

**Hampton Conservation Commission
Final Meeting
Minutes Tuesday, October 25th, 2022**

I. Call to Order: 7:00 pm

Jay Diener, Vice-Chair (acting as chair)
Bob Fox
Marc Hiller
Pete Tilton
Rayann Dionne
Casey Whalen

Staff Present:

Brianna O'Brien, Conservation Coordinator

II. Review Minutes

1. September 27, 2022

Mr. Hiller MOTIONED to approve the September 27th minutes. SECONDED by Mr. Tilton.
Vote: 4-0-2. Ms. Dionne and Mr. Whalen abstained.

III. Application

1. 14 Garland St (22-038)

[Town Wetlands Permit](#)
[NHDES Exp Minimum Impact Permit](#)

Applicant: Fourteen Garland St. Rev Trust
Agent: Norman Carpentier, Carpentier Construction
Property Owner: Fourteen Garland St. Rev Trust

Mr. Carpentier presented this application.

- The applicant is proposing to raise the existing structure above the flood elevation.
- The structure is to be set on helical piles and concrete columns.
- The deck to the east of the structure is to be removed.
- The deck at the front of the structure is to be shortened to allow for additional steps.
- Stone will be removed from abutters property without the use of equipment.
- Impervious coverage will be reduced from 31.7% to 29.2%.

Ms. O'Brien asked for clarification regarding the existing elevation.

- The existing elevation is 7.17 feet, and the minimum elevation will be 10 feet.

Mr. Diener asked about the deck on the east side of the property.

- The deck has been taken down.
- It will be replaced with a smaller deck for egress.

Ms. Dionne

- Noted that it appears the building will shift slightly based on the plans provided.
 - The building will be raised for work and then dropped in the same spot. It will not be moved.
- Asked about parking.

- Residents park across the street or in various places in the surrounding area.

Mr. Whalen asked about the stone being removed from the abutting property.

- The removal of this stone was agreed upon between the property owner and the abutter.

Mr. Diener

- Flagstone Patio.
 - The patio will stay.
 - Mr. Carpentier will discuss the potential of making it previous with the property owner.
 - Ms. O'Brien noted that the patio is not as large as it appears on the plans.
- Plantings proposed behind the house.
 - Mr. Carpentier was unsure about why these plantings were proposed. He suggested that the Wetlands professional could better explain the plantings.

Mr. Fox asked if the area was a part of the landfill, or filled separately.

- The answer is unknown, but the commission and Mr. Carpentier agreed that it was likely filled in some way.

Mr. Tilton MOTIONED to recommend the Town Wetland Permit with the stipulation that the planting plan is reviewed by the Conservation Coordinator and that the applicant shares proof of the letter to the abutter regarding the removal of stone from his property. SECONDED by Ms. Dionne. Vote: 5-0-1. Mr. Diener abstained.

STANDARD STIPULATIONS:

1. A planting plan shall be submitted to the Conservation Coordinator for review.
2. Documentation shall be submitted to both the Conservation Coordinator and the Planning Office indicating that the abutter to the east grants permission for the applicant to work on his property to remove the existing crushed stone.
3. All new construction will occur within the boundaries of Map 281, Lot 12.
- 4.
5. Install two Wetlands Conservation District on either corner of the north side of the structure. The markers must be permanently affixed. Wetland markers can be purchased at the Hampton Planning Office.
6. The application of fertilizer, pesticides, insecticides, or herbicides is prohibited in any tidal or inland wetland, areas of poorly and very poorly drained soils, vernal pools, or their buffers. However, the application of limestone is permitted within the buffer.
7. No storage of grass clippings or yard waste is permitted in the wetland or its buffer.
8. All proposed plantings shall have at least 75% success after two (2) growing seasons. Any plants that do not survive shall be replanted or replaced with another suitable plant species.
9. Proper erosion control will be in place before construction begins and remain in place until the area is stabilized and removed after construction is complete.
10. The buffer should remain undisturbed to the degree possible in the process of construction and elevations not be changed other than what is indicated on the approved plan. No additional fill is allowed.

11. There are to be no additional structures such as sheds, swimming pools, gazebos, patios or other sealed surface, etc. in the buffer, other than that shown on the approved plan. A new Wetlands Permit is required for the erection of any additional structure(s) in the buffer.
12. The Conservation Commission shall be notified in writing (letter or email) upon commencement and completion of the project. A final inspection shall also be scheduled with the Conservation Coordinator upon completion of the project.
13. The Conservation Coordinator shall not sign the occupancy permit until all of the Town Wetlands Permit conditions have been met. The Conservation Coordinator shall be given a minimum of 72-hour notice to allow for file review.
14. This permit will expire two years from the date that it is granted by the Planning Board.

Mr. Tilton MOTIONED to sign the NHDES Minimum Expedited Permit. SECONDED by Mr. Fox. Vote: 5-0-1. Mr. Diener abstained.

2. 7 & 9 Gill St (22-039)

Town Wetlands Permit NHDES Standard Dredge & Fill

Applicant: Denis O'Neil (9) & Gill Street Rev Trust (7)
 Agent: Sergio Bonilla, Wetland Scientist, Mission Wetlands
 Property Owner: O'Neil Family Rev Trust (Denis and Maureen O'Neil, Trustees) and Gill Street Rev Trust (J. Perras & S. Gorman, Trustees)

Mr. O'Neil and Mr. Bonilla presented this application.

- The applicant is proposing to fill in a small, low-lying isolated wetland in their yard that periodically floods/ponds.
- Periodic heavy rains cause a dry area to become extremely wet.
- The applicant noted a safety concern due to the sheet of ice that forms in the winter in close proximity to an egress.

Ms. O'Brien

- The condition from the previous permit granted when the duplex was built was to plant in the buffer but to not touch the wetlands. This also included drainage swale on the east side of the property. The swale no longer exists on the property.
- Ms. O'Brien is concerned that a rain gutter would only contribute to the problem.
- The DPW will be addressing flooding in this area in accordance with the town's long-term plan, but there are no set dates or timeframes.
- Jen Hale, Hampton DPW, told Ms. O'Brien that she was concerned about the effectiveness of the plans presented by this applicant.

Mr. Whalen

- Asked how often the lot floods.
 - About 6 times per year.
- Mr. Whalen is unsure about the longevity of the solution presented in this application.

Ms. Dionne

- Asked about the timeline of the water getting close to the foundation of this property.
 - Move in: 2012
 - 3-4 years ago the water became a problem.
 - Willow tree was struck by lightning last April

- Ms. Dionne noted that the neighbor behind this property put in a pervious driveway which should help relieve flooding issues
- Ms. Dionne asked what could be different or have changed to increase this problem over the last several years. She asked where the water is coming from.
- The commission discussed the locations of catch basins in the area.
- Ms. Dionne was concerned that the plan presented may not yield the desired results. She suggested a more phased approach to solving the problem.

Commission members recommended the use of professional engineering study and recommendations on how to move forward.

The applicant requested to continue this application until a later date in order to determine the best course of action moving forward.

IV. New Business

1. Recap of Rachel Stevens of the Great Bay National Estuarine Research Reserve (GBNERR) presentation about a process for prioritizing salt marsh parcels relative to their ecological value.

Ms. Dionne spoke representing SHEA

- In 2020 there was an effort to look at each of the towns to identify parcels in or adjacent to the salt marsh for protection via purchase or conservation easements.
- They assessed the current conditions, vulnerability to sea-level rise, and adaptation potential using a model developed by GBNERR.
- The model ranks each parcel based on its overall suitability for salt marsh migration. An overlay also marked wildlife migration pathways.
- The ranking makes it a lot easier to prioritize which parcels to pursue first, based on conditions, vulnerability, and adaptation potential.
- Mr. Diener provided a handout that reviewed the results of the assessment.
- SHEA is now going back to each relevant Conservation Commission for feedback.

Questions and discussion:

- Mr. Tilton asked how they plan to approach parcels with improvements on them.
 - Areas with homes may be prime for a conservation easement.
- Ms. O'Brien noted that there is sometimes pushback from grant funders that the parcels in the salt marsh are protected inherently.
 - Ms. Dionne stated that having parcels under the ownership of the town can provide another layer of protection and provide the opportunity to do restoration work.
- Ms. Dionne stated that they can reach out to her for assistance if there are any additional resources the community needs.

V. Old Business

1. Standard Stipulations

- Mr. Whalen noted that on #4 the first sentence could be removed for redundancy.

2. Town Forest Subcommittee

- There are no members yet.
- Ms. O'Brien promoted it in the Newsletter and on the website. She will add something to channel 22.
- Ms. Dionne noted that Parks and Recreation has a mailing list that could be useful.
- Ms. Dionne suggested targeted mailings to the surrounding area.
- Ms. Dionne noted that the owner of Gus Bike Shop has voiced interest.
- Mr. Whalen voiced interest in heading up this subcommittee on behalf of the Commission.

- Ms. O'Brien will look for a file that depicts the trails within the town forest.

VI. Appointments

None.

VII. Conservation Coordinator and Chair Updates

1. CHAT Update

- Ms. O'Brien sent out the updates.
- No questions or discussion.

2. NH Liquor Commission- I95 Northbound Prime Wetland Delineation Update

- The most recent plan indicated that there were 4 isolated wetlands between the onramp and the building.
- They are proposing that the 4 identified wetlands are not prime. No further explanation is available at this time.
- The NH Liquor Commission has a new engineer from TF Moran working on this project.
- They are currently checking for differences between previous delineations.
- The engineer has anticipated this will be a long process and isn't sure at this time what their next steps will be.

3. Other Updates

- The 2023 Conservation Commission Budget has passed through the Board of Selectmen. It will now move on to the Budget Committee.
- The Warrant Articles were all reviewed and 'OK'd' by legal, except for Minimum Vegetative Space. They will now move forward to public comment.
- The game camera has been installed.
- The hats are being embroidered and they should be ready in the next week or so.
- The Victory Garden has officially been moved to sub-committee leadership. The group is not entirely formed yet.
- Lori Summer from ARM will be reviewing the town of Hampton's shovel ready project list.
- No updates on DOT regarding the bridge. Ms. O'Brien will reach out to the Hampton Beach Area Commission to see if there are any updates.

VIII. Adjourn

Mr. Diener MOTIONED to adjourn the meeting at 9:35 PM. SECONDED by Mr. Tilton. Vote: Unanimous.