

*Final*  
**Exeter Conservation Commission  
Minutes of the Meeting - November 13, 2012**

**Call to Order:**

Chairman Russell Kaphan called the meeting to order at 7:00 p.m. in the Wheelwright Room in the Exeter Town Office Building. Members present were: Russell Kaphan, Margaret Matick, Peter Richardson, Carlos Guindon, Alyson Eberhardt, Virginia Raub, Jay Gregoire and Don Clement, along with Kristen Murphy, Town Natural Resource Planner. Absent: Cynthia Field, Robert Field, and Kevin Keaveney and Don Briselden.

There was no Public Comment.

**Action Items:**

- 1. Merging of Map 54, Lot 2 with the Meeting Place residential project parcel on Map 55, Lot 77-1:** *Guests Robert Felder, Attorney Donohue, and engineer Dana Lynch. Felder Kuehl* is proposing that Map 54, Lot 2 be used to expand the trail network from behind the Meeting Place to Industrial Drive, by installing the trail, a picnic and exercise area and gravel parking lot.

Engineer Lynch reviewed the characteristics of the lots in question. Map 55, Lot 77-1 is currently developed with four buildings and parking for a total of 122 units over 17.4 acres. *Felder Kuehl* is proposing that the area described in Map 54 Lot 2, currently an area that is a mix of uplands and wetlands that is not developed, be used as additional open space, with trails and a gravel access point constructed on Industrial Road. There would be two low impact puncheons for crossing the wetlands and one additional crossing that would require a bridge. Merging the two lots will allow for the addition of 22 additional units to Meeting Place, plus will add value by creating an access point on Industrial Road for the public and tenants.

Russell Kaphan asked if this meant that the owners were abandoning the idea of building commercially on Lot 2 (an idea which had been previously approved several years ago), and was told that due to the size of the new setbacks, the lot is virtually un-buildable. The new units allowed by the proposed merge will generate tax revenue, thereby creating value. Mr. Felder clarified that there will be a total of ~144 units including the new additions (the actual number depending on the parking requirements), and that no more paved or impervious areas will be added with this proposal.

A member asked if there would be a permanent Conservation easement and was told yes, there would. Trail access was discussed, and it was pointed out that while Henderson-Swasey currently has trail access from Industrial Drive via Commerce Way, it belongs to a private owner so is not deeded. This proposal would provide *deeded* access onto Industrial Road, allowing employees in the vicinity (for businesses on Industrial Road) to access the trails for walks during lunch. Although there was some concern that workers would not, in fact, have time to use the trails, it was felt that many would choose to use them.

Regarding the puncheons: what is the plan for the largest crossing, the brook crossing? The proposal calls for an 8-10 ft. bridge with permanent attachments on either side. All of the crossings will be easy to put in, take out and replace.

A member questioned who would be responsible for maintenance and replacement of the puncheons, and how that responsibility would be transferred if the owner ever sells the property. Mr. Felder clarified that it is the developer's responsibility to maintain the puncheons. He also clarified that the Meeting Place site is a *land condo* as opposed to being individual unit condos, and cannot be converted to individual condos. If the owner sells, the owner's requirement – i.e. that the owner is responsible for land and crossing maintenance -- transfers to the new owner. Money for maintenance comes from assessments made on each building.

Peter Richardson asked about the grades, noting that 20% at the travel access seems too large. Engineer Lynch responded that on the initial drawing (for the original piece of land) that yes, a 20% grade would be too much. However, the newer, undeveloped section is flat, and there will be a stairway leading down from the roadside to the trail.

Engineer Lynch reminded the Commission that this is only the first step of the process. There are still many steps remaining, including (if the Conservation Commission gives initial approval) taking this to the Planning Board, the Zoning Board, and perhaps the Planning Board again before coming back to the Conservation Commission to negotiate an easement. He also noted that this is not the first time an area has been re-zoned on the property: it has been done at least twice before. The developers are still committed to previously established rules, including: no ATV's and no snowmobiles; allowing foot traffic, bicycles .

The applicants would like to know if the Conservation Commission is willing to give initial concept approval for the proposal as presented.

A ***motion*** was made and seconded to indicate initial concept approval and the willingness of the Conservation Commission to work with the developers as they continue to pursue the project as presented. ***Vote*** was taken; motion ***passed***.

**2. Culvert Replacement, 60 Watson Road: Scott Crawford, owner:**

Mr. Crawford is seeking the Commission's approval to acquire a permit to replace a culvert which goes under his driveway. The current culvert contains an 18" corrugated metal pipe which is rusting and undersized, causing flooding issues during the winter rains. The NH Heritage Bureau indicated presence of Blanding's and spotted turtle nest sites in the area. NH Fish and Game department has requested a size upgrade to larger than 24" to accommodate an endangered turtle species. The current trench is nearly as wide as the stream, and the Bureau has recommended an elliptical or arch-type culvert.

There were no questions.

Comments:

This region has been previously studied during the Geomorphic Assessment which indicated several culverts in the area were undersized for Bloody Brook. The Commission recommends getting professional advice to clarify exactly what size culvert would be needed, with the understanding that it is important to enlarge the culvert (“...the bigger, the better”). Also, there are standards that apply to stream crossings, and these should be investigated. The applicant agreed with these assessments and is willing to pursue them.

Because this project was specifically identified in the Geomorphic Assessment, Watershed assistance grants may be available. These grants would require him to pay 40% of the total project costs. If that avenue is pursued, the Town or Exeter River Local Advisory Committee would need to be the applicant, not the individual. There is a competitive grant process where the relatively small cost of the proposal might be an advantage.

Alyson Eberhardt noted that the bottom of the culvert should be a natural substrate or substance.

Mr. Crawford is seeking an expedited review, but several Commission members are concerned that this would mean because Mr. Crawford had not specified what the future culvert design would be (stating only it would be > 24”) they would not be able to provide DES recommendations prior to approval and would have to accept them, sight-unseen. Also, if the proposal is pushed through too quickly, will the DES be aware that this culvert was identified as a project in the Geomorphic Assessment? Scott Crawford responded that with the inclusion of the Fish & Game department, as well as the concerns about the endangered turtle species, he feels the DES would be motivated to review the project carefully.

The Commission would also like to see a specific design brought forth to address issues such as stream velocity and volume, whether there are any curves in the stream bed, and what the best culvert options might be (bridge? Box culvert? Other?).

#### Conclusions:

The CC is not willing at this time to support an expedited proposal and would like to table the discussion at the moment. Issues that need to be addressed are:

1. The 24” Fish & Game recommendation is too small.
2. The bottom should be a natural substrate.
3. A small bridge is a possibility.
4. The Fish & Game department should be included in the design process.
5. The issue of the endangered turtle species needs to be addressed.
6. A specific plan needs to be drawn up addressing the above issues.
7. The Geomorphic Study recommendations should be brought to the attention of DES.
8. The CC should write a memo detailing its reasons for tabling the discussion.

It was ***moved*** and ***seconded*** to table this proposal pending more detailed project information and a specific design which addresses the issues listed above. All in favor. Motion ***passed***.

It was ***moved*** and ***seconded*** that Kristen Murphy, Town Natural Resources Planner, would write a letter to DES detailing the Commissions reasons for tabling the project. A copy of the letter will be sent to the applicant. All voted in favor. Motion ***passed***.

Kristen Murphy noted that she is happy to assist Mr. Crawford with the Watershed Assistance grant process if he is amenable to the additional time that would take. The success of this project will benefit everybody concerned.

### REGULAR BUSINESS:

1. **Treasurer's Report:** There was no report today. However, Treasurer Ginny Raub will provide a year-end report. Also, she proposed that it is not necessary to have a detailed treasurer's report at every meeting, that a quarterly report should be sufficient. Commission members had no objection.
2. **Approval of Minutes, October 9, 2012:** The minutes will be amended as follows: Item 9,: Eliminate the sentence which begins "Kristen, Carlos, Peter and Jay will do monitoring..." . A ***motion*** was made and ***seconded*** to approve the minutes as amended. Motion ***passed***.
3. **Natural Resources Planner's Report and Correspondence:**
  - **Monitoring and Training Exercise:** Steve Walker may not be available to attend this meeting to teach interested parties how to monitor a conservation area and walk a perimeter but with input from experienced members there could still be a productive training session. Jay Gregoire proposed that the meeting be held at his house the third Saturday in November (November 17<sup>th</sup>), 9:00 am – 11:30 am.
  - **Using leaf blowers to blow leaves off of Trails:** Some residents have been observed using leaf blowers to blow leaves off of the conservation trails. Jay Sullivan (former member) offered to place additional signs, as removing leaves from the paths is not allowed. Russell noted that when asked, most residents aren't aware that there is a rule about that; many seem to support leaf removal. Also, it was asked if there a specific penalty for breaking this rule? Peter Richardson suspects that leaf removal is being done for the convenience of the bicyclists. Don Clement commented that the bigger issue is that the Town seems to be losing control of how its trails are being used.

A site walk through the area at one time concluded that removing the leaves from the trails exposes the ground to increased erosion and water damage. This information needs to be communicated to those who enjoy using the trails.

Kristen Murphy will have signs made up; post the rule, its reasons and, possibly, supporting pictures on the website; and e-mail the information to trail members.

- **Trail crossings:** Funds have been approved for three proposed trail crossings. One has already been completed and reimbursed. A second had to be re-assessed and is costing \$91.01 more than originally budgeted. Because this additional amount was still less than the total approved, Chair Russell Kaphan agreed it would be OK to allow the additional expense , leaving a shortfall for the final proposed crossing. It was ***moved*** and ***seconded*** to authorize the expenditure of an additional \$100 for the three projects. Motion ***passed***.

- **Little River Trails:** A resident looking at the Little River Trail Network map noted that there was a dotted line trail near her house, and wondered if that trail still existed. In the past there used to be a trail head marker for a deeded Right-of-Way (ROW), but that the marker was moved to another trailhead and has since disappeared. Russ and Kristen met with this landowner and walked the deeded ROW through the Louisberg Circle homeowners association land. The trail does not exist within the ROW and the ROW alignment does have quite a bit of wetlands within it making it unsuitable conditions for the trail.. Russ expressed an interest in working with the Homeowners Association to see if they would be supportive of establishing the trail on the west end of the Little River trail network. Kristen suggested that Dave O’hearn and Mark Dolloff should also be contacted, as they are familiar with the area.

In summary: the Trail Committee should be notified that the homeowner is interested in developing the trail. Also, there is currently no process in place for managing and maintaining the trails in the Little River region: a subcommittee should be created to evaluate the area. The subcommittee could also address access issues at 14e on the map.

- **Discussion: Maintaining and managing roads and trails:** Don Clement feels that it is not necessary to overdevelop the trail networks by adding to many formal trails. In the Henderson-Swasey area, for example, he feels there are too many trails, reducing the natural beauty and the enjoyment of walking around there. That said, the Little River area does have the potential for more trails, perhaps managed by an organized group. The CC discussed possible management plans, but no action was taken.
- **The second of three proposed crossings** is finished.
- **ATV’s detected at Morrisette Property:** Don Clement noted that he has seen trucks back up to the gate there and deposit ATV’s on the other side. Kristen Murphy will look into placing a boulder next to the gate to deter this.
- **Unauthorized vehicles:** Donuts have been detected in the fields in the Raynes region. Currently the area is being monitored closely by the police department. It may be necessary to install a perimeter fence around the parking lot. Signage stating “No Vehicles Beyond This Point” should also be installed.
- **Upcoming Events:**
  - a) **Invasive Plant Control**, tomorrow from 10 – 12:30
  - b) **Dec 7<sup>th</sup>: Conference, “State of the Estuaries”** -- There is also a very tentative proposal to hold a local presentation on Wed, Dec 12<sup>th</sup>. This is very preliminary, however.

#### 4. Other Business:

- Ginny Raub thanked everybody for their work on the Fall Festival and the work at Raynes Farms. Attendance was good. Members of the Arts Committee were sent

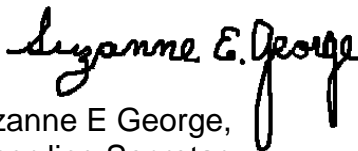
e-mails to their group, and several artists arrived. There was great feedback: the potential for cross-country moonlight snowshoeing was mentioned several times. Ginny would like to keep this momentum going. She suggested that a Conservation Commission Facebook page might be developed to track activities and generate interest and volunteered to do that. Alyson Eberhardt wondered if there might be money available to pay somebody to set something up. The initial setup of a Face book page is not too bad, but Kristen expressed some concern about the amount of time maintaining such a Face book page would entail. Kristen and Ginny agreed to look into setting up a page and Ginny agreed to maintain it.

- **Hemlock:** Carlos brought a sample of Hemlock wooly adelgid that has been found in the Henderson Swasey town forest within the area not identified for harvesting . If left unchecked, the wooly adelgid – an invasive species – will take over and kill the hemlock trees in the area. This needs to be managed now. He suggested that Charlie Moreno be called: this needs to be contained right away.
- **Congratulations:** Kristen Murphy has been nominated to be a board member on the NH Association of Conservation Commissions. This will allow her to share things that are happening in Exeter as well as connect with other towns that have conservation issues. The new thing that was discussed at a recent meeting: the pros and cons of Wind Power.

**5. Next Meeting:** Tuesday, December 11<sup>th</sup>, 2012, 7:00 p.m.

It was **moved** by Don Clement and **seconded** by Ginny Raub to close the Conservation Commission meeting. Motion **passed**. Meeting adjourned at 9:15 p.m.

Respectfully Submitted,



Suzanne E George,  
Recording Secretary