

Hampton Conservation Commission
Minutes
Tuesday, September 28, 2021

1 **Present:** **Deborah Wrobel, Chair**
2 **Jay Diener, Vice-Chair**
3 **Bob Fox**
4 **Pete Tilton**
5 **Pat Swank**
6 **Sharon Raymond**
7 **Rayann Dionne**

8
9 **Staff Present: Brianna O'Brien, Conservation Coordinator**
10 **Also Present: Alex Loiseau, Planning Board Representative**
11

12 **I. Call to Order:**

13 The meeting was called to order by Chair Wrobel at 7:00 PM in the Town Hall Selectmen's
14 Meeting Room.

15 **II. Review Minutes**

16 **1. August 24, 2021**

17 **MOTION:** Ms. Swank motioned to approve the August 24, 2021 minutes with the edits
18 provided.

19 **SECOND:** Mr. Diener seconded the motion.

20 **VOTE:** 5-0-2 (Ms. Raymond and Ms. Dionne abstained) **MOTION PASSED**
21

22 **III. Applications**

23 **1. 137 Landing Road NHDES Dredge and Fill**

24 Brendan Walden with Gove Environmental presented the proposed plans for installing town
25 water and sewer services to the property at 137 Landing Road. There was no site walk as the
26 Commission had gone to this site within the last 2 years.

27
28 Ms. Dionne asked if the old septic would be decommissioned and removed.

29 Mr. Walden explained that it would not be removed as that would cause more disturbance.

30 Ms. Dionne asked if they had an existing dug well.

31 Mr. Walden did not know.

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32 Ms. Dionne explained that as DES oversees the process, they will provide guidance on how they
33 would like it to be decommissioned.

34 Mr. Diener asked what was going to be done by way of erosion control and restoration when the
35 project is completed.

36 Mr. Walden explained that restoration would be simply putting the gravel driveway back
37 together. They would use best management practices for erosion control. The Conservation
38 Commission previously asked that both sides of the driveway to be lined and they are planning to
39 use silt sox.

40 Mr. Diener asked if the driveway materials or footprint would be changing.

41 Mr. Walden confirmed it would not be changing.

42 **MOTION:** Mr. Diener motioned to not oppose the NHDES Dredge and Fill Permit for 137
43 Landing Rd and to willingly waive the 20-day prime wetlands permit period.

44 **SECOND:** Ms. Dionne seconded the motion.

45 **VOTE:** 6-0-1 (Mr. Tilton abstained)

MOTION PASSED

46

47 **2. 886 Lafayette Rd (21-056) Town Wetland Permit**

48 Sergio Bonilla with Mission Wetlands on behalf of the John A. Simmons Revocable Living
49 Trust presented the proposed plans for 429 sq ft of temporary disturbance and a 13 sq ft of
50 permanent disturbance for a foundation drain within the buffer at 886 Lafayette Road. Mr.
51 Diener and Ms. Swank were present for a site walk. Mr. Bonilla discussed the main points that
52 came up on the site walk. The volume of water from the drain cannot be predicted or reasonably
53 quantified. There will be a rip rap apron around the drain. Several invasive species were
54 identified including pokeweed and bittersweet which the applicant is willing to cut at grade to
55 allow for native species to fill in. The drain cannot be pulled back further out of the buffer in
56 order to maintain positive pitch. Mr. Bonilla also explained that the project would result in a 7%
57 reduction in impervious coverage.

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58 Ms. Dionne explained that the impervious coverage calculation is incorrect. It cannot include the
59 area of the wetland itself. She asked that it be re-calculated before it goes before the Planning
60 Board.

61 Ms. Dionne also asked how the buffer area behind the building would be treated.

62 Mr. Bonilla explained that it would remain open space. There is a landscaping plan that doesn't
63 include the back part of the lot which is in the buffer.

64 Mrs. Dionne would like to see the buffer area itself not maintained as lawn and naturally
65 vegetated.

66 Mr. Diener suggested that the disturbed area around the rip rap could be restored with something
67 other than a grass mix.

68 Ms. Raymond would like to make a condition that the buffer must remain naturally vegetated
69 and not mowed.

70 Mr. Tilton would like to see the invasives managed.

71 Ms. O'Brien asked where and how the stormwater was being managed and drained.

72 Mr. Bonilla explained that it down spouts and there are perimeter infiltration strips. It is a very
73 sandy area, and the porous pavement will also handle some of the stormwater as well.

74 Ms. Swank asked if the 7% reduction in impervious coverage is due to the porous pavement and
75 if there was a design plan and maintenance plan for the pavement.

76 Mr. Bonilla answered that it was, and the design and maintenance plan were in the full plan set.

77 Ms. Swank asked if any trees needed to be taken down to install the drain.

78 Mr. Bonilla explained there were no trees just shrubs.

79 Ms. Swank reminded Mr. Bonilla that she had asked for photo documentation of the installation
80 process so that the removal and restoration of vegetation could be documented.

81 Mr. Bonilla agreed.

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82 Ms. Dionne would like to create some condition regarding a planting plan within the buffer that
83 includes management of the invasives.

84 Ms. Raymond would like to see a row of planting that demarcates the buffer line.

85 **MOTION:** Ms. Dionne motioned to recommend the Town Wetland Permit for 886 Lafayette
86 Rd with the condition that a planting plan that includes plantings along the buffers edge as well
87 as native vegetation within the buffer that reduces the need to mow to no more than twice a year
88 in order to manage invasives is developed in consultation with the Conservation Coordinator.
89 Additionally, the site plan is revised to include a corrected impervious coverage calculation. The
90 additional standard applicable conditions will be included in the letter sent to the Planning
91 Board.

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

93 **VOTE:** 7-0-0

MOTION PASSED

94

95 **3. 236 Woodland Rd (21-048) Town Wetland Permit**

96 Evan Rodriguez, property owner, explained that the proposed driveway turnaround is required in
97 order to be compliant with the fire departments regulations due to the length of the driveway.
98 The turnaround is expected to take up 600 sq ft within the buffer. A foot of earth will be
99 excavated and filled with crushed gravel.

100 Ms. Swank asked if any trees would need to be removed.

101 Mr. Rodriguez explained that they are hoping to only remove one tree at most.

102 Ms. Swank recommended using lawn for that area instead of crushed gravel.

103 Mr. Rodriguez stated that they are open to other options that are affordable. They would ideally
104 like the entire portion lawn.

105 Ms. Swank asked about doing lawn in the buffer portion of the turnaround and gravel outside of
106 the buffer.

107 Mr. Diener reminded everyone that the option that was discussed at the site walk was a gravel
108 paver, not lawn, as lawn would not support a firetruck.

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- 109 Mr. Rodriguez stated that they initially considered gravel pavers, but it would be too costly.
- 110 Mr. Diener asked if there could be some delineation at the end of the turnaround between the
111 turnaround and the buffer. The general contractor suggested using the boulders on site.
- 112 Mr. Diener would like to look for other mitigation on the property to make up for the impact of
113 the impervious surface within the buffer.
- 114 Mr. Rodriguez assured the commission there is a considerable amount of undisturbed land on the
115 property.
- 116 Ms. O'Brien commented that there is no way to ensure that there will be no parking in the
117 turnaround and for that reason it is important to find other mitigation opportunities on the
118 property.
- 119 Chair Wrobel asked about snow management. When gravel is plowed it gets pushed back past
120 the boundaries of the driveway/turnaround.
- 121 Mr. Rodriguez indicated they are willing and able to remove snow by hand or snowblower in
122 that section of the turnaround.
- 123 Ms. Raymond reminded everyone that unless something is created to be a pervious system it
124 cannot be considered pervious and there will need to be mitigation somewhere on the lot. Ms.
125 Raymond asked if the commission could identify a specific area for mitigation that will be
126 beneficial to the buffer.
- 127 Chair Wrobel asked how much square footage would be appropriate for mitigation.
- 128 Ms. Dionne asked if there were any other driveway configurations considered.
- 129 Mr. Rodriguez explained that other options were considered but it would require extra trees to be
130 removed or the house to be moved back which would extend the driveway and increase the cost
131 exponentially.
- 132 Ms. Raymond asked about the grading of the property and would any additional fill be brought
133 into the buffer.

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134 Mr. Rodriguez explained no additional fill would be brought into the buffer.

135 Ms. Raymond asked that that be a condition of the recommendation.

136 Ms. Dionne presented one opportunity for mitigation by using the 12ft structure setback line as
137 the buffer line, demarcating it with boulders, and leaving everything between the line and the
138 wetland naturally vegetated.

139 Mr. Rodriguez asked how far this boundary would go and how many square feet would be used
140 for mitigation.

141 Mr. Diener explained that the mitigation ratio is 2:1 to 5:1.

142 Mr. Tilton suggested using the 2:1 ratio and asking for 1200 sq ft of land for mitigation.

143 Ms. Dionne emphasized that it would be important to use the boulders on the site at the end of
144 the turnaround.

145 Ms. Dionne also asked that the applicant presents a surveyed site plan that indicates where this
146 new boundary with the boulders will be and to ensure that the conditions for the mitigation area
147 are being met.

148 Ms. Swank asked if any patio or decks were planned for the back of the house.

149 Mr. Rodriguez explained the current plan would be to have a tiered system but that they were not
150 focusing on landscaping plans as a priority right now.

151 **MOTION:** Ms. Swank motioned to recommend the Town Wetland Permit for 236 Woodland
152 Rd with the conditions that there is no grade change for the turnaround within the buffer, the
153 mitigation area will start at the eastern most edge of the turnaround at least 12 ft from the buffer
154 edge and extend for no less than 1200 sq ft and will be considered the protected buffer area and
155 will be treated as such, the applicant's surveyor will verify the location of the boulder boundary,
156 and there will be buffer markers posted on either side of the turnaround and every 50 ft. along
157 the length of the property, lastly, boulders, set no more than 1 foot apart, are used to delineate the
158 edge of the turnaround in the buffer.

159 **SECOND:** Mr. Diener seconded the motion.

160 **VOTE:** 7-0-0

MOTION PASSED

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162 **4. Utility Right of Way, Hampton Substation to Hampton Falls River NHDES Standard**
163 Dredge and Fill Permit

164 Nicholas Golon, PE from TFMoran presented the proposed plans for the Unitil utility right of
165 way to replace the existing substation lines through tidal salt marsh through Hampton, Hampton
166 Falls and Seabrook. The work being done in Hampton is a little more than a mile and includes
167 approximately 27 poles. The permanent impacts are 636 sq ft 88,521 sq ft of temporary impact.
168 To access the poles barge, matting and helicopters will be used. For the calculation of the
169 temporary impacts, the worse case scenario was assumed, where helicopter will not be able to be
170 used to access any of the poles and only barges and matting can be used. Barges must work with
171 the tides and the matting is removed at the end of every workday and/or in between tides. The
172 location of the new poles will be consistent with what exists today.

173 Mr. Diener asked if the old poles will be removed entirely.

174 Mr. Golon explained that they will be cut to grade and then taken away to be disposed of
175 properly.

176 Mr. Tilton asked about osprey nests on the existing poles.

177 Mr. Golon explained that as part of this project the wildlife biologist walks the corridor and does
178 an assessment of all species in the area. There was on osprey nest found on an old pole that was
179 left as a remnant pole for that specific purpose. But this is an ongoing negotiation.

180 Mr. Fox asked if it would be possible to request platforms for nesting birds.

181 Mr. Golon explained that as they work with the Wetlands Bureau, they are exploring their
182 options. However, the proposed project minimizes their impact by working very closely to the
183 existing poles and adding structures could both harm the reliability of the service as well as
184 increase the impact within the wetlands.

185 **MOTION:** Mr. Tilton motioned to not oppose the NHDES Standard Dredge and Fill Permit
186 for the Utility Right of Way for lines 3348, 3350 and 3359 and to willingly waive the 20-day
187 prime wetlands permit period.

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

189 **VOTE:** 7-0-0

MOTION PASSED

190

191 **IV. Appointments**

192 **1. Review request for Prime Wetlands Waiver 20 Susan Ln**

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193 Ms. O'Brien explained that the Conservation Commission supported an NHDES Expedited
194 Minimum Impact Permit for a project at 20 Susan Lane in July 2021. NHDES is now looking
195 for a Prime Wetlands Waiver as this project falls within prime wetlands and any project within
196 prime wetlands is automatically considered a major impact project unless it can be proved, using
197 this waiver, that it is not a major impact project.

198 This lot is already disturbed, and the proposed project reduces the impervious coverage from
199 71.6% to 51%. A vote is needed to send a letter of acknowledgement and support of this waiver
200 request.

201 **MOTION:** Mr. Tilton motioned to send a letter of support for the prime wetlands waiver
202 request for 20 Susan Lane.

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

204 **VOTE:** 7-0-0

MOTION PASSED

205 **V. New Business**

206 **VI. Old Business**

207 1. Permeable Pavers/Pavement Definition

208 Chair Wrobel explained the need for a town-wide standard for the installation of permeable
209 pavement. Chair Wrobel likes the criteria put forth by the UNH Stormwater Center. All
210 members had been sent materials regarding criteria and definitions used by other municipalities.
211 Ms. O'Brien had been approached by the town planner and the building inspector and has had
212 conversations with DPW discussing different criteria and resources defining permeable
213 pavement. There is a need to formalize the definition referred to be all departments within the
214 town to ensure everyone is referring to the same thing.

215 Ms. Raymond explained that DES has a good set of criteria but reminded everyone that
216 permeable pavement is not one size fits all, it is dependent upon the conditions of the land.

217 Ms. Dionne asked where this reference would be mentioned.

218 Chair Wrobel explained that the conservation commission would write a memo explaining our
219 recommendation for a standard and that it would emphasize the need to photodocument the
220 installation of the permeable pavement.

221 Ms. Raymond asked that it be referred to as a source and not a standard, and that the most
222 current version of DES guidance should be referenced.

223 2. Barkley Property

224 Mr. Diener said that final details are still being negotiated.

225 **VII. Conservation Coordinator and Chair Update**

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226 **VIII. Adjourn**

227 **MOTION:** Ms. Dionne motioned to adjourn.

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

229 **VOTE:** 7-0-0

MOTION PASSED