

**Hampton Conservation Commission
Draft Minutes
Tuesday, July 28, 2020**

1 **Present:** **Deborah Wrobel, Vice Chair**
2 **Pete Tilton**
3 **Diane Shaw**
4 **Sharon Raymond**
5 **Pat Swank**
6 **Bob Fox, Alternate**
7 **Anthony Curro, Alternate**

8
9 **Also Present:** **Rayann Dionne, Conservation Coordinator**

10
11 **Call to Order:**

12 The meeting was called to order by Vice-Chair Wrobel at 6:30 PM. Mrs. Wrobel indicated
13 Alternates Anthony Curro and Bob Fox would be active. The Commission observed a moment
14 of silence in remembrance of Barbara Renaud. Vice-Chair Wrobel stated she will always
15 remember her for her wisdom and strong leadership.

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

20 <https://us02web.zoom.us/j/82779507743?pwd=VUIHam8vYIFPQ3hJMVBtbGx1YUdnUT09>
21 Meeting ID: 827 7950 7743 Password: 919986 Dial in Number Options 312-626-6799 US
22 (Chicago)

23 If there are any problems to contact (603) 929-5808 or email rdionne@hamptonnh.gov. In the
24 event the public cannot access the meeting it will be postponed.

25 Vice-Chair Wrobel asked the members present to identify themselves by Roll Call and indicate if
26 there was anyone in the room with them.

27 Sharon Raymond (alone), Pat Swank (alone), Pete Tilton with Diane Shaw, Anthony Curro
28 (alone), Deborah Wrobel (alone) Bob Fox (alone), and Rayann Dionne (alone).

29 **I. Appointments**

30 **1. Elizabeth Durfee – Development of Estuary Management Plan – SHEA Project**

31 Mrs. Durfee introduced herself indicating she is a planning consultant. Mrs. Durfee presented
32 the preliminary Estuary Management Plan on behalf of Seabrook-Hamptons Estuary Alliance,
33 (SHEA) working with three Planning Boards to help understand how the municipalities can
34 engage with the public for protection and planning of the Estuary. Mrs. Durfee indicated she
35 would present her outline and appreciates feedback from the Commission.

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36 Mrs. Durfee explained an estuary is a tidal area where salt and freshwater mix. It serves as a
37 unique habitat, provides flood control, recreation, and aesthetics. Six rivers empty into the
38 Seabrook-Hamptons Estuary.

39 Mrs. Durfee explained that a management plan is different than a Land Use Master Plan. A
40 management plan can help understand and document a specific resource. It details that the
41 natural resources exist, details threats, unique habitats and species, and objections for
42 maintaining and preserving them. A Master Plan document guides the land use community and
43 has several chapters concerning natural resources and water resources and will incorporate the
44 management plan by reference. The Master Plan does not have as much detail or scientific
45 background.

46 Mrs. Durfee reviewed the proposed chapters.

- 47 • Why necessary?
- 48 • Goals & Objectives.
- 49 • Who working with.
- 50 • Policies and Regulations.
- 51 • Physical Character and Attributes (description).
- 52 • Environmental conditions.
- 53 • Water quality and biodiversity.
- 54 • Future threat – Change and Development.
- 55 • Stakeholder input – its importance to the community
- 56 - what stakeholders’ value
- 57 - why important to protect
- 58 - concerns/issues
- 59 • Short/long term objectives
- 60 • Management Strategies
- 61 • Monitoring
- 62 • Drive Further Research
- 63 • Evaluate how to implement
- 64 • Measure success over time
- 65 • Users
- 66 - SHEA
- 67 - Scientists
- 68 - Educators
- 69 - Municipalities
- 70 - PREP
- 71 - Interested Residents
- 72 -and other stakeholders
- 73 • Community’s’ Role
- 74 -assist

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75 -define
76 -use resource
77 -amendments

78
79 • Impact of recreation on estuary? Residential fertilizer application impact on water
80 quality. Planning Board feels not discussed enough at Hampton Falls.

81 Mr. Fox indicated stormwater control, fertilizer, and trash getting into sewer systems. Haven't
82 seen a lot of residential education. One example is how easily cigarette butts get into the ground,
83 then the stormwater drains and into the marsh. Mr. Fox added Sea Level Rise and Global
84 Warming and monitoring.

85 Ms. Swank would like to see community education implemented.

86 Mr. Curro asked about wildlife data, specifically migrating birds. Mrs. Durfee indicated the
87 Nature Conservancy had a list and will follow-up and send that to Ms. Dionne.

88 Vice-Chair Wrobel asked how the plan would bridge across the towns? Hampton is working on
89 its Master Plan update now. Mrs. Durfee noted the goal is to make this a regional effort. Each
90 community would have a committee representative and outreach would be to residents in all
91 communities.

92 **II. Applications**

93 **1. 9 Cora Ave**

NHDES Wetlands Permit

94 **Owner:** Jason Schenker & Stephanie Schenker

95 **Agent:** Tight Knot Design-Build

96 Build a second-story deck located within 100' of the tidal wetland edge but greater than 50'
97 away.

98
99 Mari Fontaine of Tight Knot Design-Build presented the application on behalf of the Schenker's.

100
101 Ms. Fontaine noted the plan started in December. The proposal is for a deck in the backyard
102 overlooking wetlands. The 50' buffer is in the middle of the backyard. A variance was needed
103 to build the stairs. The survey didn't match the as-built. The deck has been newly designed.

104
105 Ms. Dionne indicated it will not trigger a Town permit.

106
107 Vice-Chair Wrobel opened the hearing to the public at 7:06 PM and being none closed the
108 hearing to the public for deliberations.

109
110 **MOTION:** Ms. Swank motioned to not oppose the NHDES Wetlands Permit and support the
111 request for the Prime Wetland waiver.

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

113

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114 **ROLL CALL VOTE:** 7-0-0

MOTION PASSED

115

116 Raymond – yes, Fox – yes, Swank – yes, Tilton – yes, Shaw – yes, Curro – yes and Wrobel –
117 yes.

118 Ms. Dionne noted she will send a letter.

119 **2. 24 Battcock Ave**

NHDES Wetlands Permit

120 **Owner:** Cheryl Stockford

121 Install an 8’x8’ shed over the existing gravel/stone driveway. The shed will be located 50’ away
122 from the tidal wetland edge.

123

124 Mrs. Stockford indicated she and her husband are the owners of the property and are looking to
125 put an 8’x8’ shed for storage of tools and lawn equipment.

126

127 Ms. Dionne noted they are trying to identify a suitable location with feedback from the Building
128 Inspector to meet the front setback. Ms. Dionne posted the plan and indicated the blue line is the
129 50’ buffer. Mrs. Stockford noted she would prefer to put it on the grass or on the gravel
130 driveway Ms. Dionne indicated it could need a variance.

131

132 Ms. Swank asked if the driveway was pervious or impervious? Ms. Dionne noted it is permeable
133 as its made up of a uniform sized stone. Ms. Raymond asked if it was constructed to be
134 permeable? Ms. Dionne indicated it was built before the wetland regulations. Mrs. Stockford
135 indicated it was there when she purchased it.

136

137 Ms. Swank asked what happens during a King tide? Ms. Dionne noted Battcock is at a higher
138 elevation and doesn’t get inundated.

139

140 Mr. Tilton noted the Building Inspector provided an envelope and the owner is not forced to put
141 it anywhere.

142

143 Mr. Curro asked what kind of foundation it would have. Mrs. Stockford indicated it would be on
144 a movable piling, stronger than a typical cinder block.

145

146 Vice-Chair Wrobel indicated she was okay with it being on the grass and asked about planting
147 vegetation.

148

149 Ms. Raymond noted getting it as close to the driveway as possible. Doesn’t want to see the
150 owners have to go to the ZBA for a shed. Ms. Dionne noted a Town permit could be discussed
151 next month.

152

153 Mr. Curro agreed with Ms. Raymond, as close to the driveway as possible.

154

155 **MOTION:** Mr. Tilton motioned to not oppose the NHDES Wetlands Permit provided the shed
156 is located within the red rectangle drawn just now by Ms. Dionne and to support the wetland

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157 waiver with respect to the prime wetland.

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

159

160 **ROLL CALL VOTE:** 7-0-0

MOTION PASSED

161

162 Raymond – yes, Fox – yes, Swank – yes, Tilton – yes, Shaw – yes, Curro – yes and Wrobel –
163 yes.

164 Mrs. Stockford thanked the Commission and Ms. Dionne for their assistance.

165

166 Ms. Dionne indicated she would be drawing a letter to NHDES and the Stockford and would talk
167 about planting options accompanying the Town permit.

168

169 **3. 1 Ocean Boulevard NHDES Minimum Expedited Wetlands Permit**

170 **Owner:** Robert Nudd (unit owner, land owned by NH State)

171 Build a 12’x16’ addition to the existing shed. The addition will be located over existing asphalt.

172

173 Mr. Nudd appeared by phone. Mr. Nudd indicated he would like to put a 12’x16’ building
174 attached to the existing building on the existing pavement on blocks. The location is the
175 Hampton Fish Pier. There will be no impact on the 100’ tidal buffer. The parking lot is sealed
176 and there will be no contaminants and no new impacts.

177

178 Ms. Swank asked what is stored in the shed and Mr. Nudd noted equipment related to
179 commercial lobster fishing.

180

181 **MOTION:** Ms. Swank motioned to authorize Rayann Dionne to sign on behalf of the Chair,
182 the NHDES Minimum Expedited Wetlands Permit for the addition to the shed on existing
183 asphalt at 1 Ocean Boulevard

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

185

186 **ROLL CALL VOTE:** 7-0-0

MOTION PASSED

187

188 Raymond – yes, Fox – yes, Swank – yes, Tilton – yes, Shaw – yes, Curro – yes and Wrobel –
189 yes.

190 Ms. Dionne will sign and scan the letter. Mr. Nudd thanked Ms. Dionne for her help.

191

192 **4. 3 & 4 Ocean Drive NHDES Wetlands Permit**

193 **Owner:** 3 Ocean Drive, LLC

194 **Agent:** Gove Environmental

195 Construct a new deck and stairs on the existing structure at 4 Ocean Drive and build a permeable
196 paver patio, pool/spa, and bathhouse on 3 Ocean Drive.

197

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198 Luke Hurley of Gove Environmental presented the proposal. Mr. Hurley displayed the plan
199 which showed the property at the end of Ocean Drive. The existing home was built in 2015.
200 There was an additional home that was taken down in the past few months. Mr. Hurley showed
201 the highest tideline, the 50’ setback, and the 100’ tidal setback considered previously disturbed.
202 Mr. Hurley noted there will be porous pavers installed between the deck and pool/spa area. Mr.
203 Hurley showed the proposed plantings in the hatched area to res-establish the buffer that wasn’t
204 entirely there.

205

206 Ms. Raymond noted she preferred the porous pavers to the existing gravel.

207

208 Ms. Swank asked if there would be any impact on the dunes or dune grass? – no. Mr. Hurley
209 showed the property line and breakwater. Ms. Raymond asked if the beach access would be
210 impacted and Mr. Hurley showed the access to the right and indicated no impact. Ms. Swank
211 asked about pool and spa chemicals that could leach out of the pool/spa or bathhouse and Mr.
212 Hurley indicated the pool is a closed structure with zero flushing into the ocean – not allowed by
213 the state.

214

215 Mr. Fox asked about the separate building supporting the pool/spa filtration systems? There has
216 to be a backwash system in the bathhouse area? – yes.

217

218 Vice-Chair Wrobel opened the hearing to the public for comments and questions at 7:49 PM and
219 being none closed the hearing for deliberations.

220

221 **MOTION:** Mr. Tilton motioned to not oppose the NHDES Wetlands Permit for the work
222 proposed at 3-4 Ocean Drive.

223

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

225

226 **ROLL CALL VOTE:** 7-0-0

MOTION PASSED

227

228 Raymond – yes, Fox – yes, Swank – yes, Tilton – yes, Shaw – yes, Curro – yes and Wrobel –
229 yes.

230 Ms. Dionne will put a letter together to DES and send Mr. Hurley a landscape form.

231 **5. 58 Briar**

232

233 Ms. Dionne asked about the final inspection of the property which was a tear-down/rebuild.

234

235 The owners will come back for an amended permit. The stipulation concerning the hedgerow
236 has a different combination of boulders and shrubs. Ms. Dionne displayed the plan indicating
237 where two boulders were to be to keep cars from entering.

238

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239 Mr. Curro indicated the changes would prevent a lawn from being planted. The boulders would
240 be 3-4' apart 10' from the house. Invasives were being pulled out. Two 4' granite posts would
241 go where the two boulders were proposed near the garage.

242
243 Ms. Dionne indicated it would allow more area near the buffer noting a positive change. The
244 posts should be close enough together that a car can't go through them.

245

246 **III. Review Minutes – June 23, 2020**

247

248 **MOTION:** Mr. Tilton motioned to approve the June 23, 2020 minutes with the provided edits.

249 **SECOND:** Ms. Shaw seconded the motion.

250

251 **ROLL CALL VOTE:** 6-0-1 (Ms. Swank abstained)

MOTION PASSED

252

253 Raymond – yes, Fox – yes, Swank – abstain, Tilton – yes, Shaw – yes, Curro – yes and Wrobel –
254 yes.

255 **IV. New Business**

256

257 **1. Town Forest Land Donation – Map 60 Lot 5**

258

259 Ms. Dionne displayed the parcel on the plan indicated by yellow. It is a small tract that borders
260 North Hampton with ½ acre on our side and 2 acres on the North Hampton side.

261

262 Ms. Dionne noted there was difficulty with deed description. The deed contained multiple
263 parcels and the Town Attorney narrowed it down to two possibilities. One of the two has a
264 mortgage on it and it is probably not that one.

265

266 Vice-Chair Wrobel asked about the portion of the parcel in North Hampton which Ms. Dionne
267 showed. Vice-Chair Wrobel asked if there were any other conservation properties adjacent and
268 Ms. Dionne indicated it was near but not abutting.

269

270 Mr. Tilton recommended going forward with it.

271

272 **MOTION:** Mr. Tilton motioned to move forward with the donation of the parcel known as
273 Map 60 Lot 5 provided there are no liens or mortgages associated with the parcel.

274 **SECOND:** Ms. Shaw seconded the motion.

275

276 **ROLL CALL VOTE:** 7-0-0

MOTION PASSED

277

278 Raymond – yes, Fox – yes, Swank – yes, Tilton – yes, Shaw – yes, Curro – yes and Wrobel –
279 yes.

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281 **2. Wildlife crossing signage for a section of Route 101**

282

283 Ms. Dionne indicated she received a letter from a concerned resident about multiple wildlife
284 being hit along a corridor of the state-owned road on Route 101 which is under the jurisdiction of
285 the DOT. The resident requested a sign to alert motorists to the wildlife.

286

287 **MOTION:** Ms. Swank motioned to have Rayann Dionne reach out to DOT relative to the
288 section of road on Route 101

289 **SECOND:** Mr. Curro seconded the motion.

290

291 **ROLL CALL VOTE:** 7-0-0

MOTION PASSED

292

293 Raymond – yes, Fox – yes, Swank – yes, Tilton – yes, Shaw – yes, Curro – yes and Wrobel –
294 yes.

295 Ms. Shaw noted she voted yes however with mixed emotions as this will not slow anyone down.

296

297 **3. Barbara Renaud – memorial/remembrance**

298

299 Vice-Chair Wrobel asked the members to share their ideas to pay tribute to Ms. Renaud.

300

301 A bench could be put in the park at the end of High Street in her memory. There could be a
302 Town Forest planting area or wildflower garden. When the trails are identified a trail could be
303 named after her. There is land across from the park and ride by the courthouse, a little pond, trail
304 or bench, the Meadow area at Ice Pond, or a rain garden in front of the library.

305

306 Mr. Tilton recommended a small handicapped accessible path or dock at Ice Pond.

307

308 Mr. Curro indicated he would like to see something natural, benches become tombstones that no
309 one knows about or appreciates. Mr. Curro noted it could be more than one thing.

310

311 Ms. Swank noted Ms. Renaud always presented the scholarship award at Hampton Academy and
312 that could be in her name. Mr. Tilton noted there could be a Barbara Renaud Conservation
313 Award.

314

315 Ms. Shaw noted Ms. Renaud always liked to lend a helping hand anonymously.

316

317 Vice-Chair Wrobel noted the Commission will do more research and bring ideas back to next
318 month's meeting.

319

320

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321 **4. SHEA 2020 Estuary Photo Contest**

322

323 Ms. Dionne noted entries were due by 5 PM on September 21, 2020. The top two categories
324 would win an award. Other towns were contributing as well. Photos are on the website.

325 Shea4nh.org

326

327 **MOTION:** Ms. Swank motioned to contribute \$100 to SHEA for this year's annual Estuary
328 Photo Contest.

329 **SECOND:** Ms. Shaw seconded the motion.

330

331 **ROLL CALL VOTE:** 7-0-0

MOTION PASSED

332

333 Raymond – yes, Fox – yes, Swank – yes, Tilton – yes, Shaw – yes, Curro – yes and Wrobel –
334 yes.

335 **V. Old Business**

336

337 **1. 2021 Warrant Articles Ideas**

338

339 Ms. Shaw indicated an approval process for shipping containers and a time limit.

340

341 Ms. Dionne noted the Aquifer Protection zone could be extended with the new high capacity
342 well in mind. Mr. Tilton recommended documenting wetland and surface levels. Ms. Dionne
343 noted DES requires and won't approve if impacted.

344

345 **2. Natural Resource Inventory**

346

347 Ms. Dionne indicated there was a subcommittee meeting in June. The goal is an outline for the
348 RFP. The next meeting is in the second week of August.

349

350 **3. Coastal Hazards Master Plan Chapter – update**

351

352 Ms. Raymond indicated things are just getting going and will now look at public involvement.
353 More activity is expected in the fall.

354

355 **4. Town Forest Activities**

356

357 Ms. Dionne noted DPW went out with a bobcat and smoothed out the jumps. Mr. Tilton will
358 check on it.

359

360 **5. NHDES Minimum Expedited Permit applications**

361

362 Ms. Dionne indicated there were no new criteria developed and will leave it be for now.

363

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

365

366 Eagle Scout Project – Bog Bridges

367

368 Ms. Dionne noted the Eagle Scout who is doing the project has requested to use an ATV to haul
369 the boards out there. No ATVs are allowed without permission.

370

371 Mr. Fox noted the boards are quite heavy and about 12’ long and would take the Scouts forever
372 to haul them out there.

373

374 **MOTION:** Mr. Tilton motioned to support the request to use the ATV to carry boards in for the
375 construction activities.

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

377

378 **ROLL CALL VOTE:** 7-0-0

MOTION PASSED

379

380 Raymond – yes, Fox – yes, Swank – yes, Tilton – yes, Shaw – yes, Curro – yes and Wrobel –
381 yes.

382 **VII. Adjourn**

383 **MOTION:** Mr. Tilton motioned to adjourn the meeting at 8:40 PM.

384 **SECOND:** Ms. Wrobel seconded the motion.

385

386 **ROLL CALL VOTE:** 7-0-0

MOTION PASSED

387

388 Raymond – yes, Fox – yes, Swank – abstain, Tilton – yes, Shaw – yes, Curro – yes and Wrobel –
389 yes.

390

391 Respectfully submitted,

392

393 Nancy J. Hoijer,

394 Recording Secretary