noted she
374 will find out.

375

376 Chair Diener thanked Ms. Raymond for representing the Commission on this noting it will be
377 valuable and helpful.

378

379 **4. Town Forest Activities**

380

381 Ms. Dionne indicated the Commission voted and the Select Board took up the issue referenced in
382 the letter and the liability of having jumps, etc. The Board asked the DPW to investigate but did
383 not authorize action.

384

385 Chair Diener indicated he went out recently and took a ramp down and will take down more
386 stuff. The trail marks were covered up with brown spray paint by him and someone else had
387 done so too. Chair Diener observed a lot of people out walking and biking and most who were
388 riding were behaving.

389

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390 **VII. Conservation Coordinator and Chair update**

391
392 Ms. Dionne indicated the use of electronic numbers were thought to be toll free may have charges and if
393 anyone got charged to email her. She has brought it to the attention of the Town Manager and Assistant
394 Town Manager and received a response asking to submit to Finance for reimbursement.

395
396 Ms. Dionne noted the selection of numbers didn't include any for NH, MA was the closest.

397
398 Chair Diener polled the members to see if they would like to do the next meeting by audio only or if they
399 found it to be less than satisfactory could move to Zoom or a hybrid with audio by phone also or another
400 provider such as Web-X. SHEA has a Zoom account so there would be no cost to the Commission.

401
402 Mr. Tilton noted Ms. Shaw may not have access but could call in. The Commission members who were
403 present indicated they were okay with trying Zoom next month.

404
405 Ms. Swank asked the status of the Victory Gardens and Rain Barrell project. Chair Diener indicated the
406 Victory Garden was in full steam. Ms. Dionne noted the rain barrels were not finished when schools
407 closed and there was no plant sale.

408
409 **VIII. Adjourn**

410 **MOTION:** Mr. Tilton motioned to adjourn the meeting at 8:26 PM.

411 **SECOND:** Ms. Renaud seconded the motion.

412
413 **VOTE:** 5-0-1 (Chair Diener abstained) **MOTION PASSED**

414
415 Respectfully submitted,

416
417 Nancy J. Hoijer,
418 Recording Secretary