

**Exeter Conservation Commission**

March 06, 2012

**Call to Order:**

Acting Chairman Peter Richardson called the meeting to order at 7:00 pm in the Nowak Room of the Exeter Town Office Building. Newly appointed members to the Commission, Mike and Cynthia Field were introduced and welcomed by Mr. Richardson. Other members present were: Ginny Raub, Don Briselden, Maggie Matick, Town Natural Resource Planner Kristen Murphy, Selectmen rep. Don Clement. Following the introduction of members, Mr. Richardson asked for public comment. There were no comments at this time

**Action items:**

**1. Eagle Scout Project: McDonnell Conservation Area Trail Renovation**

Jay Carmody introduced himself and presented his plans for his Eagle Scout project at the McDonnell Conservation Area on Linden Street. Jay approached the Commission last summer with a preliminary proposal and now has a more detailed plan; a packet outlining his project was mailed electronically to the members prior to the meeting for their review. Referencing the plan he highlighted five proposed tasks for the project:

- restoration and marking the main trail
- the placing of signage posts at different spots along the trail
- plantings along the river's edge to prevent further erosion
- maintenance of finger trails from main trail to river's edge
- the purchase and placement of 3 wood/wood composite benches at designated spots along the trail

The packet included an aerial photo of the proposed work area which noted the placement of the benches, the plantings, the main trail and the path of the "finger trails" off the main trail to the river's edge.

Jay estimates the cost of the project to be close to \$300 depending on the cost of the benches, plants and materials for the wooden signs; funds he anticipates to obtain from various fund raising activities. He anticipates starting the project in May and estimates about 90+ hours of labor plus additional work he will be doing; will be recruiting other Boy Scouts, family members for his work force.

Ms. Raub noted when Jay first appeared at a Conservation meeting to present his proposal, he was asked to consider addressing a perpetually wet/mushy area just before you enter the clearing with a simple boardwalk and was that still being considered. He thought he could do that as part of the project.

Mr. Clement commented to be mindful of any renovations/revamping the trail along the river as historically that is the old woods road Mr. White moved his equipment with his ox driven cart to access the grassy meadow area to cut hay; field was known as Willy's Meadow. Today, that part of the trail is used by fishermen particularly during the months of April, May and June

Mr. Clement asked if the benches are to be anchored. If not, from his experience, there is the potential of being vandalized. Jay acknowledged he hadn't thought of that but would research different techniques for making them secure.

Ms. Murphy had questions on the placement of the benches and noted the bench shown in the meadow be placed so as to not interfere with the annual mowing of the field. She also asked about the proposed construction of the signage. Jay described the proposed design and described a cover closing down over the sign/platform. Other possible designs were suggested which Jay agreed to look into.

With no other comments or questions, Mr. Briselden moved to proceed with the proposal according to the plans with the suggested modifications as discussed at this meeting; seconded by Mr. Clement. Mr. Richardson wished

to add Jay do a site walk with Ms. Murphy and Ms. Raub for confirmation of plantings, verification of plants/trees to be highlighted and location of the benches; was not part of the motion but a comment. The vote on the motion was unanimous.

Before leaving the Eagle Scout project discussion, Mr. Richardson recognized from the audience, Ms. Dianne Arnheim, an abutter with a portion of her land in the easement, who commented she did not think there need be a concern with fishermen having access to the river from that eroded section of the bank as their lines would become snagged with the downed trees in the water. Jay was also advised Ms. Arnheim signed off on the plan.

Mr. Carmody was thanked for his proposed project to the McDonnell area

## **2. 191 Epping Road, Mobil on the Run Draft Conservation Easement**

Mr. Chris Tymula, civil engineer and project manager, introduced himself and Mr. Dan Berry of Alliance Energy, LLC. Mr. Tymula provided some background on the project noting it wasn't until their meeting in late November with the Planning Board to do some modifications to the property when it was determined the original conservation easement for the rear portion of the parcel was not recorded at the Registry.

The improvements were outlined and noted they would occur in areas already disturbed. During the approval process it was brought to their attention the previous owner had done very little if anything to maintain the stormwater system. Since that time, a stormwater cleaning company was brought in to clean up the existing detention ponds and the stormwater structures on site; there is now an ongoing maintenance program in place. As a result, they were at this meeting to get the approval of the Commission on the original application but based on the new site plans.

Mr. Richardson understood the boundaries of the easement were to be marked and when that is accomplished to advise the Commission of such; it was agreed they would do so.

The site plan located a building on the north side with an encroachment of the building onto the property. Originally a section of that land was to be deeded to the building owner but Mr. Tymula was unsure if this was done. Ms. Murphy understood the owner had removed that ell portion of the building so not to be an encroachment; Mr. Tymula will confirm.

Mr. Richardson asked the Commission receive a deed description and a site plan showing the easement as it exists today. It was confirmed there will be a revised site plan prepared.

Ms. Murphy, in the meeting packet, provided a summary of the draft language for the easement and noted this draft easement was compared with the previous draft and the differences noted; her request/ comments were also sent on to applicant.

The major difference between the two documents was in the original the Mobil Corporation could remove the allowance (for the ConCom) to construct a trail at any time and the Commission would need to restore the trail. This statement is basically what led to the former Commissioners to not sign the easement. The language in this draft allows the ConCom to install a trail for use as a public walkway.

The other notes were acknowledged by the applicant and are being addressed or will be addressed by their legal consuls and included in the final document.

Mr. Richardson asked if the Commission will recommend to the Board of Selectmen (BOS) to accept the easement. Mr. Clement added that all the paper work be complete before submittal. Mr. Briselden moved that the conditions noted and discussed at the meeting be accomplished so the applicant needn't come back. Re-stating the revised motion: the Commission recommends the BOS accept the easement based on the five items as

notated (in Ms. Murphy's memo) and discussed be accomplished, the submission of a plan noting the corrections and the opportunity to walk the site. Motion seconded by Ms. Raub. Vote: unanimous.

At this time, Ms. Geraldine Keniston, seated in the audience, approached the members to inquire of the status of the Swasey Parkway and when it might be returned to the status of being more accessible to the residents. She had seen a notice of a public meeting for this evening and thought perhaps her questions could be answered. Sel. Clement, also a Swasey Parkway trustee, shared her dismay on the present conditions and provided some background on the problem leading up to the present one-way traffic pattern on the Parkway and Rt.85 and a proposed timetable for the construction and repair of the culverts. He hoped by late summer it would be restored.

### **3. Work Plan**

Ms. Murphy presented a series of upcoming meetings and events for the next few months. Including but not limited to:

- A training workshop in conjunction with UNH and DPW for the Adopt a Stormwater Outfall project.
- On voting day a display table for the upcoming [ThinkBlueExeter](#) stormwater outreach program will be at the Talbot Gym. A survey designed to determine the general public's knowledge of stormwater pollution will be available to be completed; information gained will serve as a baseline for what the public understands about stormwater pollution before the program is launched.
- April 25 is Community Action Day with the Academy students working on the trail at Linden Commons. Mr. Richardson will be leading the students from 9-12 in the cleanup; volunteers welcomed.
- On April 29 the Cadet Girl Scouts will be hosting a [ThinkBlueExeter](#) picnic-location to be determined. There will be exhibits, kid's games-- all to educate the visitors on stormwater pollution

Mr. Richardson added additional dates of programs of possible interest. (Since this meeting Ms. Murphy has set up a Google site where upcoming events and programs will be listed for members to view.)<sup>1</sup>

Mr. Richardson, referencing the handout distributed at the last ECC meeting on sharing responsibility for duties performed by the ECC; would like if each member could indicate a choice of interest. There have been several responses but more would be welcomed; looking for the individual to stay on top of the details. Ms. Murphy would be involved in all the items but needs assistance from the Commission. It was confirmed an area of an individual interest is not to be a subcommittee but to be the point person. It was noted you can reach outside the Commission for assistance as is/was the Trail Committee whose members are not all members of the Conservation Commission. Mr. Richardson is looking to give Ms. Murphy some support on each of these duties/projects.

### **Regular Business**

#### **1. Treasurer's Report**

The printed report was reviewed by Ms. Raub noting the final operating budget will be determined by a vote on the Town warrant on March 13, 2012. The figures presented are based on the proposed Conservation budget as set by the Budget Committee and the Board of Selectmen.

Mr. Briselden asked if the amount of funds remaining in the Open Space account was known. Both he and Ms. Murphy were unsure of the exact amount; Mr. Clement noted those funds are administered by the Trustees of the Trust Funds. Mr. Briselden noted whatever the amount they could be a resource for the Commission if used for the purpose the fund was set up to do; the acquisition of land. Ms. Murphy will confirm the fund balance.

The status of the acquisition of the Rider property on Linden St/Kimball Hill Road in partnership with the Town of Kensington was discussed. The funds budgeted for the purchase was extended by permission

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1) <https://sites.google.com/site/exeterconcom2/>

from the BOS until the end of 2012, but they must be used by that time. To date, agreements promised have not been received.

With no further comments on the Treasurer's report, Mr. Clement moved the Treasurer's report be accepted; seconded by Mr. Briselden. Motion carried.

**2. Approval of Minutes February 14, 2012**

Reviewing the draft minutes for the February meeting, corrections to listed names were noted. Mr. Clement moved the minutes be accepted with the amendments as noted; seconded by Ms. Matick. Motion carried with Mr. Briselden abstaining as he was not present for the meeting.

**3. Natural Resources Planner's Report and Correspondence**

- Ms. Murphy reported the contractor preparing the Resource Inventory (NRI) will deliver the final revised report in mid-March. The discussion turned to how did the members wished to proceed with a review; should there be a presentation to the Commission members before a presentation to the appropriate Town Committee's and Boards as originally planned. Mr. Briselden felt an executive summary/impact survey on the report be prepared before presenting to other Town officials/volunteers; original presentation was too technical and lengthy. No definite decision was made but it was agreed other Boards be extended an invitation along with the land use boards and any presentation would include the impetus for undertaking the project as well as how the report could be used as a resource.
- Nate Merrill, the tenet farmer at the Raynes Farm, did receive a NRC S (Natural Resources Conservation Service) grant for the drainage improvement work at the Farm. The project must be implemented within a 5-year time period: will be meeting with Jay Perkins at DPW to determine a time line.
- Communiques from developers of Linden Commons stating the remaining pins to be set have not been done but it is their intent to do so.
- A letter from a Pickpocket Rd. resident sent to BOS, DPW and the Conservation Commission concerned with the roadside litter along Rt.111 from Hobart St down to Pickpocket Rd; wished the Commission to be aware of conditions and inquired as to possible action in removing the litter. Mr. Clement has been in contact with Jay Perkins at DPW and he is looking into several options for addressing this on-going situation; one difficulty is Rt. 111 is a State road and the traffic and road alignment does not lend itself to individuals going out to pick up litter.
- Ms. Murphy gave an update on the status of State House and Senate bills proposed in the last session as reported by the NH Association of Conservation Commission. Many of the bills targeted Conservation Commissions' throughout the State but overall much of these legislative actions were not successful.
- Ms. Murphy was notified by Ms. Arnheim, an abutter at the McDonnell Conservation area, of actions occurring at the site; trash, behavior in the parking lot, particularly at night. Ms. Murphy spoke to Chief Kane and it is an area routinely patrolled and cars parked there at night are asked to move. Discussion on what action or signage could be put in place; possibly on closing the area at dusk. No decision was made. Mr. Clement will speak further with Chief Kane.

**4. Next meeting date:** April 10, 2012

With no other business, Mr. Richardson called for a motion to adjourn. So moved by Mr. Briselden; seconded by Ms. Matick. Meeting adjourned at 9:00 pm

Respectfully submitted,  
Ginny Raub  
Acting Recording Secretary