

Hampton Conservation Commission
Draft Minutes
Tuesday, August 25, 2020

- 1 **Present:** **Jay Diener, Chair**
- 2 **Deborah Wrobel, Vice Chair**
- 3 **Sharon Raymond**
- 4 **Pat Swank**
- 5 **Bob Fox, Alternate**
- 6
- 7 **Also Present:** **Rayann Dionne, Conservation Coordinator**
- 8 **Mark Olson, Planning Board**
- 9

10 **Call to Order:**

11 The meeting was called to order by Chair Diener at 6:30 PM. Chair Diener indicated Alternate
 12 Bob Fox would be active.

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

17 **Meeting Link**

18 <https://us02web.zoom.us/j/83269323352?pwd=MkhiOEdkTmx3MGJmQ0kwTjJTWExXUT09>
 19 Meeting ID: 832 6932 3352
 20 Passcode: 218503

21 **Dial in Number Options**

22 +1 929 205 6099 US (New York)

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

27 Sharon Raymond (alone), Deb Wrobel (alone), Pat Swank (alone), Bob Fox (alone), and Rayann
 28 Dionne (alone).

29 **I. Applications**

- 30 1. 51 Lafayette Road Town Wetlands Permit
- 31 Owner: Michael Brown
- 32 Replace the existing failed septic system with an NHDES Subsurface approved design.
- 33

34 Vernon Dingman indicated the proposal is for a septic system replacement with a Clean
 35 Solutions Treatment System. NHDES approval for the type of system and loading for a two-
 36 bedroom home.

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38 Ms. Dionne posted the plan. Mr. Dingman noted it is pretty much the same location, which
39 the ordinance allows, but is 2.5’ higher than existing, 1.7’ above the highest flood plain.
40

41 Mr. Fox asked if it was an activated air system? – yes.
42

43 Mr. Fox asked if the building is being taken down? – no. Mr. Fox asked if this area of
44 Lafayette floods on King Tides? – no surface evidence is at flood plain elevation. Ms. Dionne
45 added that the north side of the site is different, the other side floods.
46

47 Mr. Fox noted he had no issues, Ms. Raymond added she had no issues. Ms. Wrobel noted it
48 was a good system and placement. Ms. Swank agreed and asked Mr. Dingman if he was
49 confident the design would survive future king tides, SLR? - 10-20 years.
50

51 Ms. Dionne indicated they do have to complete the DES permit which will require a risk
52 assessment. They are in the flood plain. There is no other alternative. By mounding up off
53 the ground is the best option.
54

55 Ms. Swank asked how they would monitor it in the future? Mr. Fox noted there are three
56 chambers and can open up and look at the aeration settling affluent.
57

58 Mr. Olson asked if the current system was in failure? Mr. Dingman noted the new owners are
59 trying to be proactive before occupying.
60

61 Chair Diener opened the hearing to the public for comments and questions and being none
62 closed the hearing to the public for deliberations at 6:47 PM.
63

64 Ms. Dionne reviewed conditions of approval:
65

66 1. Buffer to remain undisturbed to the degree possible during installation.
67

68 **MOTION:** Ms. Swank motioned to approve the Town Wetlands Permit or 51 Lafayette Road
69 to replace the existing septic system.

70 **SECOND:** Ms. Raymond seconded the motion.
71

72 **ROLL CALL VOTE:** 4-0-1 (Chair Diener abstained) **MOTION PASSED**

73 Raymond – yes, Fox – yes, Swank – yes, and Wrobel – yes, Diener – abstain.

74 Ms. Dionne noted the Planning Board will get a letter from us with our recommendation.
75

76 **II. Appointments**

77 1. 65 Lafayette Road – conceptual project review

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78 James Kesseli indicated he is the owner of 75 Lafayette Road and is considering purchasing the
79 former site of Gerry's Restaurant which has a history of flooding problems.

80 Mr. Kesseli indicated Brayton Energy is a contractor on a US Department of Energy Research
81 project to design and test elements of an advanced concentrated solar plant. Brayton Energy
82 would like to use the vacant lot at 65 Lafayette Road for assembly and study of solar
83 concentrating mirrors. 24 solar mirror panels, roughly 5'x10', would be self-standing on metal
84 plates. Two-three shipping containers with an engineered roof structure spanning two of the
85 containers would be used as an assembly area, with doors. There would be a 30' observation
86 tower with floodlights and cameras on a rental boom and temporary construction fencing on non-
87 ground penetrating posts.

88 Mr. Kesseli noted the asphalt is in disrepair. The project would be for a short time through the
89 end of the year so they can turn in their report by December 31st. It could be extended through
90 spring or October 2021.

91 Chair Diener noted a fairly good portion is flooded and happens frequently and asked if there
92 would be any impact on equipment? Mr. Kesseli noted all mirrors will be sitting on plates and
93 sandbags up off the ground. Given the general okay not to disturb the wetlands will go before
94 the Town Planners one week from tomorrow.

95 Ms. Raymond asked about the shipping containers if they are anchored on concrete slabs? Mr.
96 Kesseli noted they weigh approximately 5,000 pounds each and the weight helps keep them in
97 place. Ms. Raymond noted with the roof spanning them she would be concerned about it if not
98 for the temporary nature of the building.

99 Ms. Wrobel noted she hoped he would remove the asphalt and residual slabs to restore to
100 something more natural.

101 Ms. Swank asked if any lubricant or oil was used or cleaning solvents? Mr. Kesseli noted there
102 are no chemical compounds for cleaning purposes.

103 Mr. Olson indicated the site is a hazard without improvement and asked if the orientation of the
104 mirrors is relative to traffic? Mr. Kesseli noted they are angled to avoid traffic and the
105 Cummings house, toward the Seabrook Nuclear Power Plant.

106 Ms. Raymond, Ms. Wrobel, Ms. Swank, and Mr. Fox noted they were supportive of the project
107 on a temporary basis.

108
109 2. 12 Nor 'East Lane – repositioning of displaced seawall steps

110 Eric Salovitch of TF Moran presented the proposal for the replacement of two bottom steps for
111 beach access that were displaced as a result of storms. The stones are too large to be moved by
112 hand. Machinery would travel 1500' down the beach during low tide. The stones will be
113 repositioned and pinned.

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114 Chair Diener asked if the steps would be positioned where previously? – yes. Chair Diener
115 asked if there would be any extension onto the ocean or beach? – no.

116 Ms. Dionne noted they may need permission to travel with equipment down the beach and if
117 going through the state park. Work would need to be done between Labor Day and Memorial
118 Day.

119 Ms. Raymond, Ms. Wrobel, Ms. Swank, Mr. Fox, and Mr. Olson noted they had no issues.

120 Ms. Dionne indicated the deadline for filing for the Town Wetlands Permit is next Wednesday,
121 September 2nd. First, they would go before the Commission and then the Planning Board in
122 October.

123 Mr. Salovitch asked if the Commission would give its recommendation to get the state clock
124 ticking? Chair Diener indicated the Commission is unable to give a recommendation to the state
125 before your filing as you are here on an advisory basis. The Commission can't send a letter
126 without the state permit application in front of them.

127 3. 1080 Ocean Boulevard – redevelopment conceptual review

128 Attorney Jay Scully and Henry Boyd from Millennium Engineering presented the proposal to
129 remove and replace the existing home. The existing house is back 9' off the wetland line at the
130 northwest corridor, 7' from the property line. The 50' buffer consumes the entire lot. Need DES
131 wetland and shoreland and stormwater mitigation.

132 Attorney Scully noted the new house requires zoning relief. The new home will be pulled to the
133 right, rear, and freshwater line. A variance application was filed for relief for 12.' There will be
134 some grading to keep water from flowing into the home and garage.

135 Mr. Boyd noted the position of the driveway did not seem the safest because of the curve and
136 difficulty backing out or approaching. The driveway could be designed to the west side with
137 pervious pavers but would have more impact to the buffer. The 280 SF encroachment shown on
138 the plan would be gone. A second story deck would be more than 6' into shoreland.

139 Ms. Dionne asked about the variances requested and Attorney Scully indicated for side setbacks
140 and the 12' provision. Ms. Dionne noted the Commission could only provide a letter relative to
141 the specific variances being requesting, not wetlands.

142 Mr. Boyd noted there is no stormwater mitigation currently at all so this is much improved from
143 that aspect.

144 Ms. Raymond noted she did not have enough information about the 12.'

145 Chair Diener indicated he had no problem with the 12' setback issue. Can't say support variances
146 on other setbacks without knowing what's going on there.

147 Ms. Wrobel indicated she had no issues with the 12' setback but needs to know a lot more.

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148 Ms. Swank noted she agreed with Ms. Wrobel and has concerns about the driveway backing out
149 onto 1A. There is not much parking. This provides more guest parking. Ms. Swank asked what
150 would be the understructure of the permeable pavers?

151 Mr. Fox indicated the plans are preliminary and would like to see a more definitive plan
152 including the northern boundary where the slopes would be.

153 Ms. Dionne posted an aerial view of the site and asked how the back would be maintained and if
154 return some area to natural vegetation?

155 Chair Diener asked if where the two cars were shown was common land? – belongs across the
156 street.

157 Ms. Swank asked about the two pads for the air conditioner and garage if they would be
158 relocated?

159 Mr. Olson noted they did a great job and he has no opposition to the driveway.

160 Chair Diener asked if they were looking for something from the Commission to take to the
161 Zoning Board of Adjustment? Attorney Scully noted a letter of support.

162 Chair Diener asked if all were fine with the 12' setback? Ms. Raymond – yes, Ms. Wrobel, yes,
163 Ms. Swank – yes and Mr. Fox – yes.

164 Chair Diener asked if all would support relief to the additional side/front/back setback being
165 requested?

166 Ms. Raymond noted she was confused about what was being requested. Attorney Scully noted
167 the existing dwelling rear is closest on the north side 7.8' and propose 8.1.' The front, the
168 southern side, is 1.9' to Nor 'east Lane, proposing 6.8.'

169 Ms. Raymond noted she was okay with it. Ms. Wrobel noted she liked the improved setback.
170 Ms. Swank – yes, Mr. Fox – yes. Ms. Dionne noted when writing the letter they are not dealing
171 with wetlands, town, or state permits.

172 4. 1068 Ocean Boulevard – renovation conceptual review

173 Henry Boyd of Millennium Engineering presented the plans which will fill in the areas shown in
174 red. They are working outside the 50' high tide line. There will be residing, new windows and
175 the roof needs to be redone. The deck will overhang the existing paved driveway. Will be
176 working within the 50' deck on top of the deck.

177 Ms. Dionne asked how high the deck is where replacing deck boards? – ground level.

178 Ms. Raymond had no issues. Ms. Wrobel noted no issues. Ms. Swank had no issues. Mr. Fox
179 asked if there were any foundation issues and Mr. Boyd noted the foundation is good but not
180 currently flood vented. The garage doors will vent as well. Mr. Olson noted the impact was
181 minor and is good with it.

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182 Chair Diener noted if there is no additional foundation and work is done within the 50' buffer on
183 top of the existing deck there is no impact and no wetland permit required? Ms. Dionne noted if
184 sonotubes were used it would trigger but deck board no issue and would be surprised if there is
185 no change to impervious coverage that it would need a state wetland permit.

186 5. 72 Island Path – pervious permitted condominium building design change

187 Henry Boyd of Millennium Engineering presented the plan showing the before and after
188 proposals which were revised. Originally calling for the two shacks to be removed and a larger
189 building with a portion that went in front of the other building. The revised plan shows a smaller
190 building with 685 SF of sealed surface. The deck would be cantilevered. The driveway would
191 be pervious pavers. The existing building had flood damage in 2018.

192

193 Ms. Dionne indicated she would encourage pilings.

194

195 Ms. Raymond noted she like the plan. Ms. Wrobel noted it was an improvement. Ms. Swank
196 noted it looked great and asked if there were a deck planned? – in the back 6' x 10-12' and lawn.

197

198 Mr. Olson asked how many cars? - 2 spaces per unit.

199

200 **III. Review Minutes – July 20, 2020**

201

202 **MOTION:** Ms. Swank motioned to approve the July 20, 2020 minutes with the provided edits.

203

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

205

206 **ROLL CALL VOTE:** 3-0-2 (Mr. Fox and Chair Diener abstained) **MOTION PASSED**

207

208 Raymond – yes, Fox – abstain, Swank – yes, and Wrobel – yes, Diener – abstain.

209

210 **IV. New Business**

211

212 **V. Old Business**

213

214 **1. 2021 Warrant Articles Ideas**

215

216 Chair Diener reviewed the definition of porch Ms. Dionne will email tomorrow.

217

218 A covered area adjacent entrance to the building, usually without a separate roof from the rest of
219 the building...not permitted in the 12' primary building setback. The Article would be due in
220 September for the March Town ballot.

221

222 **2. Natural Resource Inventory**

223

224 Ms. Dionne indicated there is a meeting tomorrow of the subcommittee group. Are drafting RFP
225 examples. Reached out to Rye. Looking to put out an RFP and get a range of costs.

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3. Coastal Hazards Master Plan Chapter – update

Ms. Raymond noted the meetings are getting going and the RFP is about to go out. There will be a survey and a public interest session.

4. Barbara Renaud – memorial/remembrance

The Commission reached out to the Junior High about naming the Conservation award for the 8th Grade after Barbara and are waiting to hear back. Barbara was passionate about mobility and there could be a handicapped-accessible trail. Ms. Dionne went out to view the bog bridge trail. It could be a future scout project to do some trails at Town Forest across from the Park & Ride section to a viewing spot.

Ms. Swank noted she liked the woods and introduced residents to the Town Forest. It would be nice to walk a few feet and sit down at a bench. Chair Diener noted there was a lot of vandalism and indicated Car Barn Pond parcel hasn't been done and could have a handicapped access trail or bench.

Chair Diener indicated the Commission should decide what they plan to do by the next meeting.

5. Town Forest Land donation – Map 60 Lot 5

Ms. Dionne noted the Town Attorney drew the deed, it was reviewed and sent to the owner.

VI. Conservation Coordinator and Chair update

Ms. Dionne posted pictures of the bog bridge. Mr. Fox noted the troop went out a couple of weeks ago and the bridge received a lot of comments. One person had no idea what vernal pools or wetlands conservation, just that it encroached on the bike path. Other concerns were riding off side trails and being careful of private property. There could be additional kiosks at the entranceways with a map of the trail outline. People are often blocking out trail colors.

Ms. Dionne noted the boards were moved out to the woods Saturday to be pegged on Sunday morning and someone had moved them to the side of the trail.

The Commission agreed Mr. Texeira did a good job. Ms. Dionne noted it fits nicely and there were funds leftover from the project that Scout will be donating to the Commission for the Town Forest fund. Ms. Dionne noted there could be a socially distanced ribbon cutting. Ms. Swank recommended putting photos on the Conservation website. Ms. Dionne noted it could be included in the Town Report. Chair Diener noted it could be a newspaper public relations piece. He did a good job and it deserves recognition. Mr. Fox noted the article could emphasize the value of wetlands.

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267 Ms. Dionne noted the DPW got out and removed the biggest bike jump but there are still a few
268 more. Chair Diener noted he reached out to Google to try to get them to change it.

269

270 Ms. Dionne noted Alternate Gayle O'Malley submitted her resignation noting Barbara's passing,
271 who was her mentor. She wanted to the Commission to know that she's still supportive of their
272 efforts.

273

274 Ms. Dionne gave a brief overview of a grant proposal by Dr. Gregg Moore of UNH. This project
275 will combine data from UAV (Unmanned Aerial Vehicles) remote sensing technology with a
276 wireless network of salinity and water level sensors to create a field monitoring system that can
277 identify current and future flooding risks. Dr. Moore was looking for a letter of support from the
278 Commission.

279 Chair Diener asked Commission members if they wanted to provide a letter of support for the
280 project. Ms. Wrobel – yes, Ms. Swank – yes, Mr. Fox – yes. Ms. Dionne noted she would copy
281 him.

282

283 **VII. Adjourn**

284 **MOTION:** Ms. Swank motioned to adjourn at 9:24 PM.

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

286

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

MOTION PASSED

288

289 Raymond – yes, Fox – yes, Swank – yes, Wrobel – yes, Diener – yes.

290

291 Respectfully submitted,

292

293 Nancy J. Hoijer,

294 Recording Secretary