

1 **Town of Hampton**
2 **Conservation Commission**
3 **Draft Minutes**
4 **January 26, 2021**

5
6 **Present:** **Jay Diener, Chair**
7 **Deborah Wrobel, Vice Chair**
8 **Pat Swank**
9 **Pete Tilton**
10 **Diane Shaw**
11 **Sharon Raymond**
12 **Bob Fox, Alternate**

13
14 **Others Present: Fran McMahon, Planning Board Representative**

15
16 **Call to Order:**

17 The meeting was called to order by Chair Diener at 6:31 PM. Chair Diener indicated Alternate
18 Bob Fox would be active.

19 Chair Diener read the meeting preamble, relative to the Governor's issuance of Emergency Order
20 #12, authorizing Towns to meet electronically with no physical location pursuant to Executive
21 Order #2020-04. The public notice was posted with instructions on the Town website
22 <https://hamptonnh.gov/> for the public to access the meeting.

23 **Meeting Link**

24 Zoom

25 Meeting ID: 846 0036 5081

26 **Dial in Number Options**

27 +1 929 205 6099 US (New York)

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

30 Chair Diener asked the members present to identify themselves by Roll Call and indicate if there
31 was anyone in the room with them. Diane Shaw (alone), Deborah Wrobel (alone), Pat Swank
32 (alone), Sharon Raymond (alone), Pete Tilton (alone), Bob Fox (alone) and Jay Diener (alone).

33 **I. Appointments**

34 **II. Applications**

35 **1. [38 Kings Highway](#)**

Town Wetlands Permit

36 Application to replace existing deck with a slightly larger full addition to a single-family
37 home.

38
39 Chair Diener noted there was a Site Walk on Saturday.

40 The owners representative from Stockton Services, Tocky, presented the plan. The existing
41 deck will be replaced with a full one-story addition for older relatives. The net increase in
42 impervious surface is 140 SF. The other side is Waterglades Condominium development.
43 There is an approved application for Shoreland Permit by Notification. Mitigation options
44 were discussed at the Site Walk. The existing lawn is proposed to become natural unmowed
45 vegetation.

46
47 Vice-Chair Wrobel asked about an infiltration trench site. Additional crushed stone will be
48 around the area that faces the wetland shoreland.

49
50 Mr. Tilton noted the math doesn't work for the existing lawn which is already permeable to be
51 converted to vegetation. There needs to be more than a lawn going from a mowed lawn to an
52 unmowed lawn. Chair Diener noted one improvement would be to prevent fertilizer and
53 chemicals on the lawn. Mr. Tilton noted plantings come and go without the vigilance of
54 neighbors.

55
56 Ms. Swank noted she would like to see a barrier between the wetlands buffer and the
57 driveway area. Chair Diener explained parking is not allowed in the buffer. Two legal spaces
58 are shown on the plan. Don't want to wind up with parking for three cars down the side of the
59 house. Need to ensure parking won't go further than it is because there is a wetland buffer
60 there. Tocky noted the wetland was created by the Waterglades Development in the 80s. It is
61 a man-made drainage swale with a collection of phragmites and poison ivy.

62
63 Ms. Raymond agreed with Mr. Tilton and Ms. Swank. Multiple times the Commission has
64 made the same requirement. Chair Diener noted the ordinance calls out no parking in the
65 buffer.

66
67 Ms. Boldin, the property owner, noted she has no intention of parking vehicles on the side of
68 the house but does not want to see boulders ruining the look and would like to be able to
69 unload belongings. Chair Diener noted there are stairs accessing the opposite side. There
70 could be pervious pavers or ornamental fencing with a gate to the backyard. Mr. Tilton noted
71 he would want to ensure the gate is not permanently open because that would not be a
72 permanent barrier. Chair Diener noted the width of the gate could not be wide enough for a
73 car to pass. Mr. Tilton agreed. Ms. Boldin noted another option is pervious portion in the
74 buffer to remain pervious.

75
76 Chair Diener opened the hearing to the public for comments and questions and being none
77 closed the hearing to the public for deliberations.

78
79 MOTION: Vice-Chair Wrobel moved to support the application for removal of the
80 deck with a slightly larger addition to the home subject to the conditions specified
81 by the Commission.

82

83 Vice-Chair Wrobel noted she was ok with the State permit by notification having crushed
84 gravel absorbing runoff from the roof that size in an otherwise gutter less home. The
85 mitigation balances with plantings.

86

87 Ms. Swank added with the condition of a driveway barrier.

88

89 AMENDED

90 MOTION: Mr. Tilton amended Vice-Chair Wrobel's motion to include the
91 condition that a permanent, non-removal fence with concrete footings, 6" off
92 the ground and a limited opening no greater than 5' wide or less be installed as
93 a permanent barrier to prevent cars from driving and parking in the buffer.

94

95 Chair Diener noted the permit would be good for two years, the project must be completed
96 within two years and since the occupants would move in before then could wait to install the
97 fence, but it must be installed within the time allotted. The driveway should be as is or with
98 permeable pavers.

99

100 SECOND: Ms. Swank seconded the motion.

101

102 ROLL CALL VOTE: Wrobel – aye, Shaw – aye, with stipulations, Tilton – aye, Swank –
103 aye, Fox – aye, Raymond – nay and Diener – abstain. The motion passed 5-1-1.

104

105 Chair Diener noted a letter would be send to the Planning Board with the Commission's
106 recommendations and stipulations.

107

108 **2. 10-14 Sapphire Avenue After-the-Fact Amended Town Wetlands Permit**

109 Application to replace rip-rap bank stabilization with coir logs as previously proposed and
110 approved.

111

112 Paige Libbey from Jones & Beach presented the application for an after-the-face amended town
113 wetlands permit. Ms. Libbey noted Mr. Coronati had appeared last month. The application is to
114 remove rip rap when coir logs were permitted. Ms. Libbey explained the construction sequence
115 with construction stabilized daily in sections. No area will be left unstable. There is an
116 application to DES for after-the-fact Wetland Permit as well. The work will be done from
117 upland with 10' sections of coir logs. The rip rap will be removed at low tide.

118 Mr. Tilton asked to explain what a coir log is and Ms. Libbey explained it is a coconut fiber log.

119 Vice-Chair Wrobel asked if all the rip rap was being removed and Ms. Libbey noted it was all
120 coming out yes, Eben Lewis at DES wants construction according to the approved plan, not rip
121 rap so they are returning to the plan previously approved.

122 Ms. Shaw asked the life of the logs and Ms. Libbey noted the fibrous material allows roots to
123 grow into the soil and is not meant to be permanent but to allow vegetation to grown on the
124 slope.

125 Mr. Fox clarified that the material will be removed from the bank and work will not be done
126 from within the stream bed.

127 Mr. McMahan asked if there would be any impact upstream or downstream.

128 Mr. Enwright noted there was a DPW study on Gentian and Ashworth. Chair Diener noted he
129 did not know anything about the DPW looking at the Eel Creek portion of the Meadow and the
130 Commission does not have the ability to do that study.

131 Mr. Enwright noted It was permitted years ago and not installed based on what was permitted so
132 they are removing the violation and putting back the way approved.

133 Chair Diener noted the Planning Board would address that. Mr. Enwright noted a study was
134 done in 2001 with NRCS on Meadow Pond and would send it to Mr. Bachand the Town Planner
135 at 100 Winnacunnet Road.

136 Chair Diener opened the hearing to the public for questions and comments at 7:25 PM and being
137 none closed the hearing to the public for deliberations.

138 Chair Diener asked what would be planted on the coir logs and Ms. Libbey noted probably a
139 conservation seed mix and will submit a planting plan to the Commission.

140 Chair Diener asked about the 5' no-mow area at the top of the bank and Ms. Libbey noted it
141 would probably be seeded with the same mix. Chair Diener requested that the planting plan be
142 sent to the Commission before starting.

143 Mr. McMahan departed the meeting at 7:30 PM.

144 MOTION: Mr. Tilton motioned to recommend the after-the-fact Town Wetlands permit be
145 granted.
146

147 SECOND: Chair Wrobel seconded the motion.

148 ROLL CALL VOTE: Wrobel – aye, Shaw – aye, Tilton – aye, Swank – aye, Fox – aye,
149 Raymond – aye and Diener – abstain.

150 **CONDITIONS:**

151 Vice-Chair Wrobel read out loud the standard conditions:

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

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

156 Removal of dead, diseased or unsafe trees is permitted. The stumps and root systems shall be
157 left intact in ground.

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

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

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

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

167 The Conservation Commission shall be notified in writing upon commencement and completion
168 of the project. A final inspection shall also be scheduled with the Conservation Coordinator
169 upon completion of the project.

170 If the project requires an occupancy permit, the Conservation Coordinator shall not sign the
171 permit until all of the Wetland Permit conditions have been met. The Conservation Coordinator
172 shall be given a minimum of 72-hour notice to allow for file review.

173 An As-Built Plan including grades/elevations shall be submitted following project completion and
174 then a final inspection shall be scheduled with the Conservation Coordinator.

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

177 VOTE: THE MOTION PASSED 7-0-0.

178 Chair Diener indicated that a letter would be provided to the applicant and the Planning Board.

179 **III. Review Minutes**

180 November 24, 2020

181 MOTION: Ms. Swank motioned to approve the November 24, 2020 minutes with the edits
182 provided.

183

184 SECOND: Vice-Chair Wrobel seconded the motion.

185 ROLL CALL VOTE: Wrobel – aye, Shaw – aye, Tilton – aye, Swank – aye, Fox – aye,
186 Raymond – aye and Diener – abstain.

187 VOTE: THE MOTION PASSED: 7-0-0.

188 December 22, 2020

189 MOTION: Ms. Swank motioned to approve the December 22, 2020 minutes with the edits
190 provided.

191

192 SECOND: Mr. Tilton seconded the motion.

193 ROLL CALL VOTE: Wrobel – aye, Shaw – aye, Tilton – aye, Swank – aye, Fox – abstain,
194 Raymond – abstain and Diener – abstain.

195 VOTE: THE MOTION PASSED 4-0-3.

196 January 14, 2021 (Special Session)

197 MOTION: Vice-Chair Wrobel motioned to approve the January 14, 2021 Special Session
198 minutes with the edits provided.

199

200 SECOND: Mr. Tilton seconded the motion.

201 ROLL CALL VOTE: Wrobel – aye, Shaw – aye, Tilton – aye, Swank – aye, Fox – aye,
202 Raymond – aye and Diener – abstain.

203 VOTE: THE MOTION PASSED 6-0-1.

204 January 23, 2021 Site Walk (No Quorum)

205 **IV. New Business**

206 1. RSA 41:14-a Proceeding – 4 14th Street

207 Release of Deed Restriction

208 To allow for a minimum of a 4’ setback on the western boundary of the property to bring
209 existing structure and future construction into compliance

210

211 Chair Diener noted there are no wetland or buffer impacts, no increase in impervious surface
212 beyond limits.

213

214 MOTION: Vice-Chair Wrobel motioned to not object to the 41-14-a Proceeding for 4 14th
215 Street.

216

217 SECOND: Mr. Tilton seconded the motion.

218

219 ROLL CALL VOTE: Wrobel – aye, Shaw – aye, Tilton – aye, Swank – aye, Fox – aye,
220 Raymond – aye and Diener – abstain.

221

222 VOTE: THE MOTION PASSED 7-0-1.

223

224 **V. Old Business**

225 1. Update Conservation Coordinator position

226 Chair Diener indicated the Commission reached out to a lot of contacts and received one resume
227 thus far.

228 2. Town Forest Meeting

229 Chair Diener reported that Mr. Tilton mapped a mile and 2/10ths of trail from White's Lane to
230 Jonty's Lane all on Town land with no private property impact and thanked Mr. Tilton for his
231 hard work. It is a decent trail. Next will be to mark the trail.

232 Mr. Fox looked into some disks with arrows in different colors that are nailed to trees. Chair
233 Diener noted other Towns are using blazes and they are not being defaced and are reasonably
234 high up and can blaze any tree diameter which could be a challenge with a disk.

235 Mr. Fox noted the metallic disks cause minimum damage to the tree versus blazing which
236 damages the bark and first layer which becomes an entry point for disease. When trees are
237 harvested the metallic nail can cause havoc, so there are fiberglass fasteners and won't hurt a saw
238 blade. The thin metallic disk can bend around a tree and be seen at night. They are \$1.70 each
239 versus plastic which is \$30 each.

240 Mr. Tilton noted if disks are available in different colors could color code them and use the
241 fiberglass fastener without condoning all the panting going on out there. Mr. Fox noted they
242 come in blue, red, orange and yellow. Chair Diener noted they are not fancy enough to steal.

243 Mr. Tilton asked if they would be fastened securely enough so the arrows can't be spun around
244 and Mr. Fox noted they use two edge holes.

245 Mr. Fox noted the school district may have an educational program for metal stamping or a
246 possible Eagle Scout project. Mr. Fox will approach the troop Thursday night and the Tech
247 School.

248 The Commission were all in favor of establishing and marking the trail inexpensively.

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

250 Vice-Chair Wrobel indicated she had no updates.

251 **VII. Adjourn.**

252 MOTION: Ms. Swank motioned to adjourn the meeting at 7:45 PM.

253 SECOND: Vice-Chair Wrobel

254 VOTE: The motion passed unanimously.

255 Respectfully submitted,

256

257

258

259 Nancy Hoijer

260 Recording Secretary