

**Hampton Conservation Commission**  
**Draft Meeting Minutes**  
**Tuesday, January 24th, 2023**

**Present:**

Deborah Wrobel, Chair  
Jay Diener, Vice-Chair  
Pat Swank, Clerk  
Robert Fox  
Marc Hiller  
Sharon Mullen, Planning Board Representative

**Staff Present:**

Brianna O'Brien, Conservation Coordinator

- I. Call to Order: 7:00 PM**
- II. Approval of Minutes 7:01 PM**
  - A. December 20, 2022**

Ms. Swank MOTIONED to approve the December minutes with edits. SECONDED by Mr. Diener. Vote: 5-0

**III. Applications: 7:02 PM**

**A. 71 Plymouth St. - NHDES Minimum Impact Expedited Permit**

Applicant: John and Lisa Drivas  
Agent: Sergio Bonilla, Mission Wetlands  
Property Owner: John and Lisa Drivas

- Mr. Bonilla gave an overview of the project. Henry Boyd, Millennium Engineering also presented information regarding the project.
  - The applicant is proposing to raze and reconstruct a single-family dwelling with improvements on an 8,701 sq ft parcel.
  - There will be a 7% decrease in impervious coverage in the previously developed upland.
  - There will be a 11.8% reduction in impervious coverage in the Protected Shoreline via pervious pavers.
  - The total area of potentially new disturbance within the previously developed Protected Shoreline is 5,444 sq ft.
  - There is a proposed 4-foot-wide planting area.
  - Only one family lives in the dwelling currently.
- Ms. Swank mentioned that there is a lot of impervious surface in this neighborhood and wished there was more of a reduction on this site.
- Mr. Diener:
  - Commented that there is an opportunity for these applicants to expand the area where pervious pavers could be used to replace concrete.
    - Mr. Boyd assured the commission that he would bring that up with the applicants. He suggested that porous asphalt may be the best option.

- Asked about the potential for wind-blown sand to render the porous asphalt less effective.
  - Mr. Boyd stated that all maintenance will be an essential part of any option utilized in the area. He added that the occurrence of wind-blown sand would be minimal on this lot.
- Public comment:
  - No comments.
  - Public comment closed at 7:08 PM.

Mr. Diener MOTIONED for the Conservation Commission chair to sign the NHDES Minimum Impact Expedited Permit. SECONDED by Mr. Fox. Vote: Unanimous.

#### **B. 88 Glade Path - Prime Wetland Waiver**

Applicant: Nick Kafejelis

Agent: Nick Kafejelis

Property Owner: Nick Kafejelis & Lisa Kazakis

- Ms. O'Brien presented this application.
  - The project has been reviewed by the Conservation Commission several times.
  - The Town Wetland Permit has been granted.
  - The Conservation Commission previously recommended approval of the NHDES Minimum Expedited Impact Permit.
  - This applicant now needs a Prime Wetland Waiver.
  - The project proposes to construct an 18'x8' deck 6' off the ground within the town buffer.

Mr. Diener MOTIONED to not object to the Prime Wetland Waiver for 88 Glade Path. SECONDED by Ms. Swank. Vote: Unanimous.

#### **IV. New Business 7:15 PM**

##### **A. 2022 Q4 Presented by Ms. Swank**

- The fourth quarter was -(\$79,945.84) due to a recent payment for the Barkley Property.

##### **B. End of Year Financials Presented by Ms. Swank and Ms. O'Brien**

- Shared the differences between 2022 and 2023.
- Ms. O'Brien noted that some of the categories within the Conservation Fund are stagnant and would like to consider combining them into the Conservation Land fund for the Conservation Commission.
  - The commission discussed the procedures and differences for spending money from the general budget versus the conservation fund.
  - Mr. Diener suggested calling the General Fund the Operating Fund to avoid confusion with the town's General Fund.
  - Mr. Diener added that the Town Forest category was added when the Town Forest was officially designated so that monies donated/earned specifically for Town Forest projects could be more easily tracked.
- Ms. Wrobel asked for clarifications regarding the \$30,000 withdrawal from the Conservation Fund.
  - Ms. O'Brien noted that the money was originally placed into that account by mistake and the withdrawal was a correction.
- The commission discussed the Land and Land Improvement line in the operating budget.

- Ms. O'Brien suggested that it could be removed, but noted that it would be difficult to reinstate at a later time.
- Ms. Wrobel asked Ms. O'Brien to request the historical reasons for this line item from the finance department.
- Mr. Hiller suggested that it would be helpful to compile and keep a reference sheet updated with "Frequently Asked Questions" regarding the budget to avoid future confusion.
  - Ms. O'Brien will compile the answers and keep them on file.
  - (a) Questions: Where did the sub-categories in the Conservation Fund come from and where did those monies come from?

## V. Old Business 7:34 PM

### A. I-95 Liquor Store Prime Wetland Delineation

- The New Hampshire Liquor Commission (NHLC) has submitted their proposals for changes to the wetland delineations.
- The Conservation Commission has 90 days from the date of their submission to submit their response supporting or opposing the proposed update to the wetland boundary.
- The Conservation Commission will utilize a wetland scientist from The Rockingham County Conservation District to confirm the proposed boundaries. Michael Cuomo had been contacted months ago and the Commission voted last month to spend up to \$5,000 for his services.
  - Ms. Wrobel noted that it would be useful to decide which areas are the most important to confirm.
- Ms. O'Brien noted that the Conservation Commission has until April, but the State has called the Town Manager and inquired about the timeline that the Conservation Commission anticipates for their work confirming the boundaries.
  - The Conservation Commission agreed that they will do things as quickly as they are able, but it all depends on the weather, and availability of the wetland scientist. It was emphasized that the Conservation Commission has been proactive and prepared, but they had to wait until the NHLC officially submitted their proposal to take these next steps.
  - The Commission has been waiting for the NHLC final delineation for over 6 months.
- The Conservation Commission discussed concerns about the Key on the map for the proposed changes.
  - Mr. Diener asked that the NHLC more explicitly identify the wetlands in the duller green as Prime Wetland on the map. He acknowledged that it is noted in the letter but it is important that it is more thoroughly documented on the map.
- Ms. Wrobel stated that the Conservation Commission is interested in verifying that the land identified in the brown on the NHLC's proposal is no longer wetland, but upland.
  - Ms. O'Brien will seek a quote for the work from the Wetland Scientist and a timeline. This information will be passed on to the Town Manager.
- Mr. Hiller noted concerns about political interests causing the Conservation Commission to rush.
  - The Conservation Commission agreed that they will not rush and will follow the steps necessary to confirm the proposed changes.
  - Ms. O'Brien noted that the Conservation Commission will back whatever the science says.
- Mr. Diener noted a few concerns to be added to the response letter to the NHLC:
  - The letter that was sent from the NHLC mentioned correcting the delineation, but

- they are not correcting it. They are updating the delineation.
- The letter talked about the town accepting the Salt Marsh Complex as Prime Wetlands, but it needs to be clear that the State accepted it also.

**VI. Conservation Coordinator Update 8:04 PM**

**A. New Proposed Legislation Regarding Wetland Buffers Presented by Mr. Diener**

- The passing of this legislation would allow anyone to add up to 3,000 sq ft of impervious surfaces in any wetlands buffer without a local wetland permit.
- This legislation will negate the Conservation Commission from requiring temporary impact permits within the wetlands buffer.
- Mr. Diener added that this legislation is potentially destructive.
- Ms. Wrobel has drafted a letter to the NHACC and to the Chair of the NH House committee that is reviewing this proposed legislation.
- Ms. O'Brien stated that the language is vague, and mentions Overlay Districts, which Hampton does not have in regard to wetlands, it is an innovative land use. She also noted that Hampton's ordinances do not allow new impervious surfaces within the wetland buffer.
  - The commission further discussed the ambiguous language of the proposed legislation. The intention of the proposed legislation is not clear.
- Ms. Swank suggested talking to our local representatives and voicing concerns to them.

Mr. Hiller MOTIONED to move forward with sending a letter to the chair of the NHACC. SECONDED by Mr. Diener. Vote: Unanimous.

Ms. O'Brien will mail the letter Thursday or Friday. Anyone can send thoughts or suggestions to Ms. O'Brien or Ms. Wrobel.

**B. Stormwater Funding Presented by Ms. O'Brien**

- Ms. O'Brien is currently in a 6-month program that is exploring alternative funding opportunities for Hampton's stormwater management program.
- Currently, Hampton has two line items in the DPW's general budget for stormwater management. Larger Capital Improvement projects are coming from warrant articles and grants.
  - The workshop explores if a stormwater utility is a more equitable way to fund both these bigger projects as well as routine maintenance.
- An impact fee would charge individual lots based on the amount of impervious surface they have and would include property owners who are exempt from paying taxes.

**VII. Other**

- A. Mr. Diener requested that Tori Bamford, the new Coastal Resilience Coordinator for Hampton, come to a future meeting and share what work she is doing.

**VIII. Adjourn**

Mr. Diener MOTIONED to adjourn. SECONDED by Ms. Wrobel. Vote: Unanimous.