

Hampton Conservation Commission
Draft Minutes
Tuesday, September 22, 2020

1 **Present:** **Jay Diener, Chair**
2 **Deborah Wrobel, Vice Chair**
3 **Pat Swank**
4 **Pete Tilton**
5 **Bob Fox, Alternate**
6

7 **Also Present:** **Rayann Dionne, Conservation Coordinator**
8 **Alex Loiseau, Planning Board**
9

10 **Call to Order:**

11 The meeting was called to order by Chair Diener at 6:30 PM. Chair Diener indicated Alternate
12 Bob Fox would be active.

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

17 **Meeting Link**

18 <https://us02web.zoom.us/j/83269323352?pwd=MkhiOEdkTmx3MGJmQ0kwTjJTWExXUT09>
19 Meeting ID: 898 3495 9687

20 **Dial in Number Options**

21 +1 929 205 6099 US (New York)

22 If there are any problems contact (603) 929-5808 or email rdionne@hamptonnh.gov. In the
23 event the public cannot access the meeting it will be postponed.

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

26 Bob Fox (alone), Pete Tilton (alone), Deb Wrobel (alone), Pat Swank (alone), and Rayann
27 Dionne (alone).

28 **I. Appointments**

29 1. 1080 Ocean Blvd – reviewed proposed redevelopment plans

30 Attorney James Scully thanked the Commission for their letter of support to the Zoning Board of
31 Adjustment. Both the side setback and 12’ buffer variances were granted.

32 Sergio Bonilla of Mission Wetlands indicated 1,854 SF of current impervious area and 1,295 SF
33 proposed, a reduction of 10%. There will be pervious pavers on the existing walkway and
34 driveway and under the deck. The driveway location was moved so this will be a new impact.

35 Mr. Bonilla indicated there will be tidal buffer enhancement plantings, Bayberry, Beach Plum
36 and Virginia rose and the poison ivy will be removed. There will be perimeter infiltration strips.

37

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38 The structure is pulling back 1 ft. It will require a NHDES Standard Dredge and Fill and
39 Shoreland permits as well as the Town of Hampton Wetlands permit.

40 Attorney Scully noted Mr. Boyd of Millennium Engineering provided sealed surface calculations
41 earlier.

42 Ms. Swank asked if the 1,295 SF excludes the driveway because it's going to be permeable? Ms.
43 Dionne noted that even though it is permeable it is a new area of buffer impact.

44 Ms. Wrobel asked if the construction of the driveway would be truly designed underneath to be
45 pervious? Attorney Scully answered yes. Mr. Bonilla referenced sheet 3.

46 Ms. Dionne recommended curbing along a portion of the northern driveway to curve. Chair
47 Diener added and around the corner. Mr. Bonilla noted it will add a couple of SF of impervious
48 area but he would speak to the owner to see if that is possible.

49 Ms. Dionne asked if the stone reservoir area was just handling the deck or gutters? – just
50 handling deck. The roof has an infiltration strip.

51 Ms. Dionne asked if the area to the west of the driveway would be planted and would like to
52 limit the amount of lawn, keeping sight in mind but providing some privacy.

53 **II. Applications**

54 1. 24 Battcock Ave Town Wetlands Permit

55 Owner: Cheryl Stockford

56 Install an 8'x8' shed with a proposed planting plan.

57

58 Ms. Stockford indicated she is requesting a Town Wetlands permit for an 8'x'8 shed shown on
59 the drawing on the north side of the driveway. The border will be planted with indigenous
60 plants. Ms. Dionne provided a list to offset where the shed is going.

61

62 Mr. Fox asked if the shed was on blocks? – yes. Chair Diener asked if there were a ramp? – no,
63 a step up.

64

65 Chair Diener opened the hearing to the public for comments and questions at 7:07 PM and being
66 none closed the hearing for deliberations.

67

68 The Board discussed the location for the plantings. Chair Diener preferred along the house as far
69 toward the marsh as the house goes but is open to additional native plantings elsewhere, to be
70 approved by the Conservation Coordinator.

71

72 Ms. Dionne indicated the conditions of approval:

73

74 1. Placement of a 50' buffer marker on the side of the shed or a post.

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75 2. The application of fertilizer, pesticides, insecticides, or herbicides is prohibited in any tidal or
76 inland wetland, areas, or poorly and very poorly drained soils, vernal pools, or their buffers.
77 However, the application of limestone is permitted within the buffer.

78 3. All proposed plantings shall have at least 75% success after two (2) growing seasons. Any
79 plants that do not survive shall be replanted or replaced with another suitable plant species.

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

81 5. The buffer shall remain undisturbed to the degree possible in the process of construction and
82 elevations not be changed. No additional fill is allowed.

83 6. There shall be no additional structures or impervious surfaces in the buffer, other than those
84 shown on the approved plan. A new Wetlands Permit is required for the construction of any
85 additional structure(s) or impervious surface(s) in the buffer.

86

87 **MOTION:** Ms. Swank motioned to recommend approval of the Town Wetlands Permit for 24
88 Battcock Ave to install an 8'x'8 shed with associated plantings as far toward the
89 marsh as the house goes.

90 .

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

92

93 **ROLL CALL VOTE:** 4-0-1 (Chair Diener abstained)

MOTION PASSED

94

95 Tilton – yes, Fox – yes, Swank – yes, and Wrobel – yes, Diener – abstain.

96 2. 12 Nor'East Lane Town Wetlands & NHDES Minimum Expedited Permit

97 Owner: Nor'East Lane Irrevocable Trust

98 Agent: TF Moran

99 Reset and pin the bottom stepping stones in the existing seawall stairs that were displaced
100 during storm activity.

101

102 Corey Coldwell of TF Moran presented the application and noted owner Dan Hoefle was
103 present. A preliminary presentation was done last month. Mr. Coldwell displayed a photo on
104 the screen of the steps that were damaged and need to be repositioned and pinned. Equipment
105 such as an excavator and/or skid steer will be brought in which requires access to the beach. Mr.
106 Coldwell noted the hatched temporary impact area shown on the plan of approximately 1,000 SF.
107 No additional material will be brought in. Approval will then be needed from the Planning
108 Board.

109

110 Chair Diener asked if the steps were pinned before? No.

111

112 Chair Diener asked the completion time of the project – 2-3 days. Chair Diener indicated the
113 BOS would need to approve access to the beach for the equipment and may require work to
114 occur during low tide and equipment to be cleared overnight.

115

116 Chair Diener opened the hearing to the public for comments and questions at 7:22 and being

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117 none closed the hearing to the public for deliberations.

118 Ms. Dionne stipulated the conditions of approval:

119

120 1. The Conservation Commission shall be notified in writing upon commencement and
121 completion of the project. A final inspection shall also be scheduled with the Conservation
122 Coordinator upon completion of the project.

123

124 2. BOS approval is required for beach access.

125

126 3. This permit will expire two years from the date that it is granted by the Planning Board.
127 Refer to Hampton Zoning Ordinance Section 2.3.5 for information on permit extensions.

128

129 **MOTION:** Mr. Tilton motioned to support the application for Town Wetlands permit for 12
130 Nor'East Lane.

131 .

132 **SECOND:** Mr. Fox seconded the motion.

133

134 **ROLL CALL VOTE:** 4-0-1 (Chair Diener abstained)

MOTION PASSED

135

136 Tilton – yes, Fox – yes, Swank – yes, and Wrobel – yes, Diener – abstain.

137

138 **MOTION:** Mr. Tilton motioned to not oppose the DES Minimum Expedited permit for 12
139 Nor'East Lane.

140 .

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

142

143 **ROLL CALL VOTE:** 4-0-1 (Chair Diener abstained)

MOTION PASSED

144

145 Tilton – yes, Fox – yes, Swank – yes, and Wrobel – yes, Diener – abstain.

146

147 **III. Review Minutes – August 25, 2020**

148

149 **MOTION:** Vice-Chair Wrobel motioned to accept the August 25, 2020 minutes with edits

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

151

152 **ROLL CALL VOTE:** 4-0-1 (Chair Diener abstained)

MOTION PASSED

153 Tilton – yes, Fox – yes, Swank – yes, and Wrobel – yes, Diener – abstain.

154 **IV. New Business**

155

156 1. Turtle Crossing Sign(s) – Pat Swank

157

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158 Ms. Swank noted Ice Pond is home to a lot of turtles who cross right there and 30 or more are
159 smooshed every summer. Ms. Swank would like to post a sign and asked the procedure for
160 Town approval.

161
162 The Board discussed the best location for the sign which should be coordinated with DPW. The
163 sign would need to be located far enough ahead of the crossing so people have time to slow
164 down before the curve.

165
166 **MOTION:** The Board voted to approve the installation of the turtle crossing sign proposed by
167 Ms. Swank at a location to be approved by the DPW prior to the turn for the Ice
168 Pond property.

169
170 **ROLL CALL VOTE:** 4-0-1 (Chair Diener abstained) **MOTION PASSED**

171 Tilton – yes, Fox – yes, Swank – yes, and Wrobel – yes, Diener – abstain.

172 Mr. Fox recommended finding out from the State if any of the turtle species in the area are
173 endangered so a protected crossing could be done.

174
175 **V. Old Business**

176
177 **1. 2021 Warrant Articles Ideas – Draft – “Porch” definition**

178
179 Ms. Dionne posted the draft definition on the screen and indicated the red line strikeouts and the
180 blue highlight is feedback from the Town Planner who did some wordsmithing. Mr. Tilton and
181 Ms. Swank's comments were included in the notes.

182
183 Mr. Loiseau asked if this were a change or brand new? Ms. Dionne noted the zoning ordinance
184 doesn't have a definition and they will bring it to the Planning Board for review and discussion.
185 A deck is allowed in the buffer edge established three years ago but a porch is part of a structure
186 and should have to be 12' away. Chair Diener noted it clarifies that a porch is part of the house.

187
188 Ms. Dionne indicated the next step will be to get feedback from the Town Attorney before
189 sharing with the Planning Board.

190
191 **MOTION:** The Board voted to move forward with the warrant article for a “porch” definition.

192
193 **ROLL CALL VOTE:** 5-0-0 **MOTION PASSED**

194 Tilton – yes, Fox – yes, Swank – yes, and Wrobel – yes, Diener – yes.

195 **2. Natural Resource Inventory – review draft Request for Proposal**

196
197 Ms. Dionne posted the proposed RFP on screen. Ms. Dionne noted the Town has a Natural
198 Resource Chapter but not a Natural Resource Inventory which is more detailed. A consultant
199 would perform the work.

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200 Ms. Dionne provided an example from Rye. The BOS would approve and then be put out to bid.
201 There are no field data collection activities at this time. Ms. Dionne noted the outline of major
202 topics which would like to be discussed in the report.

203
204 Ms. Swank noted it is a nice set of data to have – nice job!

205
206 Mr. Fox asked if other towns had input on the cost? Ms. Dionne indicated the UNH Cooperative
207 Extension suggested \$5,000 and she has reached out to Rye who should be getting theirs this
208 week. Chair Diener noted Conservation should be able to fund this ourselves.

209
210 Mr. Fox noted a detailed proposal can make the cost high. Ms. Dionne indicated she could put a
211 not to exceed amount. Mr. Fox added, or modify the scope of work.

212
213 Chair Diener recommended waiting until Rye’s bid comes in and if inline start the process of
214 moving ahead. If the bids are way out of line, then they will look at the RFP modifications to
215 reduce the budget.

216
217 **MOTION:** Chair Diener motioned to approve the RFP for the Natural Resource Inventory at
218 no more than \$15,000 (which amount will not be posted in the RFP)

219
220 **SECOND:** Vice-Chair Wrobel seconded the motion.

221
222 **ROLL CALL VOTE:** 5-0-0 **MOTION PASSED**

223 Tilton – yes, Fox – yes, Swank – yes, and Wrobel – yes, Diener – yes.

224
225 **3. Coastal Hazards Master Plan Chapter – update**

226
227 Mr. Loiseau indicated there were more workshops. Virtual office hours were opened. The
228 Committee is looking for increased participation and public input. Another survey will go out.

229
230 **4. Barbara Renaud – memorial/remembrance**

231
232 Ms. Dionne noted she reached out to Hampton Academy about renaming the award and has not
233 heard back and will keep trying.

234
235 Chair Diener recommended a trail, bench, or viewing platform at the Car Barn Pond parcel
236 which is six acres at the edge of the pond. There is a Park & Ride across the street.

237
238 Mr. Fox asked if there were a survey – yes and Ms. Dionne indicated the two abutting parcels as
239 well.

240
241 Mr. Fox asked if it were officially Conservation? – yes.

242

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243 Chair Diener noted preparing the trail would be a good Scout project and there could be a bog
244 bridge off the road.

245
246 Mr. Tilton noted there could be a historic tie in.

247
248 **MOTION:** Mr. Fox motioned to put up a kiosk and identify the Car Barn parcel as Hampton
249 Conservation Land and incorporate something on the kiosk, plot a trail, and name it
250 after Barbara Renaud

251
252 **SECOND:** Mr. Tilton seconded the motion.

253
254 **ROLL CALL VOTE:** 5-0-0 **MOTION PASSED**

255 Tilton – yes, Fox – yes, Swank – yes, and Wrobel – yes, Diener – yes.

256
257 **VI. Conservation Coordinator and Chair update**

258
259 Chair Diener asked if the Commission would like to continue with Zoom or meet in person?

260
261 Ms. Dionne indicated she got feedback from IT and it was not looking good.

262
263 Mr. Tilton agreed if other boards were doing it.

264
265 Ms. Swank expressed concerns about air circulation. Chair Diener noted the HVAC system has
266 not been upgraded.

267
268 Ms. Wrobel asked if the Commission could sit six feet apart and noted Sharon Raymond has
269 concerns also. Each person would require 36 SF. It affects the public as well, who may want to
270 attend.

271
272 Chair Diener noted there is no pressure from the Town.

273
274 Mr. Fox noted he was happy with Zoom.

275
276 Ms. Dionne indicated they could continue with Zoom a little longer. Chair Diener indicated the
277 Commission will continue meeting on Zoom.

278
279 **VII. Adjourn**

280 **MOTION:** Ms. Swank motioned to adjourn at 8:18 PM.

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

282
283 **ROLL CALL VOTE:** 5-0-0 **MOTION PASSED**

284

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285 Tilton – yes, Fox – yes, Swank – yes, Wrobel – yes, Diener – yes.

286

287 Respectfully submitted,

288

289 Nancy J. Hoijer,

290 Recording Secretary