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North Hampton Conservation Commission Meeting Minutes – December 13, 2022

Administrative: The meeting was called to order at 7:05 p.m. via Channel 22 from the Town Hall. The agenda was posted in Compliance with RSA 91-A requirements.

Roll Call: Members present: Lisa Wilson, (Chair), Kathy Grant, (Vice Chair), Dave Ciccalone, Lauri Etela, Audrey Prior, Phil Thayer and Andrew Vorkink. A roll call vote was taken.

Members of the public: Peter Steckler, Kate Dardinski, Marc Jacobs, and Arthur Nadeau.

Approval of November 8, 2022 Draft Minutes: After review of the November 8, 2022 minutes, *a motion was made by Kathy Grant to approve the minutes, duly seconded by Phil Thayer.* The motion carried.

New Business: NH DES Wetlands Bureau: The Commission reviewed the Expedited Minimum Impact Wetland Permit Application, prepared by CMA Engineers, 35 Bow St. Portsmouth, NH in collaboration with Northeast Wetlands Restoration, 17 Keay Road, Berwick, ME for Robert and Mary Omberg, 7 Old Locke Rd. North Hampton, NH (Map 5, Lot 23). This Philbrick Pond Salt Marsh restoration project will temporarily impact less than 20,700 square feet of wetland and permanently impact less than 6,100 square feet of wetland. The project aims to improve marsh drainage in order to enhance native plant re-colonization, salt marsh functions and value, and involves ditch remediation and micro-runnel restoration techniques to restore the Philbrick Pond salt marsh system. Strategies were proposed to address the presence of phragmites. Pete Steckler was present to answer any additional questions following the November 8, 2022 power point Philbrick Pond Saltmarsh project presentation. The tentative schedule for permitting is to conclude in 2022 and field work to begin in the spring of 2023. The Commission deemed the application to be complete and had no further questions. *A motion was made by Phil Thayer, duly seconded by Audrey Prior, to authorize the Chair sign Section 11 of the Expedited Minimum Impact Wetlands Permit application.* The motion carried.

North Hampton Conservation Land Trail Mapping Project: Kate Dardinski, Cartographer, Stratham, NH, discussed the trail mapping project and presented to the Commission and to the public the conservation trail maps and trail guides completed to date. The Commission discussed the installation of the signs and the completion of the trail guide brochure.

Conservation Subdivision: Conservation Subdivision: Town of North Hampton Zoning Ordinance Section 603.9. Marc Jacobs, Certified Wetlands Scientist and Erik Saari, Vice President of Altus Engineering addressed the Commission on behalf of applicant Glenn A. Martin, P.O. Box 281, North Hampton, NH 03862 to present plans for the proposed Coastal Ridge Subdivision. Property Location: Lot 007-168-000 off of Atlantic Ave.

Mr. Jacobs stated the purpose of the meeting was to ask the Commission to accept a conservation easement for the proposed four-lot conservation subdivision. It was noted that

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the proposed conservation land will not be open to the public. The Commission discussed at length the provision stipulated in the North Hampton's Zoning Ordinance: **603.9 Protection of Conservation Open Space Areas**, which states: ***"The Town shall hold an Executory Interest in any such easements."*** According to this provision it appears neither the town nor the commission can hold the conservation provisions for the proposed subdivision. The Commission discussed conserving the land with deed restrictions similar to other subdivisions in town where land is conserved such as the conservation land in Spruce Meadow which is also not open to the public.

The Conservation Commission also reviewed the assessment of the parcel described in a letter to North Hampton Planning Board, dated September 24, 2022 by Dr, Leonard Lord, Rockingham County Conservation District. The Commission concurs with Dr. Leonard Lord's opinion that the approximately 10.31 acres that are proposed to be conserved will help preserve habitat and improve habitat diversity and quality within the North Brook and Little River watersheds.

The following topics were discussed:

- The need to ensure the safety of the residents due to the parcel's proximity to the Hampton Rod and Gun Club
- The need to finalize the access easement to the Gun Club
- A Management Plan will be drafted and that only passive recreation will be permitted.
- The conservation land is separate area and not attached to the four building lots thus making it easier for a potential HOA to enforce deed restrictions.
- The need to ensure that the conservation provisions whether in the form of a conservation easement or deed restrictions permanently protect the land. The applicant mentioned that the Conservation Commission will be asked to review a draft of the proposed conservation provisions.
- The Commission asked whether the road in the subdivision will be a private or public road and the applicant responded that the road will be open to the public.

A motion was made by Andy Vorkink, duly seconded by Phil Thayer, to authorize the chair to draft a letter to the Planning Board, in support of the Coastal Ridge Conservation Subdivision proposal due to the conservation value of the 10.31 acres to be conserved. The Commission supports the recommendations and assessment of Dr. Leonard stating the land provides important habitat to be conserved. If a third-party easement holder cannot be found, the Commission recommends permanent protection of the land with deed restrictions and in accordance with the provisions of the Town of North Hampton Zoning Ordinance, 603.9, which states: "The town shall hold an executory interest in the property." The motion carried.

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Old Business:

Conservation Easement Subcommittee Update – Nothing to report.

Trail Maintenance Update: Phil Thayer reported a fallen log over the Oliver Brook Trail and noted that he plans to repair a bridge on the Dustin Booker property.

Conservation Signage: Kate Dardinski noted that the maps and trail guide are completed and are ready to be printed.

Septic System Inventory Update: Rob Pryune explained that the first columns are blank in certain rows in the septic system inventory database spread sheet because open areas such as roads and cemeteries are not assessed.

Other Business: None

Correspondence: The Jenkins property was monitored by the Rockingham County Conservation District (RCCD) on October 26, 2022 by Grace McEachern who reported that “no areas of concern were noted.”

There being no further business to discuss, ***a motion was made by Lisa Wilson, duly seconded by Phil Thayer***, to adjourn the meeting. The motion carried. The meeting adjourned at 8:37 p.m.

Respectfully submitted,

Beverly Moore

Recording Secretary

“These minutes were prepared within five (5) business days as required by NH RSA 91-A:2, II. They will not be finalized until approved by the majority vote by the Commission”.

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