

**Hampton Conservation Commission
Draft Minutes
Tuesday, September 24, 2019**

1 **Present:** **Jay Diener, Chair**
2 **Barbara Renaud, Vice-Chair**
3 **Diane Shaw**
4 **Pat Swank**
5 **Bob Fox**
6 **Deborah Wrobel, Alternate**

7
8 **Also Present: Rayann Dionne, Conservation Coordinator**
9 **Alex Loiseau, Planning Board Representative**

10
11 **I. Call to Order:**

12 The meeting was called to order by Chair Diener at 7:00 PM in the Town Hall Selectmen's
13 Meeting Room.

14 **II. Review Minutes**

15 **1. August 27, 2019**

16 **MOTION:** Vice-Chair Renaud motioned to approve the August 27, 2019 minutes, as
17 amended.

18 **SECOND:** Ms. Shank seconded the motion.

19 **VOTE:** 4-0-2 (Chair Diener, Mr. Fox abstained)

MOTION PASSED

20 **III. Appointments**

21 **1. Nathan Rees – 2019 Summer Conservation Land & Easement Monitoring Summary**

22 Ms. Dionne introduced Mr. Rees who was hired as the 2019 Conservation Land and Easement
23 monitor. Mr. Rees also participated in the Town Forest BioBlitz. Ms. Dionne noted that this is
24 the 4th year of land and easement monitoring which is required by the RSAs that govern
25 Conservation Commissions.

26 Chair Diener asked Mr. Rees what he does when not doing monitoring? Mr. Rees indicated he
27 had just graduated from UNH.

28 Mr. Rees presented photos of Parcels 217-2 Landing Road; 229 2-6 Landing Road, and 248-Lot
29 1 Hampton Harbor.

30 217-2 Landing Road showed a mat and mowed lane;

31 229 2-6 Landing Road showed phragmites and invasives, two large compost piles on the
32 southern portion behind the house;

33 248 Lot 1 Hampton Harbor had a permanent duck blind and erosion of the marsh area.

34 Mr. Rees provide some ideas about how to handle these issues but overall most of the lands he
35 monitored were in good shape.

36 The Commission thanked Mr. Rees for his time and his presentation was met with applause from
37 the audience.

38 **IV. Applications**

39 **1. 23 Thornton Street (Map 303 Lot 13) NH DES Minimum Expedited Wetlands Permit**

40 **Owner:** John Woelfel & Sheila Woelfel

41 **Agent:** TF Moran

42

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43 Corey Coldwell from TF Moran presented on behalf of the owners, Mr. and Mrs. Woelfel. Mr.
44 Coldwell handed out copies of the plans for 1358 sq. ft. addition with a reduction in impervious
45 coverage from 89% to 72-73%. The proposed work is greater than 50' from the Highest
46 Observable Tide Line but within NHDES Wetlands and Shoreland jurisdictions. The NHDES
47 Shoreland application was recently granted on September 10, 2019. The Commission conducted
48 a site visit on Saturday. It was noted on the visit, that soil borings should be obtained to
49 determine the depth of the water table in order to verify the storage capacity and infiltration
50 potential of the proposed permeable paver system.

51 Mr. Coldwell noted the additional story would utilize the existing footprint. Relief was granted
52 by ZBA in July for the roof overhang extension. Mechanical and living space will be moved out
53 of the basement and the basement will only be garage and storage.

54 Vice-Chair Renaud would like to see a little more impervious coverage removal. The water table
55 will change over time which could impact the storage and infiltration of the permeable pavers.

56 Mr. Fox asked if the applicants would remove the other non-permeable pavement? Mr. Coldwell
57 explained the driveway at grade steps 5' higher to a patio. Would have to remove concrete fill
58 beneath it and would be expensive. Felt better to target the driveway.

59 Ms. Wrobel asked if there was sufficient space for water to go between the plantings and the
60 patio.

61 Ms. Shaw indicated there is a lot of water. Mrs. Woelfel stated they have lived there for nine
62 years and never had it come down where they are. Mr. Woelfel explained they are higher, the
63 water goes into Thornton Street and away from the home.

64 Chair Diener asked if the size of the permeable driveway is large enough to handle all of the
65 site's stormwater effectively. Mr. Colwell noted that they have not done any calculations yet but
66 he is confident that the amount of stormwater leaving the site will be less than what it is today,
67 with no treatment. He also noted that there are proposed landscape areas that can also handle
68 some of the stormwater runoff. He shared that he had designed the permeable paver driveway
69 systems for a house that is three to east and there were no water table issues. Although the site
70 conditions are unlikely to be exactly the same he believes they will be very similar.

71 Chair Diener opened the hearing to the public for comments and questions at 7:30 PM and being
72 none closed the hearing to the public for deliberations.

73 Ms. Dionne noted the Chair would sign the NHDES minimum expedited application following a
74 vote by the Commission and a note could be added about any concerns.

75 **MOTION:** Ms. Shaw motioned to approve the Chair sign NHDES Minimum Expedited
76 Wetlands Permit for 23 Thornton Street.

77 **SECOND:** Ms. Wrobel seconded the motion – pending result of borings.

78 **VOTE:** 4-0-2 (Chair Diener and Mr. Fox abstained)

MOTION

79 **PASSED**

80 **2. 56 Island Path** (Math 282 Lot 5)

NHDES Wetlands Permit/Town

81 **Owner:** Regina Faticanti

82 **Agent:** Payne Construction – Geoff Goss

83

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84 Mr. Goss of Payne Construction presented the proposal on behalf of Regina Faticanti for both a
85 State and Town wetlands permit. Mr. Goss noted the previous site included the home sitting on
86 concrete cinder blocks below FEMA flood plain. The home will be lifted and placed on a helical
87 pile foundation that is at least 1 foot above Base Flood Elevation and all of the existing concrete
88 blocks removed.

89 Chair Diener asked what the current and new elevations will be. Mr. Goss shared that the
90 existing floor is at 9'4" and it will be elevated to 11'4"-12' which includes the 1' of freeboard.

91 Chair Diener asked about stairs and platforms and the existing footprint? Mr. Goss noted the
92 deck would be expanded later. Ms. Swank asked about the porch and whether that was also
93 being raised – yes; and about the outdoor shower if that were remaining – yes.

94 Mr. Fox asked about the entrance on the right side, raising 2-2 ½ feet, it must have to have some
95 type of extension such as more steps. Mr. Goss noted that work would not be in the scope of
96 work done by him. A separate contractor would be installing the new deck. The home would
97 not be occupied in the winter.

98 Ms. Dionne noted they could allow a couple of additional steps for temporary access to meet
99 code.

100

101 Mr. Fox noted he would prefer to see the total project. If the proposed porch expansion is denied
102 the applicant may need to go another direction. The porch is being raised also.

103 Mr. Louiseau stated it was a positive improvement.

104 Vice-Chair Renaud noted any expansion would require an additional wetland permit. Ms.
105 Faticanti noted she had flooding and the main priority is to elevate the structure. Chair Diener
106 noted the elevation of the structure may be approved but there expansion of the porch may not
107 be.

108 Ms. Dionne recommended talking with a flood insurance agent about how the elevation change
109 will impact flood insurance, as there is a larger rate reduction (40-60%) when you go 1-3' above
110 Base Flood Elevation.

111 Chair Diener opened the hearing to the public for comments and questions at 7:50 PM and being
112 none closed the hearing to the public for deliberations.

113 **MOTION:** Ms. Swank motioned to recommend the Town wetlands permit for 56 Island Pond
114 to elevate the existing structure.

115 **SECOND:** Vice-Chair Renaud seconded the motion adding 1-2 steps to existing stairs.

116 Ms. Dionne read the conditions out loud.

- 117 1. Installation of at least two Wetlands Conservation District markers along the wetland
118 buffer edge on both sides. The markers must be permanently affixed to a structure such as a
119 dwelling, fence or a post cemented into the ground. Wetland markers can be purchased at the
120 Hampton Planning Office.
- 121 2. The application of fertilizer, pesticides, insecticides, or herbicides is prohibited in any
122 tidal or inland wetland, areas of poorly and very poorly drained soils, vernal pools, or their
123 buffers. However, the application of limestone is permitted within the buffer.
- 124 3. No storage of grass clippings or yard waste in the wetland or its buffer.
- 125 4. Proper erosion control will be in place before construction begins and remain in place

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126 until the area is stabilized and removed after construction is complete.

127 5. The buffer should remain undisturbed to the degree possible in the process of
128 construction.

129 6. There are to be no additional structures such as sheds, swimming pools, gazeboes, patios
130 or other sealed surface, etc. in the buffer, other than that shown on the approved plan. A new
131 Wetlands Permit is required for the erection of any additional structure(s) in the buffer.

132 7. The Conservation Commission shall be notified in writing upon commencement and
133 completion of the project. A final inspection shall also be scheduled with the Conservation
134 Coordinator upon completion of the project.

135 8. This permit will expire two years from the date that it is granted by the Planning Board.
136 Refer to Hampton Zoning Ordinance Section 2.3.5 for information on permit extensions.

137 **VOTE: 5-0-1** (Chair Diener abstained)

MOTION PASSED

139 **3. 67 Hobson Ave** (Map 289 Lot 11)

Town Wetlands Permit

140 **Owner:** Kristine Wall & Timothy Bowman

141
142 Mr. Bowman handed out copies of the proposed plan which is for a 7'x7' storage shed within the
143 50' wetland buffer. They obtained to ZBA relief to locate the shed within the property boundary
144 setbacks. The shed will be placed on a stone and block foundation with anchors. They are still
145 working on the NHDES application and waiting for Natural Heritage Bureau report.

146 Since they are adding a new impervious surface to the buffer, they are proposing as mitigation to
147 convert a 12'x40' section of asphalt driveway to permeable pavers that extend 10' from the
148 house. There will be 200 sq. ft. of mitigation for the 49 sq. ft. of new impact.

149 Ms. Dionne asked if Mr. Bowman had considered other permeable products. Permeable pavers
150 need a substantial stone base above the water table. There are other products like gravel or grass
151 pave that require minimal base material.

152 Ms. Swank asked how the Commission would approve this without knowing the depth to the
153 water table. Chair Diener noted that it could be stipulated that they perform the field verification
154 tests that can be reviewed and approved by the Conservation Coordinator prior to installation.

155 Ms. Dionne noted the contractor is experienced with permeable pavers should also be able to do
156 the field tests.

157 Chair Diener opened the meeting to the public for questions and comments at 8:03 PM and being
158 none closed the hearing to the public for deliberations.

159 **MOTION:** Ms. Swank motioned to recommend approval of the Town Wetlands Permit for 67
160 Hobson Ave for a 7'x'7' shed with the additional conversion of a portion of the asphalt driveway
161 to permeable pavers. If the site is not suitable for permeable pavers another permeable product
162 will need to be selected and approved by the Conservation Coordinator.

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

164 Ms. Dionne noted the applicant would have to come back for DES permit. Ms. Dionne read out
165 loud the conditions:

- 166 1. Installation of at least two Wetlands Conservation District markers along the wetland
167 buffer edge on both sides. The markers must be permanently affixed to a structure such as a
168 dwelling, fence or a post cemented into the ground. Wetland markers can be purchased at the

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169 Hampton Planning Office.

170 2. The permeable driveway surface must be routinely maintained to ensure the system
171 continues to function as designed. Driveway work that extends into the Right-of-Way
172 requires a permit from the Hampton Department of Public Works.

173 3. The application of fertilizer, pesticides, insecticides, or herbicides is prohibited in any
174 tidal or inland wetland, areas of poorly and very poorly drained soils, vernal pools, or their
175 buffers. However, the application of limestone is permitted within the buffer.

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

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

179 6. The buffer should remain undisturbed to the degree possible in the process of
180 construction.

181 7. There are to be no additional structures such as sheds, swimming pools, gazeboes, patios
182 or other sealed surface, etc. in the buffer, other than that shown on the approved plan. A new
183 Wetlands Permit is required for the erection of any additional structure(s) in the buffer.

184 8. The Conservation Commission shall be notified in writing upon commencement and
185 completion of the project. A final inspection shall also be scheduled with the Conservation
186 Coordinator upon completion of the project.

187 9. This permit will expire two years from the date that it is granted by the Planning Board.
188 Refer to Hampton Zoning Ordinance Section 2.3.5 for information on permit extensions.

189 **VOTE:** 5-0-1 (Chair Diener abstained)

MOTION PASSED

190

191 **4. 27 Pearl Street (Map 223 Lot 19)**

Town Wetlands Permit

192 **Owner:** Marc Marois & Jennifer Marois

193

194 Ms. Marois presented the proposal for a new walkway and patio to be built with permeable
195 pavers. The walkway to the front door will be 48 sq. ft. and the patio will be 100 sq. ft. and will
196 be just into the 50' wetlands buffer. As mitigation, the applicant will be converting 200 sq. ft. of
197 lawn area to native plantings along the wetland edge.

198 Ms. Dionne noted stakes have been placed showing a 10 ft. arc around the wetland for the
199 proposed native planting area. The applicant is proposing Blueberry, Button, Sweet Pepper, and
200 Bitterberry. Ms. Marois noted that there was a section of fencing that was previously approved
201 that they will not be installing.

202 Chair Diener opened the hearing to the public for questions and comments at 8:13 PM and being
203 none closed the hearing to the public for deliberations.

204 **MOTION:** Vice-Chair Renaud motioned to recommend approval for the walkway and patio to
205 be constructed with permeable pavers at 27 Pearl Street with the usual stipulations.

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

207 **Conditions:**

208 1. To offset the impacts of the walkway and patio, the Owners have agreed to increase the
209 width of the native wetland buffer planting area to 10' from the wetland edge. This area is to
210 be naturally vegetated which means there shall be no maintenance except for minor pruning.

211 2. The permeable walkway and patio shall be routinely maintained to ensure the system

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- 212 continues to function as designed.
- 213 3. The application of fertilizer, pesticides, insecticides, or herbicides and the storage of grass
214 clippings and yard waste is prohibited in the Wetland Conservation District. However, the
215 application of limestone is permitted.
- 216 4. Removal of dead, diseased, or unsafe trees is permitted. The stumps and root systems shall
217 be left intact in the ground.
- 218 5. All proposed plantings shall have at least 75% success after two growing seasons. Any
219 plants that do not survive shall be replanted or replaced with another suitable plant species.
- 220 6. Proper erosion control shall be in place before construction begins, remain in place until the
221 work is completed and the area is stabilized.
- 222 7. The buffer shall remain undisturbed to the degree possible during the process of construction.
- 223 8. There shall be no additional structures such as sheds, swimming pools, gazeboes, patios or
224 other sealed surface, etc. in the Wetland Conservation District, other than what is shown on
225 the approved plan. A new Wetlands Permit is required for any new or additional work.
- 226 9. The applicant shall notify the Conservation Commission in writing upon commencement and
227 completion of the project and schedule a final inspection with the Conservation Coordinator.
- 228 10. This permit will expire two years from the date that it is granted by the Planning Board.
- 229 Refer to Hampton Zoning Ordinance Section 2.3.5 for information on permit extensions.

230 **VOTE: 5-0-1** (Chair Diener abstained)

MOTION PASSED

231 **5. 15 Robin Lane** (Map 133 Lot 2)

Town Wetlands Permit

232 **Owner:** B&M Walsh Properties, LLC

233

234 Mary Lu Walsh presented the proposal to replace the home. The foundation is broken. The
235 existing septic system will need to be replaced but it does meet 75 ft. distance from the wetland.
236 The existing site contains 694 sq. ft. of impervious surface in the wetland buffer. The proposal
237 including the addition of a set of outside stairs will reduce the impervious coverage to 620 sq. ft.
238 Ms. Walsh indicated that they are willing to add vegetation and boulders along the upland edge
239 of the wetland which was recommended during the Site Walk. The garage will be a drive under.

240

241 Chair Diener noted the 50' buffer is through half of the structure. Ms. Shaw asked about the
242 deck. Ms. Walsh noted it would be cantilevered and greater than 6' off the ground. There will
243 be no walk-out door at ground level to the patio. The back will not require fill. The elevation
244 will be higher in the front as result of the new septic systems. The back will be the same.

245

246 Chair Diener opened the hearing to the public at 8:24 PM for questions and comments and being
247 none closed the hearing to the public for deliberations.

248

249 **MOTION:** Ms. Shaw motioned to recommend approval of the Town Wetlands permit for 15
250 Robin Lane to raze the existing dwelling and replace with the proposed manufactured home with
251 the stipulations that applicant provide plantings and boulder plan and no fence which shall be
252 approved by the Conservation Coordinator and to verify that the turnaround for the driveway to
253 the garage under is not going into the buffer to make the turnaround.

254

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255 **SECOND:** Ms. Swank seconded the motion.

256 Ms. Dionne read out loud the additional stipulations:

257

258 1. Installation of at least two Wetlands Conservation District markers along the wetland
259 buffer edge. The markers must be permanently affixed to a structure such as a dwelling,
260 fence or a post cemented into the ground. Wetland markers can be purchased at the Hampton
261 Planning Office.

262 2. The deck shall be open above and below and not enclosed.

263 3. The application of fertilizer, pesticides, insecticides, or herbicides is prohibited in any
264 tidal or inland wetland, areas of poorly and very poorly drained soils, vernal pools, or their
265 buffers. However, the application of limestone is permitted within the buffer.

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

267 5. Removal of dead, diseased, or unsafe trees is permitted. The stumps and root systems
268 shall be left intact in the ground.

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

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

274 8. The buffer should remain undisturbed to the degree possible in the process of
275 construction.

276 9. There are to be no additional structures such as sheds, swimming pools, gazeboes, patios
277 or other sealed surface, etc. in the buffer, other than that shown on the approved plan. A new
278 Wetlands Permit is required for the erection of any additional structure(s) in the buffer.

279 10. The Conservation Commission shall be notified in writing upon commencement and
280 completion of the project. A final inspection shall also be scheduled with the Conservation
281 Coordinator upon completion of the project.

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

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

287 13. This permit will expire two years from the date that it is granted by the Planning Board.
288 Refer to Hampton Zoning Ordinance Section 2.3.5 for information on permit extensions.

289 **VOTE:** 5-0-1 (Chair Diener abstained

MOTION PASSED

290

291 **6. 6 Vrylena's Way** (Map 209 Lot 112)

Town Wetlands Permit

292 **Owner:** Brent 16175 Parking Trust

293 **Agent:** Millenium Engineering, Inc.

294

295 Attorney James Scully of Morris Law Office presented the proposal on behalf of the applicant
296 together with Sergio Bonilla for Mission Wetland & Ecological Services of Portsmouth NH who
297 was briefed by Henry Boyd of Millennium Engineering who could not be here tonight. A Site
298 Walk was done with Conservation and mitigation was recommended for the encroachment into

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299 the 50' wetland buffer. Attorney Scully explained the owner was informed the large lot was a
300 buildable lot and the new buyer would like to build a modest home 11.5' from the neighboring
301 abutter and to reduce the square footage of impact in the buffer from 712 to 428 with the new
302 plan, 1' closer to the neighbor after appearing before the ZBA for the front setback, with the
303 home as close to the street as possible with legal parking of 18' and 9' width.

304
305 Attorney Scully represented the buffer would be a lawn area with an aggressive seed mix that he
306 believed would halt the invasive knotweed. Ms. Dionne asked if the area within the buffer but
307 outside of the buffer enhancement area was intended to be maintained as a lawn? – yes. Ms.
308 Dionne explained the intent of the wetland buffer is to be naturally vegetated so that it can
309 provide habitat and stormwater infiltration. Enhancements to the buffer that help to manage or
310 eradicate invasive species is certainly encouraged but she did not believe it was enough to offset
311 the proposed permanent impacts to the buffer for the house and lawn.

312
313 Vice-Chair Renaud added the ordinance states the buffer is to remain in a natural state. This is a
314 significant amount of lawn, it is a disturbance. A lawn is not the same as natural vegetative areas
315 with a mix of native trees, shrubs, plants, grasses. They are not areas that are meant to be
316 disturbed, go into, played on or mowed. People with lawns fertilize the lawn and mow their
317 lawns.

318
319 Chair Diener explained he did not want to see a lawn as a vegetative buffer and noted other
320 vegetation such as a wildflower mix would improve over invasive species. Ms. Dionne added it
321 is 428 SF of additional permanent impact plus an undefined area of conversion to lawn and not
322 sufficient.

323
324 Vice-Chair Renaud added we live in a time when people don't have room for things, sheds,
325 patios, etc. and those things grow overtime with each subsequent homeowner.

326
327 Ms. Wrobel agreed there is too much lawn.

328
329 Ms. Swank stated people use chemicals on lawns. With a buffer close to the wetlands those
330 chemicals would enter the wetlands.

331
332 Rachel Small identified herself as the resident and noted she would be 100% organic and not use
333 fertilizer.

334
335 Ms. Shaw noted there is no vegetative product out there that will compete with knotweed.

336
337 Chair Diener opened the meeting to the public at 8:50 PM for comments and questions.

338
339 Lewis B. identified himself as the neighbor noted the boundary could be closer to the road.

340

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341 Chair Diener noted he understood it was a challenging lot and the Commission has seen equally
342 challenging parcels in a small building envelope with wetlands but the applicants managed to
343 build the house entirely out of the buffer and the impacts were minimal. The areas that were
344 impacted were offset by mitigation. A lawn is used and maintained different that the
345 Commission expects a wetland buffer to be maintained, a lawn would be additional impact. It is
346 supposed to be a natural vegetative state, not an enhancement. A subsequent owner may want to
347 overly maintain that lawn.

348
349 Ms. Dionne noted the applicant could come back when Mr. Boyd is available to discuss the
350 buffers and bulkhead issues more. Attorney Scully noted moving the bulkhead is not an issue.
351 The owner cannot get out of the buffer. Attorney Scully questioned if the applicant got rid of the
352 lawn and moved the bulkhead would the Commission support the proposal?

353
354 Mr. Fox indicated there was still an alternative to design the home and respect the neighbor and
355 the environment. Ms. Dionne asked about an L-shaped design.

356
357 Ms. Dionne noted the Commission might like to see the blue area left alone towards the location
358 of the silt sock, the buffer enhanced and improved, a smaller lawn and a more significant
359 vegetative state to offset the amount of house in the buffer.

360
361 Ms. Small noted the height off the ground of the deck is intended to be 6' also cantilevered with
362 no posts.

363
364 Ms. Swank agreed she was concerned about the amount of house in the buffer and not knowing
365 the square footage and understands the lot has been taxed as a buildable lot.

366
367 Ms. Shaw noted she had no comfort level as exists, the proposed buffer area is a future unknown.

368
369 Vice-Chair Renaud noted she was opposed to new construction in wetlands conservation district
370 unless it is minimal and every effort has been made to encroachments, to be undisturbed and she
371 has to be consistent.

372
373 (unidentified) asked, "what's the difference?" There are zero consequences for violations of the
374 Town ordinances and once the damage is done, it can't be restored.

375
376 Chair Diener explained that was simply not true. There has been mitigation required for
377 violations and those impacts can be restored. The offenders have been mandated to return the
378 disturbance. The ordinance does have teeth and consequences.

379
380 Chair Diener stated the Commission has tried to look at other options and there is no consistent
381 vote. The options are you can go back and update the application and come back next month...

382

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383 Attorney Scully noted the applicant would like to request a continuance and will send a note to
384 the Planning Board.

385

386 **V. Appointment II**

387 **1. 431-435 Ocean Boulevard**

388 Joseph Coronati from Jones & Beach Engineering

389

390 Mr. Coronati who had received positive recommendation at the last Conservation Commission
391 meeting advised when the applicant met with the ZBA last week the applicant was told they
392 could not approve the revised plan and would have to get approval for the previous plan the ZBA
393 had approved in 2008 because of the height of the building encroaching on the roadway and
394 sidewalk they denied the right to move the building forward and there was much discussion
395 about removing the pool which they did not want to see as a lost amenity.

396

397 Mr. Coronati noted the applicant must get approval from ZBA, PRC, Planning Board and
398 Conservation and he is having difficulty as the changes the Commission approved, were not
399 approved by the ZBA.

400

401 Mr. Coronati noted the 6/15/19 plan is what is back in front of you which is the first plan to
402 Planning Board after the ZBA hearing. It is 23 units, 2 bedrooms, with pool and cabana.
403 Existing 52% impervious to 3.8% on this plan. Porous pavement parking lot approved by ZBA
404 and there were comments from Planning Board and the PRC. Concerned with the wetland buffer
405 the building had been moved forward 5.' In the second plan the pool was eliminated.

406

407 Mr. Coronati noted this plan was still a major reduction with high marsh plantings in back. 1800
408 sq. ft. of buffer beyond the parking lot, the roof drain. Will go before the Planning Board
409 October 2nd with a plan that includes pool and building back 14.2.' The sidewalk was
410 eliminated. The parking lot forward 12.' 1080 sq. ft. porous pavement parking lot moved out of
411 buffer.

412

413 Mr. Louiseau noted the ZBA was very clear they did not want the amenities altered and about the
414 sightlines, exits, and view from the neighboring building.

415

416 Chair Diener noted the applicant could conform and then not bounce back and forth between
417 boards.

418

419 Ms. Shaw agreed, the current ordinances, parking in the buffer, smaller building and forget what
420 happened 10 years ago.

421

422 Ms. Wrobel noted she voted against at the last meeting when there was a 4' decrease of buffer
423 and impact.

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425 Vice-Chair Renaud noted she was not crazy about it in the first place. Eliminate a dwelling,
426 eliminate two parking spaces. Amenities with a beach across the street?

427
428 Mr. Coronati indicated they will meet with planning application deadline on October 2nd and be
429 in front of the board on November 6th. ZBA felt the pool increases value.

430
431 Vice-Chair Renaud asked if you asked for a variance for recreation space? – Not available in that
432 zone. Ms. Dionne asked about the proposed building's height?

433
434 Pam the former owner of the Riviera noted it was 62' where the maximum is 50.'

435
436 Mr. Coronati noted they will come back on the 22nd.

437
438 **VI. New Business**

439 1. BioBlitz Update

440 Ms. Dionne noted the BioBlitz went well and had a good turnout. The map has been sent by
441 email.

442 **VII. Old Business**

443 1. 2020 Warrant Articles

444 Ms. Dionne noted the Planning Board in their preliminary hearing had a little opposition to the
445 FloodIQ requirement of the wetland application and could add it to guidance instead. Chair
446 Diener added it could be perceived as a requirement for approval which is not the Commission's
447 intention.

448 2. Ice Pond Kiosk construction

449 Ms. Dionne got all of the materials donated, \$300 worth from Middleton Lumber. The Kiosk
450 will be built on-site and done by the end of October.

451 3. Wetland application guidelines

452 **VIII. Conservation Coordinator and Chair update**

453 Ms. Dionne discussed dredging at the Ice Pond which is overgrown and it was determined to be
454 too expensive. The cost was \$20,000-\$25,000 just for the pre-dredging survey work, to
455 determine borings and depth, just to get an estimate to dredge it.

456 **IX. Adjourn**

457
458 **MOTION:** Ms. Shaw motioned to adjourn the meeting at 10:12 PM.

459 **SECOND:** Ms. Swank seconded the motion.

460
461 **VOTE:** 5-0-1 (Chair Diener abstained)

MOTION PASSED

462
463 Respectfully submitted,

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465 Nancy J. Hoijer,
466 Recording Secretary