

These minutes are subject to possible corrections/revisions at a subsequent
Exeter Conservation Commission meeting.

Exeter Conservation Commission

Draft Minutes

Nowak Room, Exeter Town Offices

August 30, 2011

Call Meeting to Order

Chairman Robert Aldrich called the meeting to order at 7:02 pm in the Nowak Room of the Exeter Town Offices. Members present were Margaret Matick, Peter Richardson, Don Briselden, Virginia Raub, Russell Kaplan, and Robert Aldrich, Chairman.

Action Items

1. Conditional Use Permit Application for Planning Board Case #21111 – Pendexter Property Management Minor Subdivision. 110 Linden Street; Map 104 Lot 76.

This meeting is a follow-up to the site walk that occurred earlier in the month and a discussion the Conservation Commission had at the August meeting. What we are looking for out of tonight's meeting is either a letter to the Planning Board that the Conservation Commission does not object to the Conditional Use Permit or that they do object and/or have concerns with the Conditional Use Permit.

Attorney Sharon Summer wanted it noted that the waivers require a recommendation as well as the Conditional Use Permit, and stated that they were simply here this evening asking for a recommendation to approve the waivers and Conditional Use Permit. Attorney Summer went on to explain that the Conditional Use Permit was required under the Zoning Ordinance which pertains to the construction of the access way. The proposed construction of the access way is essential to the productive use of land not within the wetlands conservation district, which is a 3 acre parcel in the uplands. Construction could not be feasibly carried out on a portion of the lot which is outside of that district. She also explained that they are seeking waivers from setbacks as described in 9.92, the various buffers, which is self explanatory.

John Ring of Jones Beach Engineers in Stratham presented. He stated that for those that attended the site walk, he felt it was fairly evident that the driveway proposed is outside the prime wetland area. They have sized the pipes to accommodate the 25 year storm as required by the Town regulations. Regarding the waivers – he read the Wetland Waiver Guidelines, section 9.9.3, item 7 of the Planning Board regulations. He reiterated what they told the Planning Board that they are willing to consider increasing wetland buffers, supplemental vegetation, mitigation plantings, and conservation easement on southerly and easterly portions of the property. He confirmed that there was 5650 square feet (3 areas of driveway crossing) of impacted wetland area. The waivers for setbacks are for a 12 foot wide gravel driveway through the 40 foot no cut/no disturb area around the wetlands.

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Diane Arnheim of 114 Linden Street presented. She is the owner of the property immediately south of the proposed site (20 acres). She gave handouts and pictures to the Commission. She talked about the flow of water down Robin Hood Drive and Linden Street. Robin Hood Drive has storm drains but they are often covered by leaves, pine needles, and grass clippings. So when there is a rain storm, a deluge of water runs down Robin Hood and floods across Linden Street and into the wetland. She offered pictures taken after an afternoon storm a few days after the site walk showing standing water on the roadway and her property. She expressed concerns that the proposed driveway will aim the flow of water directly to her home. In her opinion, the 15 inch equalization culvert intended to divert storm water will only increase the flow of water toward her home. She is in a flood zone, thinks it's a bad idea to uproot the trees and alter the wetlands, feels that her home is in jeopardy, and asked the Conservation Commission to protect her.

The owner of the proposed site spoke briefly. He has owned this land since 1981. There is a variance on record to subdivide the land and he already has a hardship variance. The zoning has changed twice over the years and there have been a lot of variables involved that prevented them from getting this done before now. He feels that they have done everything feasibly possible to do this project properly.

After a brief discussion, a motion was made to send a letter to the Planning Board stating the Conservation Commission is in opposition to the granting of any waiver and Conditional Use Permit due to the nature of the site, the potential impact to that site and abutting sites, as well as the impact to the 5650 square feet of wetlands. Margaret Matick seconded the motion. Peter Richardson, Don Briselden, Virginia Raub voted yes. Russell Kaplan abstained. Chairman Robert Aldrich did not vote. Motion carried.

Mr. Richardson requested a future discussion on waivers and buffers so that there would be a clear understanding of current rules and guidelines.

2. Henderson Swasey Town Forest Management Plan Objectives Discussion

The Commission agreed that this discussion should wait until Kristen Murphy, Natural Resources Planner, was in attendance. She was delayed in returning home from vacation due to Hurricane Irene.

The plan is to devote a good portion of the September meeting to this topic. The Commission members were asked to continue putting their thoughts together before then. Chairman Robert Aldrich agreed to call Charlie Moreno, the contractor developing the management plan to address –

- 1) Timeline of survey – what is the current status and when might it be completed?
- 2) Revenue of dollars.
- 3) Construction of logging road (\$12,000) was to be off set with revenue from harvesting, but harvesting did not take place.

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3. Request for expenditure from Conservation Fund for Phase I Environmental Site Assessment and/or appraisal for Map/Lot 26-15.

At the last meeting the Commission voted to fund an environmental assessment for this property. South East Land Trust has found another potential source for that review and is looking for support from the Conservation Commission for the property appraisal which they estimate to be about \$3000. Peter Richardson motioned to authorize use of Conservation Funds not to exceed \$3000 for an appraisal of the Elliot Property. Margaret Matick seconded. Virginia Raub, Russell Kaplan, and Chairman Robert Aldrich voted yes. Don Briselden abstained. Motion carried.

Regular Business

1. Treasurers Report

It was agreed to hold Treasurers Report until the September meeting.

2. Approval of Minutes

June 29, 2011 and June 30, 2011 site walk minutes were discussed.
A motion was made to accept the site walk minutes for the record.
Vote was unanimous.

3. Next Meeting: Date and Agenda Items

The next Conservation Commission meeting is scheduled for September 13, 2011 at 7:00pm in the Nowak Room. If there is no one presenting, then the meeting will be moved downstairs to the Wheelright Room as a work session. The agenda will include the Forestry Plan and Natural Resources Inventory update.

Chairman Robert Aldrich adjourned the meeting at 7:50pm.

Respectfully submitted,
Terry Delaney
Recording Secretary