

**Hampton Conservation Commission**  
**Draft Minutes**  
**Tuesday, June 23, 2020**

1 Present:           **Jay Diener, Chair**  
2                   **Deborah Wrobel, Vice Chair**  
3                   **Pete Tilton**  
4                   **Diane Shaw**  
5                   **Sharon Raymond**  
6                   **Anthony Curro, Alternate**  
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. Chair Diener indicated Alternate  
13 Anthony Curro would be active.

14 Chair Diener read the meeting preamble, relative to the Governor’s issuance of Emergency Order  
15 #12, authorizing Towns to meet electronically with no physical location pursuant to Executive  
16 Order #2020-04. The public notice was posted with instructions on the Town website  
17 <https://hamptonnh.gov/> for the public to access the meeting  
18 <https://us02web.zoom.us/j/82183467819?pwd=YkFrSjQyRVJLc1ZZUzBuZ3E2UWVydz09>

19 Zoom ID: 82183467819, Password 336816 or by calling 1-929-205-6099 and entering password  
20 336816. If there are any problems to contact (603) 929-5808 or email rdionne@hamptonnh.gov.  
21 In the event the public cannot access the meeting it will be postponed.

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

24 Jay Diener (alone), Pete Tilton (with Diane Shaw), Diane Shaw (with Pete Tilton), Deborah  
25 Wrobel (alone), Sharon Raymond (alone), Keith Lessard (alone) and Rayann Dionne (alone).

26 **II.       Appointments**

27 **III.       Applications**

28  
29 **1. 28 Pearl Street** **Town Wetlands Permit**

30 **Owner:** Roy & Andrea Woods  
31 Replace the current crushed stone driveway with permeable pavers. The driveway was  
32 previously permitted in 2001 with the stipulation that it remain permeable.  
33

34 The property owners, Mr. and Mrs. Woods, indicated they would like to replace the existing  
35 gravel/stone driveway with permeable pavers. They are looking to expand the permeable paver  
36 section so that the walkway from the driveway to the front door will be curved up to the retaining  
37 wall. There are currently pavers in front of the door.  
38

39 Chair Diener asked what the increase in paver area was and Mr. Woods indicated 130 SF.

**Hampton Conservation Commission**  
**Draft Minutes**  
**Tuesday, June 23, 2020**

40  
41 Mr. Lessard asked if they were removing any of the mature shrubs and Mr. Woods indicated no.  
42

43 Chair Diener opened the hearing to the public for comments and questions at 6:45 PM and being  
44 none closed the hearing to the public for deliberations.  
45

46 **MOTION:** Ms. Wrobel motioned to approved the Town Wetlands Permit to replace the  
47 existing driveway at 28 Pearl Ave with permeable pavers and allow the walkway area to be  
48 increased by 130 SF with permeable pavers.

49 **SECOND:** Ms. Raymond seconded the motion.  
50

51 **ROLL CALL VOTE:** 5-0-1 (Chair Diener abstained) **MOTION PASSED**  
52

53 Tilton – yes, Shaw – yes, Curro – yes, Wrobel – yes, Raymond – yes, Diener – abstain.

54 Ms. Dionne read the stipulations out loud.  
55

56 The driveway shall be maintained as permeable. Please note that driveway work requires a  
57 Driveway permit from DPW.  
58

59 The property owners shall photo document the permeable paver installation, including the base  
60 stone layers. This documentation shall be submitted to the Conservation Coordinator before the  
61 final inspection.  
62

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

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

67 Proper erosion control will be in place before construction begins and remain in place until the  
68 area is stabilized and removed after construction is complete.  
69

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

72 The Conservation Commission shall be notified in writing upon commencement and completion  
73 of the project. A final inspection shall also be scheduled with the Conservation Coordinator  
74 upon completion of the project.

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

77 Mr. Woods asked what happened next. Mr. Diener indicated the applicant and Planning Board  
78 will get the letter from the Conservation Commission with stipulations.

**Hampton Conservation Commission**  
**Draft Minutes**  
**Tuesday, June 23, 2020**

79

80 **2. 9 Cora Ave** **NHDES Wetlands Permit**

81 **Owner:** Jackson & Stephanie Schenker

82 **Agent:** Tight Knot Design Build

83

84 Mari Fontaine with Tight Knot Design Build joined on behalf of the property owner. Ms.  
85 Fontaine indicated that they recently received a copy of the As-Built which is slightly different  
86 from the plan they were using. Therefore, they may need to make some adjustments to the  
87 design. A variance was applied for and the application needs to be revised. She shared that they  
88 would need to continue this review the next Commission meeting. However, she was still  
89 interested in hearing some initial feedback from the Commission on the proposal if they were not  
90 comfortable with reviewing the plan as shown.

91

92 Chair Diener noted he prefers to see the revised plans they are going to be voting as opposed to  
93 making a conditional recommendation.

94

95 Ms. Fontaine asked if she could ask some questions and explained the parcel where the deck is  
96 being built has some beautiful views and she has researched the native wetland plans and rock  
97 drainage. She would like to combine an owner's experience as well as respect the environment.

98

99 Chair Diener indicated he was always in favor of adding natural vegetation. Enhancing drainage  
100 and water quality is always a plus.

101

102 The construction would be less impactful, the dirt would be removed offsite and not dumped in  
103 the wetland area.

104

105 Ms. Fontaine asked if there was anything the Commission did not want to see. Ms. Dionne  
106 indicated removing the stone located in the 50' buffer and replacing it with native vegetation.

107

108 Ms. Dionne explained the changes in NHDES rules and the tremendous amount Maria has  
109 already put into this application.

110

111 **IV. Review Minutes – May 26, 2020**

112

113 **MOTION:** Ms. Wrobel motioned to approve the May 26, 2020 minutes as amended.

114

115 **SECOND:** Ms. Raymond seconded the motion.

116

117 **ROLL CALL VOTE:** 4-0-2 (Chair Diener and Ms. Shaw abstained) **MOTION PASSED**

118

119 Tilton – yes, Shaw – abstain, Curro – yes, Wrobel – yes, Raymond – yes, Diener – abstain.

120

121 **V. New Business**

1. RSA 41:14-a Proceeding – 4 14<sup>th</sup> Street – Release of Deed Restriction #3 (fence height)

**Hampton Conservation Commission**  
**Draft Minutes**  
**Tuesday, June 23, 2020**

122  
123 Ms. Dionne indicated the parcel was outside the WCD and deed revision is to remove the  
124 provision that only allows a fence to be 3' high.

125  
126 **MOTION:** Mr. Curro motioned to not oppose the release of Restriction #3 for 4 14<sup>th</sup> Street.

127 **SECOND:** Ms. Raymond seconded the motion.

128  
129 **ROLL CALL VOTE:** 5-0-1 (Chair Diener abstained) **MOTION PASSED**

130  
131 Tilton – yes, Shaw – yes, Curro – yes, Wrobel – yes, Raymond – yes, Diener – abstain.

132 **2. Discuss 12' Primary Building setback from WCD with regard to porches**

133  
134 Ms. Dionne asked the Commission to discuss and provide an opinion on whether a porch should  
135 be required to meet the 12' setback from the buffer edge. The Commission discussed the  
136 difference between a porch and a deck. With a porch, once the roof is on it can easily be  
137 converted to indoor use. The definition of porches may need to be a future warrant article.

138  
139 Mr. Lessard indicated porches and porticos have cover, offer shelter, a deck does not. A deck  
140 allows water to flow through. Mr. Lessard agreed a definition is needed for porches. Any  
141 structure with a roof becomes impervious.

142  
143 Ms. Dionne clarified that a deck is allowed in the 12' buffer now. Mr. Lessard indicated if water  
144 can go through it is ok.

145  
146 Mr. Tilton agreed a porch has a roof and should be part of the building plan, part of the house,  
147 and part of the primary structure.

148  
149 Ms. Shaw noted a porch is attached to the main structure in many places and becomes part of the  
150 useable space of the building.

151  
152 Ms. Raymond agreed there was a big difference between a porch and a deck. She agreed that a  
153 porch should be required to meet the setback

154  
155 Ms. Wrobel agreed a porch is part of the primary structure.

156  
157 Chair Diener agreed a porch is more like a room than a deck and a definition should be crafted to  
158 differentiate. The state generally considers it to be part of the primary structure.

159  
160 Ms. Dionne will put adding a definition for porch on the 2020 Warrant Article list.

161  
162 **3. NHDES Minimum Expedited Permit applications**

163  
164 Ms. Dionne initiated a conversation with the Commission about DES Minimum Expedited  
165 Permit Applications. The majority of State wetlands standard dredge and fill but there are few

**Hampton Conservation Commission**  
**Draft Minutes**  
**Tuesday, June 23, 2020**

167 minimum expedited with no new impact. One example would be to add existing structure over  
168 existing asphalt with no change in impervious coverage. Normally the Commission votes to sign  
169 the application but perhaps some criteria could be produced so the Chair and Vice can sign and  
170 not bring forward to a meeting and help reduce the wait time.

171  
172 Ms. Dionne indicated with specific criteria it could be a way to move along some smaller  
173 projects.

174  
175 Mr. Curro asked about whether the sea wall project would qualify, just adding rock to a seawall  
176 for example. Ms. Dionne indicated that example would not qualify because that work is within  
177 50' of the high observable tide line and only qualifies for the standard/full application and not the  
178 minimum expedited.

179  
180 Ms. Dionne will come up with some examples for the Commission to review next month.

181  
182 **4. Conservation Coordinator Summer Hours**

183  
184 Ms. Dionne indicated with COVID her family has decided not to send their children to summer  
185 or day camps this year. In order to balance work and childcare, she asked to reduce her summer  
186 hours to 15-20 hours per week, normally 29.

187  
188 Chair Diener indicated the application load appears reduced and asked if anyone had any  
189 concerns. Ms. Raymond indicated it seemed very reasonable.

190  
191 Mr. Lessard added the importance of making it clear that the reduction of hours is related to  
192 COVID.

193  
194 **MOTION:** Ms. Raymond motioned to approve the Conservation Coordinator reducing her  
195 work hours for the summer.

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

197  
198 **ROLL CALL VOTE:** 5-0-1 (Chair Diener abstained) **MOTION PASSED**

199  
200 Tilton – yes, Shaw – yes, Curro – yes, Wrobel – yes, Raymond – yes, Diener – abstain.

201  
202 **VI. Old Business**

203  
204 **1. 2021 Warrant Articles Ideas**

205  
206 Ms. Dionne recommended adding the definition of porches.

207  
208 **2. Natural Resource Inventory**

209

**Hampton Conservation Commission**  
**Draft Minutes**  
**Tuesday, June 23, 2020**

210 Ms. Dionne indicated there was nothing new to report. They need to have another subcommittee  
211 meeting.

212

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

214

215 Ms. Raymond reported the public participation plan was discussed with a focus on finding an  
216 alternate way to engage the public with the lowest impact of COVID. There will be an online  
217 public survey in July and August with 10-15 questions as well as a printable copy displayed in  
218 high traffic areas. In August and September, the workshop will break out into groups for  
219 discussion. The final workshop will be in January/February 2021. The RFP will be in late  
220 fall/early winter. Ms. Raymond will send the information to Ms. Dionne to share it with the  
221 Commission.

222

223 **4. Town Forest Activities**

224

225 Mr. Tilton reported he was out last week walking and observed a series of brand new “Posted”  
226 signs and dead trees blocking passage. People are getting tired of the bike trail activity on their  
227 property without permission. Once posted these private property areas are off-limits. Chair  
228 Diener will get the information out to Gus’ Bike Shop and recommends the Town Forest  
229 Committee do more to establish trails.

230

231 Ms. Dionne and Chair Diener met with DPW about flattening the bike ramps and haven’t heard  
232 back.

233

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

235

236 Ms. Dionne reviewed some of the new features of the DES permit Prime Wetland waiver  
237 request. A waiver is reasonable in instances where there is a small project with minimal impact.

238

239 Ms. Dionne asked if the invoice for mowing at Ice Pond meadow had come up before. Mr.  
240 Diener indicated a confirmation vote could be taken to pay that invoice.

241

242 **MOTION:** Mr. Tilton motioned to continue to hire Aqua Tech to mow as needed this summer

243

244 **SECOND:** Ms. Shaw seconded the motion.

245

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

**MOTION PASSED**

247

248 Tilton – yes, Shaw – yes, Curro – yes, Wrobel – yes, Raymond – yes, Diener – abstain.

249

250 Chair Diener polled the Commission members to see what their preference was with meeting  
251 format, to continue electronically by video or audio, or have live meetings.

252

**Hampton Conservation Commission**  
**Draft Minutes**  
**Tuesday, June 23, 2020**

253 Mr. Tilton indicated he preferred Zoom but was okay with meeting live. The room could be  
254 spread out, tables could be added, and masks required.

255  
256 Mr. Lessard indicated the Planning Board did their first in-person and teleconference meeting  
257 last week but he is happy with calls also. The situations with applicants are unique. Also, enjoy  
258 being able to see and read facial expressions.

259  
260 Chair Diener indicated Zoom could be combined with audio but he was not in favor of doing live  
261 meetings combined with Zoom. Ms. Dionne noted a monitor could be set up and indicated she  
262 preferred Zoom at least as long as the projects are small and straight forward.

263  
264 Ms. Raymond noted she preferred virtual for a while and enjoyed having everything on the other  
265 computer in front of her.

266  
267 Ms. Wrobel indicated she would prefer virtual for a couple of months and prefers Zoom.

268  
269 Chair Diener summarized everyone was okay with continuing with Zoom.

270  
271 **VIII. Treasurer's Report**

272  
273 Ms. Shaw gave the Treasurer's Report and Ms. Dionne shared it via pdf. Ms. Shaw indicated the  
274 report was as of the end of March. \$132 came into the operating account. And there is unused  
275 budget money. Payments were made to TW Corp for the Ice Pond Kiosk. \$390 out with  
276 \$120,000 at the end of the quarter. About \$100 less.

277  
278 **IX. Adjourn**

279 **MOTION:** Mr. Tilton motioned to adjourn the meeting at 7:53 PM.

280 **SECOND:** Ms. Wrobel seconded the motion.

281  
282 **VOTE:** 5-0-1 (Chair Diener abstained) **MOTION PASSED**

283  
284 Tilton – yes, Shaw – yes, Curro – yes, Wrobel – yes, Raymond – yes, Diener – abstain.

285  
286 Respectfully submitted,

287  
288 Nancy J. Hoijer,  
289 Recording Secretary