

Hampton Conservation Commission
Draft Minutes
Tuesday, April 27, 2021
6:30 PM

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

7 **Call to Order:**

8 By Roll Call were present: Pete Tilton, Nathan Page, Jay Diener, Deborah Wrobel and Bob Fox
9 (@6:47 PM). The meeting was called to order at 6:34 PM. Alternate Nathan Page was
10 activated. All members indicated they were alone in the room.

11 The meeting preamble was read, relative to the Governor’s issuance of Emergency Order #12,
12 authorizing Towns to meet electronically with no physical location pursuant to Executive Order
13 #2020-04. The public notice was posted with instructions on the Town website
14 <https://hamptonnh.gov/> for the public to access the meeting

15 **Meeting Link**

16 Zoom

17 Meeting ID: 819 8289 0437

18 **Dial in Number Options**

19 +1 929 205 6099 US (New York)

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

22 **I. Review Minutes of March 23, 2021**

23 **MOTION:** Mr. Diener motioned to approve the March 23, 2021 minutes as amended.

24 **SECOND:** Mr. Tilton seconded the motion.

25 **ROLL CALL VOTE:** 3-0-1

MOTION PASSED

26 Tilton – aye, Page – abstain, Diener – aye and Wrobel – aye.

27 **II. Applications**

28 **1. 37 Huckleberry Lane**

[Town Wetlands Permit](#)

29 **Owner:** Thomas Benson

30 Install a 4’ vinyl fence behind home (10’ into buffer). There will be 16 – 6’ x 6’ posts total,
31 equaling 4 square feet of temporary and permanent impacts.

32

33 Mr. Benson posted the plan and indicated the distances. The bottom of the fence will be
34 raised 6.” The fence will be 6” above ground, hand dug. There will be 16 poles in the ground
35 to support a 4’ white picket fence.

Hampton Conservation Commission
Draft Minutes
Tuesday, April 27, 2021
6:30 PM

36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71

Mr. Page noted he drove by earlier and can see why he would want a fence there.

MOTION: Mr. Diener motioned to recommend approval of the Town Wetlands Permit for the installation of a picket fence 6” off the ground with posts hand dug according to the plan submitted with wetland buffer markers on the inside of the fence at the edge of the buffer on both sides in addition to the usual stipulations.

SECOND: Mr. Page seconded the motion.

ROLL CALL VOTE: 4-0-0 **MOTION PASSED**

Tilton – aye, Page – aye, Diener – aye, and Wrobel – aye.

Chair Wrobel indicated the additional stipulations of approval:

1. Two Wetlands Conservation District markers to be installed on both sides of the fence.
2. Fence to be 6” above ground and posts will be hand dug.
3. No storage of grass clippings or yard waste in the wetland or its buffer.
4. The buffer should remain undisturbed to the degree possible in the process of construction and elevations not be changed. No additional fill is allowed.
5. There shall be no additional structures or impervious surfaces in the buffer, other than those shown on the approved plan. A new Wetlands Permit is required for the construction of any additional structure(s) or impervious surface(s) in the buffer.
6. The Conservation Commission shall be notified in writing upon commencement and completion of the project. A final inspection shall also be scheduled with the Conservation Commission upon completion of the project.
7. This permit will expire two years from the date that it is granted by the Planning Board. Refer to Hampton Zoning Ordinance Section 2.3.5 or information on permit extensions.

Chair Wrobel advised the applicant a letter would be sent to the Planning Board with a copy to him.

Hampton Conservation Commission
Draft Minutes
Tuesday, April 27, 2021
6:30 PM

72 **2. 39 Hobson Avenue**

[Town Wetlands Permit](#)

73 **Owner:** Frank B. and Grace T. McFall

74 **Agent:** Norman Carpentier Construction

75 Raze existing house and construct new house on helical piles.

76
77 Mr. Carpentier posted the plan and indicated the existing structure would be demolished
78 and a new structure would be installed on helical piles/concrete piers. The elevation would
79 be raised from 8.9' to 11.2.'

80
81 Mr. Carpentier noted the applicant was willing to do something with the shed to get it out
82 of the buffer zone as much as possible. The stormwater plan submitted shows decreased
83 runoff.

84
85 Mr. Page noted he viewed the property and asked if the structure would be in the same
86 footprint. Mr. Carpentier indicated the footprint changed somewhat and received ZBA
87 approval.

88
89 Mr. Diener asked if there was an increase in impervious surface and Mr. Carpentier noted
90 outside the buffer.

91
92 Mr. Carpentier noted in addition to drainage under there would be an infiltration trench
93 around the house.

94
95 Mr. Diener asked if the new deck would be the same size.

96
97 Mr. Fox arrived at 6:47 PM.

98
99 Mr. Diener noted the stairs and paved walkway were moved against the house. Mr.
100 Carpentier noted there was an infiltration trench on the backside.

101
102 Chair Wrobel noted there would be no fertilizer within 25.'

103
104 Chair Wrobel opened the hearing to the public for comments and questions at 6:50 PM and
105 being none closed the hearing to the public at 6:50 PM for deliberations.

106
107 **MOTION:** Mr. Page motioned to recommend approval of the Town Wetland Permit with the
108 usual stipulations. Mr. Diener added in accordance with the plan dated April 6, 2021 and there be
109 an additional stipulation that the existing shed be moved out of the buffer to the greatest extent
110 possible.

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

112

**Hampton Conservation Commission
Draft Minutes
Tuesday, April 27, 2021
6:30 PM**

113 **ROLL CALL VOTE:** 4-0-1 **MOTION PASSED**

114

115 Tilton – aye, Fox – abstain, Page – aye, Diener – aye and Wrobel – aye.

116

117 Chair Wrobel read out loud the stipulations clarifying the reference line to the highest
118 observable tide line.

119

120 **STIPULATIONS:**

121 1. WCD markers be installed at the buffer edge at the owner's expense.

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

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

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

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

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

133 7. Any deck shall be open above and below and shall not be enclosed.

134 8. NH DES.....lawn care...item 1 also

135 9. An as-built plan including grades/elevations shall be submitted following project completion and then
136 a final inspection shall be scheduled with the Conservation Coordinator.

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

140 11. The Conservation Commission shall be notified in writing upon commencement and completion of
141 the project. A final inspection shall also be scheduled with the Conservation Coordinator upon
142 completion of the project.

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

145 Chair Wrobel advised that a letter will go out to the Planning Board with a copy to the applicant.

146 Mr. Carpentier indicated the State application is going to be submitted tomorrow morning.

Hampton Conservation Commission
Draft Minutes
Tuesday, April 27, 2021
6:30 PM

147 **III. Appointments**

148

149 1. [65 Lafayette Road](#)

150 Contact: Jim Kesseli. Seeking input on proposed site use changes.

151

152 Mr. Kesseli of Brayton Energy noted he was joined by project engineer and manager Shaun
153 Sullivan. Mr. Kesseli indicated the company employs 50 people are there are two buildings at
154 75A&B. Mr. Kesseli posted an aerial photo of adjacent 65 Lafayette Road showing a solar
155 array placed at the former site of Jerry’s Restaurant which was torn down. The lot is low and
156 subject to flooding. The solar array is part of a Department of Energy project. All equipment
157 is stacked on concrete blocks and the tower is portable, on wheels. The project received
158 initial approval in October and an extension is being requested from the Planning Board
159 through December 31st.

160

161 Mr. Kesseli noted the condition of the temporary fence was raised as an issue and displayed
162 pictures of potential replacements. Mr. Kesseli noted the lot is mucky all the time and is
163 entirely asphalt except for the grassy area next to the building. Mr. Kesseli discussed using
164 gravel and doing some leveling and restoring the berm and questioned whether perforating the
165 asphalt would increase drainage. Mr. Kesseli asked if a temporary wetland permit would be
166 required to do work.

167

168 Mr. Tilton noted he understood why they would want a firmer surface as the asphalt degrades
169 but noted puncturing the gravel may bring more water in.

170

171 Mr. Fox questioned whether the tide would flood anything permeable from below as the water
172 rises. SLR will get worse in the coming years.

173

174 Mr. Page asked about the existing septic system and Mr. Kesseli noted it was not connected or
175 operating. Mr. Page noted there are pallets that are filled with pea stone 5-6” that give a good
176 solid surface, strong enough to drive on.

177

178 Mr. Kesseli indicated they would like to do something more permanent in the future.

179

180 Mr. Diener noted he had no issue with the fence, especially on the marsh side. Water can
181 flow freely. Mr. Diener noted he would be uncomfortable with bringing in crushed stone.
182 Temporary impacts would need to be removed.

183

184 Mr. Kesseli noted future plans could be adding an addition at 75A over the driveway and
185 merging the two lots to eliminate the existing driveway and showed how delivery trucks
186 would drive around and through the parcel. He would like the improvement to be permanent.

187

Hampton Conservation Commission
Draft Minutes
Tuesday, April 27, 2021
6:30 PM

188 Mr. Kesseli asked about vegetation outside the fencing and working in the marsh. Mr. Diener
189 noted he would need to view a landscaping plan. Something minor the Building Inspector
190 could sign off on but not something more substantial. The Commission would need a better
191 idea of what's happening and whether the work would be stand alone or other work on the
192 site.

193
194 Mr. Tilton noted any fill brought in would need a permit.

195
196 Mr. Kesseli noted he was having discussions with Eben Lewis at the State level. Mr. Page
197 cautioned that a new buildable area would need a full SPR and to come back.

198
199 Chair Wrobel concluded that the Commission would need to hear a lot more details before it
200 could give an opinion or recommendation. Mr. Fox added the soils are also a situation. The
201 areas flooded at high tide often stay that way without proper drainage and are liable to
202 increase the problem with elevation causing runoff to other areas. A soil geologist should get
203 involved. Mr. Fox noted future SLR and the State plan to raise Route 1 3' between the high-
204 water mark and Route 1 which could cause more flooding.

205
206 Mr. Diener noted revegetating the berm could be a healthy thing but he would need to see an
207 end game plan if permanent.

208
209 Chair Wrobel noted the Commission could not recommend an engineer but there are often
210 lists on the State website.

211
212 **IV. New Business**

213
214 1. Donation to the Town Forest Fund from Eagle Scout Felix Taracena.

215
216 Chair Wrobel reported the Eagle Scout who had done the bog bridge raised more donations and donated
217 the rest, approximately \$700, to the Commission.

218
219 **MOTION:** Mr. Page motioned to accept the donation to the Town Forest Fund.

220
221 **SECOND:** Mr. Fox seconded the motion.

222
223 **ROLL CALL VOTE:** 4-0-1 **MOTION PASSED**

224
225 Tilton – aye, Fox – abstain, Page – aye, Diener – aye and Wrobel – aye.

226
227 Chair Wrobel indicated she prepared a thank you letter to send this week.

228
229

Hampton Conservation Commission
Draft Minutes
Tuesday, April 27, 2021
6:30 PM

230 **V. Old Business**

231

232 1. Follow-up Discussion on E-Bikes

233

234 Mr. Diener noted e-bikes are considered to be motorized vehicles on all Conservation land or Town
235 Forest and if necessary the Commission can call that out. There are different kinds of e-bikes.

236

237 Mr. Tilton noted the Town Forest already prohibits motorized vehicles. It is implicit.

238

239 Mr. Fox noted the rules could be published in a public notice or newspaper advertisement with wording
240 on kiosks and park sites. E-bikes could be added to the definition of motorized vehicles. Mr. Tilton
241 noted there is no definition in the ordinance.

242

243 Mr. Diener noted the Commission should let Parks & Recreation know that e-bikes are prohibited and
244 have the Select Board make an announcement and also let the bike shops know.

245

246 The Commission agreed to work with the Coordinator and to notify as suggested to make people aware.

247

248 2. Update on Ice Pond

249

250 Mr. Diener reported there was a tremendous leak discovered in November by an old tree stump.
251 DPW has made repairs by installing a coffer dam and cement making the pond wider and deeper,
252 stronger and more secure. They did a nice job and it looks good. The work was done under the
253 existing permit as the Governor extended permits another year.

254

255 Mr. Tilton asked about stocking the pond with a warm water species so that the pond could be
256 used, for fishing, to get more use besides skating in the winter. Mr. Tilton noted Fish & Game
257 won't stock a warm water species and will look into it further.

258

259 Chair Wrobel reported DPW delivered mulch and refreshed the path to Woodland Road.

260

261 A landscaper was hired in the past to mow the meadow where the kiosk is and that keeps the
262 Knotweed down. Mr. Diener would like to have him come back again and mow as needed.

263

264 **MOTION:** Mr. Page motioned to have the landscaper come back and mow as needed.

265

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

267

268 **ROLL CALL VOTE:** 5-0-0

MOTION PASSED

269

270 Tilton – aye, Fox – aye, Page – aye, Diener – aye and Wrobel – aye.

271

272 Mr. Diener will get his name and contact information.

273

274

Hampton Conservation Commission
Draft Minutes
Tuesday, April 27, 2021
6:30 PM

275 3. Update on Barbara Renaud Memorial

276
277 Chair Wrobel noted she spoke with Hampton Academy who agreed to rename the Conservation Award in
278 honor of Barbara Renaud this year. Next year the Commission will be able to give the award out in
279 person, after COVID. Chair Wrobel recommended the Commission write up a summary about Barbara
280 and displayed the journal and wood-turned pen which will accompany the award. The journal was made
281 with photos she had taken and her husband turned the pen out of birchwood. The Academy invited the
282 Commission to select one or two attributes of the recipient that reflect Ms. Renaud's love of
283 Conservation. Mr. Tilton noted they should be engaged with the outside. Mr. Diener recommended they
284 be interested in wildlife and outdoor nature activities. Mr. Fox recommended public outreach. Mr.
285 Diener added community engagement. Mr. Fox added or a combination. Chair Wrobel summarized a
286 budding naturalist engaged in nature related activities. Chair Wrobel will send out a note.

287

288 4. Update on Car Barn Pond Kiosk

289
290 Chair Wrobel noted they met with the Historical Society who is working with the Heritage Commission
291 to do research and come up with a compelling story. The area has history with trolley transportation.
292 They are looking at coming up with kiosks that will be similar looking throughout Town and could have
293 QR codes for additional information.

294

295 Chair Wrobel, Vice-Chair Diener and Ms. Campbell are working to find a suitable walking trail.

296

297 5. CHAT Update

298

299 Mr. Diener noted CHAT has 19 recommendations to make the Town more resilient with SLR, storm
300 surge and flooding which he has presented at the Planning Board and Budget Committee and shortly will
301 present to the Select Board. The recommendations are on the SHEA website. Mr. Bachand got the
302 PREPA grant to investigate guidance for coastal risks and hazard projects.

303

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

305

306 1. Reappointment/extended terms of Commission members

307

308 Chair Wrobel reported Mr. Diener and Ms. Raymond renewed their terms for three
309 years. Mr. Fox will be full-time, and Ms. Shaw will continue as an alternate.

310

311 2. Meetings in Person

312

313 Chair Wrobel noted the Select Board is going to begin meeting in person this week
314 and polled the members and staff to see if they would be available and if the meeting
315 should start at 6:30 PM. There were concerns raised about attendees and it was agreed
316 the applicants/presenters would be asked about the time and the agenda could be
317 modified to reflect their availability. Chair Wrobel expressed concerns about social
318 distancing space in the meeting room and will reach out to Ms. Swank and
319 Ms. Raymond before making a decision and send a letter out.

320

Hampton Conservation Commission
Draft Minutes
Tuesday, April 27, 2021
6:30 PM

321 3. State Permit due date

322

323 Chair Wrobel recommended changing the due date for State Permits from the
324 Wednesday before the Commission meets to the Tuesday before at 5 PM to have it
325 posted on the Commissions' agenda on Wednesday. The chart does not have a due
326 date and it will be added. Chair Wrobel checked with legal and the Commission has
327 40 days to review a State plan so it is not an issue. The Commission was in general
328 agreement with the recommendation.

329

330 **VII. Non-Public Session pursuant to 93-A:3(II)(a) compensation of a public employee**

331 **MOTION:** Mr. Tilton motioned to go into non-public session pursuant to 91-A:3(II)(a) compensation
332 of a public employee

333 **SECOND:** Mr. Page seconded the motion

334 **ROLL CALL VOTE:** 5-0-0

MOTION PASSED

335 Tilton – aye, Fox – aye, Page – aye, Diener – aye and Wrobel – aye.

336 The meeting was closed to the public at 8:06 PM.

337 **MOTION:** Mr. Page motioned to come out of non-public session.

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

339 **ROLL CALL VOTE:** 5-0-0

MOTION PASSED

340 Tilton – aye, Fox – aye, Page – aye, Diener – aye and Wrobel – aye

341 The meeting was reopened to the public at 8:27 PM.

342 **MOTION:** Mr. Page motioned to seal the minutes of the non-public session.

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

344 **ROLL CALL VOTE:** 5-0-0

MOTION PASSED

345 Tilton – aye, Fox – aye, Page – aye, Diener – aye and Wrobel – aye.

346 **VIII. Adjourn.**

347 **MOTION:** Mr. Page motioned to adjourn at 8:25 PM.

348

**Hampton Conservation Commission
Draft Minutes
Tuesday, April 27, 2021
6:30 PM**

349 **SECOND:** Mr. Tilton seconded the motion.

350 **VOTE:** With all in favor, the motion passed unanimously

351

352 Respectfully submitted,

353

354 Nancy J. Hoijer,

355 Recording Secretary