

HAMPTON CONSERVATION COMMISSION PUBLIC HEARING
NOVEMBER 19, 2013
MINUTES

PRESENT:

Jay Diener, Chair
Peter Tilton, Jr., Vice Chair
Barbara Renaud
Sharon Raymond
Gordon Vinther
Anthony Ciolfi, alternate
Diane Shaw, alternate
Pat Swank, alternate
Nathan Page, alternate and Acting Coordinator

CALL TO ORDER:

The meeting was called to order at 7:00 p.m. by Chairman, Jay Diener, at the Hampton Town Hall Office Conference Room.

CONSIDERATION OF MINUTES:

MOTION by Mr. Tilton to approve the October 22, 2013 minutes with edits provided.

SECOND by Ms. Shaw

VOTE: 5 in favor; 0 opposed- 4 abstained.

APPOINTMENTS:

1. Cindy Willis – Hampton Victory Garden

Ms. Willis was not able to be present for this meeting; however, will attend the December meeting to explain plans for the Victory Garden in 2014.

2. Chris Jacobs, Hampton Public Works Director

Mr. Jacobs provided detailed plans showing the Barbour Road area and the Victory Garden. He stated there is an incentive to get the projects completed. Further, when the Sherburne Road Project was accepted, the Town held back \$6,138 to put a cross culvert across the road. It was recognized back in 2006 that to the east side of the Mill Road intersection with Barbour, there was a lot of flooding.

That area, along with Tuck Road, are all interrelated drainage wise. He noted that the \$6,138 has to be used by December of this year, or returned to the developer.

The Town Manager wants to get this completed, and it was suggested to connect Mill Road and Barbour Road to Nilus Brook. This was a fragmented plan. The Sewer Department was charged with starting the project on Sherburne Road and catch basins were ordered and installed with a cross pipe.

The pipe will discharge via a level spreader. Chris said this storm water would be treated like waste water, which would require testing in the future. Direct discharges will not be allowed.

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When looking at the area in July, and wanting a level spreader, DPW came up with the area beside the Victory Garden where the fence ends towards Nilus Brook. Once started on that project, the people involved with the Victory Garden contacted the Conservation Commission,, in that there were complaints about high water in the Garden. Mr. Jacobs said this system should help alleviate any flooding at the Victory Garden.

General Discussion/Questions.

Mr. Diener noted concern about the swale on the western side of Sherbourne and flooding issues. Mr. Jacobs stated that there are three draining bases in the subdivision which the individual homeowners are required to maintain. Ms. Raymond questioned the catch basins, stating that a catch basin is pretreatment and is not a good practice. Mr. Jacobs stated that there are three foot sumps and freeboard that will hold water.

Mr. Tilton noted that this is an improvement of what is there. Mr. Jacobs further noted that the installation is technically correct, the workers are methodical and double check the numbers. The Town cleans the sumps with the vacuum truck.

Ms. Raymond stated that there should be, on record, an as-built plan as to what is being installed. Further, she wants to ensure there is a maintenance plan and annual monitoring. She also noted that the Town needs to be held to standards, and it is not good if a design plan is not available. This technology is obsolete, she stated.

Mr. Tilton stated it is easier to have a written plan to know what is there. He also commented that the trail to White's Lane, which starts at the back of the garden, needs cutting back. He will mark the trail for the DPW.

Mr. Ciolfi stated that swales are old technology for treatment and if there is a berm, it would settle the water down. Further, that pipes are the easy part.

Mr. Jacobs stated that there is talk about winter work and going to different drainage areas including detention ponds, etc. Work could be continued in the Spring, depending on the weather this time of year. He also commented that no structures are to be taken down/removed. And, in keeping with the Victory Garden, this would be a good location for high bush blueberries.

Mr. Page noted, with regard to drainage in the area, that the creek is dry and hand work could be done, working up to Vanderpool. Water would then go into Vanderpool to the other side of the street. Currently, water is not able to get to the culvert and backs up to homes toward Mill Road.

Mrs. Renaud suggested letting the gardeners know that drainage will be/may be improved and there would be an area for blueberry plantings.

Mr. Tilton asked for assistance from DPW in clearing a trail from the Victory Garden to White's Lane trail. He and Mr. Jacobs discussed using that clearing project to train new DPW employees on brush hogs or whatever other equipment might be used to clear this trail.

Mr. Diener stated that the Conservation Commission should know prior to, not after the fact, if work is being done on Town land.

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3. Conservation Easement Deed. 133 North Shore Road

This parcel has been negotiated from a no-build area to a conservation easement, which adds additional protection. The current owners are selling the property, and they did not want monitoring as part of the easement. However, monitoring shall be allowed with 24-hour notice; and, there is no limit as to the number of times the property can be monitored. Mr. Diener stated that the easement document is standard and acceptable. The owners of the adjacent lot will retain access for passive recreation. It will not be used for public access. This conservation easement is important because it stands as mitigation for ZBA approval to build within a 25 foot buffer.

The Selectmen voted to have the Conservation Commission accept the Easement on behalf of the Town of Hampton.

MOTION by Ms. Renaud to send a letter to Attorney Stephen Ells to inform him that the Conservation Easement Deed for 133 North Shore Road has been accepted by the Conservation Commission.

SECOND by Ms. Raymond

VOTE: 8 In favor; 0 Opposed; 1 Abstain (Diener)

APPLICATIONS - There were no applications before the Commission this evening.

OLD BUSINESS –

a. Phragmites Control – native salt marsh plant invoice.

Mr. Page explained that the Commission had previously approved this expenditure as part of the final year of our participation in the Phragmites control program. The invoice is in the amount of \$2,153.45 which includes our 20% match. The Commission voted to pay this invoice at a previous meeting.

b. Mr. Diener Report.

Mr. Diener explained that at a non-public meeting in June, to discuss the Conservation Coordinator's pay, was not noted as such in the public record at our next public meeting. Therefore a motion is necessary to acknowledge there was a non-public meeting and the minutes were sealed by a 2/3 majority via a roll-call vote.

MOTION by Ms. Renaud to confirm that a non-public meeting was held to discuss an employee's salary, and a vote was taken to seal the minutes.

SECOND by Mr. Tilton

VOTE: 6 in favor, 0 opposed, 3 abstentions

c. ICE POND DAM / GRIST MILL DAM

Mr. Diener reported that the Selectmen have submitted a Warrant Article regarding the decommissioning of the Grist Mill Dam in the amount of \$300,000 to \$400,000. The Selectmen have been given a letter of deficiency and are under time constraints. Mr. Diener suggested the Conservation Commission hold off on their proposed Warrant Article for the Ice Pond Dam until next year so that articles for both dams do not appear the same year. Also, that Stevens Associates has presented alternatives for the Grist Mill Dam to the Selectmen.

Site Visit: There will be a Site Visit to visit a potential conservation easement parcel on Saturday, November 23, 2013, for those interested, meeting at Quinlan Road.

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d. Sea Walls.

Mr. Diener reported that the Town Manager and Selectmen would like to become more involved with sea wall projects. This would ensure that the Conservation Commission and Selectmen are aware of the building prior to starting and completion. The Board of Selectmen is proposing to send letters to two homeowners notifying them that when they secured a NHDES Emergency Authorization to repair their sea walls, they failed to also secure the necessary permits and approvals from the Conservation Commission and the Selectmen. The letter further states that the Town can remove a wall from their property if not properly permitted. It was noted that one property has been sold; and, the second property owner has contacted an attorney. The Commission may be involved with an after-the-fact Special Permit. There was an Emergency Authorization; however, the Conservation Commission was not notified at the issuance of the Emergency Authorizations due to the notices being misdirected to North Hampton.

Mr. Page commented that the 1042 Ocean Blvd. wall was not built as designed. Mr. Steffen, Town Planner, has continued this item to the Planning Board's first meeting in December.

NEW BUSINESS:

1. Appointment of Lori Mattimore as a Conservation Commission alternate.

MOTION: Ms. Tilton moved to recommend to the Board of Selectmen that Lori Mattimore be appointed as an alternate to the Conservation Commission.

SECOND: Ms. Shaw

VOTE: 9 In Favor, 0 Opposed.

CONSERVATION COORDINATOR AND CHAIRMAN UPDATE

1. Mr. Page spoke to signage on Town land such as the Hampton Victory Garden. He suggested signs read "Under the direction of the Hampton Conservation Commission". It was recommended that a copy of the plan identifying all Conservation Commission property be provided to the DPW Director. Mrs. Renaud noted that this proposal has been discussed many times, including design proposals. Mr. Tilton suggested contacting the SPW about creating the signs and that we might be better served to have a number of them created at the same time. Mr. Diener stated he would rather see wood signs vs metal. Mr. Tilton said that metal might not be as appealing, but it is more durable. Mr. Page will investigate this further.

FINANCIAL REPORT – Barbara Renaud

Mrs. Renaud reported that \$5,005 was paid to the Ice Pond engineers. Further, that permission was granted to use the Island Path money for Ice Pond. She also noted that \$20,000. was received in the third quarter which came to the Treasurer as income from the Town of Hampton. There will be a Warrant Article, again this coming year, for \$10,000 to go to the Land Acquisition Fund. She suggested that the money in the Island Path account be allocated to an operating account, which would be a bookkeeping step by the Town Treasurer.. Also, there is \$18,000 in the Huckleberry (salt marsh) account that should be reallocated, since a current abutter is preventing that project from moving forward. Mr. Tilton stated that these funds were donated by the nuclear power plant for that purpose. Mrs. Renaud will investigate the details of the \$20,000, above.

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DECEMBER MEETING:

The next Hampton Conservation Commission Public Hearing will be held on DECEMBER 17, 2013. A Site Visit will be held on DECEMBER 14, 2013.

ADJOURN:

MOTION to ADJOURN by Mr. Tilton at 8:35 p.m.

SECOND by Ms. Renaud

VOTE 9-0-0

Respectfully submitted, Anne Marchand, Substitute Recorder.