
Coastal Hazards Adaptation Team (CHAT) Work Session #35

Tuesday, February 15, 2022

2:00-4:00PM

VIRTUAL MEETING

MINUTES

1. Present

Barbara Kravitz – Hampton Beach Area Commission
Tom Bassett – Resident Representative
Brianna O'Brien – Hampton Conservation Coordinator
Jay Diener – Seabrook-Hamptons Estuary Alliance (SHEA)
Jason Bachand – Hampton Town Planner
Bob Ladd – Budget Committee
Rayann Dionne – NHDES Coastal Program
Nathalie DiGeronimo – NHDES Coastal Program
Liz Durfee – Planner/Meeting Facilitator
Katherine Harake - Budget Committee
Joe Lynch – Hampton DPW Assistant Director
Stephen LaBranche – Resident Representative
Deb Bourbeau – Resident Representative
Jennifer Hale – Hampton DPW Director

2. Overview of Resilient Land Use Guide for NH: Adapting to Climate Change and Coastal Hazards - Jenn Rowden, RPC - 2:06 PM

Ms. Rowden gave an overview of the New Hampshire Coastal Land Use Guide update.

- The goal of this update is to create a flexible and user-friendly set of guidelines for local regulation.
- The name will be changed to Resilient Land Use Guide for NH: Adapting to Climate Change and Coastal Hazards.
- This guide will help towns establish conditions based on desires regarding coastal resilience.

Ms. Durfee inquired about incentives for municipalities to participate. Ms. Rowden explained that municipalities can identify credits in different ways.

Ms. Hale asked what group would be in charge of who can develop the areas that the guide would apply to. Ms. Rowden states that the Planning Board would act as oversight, but approval would be from the residents. Ms. Rowden noted that it can also be structured so that any deviation can be a conditional use through the planning board.

Ms. Rowden reviewed Impact Fees. This would require a Capital Improvement Program: the adoption of an impact for zoning ordinance, and statement of what type of projects would be funded with the impact fees. If you can justify that a development is

causing the need for an upgrade, then those impact fees can be used. If fees are not used in 6 years, they need to be returned to the developer.

Ms. Kravitz asked what the timeframe for updating these guidelines is. Ms. Rowden states that they plan to be done by June. Ms. Kravitz asks about state legislative enabling legislation that need to be in place for this to happen. Ms. Rowden says no, they are all already in place.

Mr. Bassett asked for clarification on the money available within the two-state funding options Ms. Rowden presented (RSA 12-A:68 & 69 Coastal Resiliency & Cultural & Historic Resources District & Fund; RSA 36:53-a Coastal Resiliency Funds). Ms. Rowden explains that these accounts have been opened, but no funds have been deposited yet. Ms. Rowden adds that before opening these accounts, no legislation allowed for municipalities to work collaboratively on a resilience project.

Ms. Harake asked if there is a plan for the function of the approval process if funds did exist. She followed up by asking if there was a distinction between private and public land. Ms. Rowden explained that both funding sources have groups that consist of municipal representatives along with regional, state, and local ones. Ms. Harake asked for clarification on the difference between this and a subsidy for a developer. Ms. Rowden explained that this would make it so that the property owner is not being penalized for owning property near the coast. It's an attempt to incentivize them to build less near the coast.

Ms. Kravitz asked if a development credit zoning ordinance would have to be in place before the things Ms. Rowden described could be enacted. Ms. Rowden said no and explained that 3 mechanisms could be used and they are not dependent on one another.

Any other thoughts or questions about the guide or the process can be sent to Ms. Rowden or Ms. Durfee.

3. Approve meeting notes from January 2022 (2:42 PM)

Ms. Durfee asked for a motion to push approval of January 2022 minutes to the March meeting. Stephen LaBranche MOTIONED. SECONDED by Ms. Kravitz. Vote: Unanimous

4. Relevant Flood Updates (2:45 PM)

Ms. Durfee gave an update on the January CHAT summary:

- No edits were received.
- The summary would be finalized and distributed the following morning.

Mr. Bachand gave an update on the Master Plan Community Conversations:

- A productive meeting was held on the topic of Natural Resources.
- There is one more event planned for February 25th at 3 PM. The discussion will focus on Town Facilities and Resources.

Mr. Bassett gave an update on neighbors' feelings about flooding:

- Photos were sent to the team.
- Feelings ranged from being surprised to wanting to advocate for change.
- It was noted that some respondents were despondent and claimed they have been working on this for decades and nothing has happened.
- It was noted that real people are living in those houses.

Mr. Diener gave an update regarding SHEA:

- A productive meeting was held with the Seabrook Planning Board to consider creating a group somewhat similar to CHAT to address some coastal resilience issues in Seabrook.
- They will not go to the Seabrook Board of Selectmen for approval on the project.

Ms. Dionne gave an update on the Seacoast Project:

- Direct technical assistance is being offered to partners.
- The focus is on applying coastal flood risk guidance, drafting floodplain regulations, scoping mitigation, and projects for hazard mitigation.
- Proposals are due April 4th and projects can begin the first week of May.
- More information will be shared as it becomes available.

Ms. O'Brien gave an update on flood resilience:

- Someone called asking about what the Town is doing for flood resilience.
- The caller was also interested in resources for residents for funding options and education so that she could prepare herself and her family for the future.
- There was another inquiry about a larger project in-town.
- Ms. O'Brien noted that she feels optimistic that people are actively looking into these things.

Ms. O'Brien gave an update on the Conservation Commission:

- There are two suggestions on how to increase public outreach during potential flooding events.
 - Post a list of areas that flood during high tides or weather events on Town websites.
 - Having signage in the areas that flood letting people see that there is a flood risk. A commission member recommended an LED sign that can light up to alert people when there is active flooding.

Ms. Durfee asked if the people Ms. O'Brien spoke with were expecting a follow-up. Ms. O'Brien stated that she felt their questions were answered, but she would be interested in adding a more in-depth conversation about these topics to a future agenda and compiling the resources.

Ms. Durfee gave an update on a NH Coastal Adaptation Workgroup (NHCAW) project that she is working on with the Piscataqua Region Estuaries Partnership (PREP) called Path to Resilience:

- A timeline of the projects that have been implemented in Hampton was put together and turned into a [video](#).
- The video is on the Town's website under 'news/updates'.
- Team members are encouraged to check it out and share it with anyone interested in knowing what the Town is doing to increase resilience.

5. CHAT Recommendation #6 - Investigate creation of a capital reserve account/town fund for emergencies or grant match (2:56 PM)

Ms. Durfee presented slides on a range of potential funding options available. The intent was to introduce all possibilities and narrow down which ones CHAT would like to investigate further.

Ms. Harake asked for clarification on the difference between this and the earlier presentation from Ms. Rowden. Ms. Durfee explained that the town will need funding from a variety of sources for flood resilience adaptation. These options could act as one of the Town's mechanisms for implementing projects. It's not the same thing as what Ms. Rowden presented, which were related to land use regulations, but it is another way to fund projects related to resilience.

Option One: Capital Reserve Fund

- Established through a warrant article and a majority vote.
- To withdraw and expend the fund, the Town would need to vote on each occurrence unless an agent is named.

Mr. Diener asked for clarification on what an agent is regarding a Capital Reserve Fund. Ms. Durfee explained that it would be an entity designated to oversee the use of the funds. Mr. LaBranche added that the Selectmen would be the agent and it can be written into the warrant article.

Ms. Harake asks if RSA 35 gives the power to create new line items? Ms. Durfee states that it gives the Town the ability to create a fund for whatever it needs to create a fund for.

Option Two: Trust Fund

- The Town can grant and vote for funding to create a maintenance fund.

Ms. Kravitz asks for existing examples of these options. Ms. Durfee agrees and emphasizes that the goal of this presentation is to decide which options they would like to investigate further.

Option Three: Stormwater Utility

- Funding for stormwater and resilience-related projects.

- This can address flooding and allows the Town to collect fees that are related to providing this service.

Mr. Diener asked for further explanation on how the decisions are made and by who. Ms. Durfee stated that she will look into that.

Option Four: Special Reserve Funds

- Ms. Durfee notes that she is not sure that this type of funding would apply to resilience projects.

Option Five: Revolving Funds

- These can be used for public safety services.
- These would require a vote by the legislative body.

Option Six: Municipal Finance Act

- Issuance of bonds or notes.

Mr. LaBranche noted that floating a bond requires a 60% vote rather than a majority vote.

Ms. Kravitz notes that examples of each of these types of funding would be helpful. Ms. Durfee agrees and states that she would like to narrow down which ones seem worth taking a closer look at.

Mr. Bassett asked where the option for bonds and notes would fit into the summary slide of the presentation. Ms. Durfee notes that those are missing from the summary slide.

Mr. Diener states that Ms. Harake and Ms. Kravitz made good points, but he thinks the presentation was a good snapshot of the funding options and he thanks Ms. Durfee for the introduction to these options.

Mr. Bassett asked if there has already been a warrant article put forward and voted on successfully to provide matching funds for state and federal grants that CHAT is interested in. Ms. Durfee stated that she thinks the funds that are currently used for the match are some of the surplus funds. Ms. Hale suggested that she can sit with Liz and pull up examples of funds in Hampton and other towns.

Mr. LaBranche noted the option of looking into how the sewage pipes across the marsh that were unexpected were funded in the past.

Additional thoughts about funding options can be sent to Ms. Durfee.

6. Next Meeting: March 15, 2022

7. Adjourn (3:57 PM)