

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

December 13, 2011

### **Call Meeting to Order**

Chairman Robert Aldrich called the meeting to order at 7:00pm in the Nowak Room of the Exeter Town Offices. Members present were Carlos Guindon, Margaret Matick, Peter Richardson, Virginia Raub, Chairman Robert Aldrich, and Kristen Murphy, Natural Resources Planner.

### **Action Items**

#### **1. Getty Station Property – 1 Bow Street Map 72, Lot 129**

The Getty Gas Station is located at the corner of Court and Bow Streets. The Board of Selectmen would like to purchase this property for \$49,000, the purpose of which is yet to be determined. The Town has expressed interest in this vacant lot for several years and since the Town assessor has valued the property at \$258,000, now seems like the perfect opportunity to acquire it.

The law that allows the Board of Selectmen to purchase the land requires that the purchase go before the Conservation Commission and the Planning Board to get a recommendation and/or input. The first order of business would be to clean up the property by removing the building, signage, etc. and possibly planting grass for the short term. The Getty Corporation has done all of the clean-up in terms of it being a gas station. The preliminary inspection by RPC through testing and monitoring suggests that everything looks in order.

Peter Richardson made a motion that the Commission recommend this purchase to the Board of Selectmen. Virginia Raub seconded the motion. Vote was unanimous.

#### **2. Natural Resource Inventory Project Overview**

Anne Deeley presented and walked the ECC through the process that was used to develop the Natural Resource Inventory which included handouts, maps, and a slide show presentation.

Anne hopes to have the written report and final versions of the maps ready by next week. She agreed to come back after the first of the year for a presentation to all of the Land Use Boards, possible February or March. ECC will develop a 1-2 page summary as an introduction to the presentation.

### **Follow-Up Items**

#### **1. 127 Water Street Retaining Wall and Seasonal Docking Structure: Map 72, Lot 22**

This project entails the repair of an existing retaining wall and installation of a seasonal docking structure along the Squamscott River. A timeline for the project was provided to members of the Conservation Commission prior to the meeting. Kristen Murphy provided a summary of that timeline. This project was before the Conservation Commission in 2007. A wetland permit was issued. The applicant filed a request for rehearing. The Conservation Commission, who had not supported the original wetland permit, supported denial of the request for rehearing along with the NH Fish and Game Department due to concern for fish impacts. NHDES denied the request for rehearing so the applicant filed an appeal to the Wetlands Council. NHDES and NHFG spoke against the project. The wetland permit was modified to remove the restriction on motor craft and allow the dock to be in from mid-June until ice-in because the Council determined that NHDES considered information received after the legal review period to develop those conditions for the wetland permit. The permit was revised to allow motorized vehicles and the dock could be in from mid-June to ice-in. In addition to this process, the application was also required to go before the ZBA, the Army Corp of Engineers, the Governor and Council. On January 8, 2008 Don Clement, at the time chair of the Conservation Commission, provided a project overview and stated he had spoken against the project at the ZBA hearing on December 18, 2007. He read from a letter from NH Fish and Game Department who expressed concerns about the project impacting the ability for fish to access spawning grounds. The NHFG recommended that no additional docking structures upstream from the existing dock (Berkowitz dock). ZBA approval however was given.

In addition, after the project was reviewed and given a variance by the ZBA there was a zoning ordinance passed that prohibited docking structures within 400' of the string bridge abutments (6.12.2). During the time the applicant was obtaining all the other permits, his variance expired. Therefore the applicant is required to go back to the ZBA on December 20<sup>th</sup> for the original special exception as well as a variance for the new zoning requirement prohibiting docks in this location.

Kristen spoke to the applicant and recommended that the ECC discuss the project at this meeting to allow the Conservation Commission an opportunity to provide a recommendation to the ZBA since the Conservation Commission was involved with the development of the new zoning ordinance. Unfortunately the applicant had to be before another town so he could not attend the meeting tonight. The applicant's position is that he went through the proper channels, his project was in the cue before this ordinance took effect, the retaining wall is something that would benefit the community as a whole, and they have just been chasing the process this whole time during which the ZBA authorization expired. There was some discussion about the project location, the reasoning for the original Conservation Commission concerns, and whether the applicant could have requested an extension of the original ZBA authorization.

Peter Richardson made a motion to make a recommendation to the ZBA that they deny this request on the basis of the effect it would have on smelt and herring spawning grounds. Vote was unanimous.

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## **2. Final draft revisions to Raynes Farm Management Plan Review**

Kristen Murphy completed the final revisions to the Plan. The Commission expressed its appreciation for all her editing. Peter Richardson stated his desire to incorporate what the ECC saw as the priorities for the Raynes Farm over the next 18-20 months. Chairman Robert Aldrich agreed but felt that the Raynes Farm Committee should be involved in that process and not have it included in the Plan.

## **3. Website Draft Layout**

The Board of Selectmen did include money in the 2012 budget to build a new Town website including a page for the Conservation Commission. Kristen presented a rough draft that she and Sean had compiled. It was suggested that more pictures be incorporated, possibly a slideshow. The Commission was asked to check out the links, resources, etc and offer feedback and ideas.

## **4. Draft Forest Plan Outreach materials**

Kristen created a draft document to be used for educational purposes, on the Town website, newspaper, etc. A primary goal is to help the public understand the Plan, what is involved in a harvest and what it would look like, etc. The Commission agreed that a timeline is essential to address how to implement the invasive plan, use the summer to prep and educate, and conduct the harvest during winter months. Also need to decide how to raise public awareness such as through public meetings, events, etc.

## **5. 191 Epping Road: Mobil on the Run Easement: Planning Board meeting updates**

The Planning Board adopted the ECC conditions for the approval of the easement. Kristen spoke with one of the Mobil representatives today and provided him with the previous draft easement, so he is aware of the language involved. She is hoping for final draft easement soon.

## **Regular Business**

### **1. Treasurers Report**

Virginia Raub presented. Balance is \$337.02.

### **2. Approval of Minutes: November 8, 2011**

Minutes were approved. Vote was unanimous.

### **3. Natural Resources Planner's Report**

Kristen had provided a draft for the Town Report. Members were to provide her with comments as soon as possible as the final is due in the next couple of weeks.

### **4. Other Business**

Peter Richardson mentioned that there is a lot going on in the watershed, very complicated, outreach programs.

Virginia Raub attended the dialogue at the Great Bay Community College recently.

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**5. Next Meeting: Date and Agenda Items**

The next Conservation Commission meeting is scheduled for January 10, 2012 at 7:00pm in the Nowak Room. That also happens to be Primary Day in NH. The Commission might decide to change the regular meeting to an informal work session on another day or take the month off completely. Details and agenda to follow.

Chairman Robert Aldrich adjourned the meeting at 8:30pm.

Respectfully submitted,  
Terry Delaney  
Recording Secretary