

**Town of Hampton
Conservation Commission
Minutes
February 23, 2021**

Present: Jay Diener, Chair
Deborah Wrobel, Vice Chair
Pat Swank
Pete Tilton
Bob Fox, Alternate
Anthony Curro, Alternate

Call to Order:

The meeting was called to order by Chair Diener at 6:31 PM. Chair Diener indicated Alternate Bob Fox would be active and Alternate Anthony Curro who arrived at 8:15 PM.

Chair Diener read the meeting preamble, relative to the Governor’s issuance of Emergency Order #12, authorizing Towns to meet electronically with no physical location pursuant to Executive Order #2020-04. The public notice was posted with instructions on the Town website <https://hamptonnh.gov/> for the public to access the meeting.

Meeting Link

Zoom

Meeting ID: 857 4865 5648

Dial in Number Options

+1 929 205 6099 US (New York)

If there are any problems to contact (410) 459-5175. In the event the public cannot access the meeting it will be postponed.

Chair Diener asked the members present to identify themselves by Roll Call and indicate if there was anyone in the room with them. Deborah Wrobel (alone), Pat Swank (alone), Pete Tilton (alone), Bob Fox (alone) and Jay Diener (alone). Alternate Anthony Curro arrived at 8:15 PM.

I. Applications

1. [607 Ocean Boulevard](#) [Town Wetlands Permit](#)

Replace foundation on the existing house, raise the building, remove the rear deck, excavate for foundation, enlarge living area slightly, rebuild the rear deck.

Tobin Farwell presented the application for a Town Wetland Permit for 607 Ocean Boulevard. Mr. Farwell noted the wetlands have been delineated, the bulkhead location has been added, the cinderblock foundation is being replaced, and impervious will not change.

39 Vice-Chair Wrobel asked the height of the deck and Mr. Farwell noted they are planning to
40 raise it a foot to a foot and a half higher than it is now matching the first floor elevation of
41 three feet.

42
43 Ms. Swank asked about where discharge from the dewatering location will go and Mr.
44 Farwell noted the trench discharges normally.

45
46 Chair Diener asked where the sump pump discharge hose will go and Mr. Farwell noted it
47 will be under the deck, four feet from the home's foundation.

48
49 Chair Diener asked about converting the portion of the concrete driveway in the buffer to
50 pervious and **Rene F.** (the property owner) noted it would not be much of a problem since the
51 concrete had to be opened up to get to Town Sewer.

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53 MOTION: Vice-Chair Wrobel motioned to support granting the Town Wetlands Permit
54 application.

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56 SECOND: Ms. Swank seconded the motion.

57
58 VOTE: A roll call vote was taken Wrobel – aye, Tilton – aye, Swank – aye, Fox – aye and
59 Diener – abstain.

60
61 THE MOTION PASSED: 4-0-1

62
63 **CONDITIONS:** In addition to what is on the updated plan dated 1.28.21, the portion of the
64 concrete driveway that is in the wetlands buffer will be converted to a pervious material. The
65 appropriate stipulations will be added to the letter sent to the Planning Board.

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68

69 2. [51 Hobson Avenue](#)

[Town Wetlands Permit](#)
[NHDES Wetlands Permit](#)

70
71 Raise existing house and deck and a proposed deck to elevation 16.1 to be above flood
72 elevation. This allows a two-car garage under. Use existing foundation and set house on
73 columns on this foundation. Remove pavement to west side of house. Total impact area is
74 1419 square feet and is temporary.

75
76 Tim Ferwerda presented the proposal for 51 Hobson Avenue for a Town Wetlands Permit and
77 NHDES Wetlands Permit to raise the house and create a garage under, remove pavement on
78 the left side of the lot for lawn space, try to save the existing foundation and raise with
79 concrete columns. The only change to the footprint would be adding stairs to the front deck.

80

81 Vice-Chair Wrobel asked about the elevation mentioned in the application and Mr. Ferwerda
82 stated he would correct that and noted it should stay out of the flood level until the year 2100.

83
84 Mr. Fox asked what kind of columns would be used and Mr. F. noted they would be concrete
85 with rebar.

86
87 Norman Carpentier noted the concrete columns would be cast in place concrete so as not to be
88 as damaged by salt water.

89
90 Chair Diener asked if there would be a patio under the back of the house and Mr. Carpentier
91 noted there would be pervious pavers as well as on the front driveway.

92
93 Mr. Fox asked if there were any openings for water to flow and Mr. F. noted yes, there would
94 be flood gates and vents.

95
96 Mr. Carpentier noted there would be gates/vents on the back and by the front door and at least
97 one on the sides.

98
99 Mr. Fox asked if the foundation walls would be elevated and Mr. Carpentier noted the flood
100 gates will be within State parameters.

101
102 Vice-Chair Wrobel asked about the stairs and whether they were on the right entrance and exit
103 and included in the impervious surface calculations – yes.

104
105 MOTION: Mr. Tilton motioned to not oppose the DES permit.

106
107 SECOND: Vice-Chair Wrobel seconded the motion.

108
109 VOTE: A roll call vote was taken Wrobel – aye, Tilton – aye, Swank – aye, Fox – aye and
110 Diener – abstain.

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112 THE MOTION PASSED: 4-0-1

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114 MOTION: Ms. Swank motioned to recommend the Town Wetlands Permit application.

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116 SECOND: Vice-Chair Wrobel seconded the motion.

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118 VOTE: A roll call vote was taken Wrobel – aye, Tilton – aye, Swank – aye, Fox – aye and
119 Diener – abstain.

120
121 THE MOTION PASSED: 4-0-1

122

123 **CONDITIONS:** The appropriate standard stipulations will be added to the letter sent to the
124 Planning Board.

125

126 3. [RSA 41:14a 141 Kings Highway](#)

127 Construction of a two-car garage that violates 10-foot setback.

128

129 Chair Diener noted the owner needs input from the Commission and the Planning Board.

130 There are no wetland or buffer or impervious surface issues related to the request.

131

132 MOTION: Vice-Chair Wrobel motioned to not oppose the request to be released from 41:14a
133 10-foot setback restrictions.

134

135 VOTE: A roll call vote was taken Wrobel – aye, Tilton – aye, Swank – aye, Fox – aye, Curro
136 - aye and Diener – abstain.

137

138 THE MOTION PASSED: 5-0-1

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140 **II. Appointments**

141 1. [561 Ocean Blvd](#)

142 Discussion on foundation repair.

143

144 Andy Ahlquist presented the proposal for 561 Ocean Boulevard to drill through the
145 foundation and shoot a rod inside and leave a plate on the outside of Unit 1. The bracket
146 under the foundation of Unit 10 would prevent further settling.

147

148 Chair Diener questioned the need for a wetland permit because he was not sure of temporary
149 or permanent impacts. He also noted that NHDES had previously determined that a state
150 Wetlands permit was not required for this project.

151

152 Mr. Ahlquist noted a 2’x2’ hole by Unit 10, geolocks at grade. Four geolocks going in. The
153 biggest impact to wetland is walking.

154

155 Mr. Curro asked if a pile for fill could be covered with a tarp and Mr. Ahlquist agreed.

156

157 Chair Diener noted if that is the only impact, he did not believe it needs a wetlands permit.

158 Mr. Fox noted it depended upon the hole and soil type. Mr. Ahlquist noted dirt would sit
159 between the concrete barrier.

160

161 The consensus of the Commission was that this project does not require a Town Wetlands
162 Permit.

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164 2. [137 Landing Road](#)

165 Seeking input on proposed site improvements.

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Joe Coronati presented the proposal for 137 Landing Road and noted he has not applied for permits yet but plans to after receiving feedback tonight. The house has been there since the 70s. There is quite a lot of tidal marsh ownership, a couple of buildings on the property, freshwater and tidal wetlands, lots of setbacks. The fish shack, originally to be rebuilt in the current location in the wetlands, would move back 25 feet toward the buffer edge. The pole barn located in 50' buffer, would be rebuilt slightly larger but completely out of the 50' buffer. Would like to build a new garage completely outside of the buffer. Want to tie the lot into Town water and sewer, even though it meant digging up the driveway that is in the buffer between two wetlands.

Chair Diener asked if the barn would be moved out of the 12' primary setback and Mr. Coronati noted it isn't necessary since it isn't a primary occupied structure.

Chair Diener asked about the garage entrances and Mr. Coronati noted they are on the side of the garage, and the whole driveway is gravel.

Mr. Fox asked if the garage was for personal or business use and Mr. Coronati noted it was for personal use only.

Vice-Chair Wrobel noted it was a great idea to connect to sewer.

Ms. Swank liked the idea of pulling the structures back.

Mr. Tilton was curious about the movement of the fish shack and Mr. Fox asked the elevation details.

Mr. Coronati noted the elevation would be 9, at the dark line shown on the plan. Can't move shack back 25 feet and make it 14 feet tall, based on NHDES requirements.

Mr. Tilton asked if the garage was planned to be an Accessory Dwelling Unit and Tom Moulton stated he had no intention of renting at all.

Mr. Coronati noted the shack could be better supported structurally with an elevated finished floor.

Mr. Tilton noted he was happy where the shack is currently.

Mr. Coronati noted the second part of the property, the wetland side, is handled by DES. There is a historic, dilapidated boardwalk going out to the existing dock. There are remnants of the old boardwalk in the marsh. Mr. Moulton would like to be able to get to the dock. The boardwalk would have to be rebuilt and the rules state it must be above ground by as many feet as it is wide.

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Mr. Tilton noted he was in favor of allowing access but didn't like the idea to build so high off the ground, because of the visual impact or the impact to wildlife.

Mr. Fox noted asked if the dock would be repermited to move closer to the property and shorten the causeway and Mr. Moulton noted they may not have a deep-water dock then.

Mr. Fox asked about the Army Corp. jurisdiction and Mr. Tilton recommended having the Army Corp. weigh in on the project.

Mr. Coronati noted there would be temporary impacts. Mats would be laid down to allow the excavator to drive helical piles.

3. [95 Drakeside Road](#)

Seeking input on subdividing existing lot to create a new lot for residential use.

Corey Colwell presented the proposal for 95 Drakeside Road for a two-lot subdivision next to where a sports barn has been operated. Parking will be crushed stone. There will be a three-unit apartment and a one-story dwelling. The river is about 105' away. There is about 24,000 SF of buildable area. The highest observable tide line to mean is closer. Activity within the buffer requires a permit and further review. The new home will go to Town water and sewer.

Vice-Chair Wrobel asked if the project is outside of the 50' buffer and 12' setback – yes.

Ms. Swank asked how far back the house is planned and Mr. Colwell noted no plans for the house yet.

Mr. Tilton recommended pervious driveway and leaving shrubs in the 100' buffer.

Mr. Fox noted future development would be subject to Town and State wetland permits.

Mr. Curro liked the idea of not bringing the lawn up to the marsh.

Mr. Diener noted he did not know the grading of the lot, the flood risk between 100 and 50 foot buffers and encouraged building on the east side of the lot.

The Commission will send a memo regarding the Commission's discussion to the Planning Board.

4. [86 Exeter Road](#)

Seeking input on conversion of a single-family home to a two-family on a lot that needs a variance.

252 Attorney James Scully presented the proposal for 86 Exeter Road and noted they have gone
253 before the ZBA twice to convert the home to a two-family. The ZBA has approved a variance
254 to convert the house to a duplex, conditional on the Commission's approval. They do not meet
255 the minimum lot area for a two-family. There is no change to the site or buffer impact.

256

257 Mr. Curro asked if the dwelling is on Town water and sewer – yes.

258

259 Chair Diener noted there were interior changes only, no more additions to the structure, and
260 no change to impervious coverage, and did not think the two-family made a difference.

261

262 Chair Diener will send a note to the ZBA stating the Commission has no issue as long as the
263 exterior remains the same. The Commission agreed.

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266 5. [65 Lafayette Road](#)
267 Seeking input on proposed site use changes.

268
269 The applicant was not present at the meeting. Chair Diener advised that the applicants want to
270 do more work on the site, but we are uncertain at this time about the details of the project and
271 wish to postpone until next month.

272
273 **III. Review Minutes – January 26, 2021**

274 MOTION: Ms. Swank motioned to accept the January 26, 2021 minutes.

275
276 SECOND: Vice-Chair Wrobel seconded the motion.

277 ROLL CALL VOTE: Wrobel – aye, Tilton – aye, Swank – aye, Fox – aye, and Diener – abstain.

278 VOTE: THE MOTION PASSED: 4-0-1

279 **IV. New Business**

280 1. Update on Clerk, Conservation Commission

281 Chair Diener advised that Diane Shaw would like to be an alternate and relinquish her role as
282 clerk. Ms. Swank has agreed to be the clerk.

283 2. Financial Review – Tabled.

284 3. PREPA Grant Opportunity

285 Chair Diener advised that the Planning Board is applying for a \$5,000-\$10,000 PREPA grant for
286 work to explore adding the NHDES “Guidance” for determining flood vulnerability for proposed
287 projects to the Town’s ordinances, and has requested that the Commission endorse its
288 application.

289 MOTION: Mr. Tilton motioned to endorse the Planning Board’s application for the PREPA
290 grant.

291
292 SECOND: Mr. Curro seconded the motion.

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294 VOTE: A roll call vote was taken Wrobel – aye, Tilton – aye, Swank – aye, Fox – abstain, Curro
295 – aye and Diener – aye.

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297 MOTION PASSED: 5-0-1

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299 4. Driveway Permits: Proposed Revision to Hampton Driveway Regulations
300 Public Hearing: Wednesday, March 3, 2021 at 7:00 PM

301
302 Vice-Chair Wrobel reported a new permit process has been proposed for driveway permits. The
303 biggest change is that the Commission will go through all permits to see if there is any wetlands

304 impacts. Homeowners are being asked to determine if their driveway is in the wetland
305 conservation district.

306

307 Chair Diener will send a letter to the DPW stating that the Commission is in favor of the change.
308 The Commission was unanimously in favor.

309

310 5. Non-Public Session pursuant to RSA 91-A:3(II)(b) hiring of a public employee.

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312 MOTION: Ms. Swank motioned to go into non-public session pursuant to 91-A:3(II)(b) hiring
313 of a public employee at 8:48 PM.

314

315 SECOND: Mr. Fox seconded the motion.

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317 VOTE: A roll call vote was taken Wrobel – aye, Tilton – aye, Swank – aye, Fox – aye, Curro –
318 aye and Diener – aye.

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320 MOTION PASSED: 6-0-0

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322 The meeting was closed to the public at 8:48 PM.

323

324 MOTION: Ms. Swank motioned to reopen the public hearing at 9:02 PM.

325

326 SECOND: Mr. Fox seconded the motion.

327

328 VOTE: A roll call vote was taken Wrobel – aye, Tilton – aye, Swank – aye, Fox – aye, Curro –
329 aye and Diener – aye.

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331 MOTION PASSED: 6-0-0

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333 The meeting was reopened to the public at 9:02 PM.

334

335 MOTION: Mr. Tilton motioned to seal the minutes of the non-public session.

336

337 SECOND: Mr. Fox seconded the motion.

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339 VOTE: A roll call vote was taken Wrobel – aye, Tilton – aye, Swank – aye, Fox – aye, Curro –
340 aye and Diener – aye.

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342 MOTION PASSED: 6-0-0

343

344 **V. Old Business**

345 1. Town Forest Trail Marking

346 Mr. Fox noted that the Scouts have not met but are excited about the project. Chair Diener
347 recommended that cleaning up of some of the trails as well. Mr. Fox will report back next
348 month.

349 **VI. Conservation Coordinator and Chair update**

350 Vice-Chair Wrobel indicated she had no updates.

351 **VII. Adjourn.**

352 MOTION: Ms. Swank motioned to adjourn the meeting at 9:02 PM

353 SECOND: Vice-Chair Wrobel seconded the motion.

354 VOTE: The motion passed unanimously.

355 Respectfully submitted,

356

357 Nancy Hoijer
358 Recording Secretary