



# TOWN OF EXETER, NEW HAMPSHIRE

10 FRONT STREET • EXETER, NH • 03833-3792 • (603) 778-0591 • FAX 772-4709

[www.exeternh.gov](http://www.exeternh.gov)

## PUBLIC NOTICE EXETER CONSERVATION COMMISSION

The Exeter Conservation Commission will meet in the Nowak Room  
of the Town Office Building, Exeter on **Tuesday, April 14<sup>th</sup>, 2015 at 7:00 P.M.**

### Call to Order:

1. Introduction of Members Present
2. Public Comment

### Action Items

1. Street Tree program update – *Eileen Flockhart*
2. Father's Day Orienteering Event – *Deb Humiston*
3. Linden Commons encroachment agreement
4. Forest Management Plan Contract and Budget Discussion
5. Officer Positions
6. Committee Reports
  - a. Trails
  - b. Outreach
  - c. Property Monitoring
7. Approval of Minutes: March 10<sup>th</sup>, 2015
8. Natural Resources Planner's Report and Correspondence
9. Other Business
10. Next Meeting: Date and Agenda Items

*Jay Gregoire, Chair*

*Exeter Conservation Commission*

*Posted April 9<sup>th</sup>, 2015 Exeter Town Office, Exeter Public Library, and Town Departments.*

Return to:

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## ENCROACHMENT AGREEMENT

This Agreement is dated April \_\_, 2015 between the Town of Exeter, a municipal corporation, duly organized and existing in Rockingham County, New Hampshire, with an address of 10 Front Street, Exeter, New Hampshire 03833 (the "Town") and Patrick Breen and Bartolini, with an address of 63 Linden Street, Exeter, New Hampshire 03833 ("Breen and Bartolini").

WHEREAS, the Town is the holder of a Conservation Easement over a portion of the property identified as Tax Map 95, Lot 67, located off Linden Road, Exeter, Rockingham County, New Hampshire, dated February 24, 2011 and recorded with the Rockingham County Registry of Deeds at Book 5197, Page 1038 (the "Conservation Easement").

WHEREAS, Breen and Bartolini are the owners of certain property identified as Tax Map 82 Lot 16, also known as at 63 Linden Street, Exeter, New Hampshire, as more particularly described in the deed dated June 23, 2014, recorded with the Rockingham County Registry of Deeds at Book 5540, Page 2644 (Breen's Property").

WHEREAS, the original survey delineating the Conservation Easement and Tax Map 95, Lot 67 was incorrect and included a portion of Breen and Bartolini's Property, which Breen and Bartolini or their predecessor have owned and occupied for thirty (30) years.

WHEREAS, a lot line adjustment plan entitled, "Lot Line Adjustment Plan, Map 95, Lot 67 & Map 82, Lot 16," prepared by Jones & Beach Engineers, Inc., dated November 19, 2014, was approved and recorded with the Rockingham County Registry of Deeds as Plan D-\_\_\_\_\_ (the "Plan") to correct the lot line.

WHEREAS the Plan changes these two lots and transfers Parcel "A" to Breen.

WHEREAS, Contoocook River Lofts, LLC, transferred Parcel "A" to Breen and Bartolini to be consolidated with their property by deed of or near even dated, recorded herewith.

WHEREAS Breen and Bartolini wish to obtain the right to encroach upon a portion of the Conservation Easement shown as Parcel "A" on the Plan.

NOW THEREFORE, in consideration good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

- 1 The Town hereby grants and permits Breen and Bartolini to encroach upon a portion of the property burdened by the Conservation Easement identified as Parcel "A" on the Plan, given the existence of the encroachments for a period in excess of 20 years prior to the execution of the Conservation Easement.
- 2 Breen and Bartolini may use Parcel "A" for its existing purposes, but not introduce any new uses, which violate the Conservation Easement.
- 3 This Agreement shall inure to the benefit of, and be binding upon the parties hereto, and their respective heirs, executors, successors and assigns.
- 4 This is the entire agreement between the parties. Any changes must be made in writing and signed by both parties. Any disputes must be brought in the State of New Hampshire.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto as of the date above.

Town of Exeter, acting through its Board of  
Selectmen

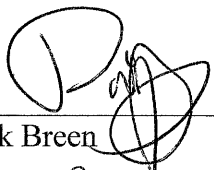
\_\_\_\_\_  
Julie Gilman, Chairwoman


\_\_\_\_\_  
Donald Clement, Vice Chairman,

\_\_\_\_\_  
Nancy Belanger, Clerk

\_\_\_\_\_  
Dan Chartrand, Member

\_\_\_\_\_  
Anne Surman, Member

  
\_\_\_\_\_  
Patrick Breen

  
\_\_\_\_\_  
Sara Bartolini

STATE OF NEW HAMPSHIRE  
COUNTY OF ROCKINGHAM

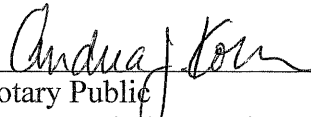
April \_\_, 2015

Personally appeared the above named persons, being a majority of the members of the Board of Selectmen, in said capacity on behalf of the Town of Exeter Board of Selectmen, and acknowledged the foregoing instrument to be their free act and deed duly authorized.

Before me, \_\_\_\_\_  
Justice of the Peace  
My Commission Expires:

STATE OF NEW HAMPSHIRE  
ROCKINGHAM COUNTY, SS

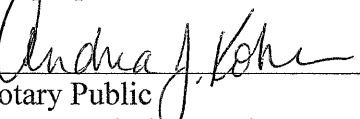
On this 1<sup>th</sup> day of April 2015, personally appeared Patrick Breen, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purpose contained.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:

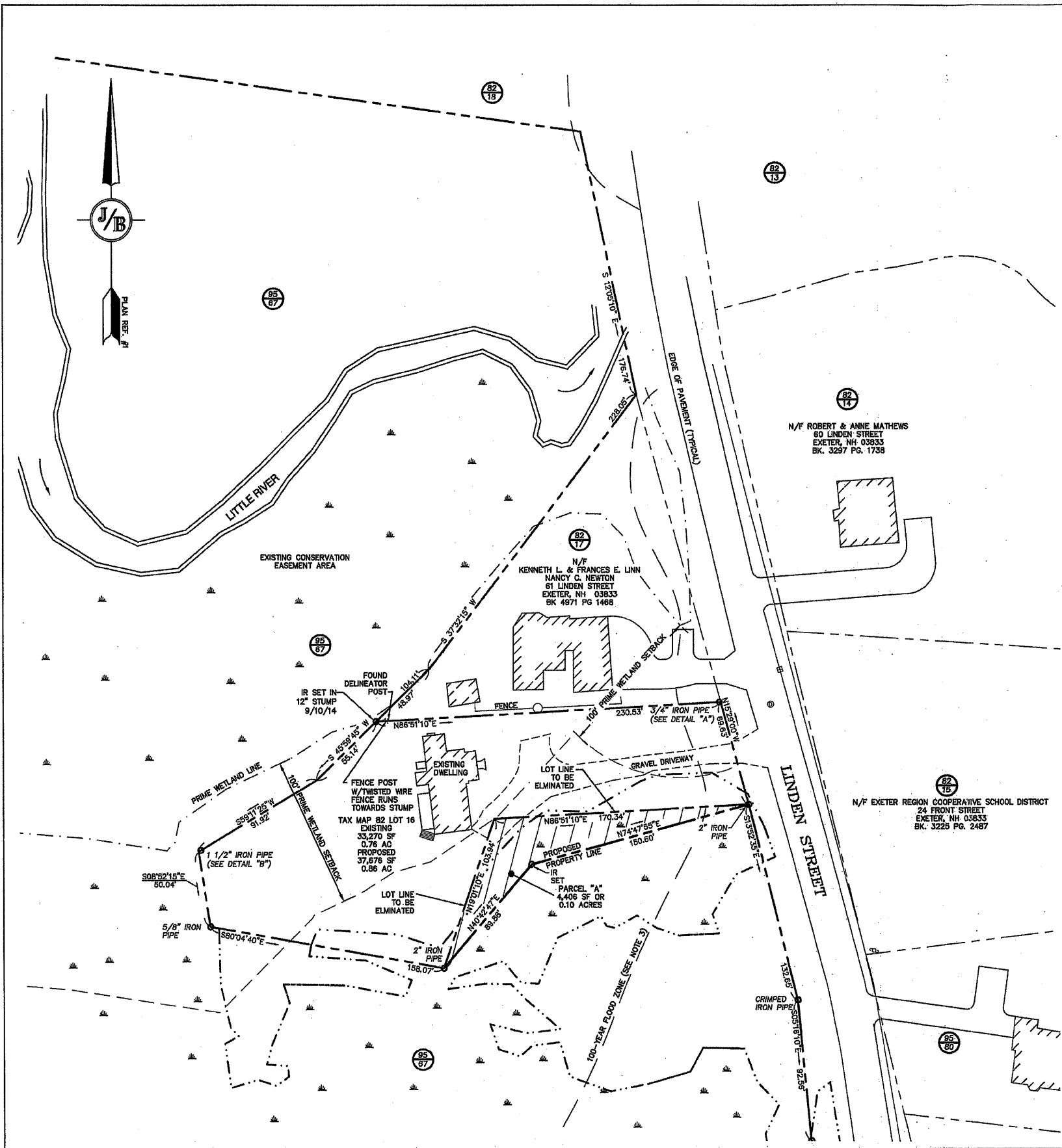


STATE OF NEW HAMPSHIRE  
ROCKINGHAM COUNTY, SS

On this 1<sup>th</sup> day of April 2015, personally appeared Sara Bartolini, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that she executed the same for the purpose contained.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:





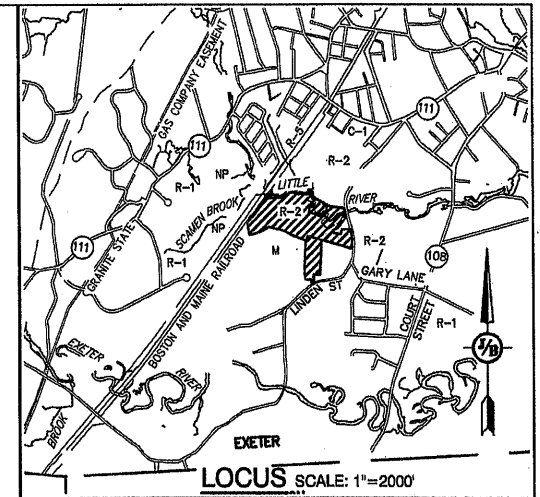
**PLAN REFERENCE:**

1. "PLAT OF LAND IN EXETER, NH, SHOWING LINDEN COMMONS SUBDIVISION AT 85A LINDEN STREET (ASSESSORS MAP 95 LOTS 67, 78 & 79), PREPARED FOR TUCK REALTY CORP.", SURVEYED BY MILLENIUM ENGINEERING INC., DATED 6/20/07, LAST REVISED 11/15/10, RECORDED FEBRUARY 28, 2011, R.C.R.D. PLAN D-38728 (SIX SHEETS).

**CONDITIONS OF APPROVAL:**

THE FOLLOWING ARE PLANNING BOARD CONDITIONS OF APPROVAL FROM THE AUGUST 28TH, 2014 MEETING:

- THE PLANNING BOARD CASE NUMBER BE ADDED TO THE PLAN.
- AN EXECUTED MONUMENTATION CERTIFICATE BE SUBMITTED TO THE PLANNING DEPARTMENT WITH THE APPROPRIATE FEES FOR RECORDING THE PLAN.
- THE PLAN BE REVISED TO DEPICT THE WETLAND BOUNDARY WITHIN THE AREA THAT WILL BECOME PART OF THE BREEN PROPERTY. IT SHOULD ALSO BE NOTED ON THE PLAN HOW MUCH WETLAND AS A RESULT OF THE LOT LINE ADJUSTMENT IS NO LONGER PROTECTED BY THE EASEMENT.
- THE CONSERVATION EASEMENT FOR THE LINDEN COMMONS SUBDIVISION SHALL BE AMENDED TO REFLECT THE NEW LEGAL DESCRIPTION OF THE BOUNDARIES.
- THE CONSERVATION EASEMENT AREA PROVIDES COMPENSATORY WETLAND MITIGATION FOR THE LINDEN COMMONS DEVELOPMENT. THE WETLAND PERMIT FOR THIS PROJECT CALLED OUT THE SPECIFIC NUMBER OF ACRES TO BE PROTECTED - 21.59 ACRES (NHDES FILE 2007-01718) AND AS A RESULT THE EASEMENT AMENDMENT PROCESS SHOULD INCLUDE COORDINATION WITH NHDES.
- ALL CONDITIONS OF THIS APPROVAL ARE TO BE MET WITHIN ONE YEAR.



**NOTES:**

1. THE INTENT OF THIS PLAN IS TO TRANSFER PARCEL "A" FROM TAX MAP 95, LOT 67 TO TAX MAP 82 LOT 16.
2. ZONING DISTRICT: R2 RESIDENTIAL, SINGLE FAMILY WITH SHORELAND PROTECTION OVERLAY DISTRICT.  
LOT AREA MINIMUM = 88,000 SF (GRAND-FATHERED)  
LOT FRONTAGE MINIMUM = 200' (GRAND-FATHERED)  
BUILDING SETBACKS (MINIMUM):  
FRONT SETBACK = 35'  
SIDE SETBACK = 25'  
REAR SETBACK = 20'  
WETLAND SETBACK = 50'  
MAX. BUILDING HEIGHT = 35'
3. A PORTION OF THE SUBJECT PROPERTY IS LOCATED WITHIN FEDERALLY DESIGNATED 100 YEAR FLOOD HAZARD ZONE PER FEMA COMMUNITY PANEL NO. 3301500402E, DATED MAY 17, 2005. BASE FLOOD ELEVATION IS 32 (NGVD 1929).
4. LANDOWNERS ARE RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL WETLANDS REGULATIONS, INCLUDING ANY PERMITTING REQUIRED UNDER THESE REGULATIONS.
5. ALL BOOK AND PAGE NUMBERS REFER TO THE ROCKINGHAM COUNTY REGISTRY OF DEEDS.
6. THE TAX MAP AND LOT NUMBERS AND ADJOINING OWNERS ARE BASED ON THE TOWN OF EXETER TAX RECORDS AND ARE SUBJECT TO CHANGE.
7. RESEARCH WAS PERFORMED AT THE TOWN OF EXETER ASSESSOR'S OFFICE AND THE ROCKINGHAM COUNTY REGISTRY OF DEEDS.
8. THIS SURVEY IS NOT A CERTIFICATION TO OWNERSHIP OR TITLE OF LANDS SHOWN. OWNERSHIP AND ENCUMBRANCES ARE MATTERS OF TITLE EXAMINATION NOT OF A BOUNDARY SURVEY. THE INTENT OF THIS PLAN IS TO RETRACE THE BOUNDARY LINES OF DEEDS REFERENCED HEREON. OWNERSHIP OF ADJOINING PROPERTIES IS ACCORDING TO ASSESSOR'S RECORDS. THIS PLAN MAY OR MAY NOT INDICATE ALL ENCUMBRANCES EXPRESSED, IMPLIED OR PRESCRIPTIVE.
9. ANY USE OF THIS PLAN AND OR ACCOMPANYING DESCRIPTIONS SHOULD BE DONE WITH LEGAL COUNSEL TO BE CERTAIN THAT TITLES ARE CLEAR, THAT INFORMATION IS CURRENT, AND THAT ANY NECESSARY CERTIFICATES ARE IN PLACE FOR A PARTICULAR CONVEYANCE, OR OTHER USES.
10. CERTAIN DATA HEREON MAY VARY FROM RECORDED DATA DUE TO DIFFERENCES IN DECLINATION, ORIENTATION, AND METHODS OF MEASUREMENT.
11. FIELD SURVEY PERFORMED WITH A TOPCON GPT-223 DATED APRIL 22, 2014, AND HAS A CONTROL TRAVERSE ERROR OF CLOSURE OF 1:76,656.
12. WETLANDS WERE DELINEATED BY WEST ENVIRONMENTAL INC. (WEI) DURING SPRING, 2008, PERFORMED TO THE STANDARDS OF THE CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL (1982), AND THE NHDES WETLANDS BUREAU CODE OF ADMINISTRATIVE RULES.
13. THIS PLAN IS TO BE RECORDED AT R.C.R.D.
14. WITH APPROVAL OF THIS PLAN BY THE PLANNING BOARD, THE FOLLOWING WAIVER IS GRANTED FROM THE "SITE PLAN REVIEW AND SUBDIVISION REGULATIONS"  
A) SECTIONS 7.4.7 AND 9.6.2 - "NATURAL FEATURES".

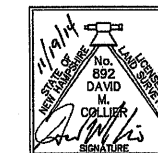
**PARCEL "A" AREA:**

AREA OF WETLAND 3,757 SQ. FT.  
AREA OF UPLAND 649 SQ. FT.  
TOTAL AREA 4,406 SQ. FT. OR 0.10 ACRES

**CERTIFICATION:**

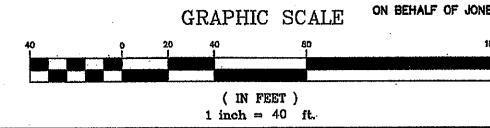
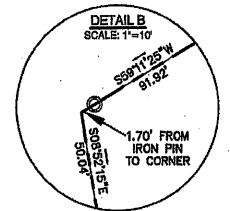
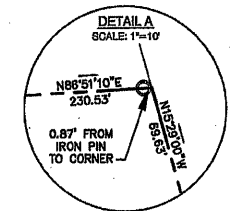
I CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN UNADJUSTED LINEAR ERROR OF CLOSURE THAT EXCEEDS BOTH THE MINIMUM OF 1:10,000 AS DEFINED IN SECTION 603.04 OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES AND THE MINIMUM OF 1:15,000 AS DEFINED IN SECTION 4.2 OF THE N.H.L.S.A. ETHICS AND STANDARDS.

THIS SURVEY CONFORMS TO A CATEGORY 1 CONDITION 1 SURVEY AS DEFINED IN SECTION 4.1 OF THE N.H.L.S.A. ETHICS AND STANDARDS.



DAVID M. COLLIER, L.L.S. 892  
ON BEHALF OF JONES & BEACH ENGINEERS, INC.

DATE: 11/19/14



TOWN OF EXETER PLANNING BOARD, CASE NO. 21419  
CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

<b>PROJECT PARCEL</b> TOWN OF EXETER TAX MAP 82 LOT 16 & TAX MAP 95 LOT 67
<b>OWNER OF RECORD</b> MAP 82 LOT 16 PATRICK BREEN & SARA BARTOLINI 63 LINDEN STREET EXETER, NH 03833 BK 5540, PG 2844  MAP 95 LOT 67 CONTOOCCOOK RIVER LOFTS, LLC 3 PENSTOCK WAY NEWMARKET, NH 03857 BK 5180, PG 1379
<b>TOTAL LOT AREA</b> 32 ACRES±

Design: JSR	Draft: CWW	Date: 5/29/14
Checked: DMC	Scale: 1"=40'	Project No.: 07081.1
Drawing Name: 07081-LLA		
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.		

REV.	DATE	REVISION	BY
1	11/13/14	REVISED PER TOWN COMMENTS	DMC
0	8/8/14	ISSUED FOR REVIEW	LAZ

Designed and Produced in NH

**J/B Jones & Beach Engineers, Inc.**

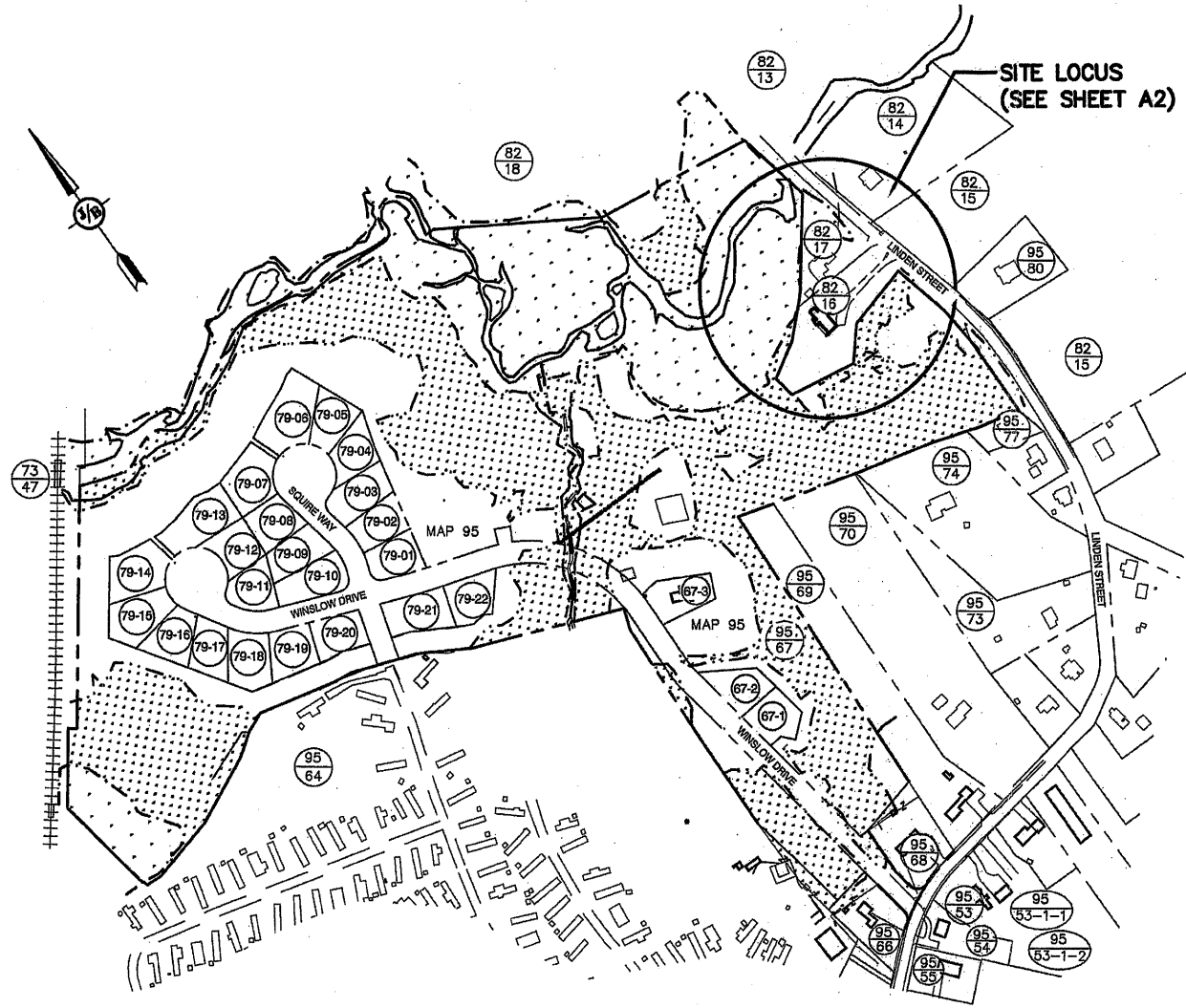
Civil Engineering Services

85 Portsmouth Ave. PO Box 219 Stratham, NH 03885

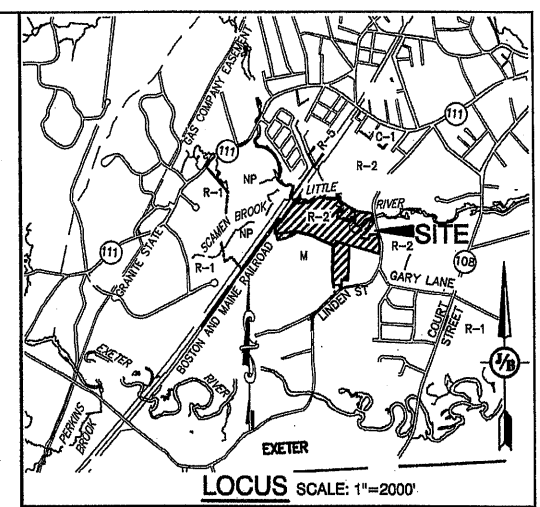
603-772-4748  
603-772-0227  
E-MAIL: JBE@JONESANDBEACH.COM

Plan Name:	<b>LOT LINE ADJUSTMENT PLAN</b> MAP 95, LOT 67 & MAP 82, LOT 16
Project:	<b>LINDEN COMMONS SUBDIVISION &amp; BREEN</b> 63 LINDEN STREET, EXETER, NH
Owner of Record:	CONTOOCCOOK RIVER LOFTS, LLC & PATRICK BREEN 3 PENSTOCK WAY, NEWMARKET, NH & 63 LINDEN STREET, EXETER, NH

DRAWING No.	<b>A2</b>
SHEET 2 OF 2	JBE PROJECT NO. 07081.1



**SITE LOCUS  
(SEE SHEET A2)**



**LOCUS SCALE: 1"=2000'**

- 95/64 N/F EXETER RIVER MHP COOPERATIVE, LLC 251 LOUDON ROAD CONCORD, NH 03301 BK 4788 PG 1005
- 82/14 N/F ROBERT & ANNE MATHEWS 60 LINDEN STREET EXETER, NH 03833 BK 3297 PG 1738
- 95/66 N/F DENISE L. SWEENEY PO BOX 177 EXETER, NH 03833 BK 4633 PG 0888
- 95/55 N/F PAUL & LORIE GARAND 80 LINDEN STREET EXETER, NH 03833 BK 2878 PG 2639
- 82/15 N/F TOWN OF EXETER 10 FRONT STREET EXETER, NH 03848 BK 5180 PG 0506
- 95/68 N/F JAMES P. WHITE KRISTEN M. KRUMHOLZ 85 LINDEN STREET EXETER, NH 03833 BK 4216 PG 0530
- 95/54 N/F BRIAN LECLAIR DONALD LECLAIR 789 LINDEN STREET EXETER, NH 03833 BK 5534 PG 2940
- 82/17 N/F KENNETH L. & FRANCES E. LINN NANCY C. HEWTON 61 LINDEN STREET EXETER, NH 03833 BK 4971 PG 1468
- 82/15 N/F TOWN OF EXETER 10 FRONT STREET EXETER, NH 03833 BK 5160 PG 0506
- 95/53 N/F JEFFREY T. KEPNER 78 LINDEN STREET PO BOX 1087 EXETER, NH 03833 BK 5037 PG 2094
- 82/18 N/F EXETER CEMETERY ASSOCIATION PO BOX 281 EXETER, NH 03833 BK 1360 PG 430
- 82/16 N/F KEITH & BONNIE L. NOYES 64 LINDEN STREET EXETER, NH 03833 BK 2683 PG 1140
- 95/53-1-1 N/F PAUL K. DERANIAN STEPHEN G. DERANIAN 780 LINDEN STREET EXETER, NH 03833 BK 4789 PG 1228
- 95/01 N/F CONTOOCCOOK RIVER LOFTS LLC 3 PENSTOCK WAY NEWMARKET, NH 03857 BK 5180 PAGE 1379
- 95/05 N/F GEMMA E. & BENJAMIN J. FRENCH 9 SQUIRE WAY EXETER, NH 03833 BK 5254 PG 1889
- 95/02 N/F TIMOTHY C. & WILLIAM C. ERVIN ERINN C. CRANE 7 SQUIRE WAY EXETER, NH 03833 BK 5434 PG 0101
- 95/07 N/F JASON W. & KIMBERLEE M. CHUTE 7 SQUIRE WAY EXETER, NH 03833 BK 5348 PG 2838
- 95/03 N/F PAUL K. DERANIAN 780 LINDEN STREET EXETER, NH 03833 BK 4787 PG 2125
- 95/09 N/F ROBERT A. & JENNIFER L. SCOTT 8 SQUIRE WAY EXETER, NH 03833 BK 5409 PG 2374
- 95/06 N/F JASON D. HALL 5 SQUIRE WAY EXETER, NH 03833 BK 5481 PG 2689
- 95/04 N/F DANIEL J. & DANIELLE A. AHERN 8 SQUIRE WAY EXETER, NH 03833 BK 5272 PG 0316
- 95/08 N/F CHARLES E. & STACEY J. JACKSON 3 SQUIRE WAY EXETER, NH 03833 BK 5515 PG 0642
- 95/05 N/F MATTHEW L. & KELLIE M. CLARK 10 SQUIRE WAY EXETER, NH 03833 BK 5483 PG 2428
- 95/10 N/F CONTOOCCOOK RIVER LOFTS LLC 3 PENSTOCK WAY NEWMARKET, NH 03857 BK 5180 PG 1379
- 95/07 N/F BROOKDALE PROPERTY LLC 35 FINE STREET EXETER, NH 03833 BK 5338 PG 1805
- 95/09 N/F WILLIAM W. & DAWN R. PERKINS 83 LINDEN STREET EXETER, NH 03833 BK 3226 PG 1801
- 95/03 N/F FREDERIC J. & ANNE C. WHITE 73 LINDEN STREET EXETER, NH 03833 BK 3315 PG 933
- 95/08 N/F GREGORY M. & ANNE GRIFFIN 81 LINDEN STREET EXETER, NH 03833 BK 5287 PG 1665
- 95/04 N/F RICHARD & DENISE MACGLASHING 73 LINDEN STREET EXETER, NH 03833 BK 3315 PG 933
- 95/06 N/F CLARE & BRADLEY HOUSTON 87 LINDEN STREET EXETER, NH 03833 BK 4933 PG 0571
- 95/12 N/F ERIN M. VOYK JASON ROY 28 LANGDON STREET UNIT 3 PORTSMOUTH, NH 03801 BK 5454 PG 0676
- 95/13 N/F SEAN PATRICK & STEPHANIE HARTNETT 15 WOLF STREET MANCHESTER, NH 03109 BK 5471 PG 0070
- 95/14 N/F STEVEN R. & CHERI F. WHITE 515 HIGHLAND DRIVE HENNIKER, NH 03242 BK 5394 PG 0914
- 95/15 N/F JEFFREY S. & LYNN A. HOWARD 15 WINSLOW DRIVE EXETER, NH 03833 BK 5508 PG 1151
- 95/16 N/F SEAN & KARA SULLIVAN 13 WINSLOW DRIVE EXETER, NH 03833 BK 5455 PG 1805
- 95/17 N/F JAMES W. & BONNIE K. HOUGHTALING 11 WINSLOW DRIVE EXETER, NH 03833 BK 5507 PG 2701
- 95/18 N/F CONTOOCCOOK RIVER LOFTS LLC 3 PENSTOCK WAY NEWMARKET, NH 03857 BK 5180 PG 1379
- 95/19 N/F CLARE & BRADLEY HOUSTON 87 LINDEN STREET EXETER, NH 03833 BK 4933 PG 0571
- 95/19 N/F CONTOOCCOOK RIVER LOFTS LLC 3 PENSTOCK WAY NEWMARKET, NH 03857 BK 5180 PG 1379
- 95/20 N/F TIMOTHY J. LISON JULIA M. MILLER 5 WOLF STREET EXETER, NH 03833 BK 5424 PG 1284
- 95/21 N/F LYNSAY & ADAM GOSS 3 WINSLOW DRIVE EXETER, NH 03833 BK 5336 PG 1167
- 95/22 N/F LISA WALLER 1 WINSLOW DRIVE EXETER, NH 03833 BK 5321 PG 2754
- 95/01 N/F DENISE L. RIPLEY 2 WINSLOW DRIVE EXETER, NH 03833 BK 5239 PG 2144
- 95/02 N/F CYNTHIA L. DIAZ 4 WINSLOW DRIVE EXETER, NH 03833 BK 5280 PG 0701
- 95/03 N/F ANTHONY J. & ASHLEY L. SHEA 6 WINSLOW DRIVE EXETER, NH 03833 BK 5293 PG 2978

**CERTIFICATION:**

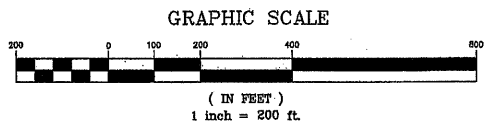
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DAVID M. COLLIER, LLS 892  
ON BEHALF OF JONES & BEACH ENGINEERS, INC.

DATE: 11/19/14



**PROJECT PARCEL**  
TOWN OF EXETER, NH  
TAX MAP 82 LOT 16 &  
TAX MAP 95 LOT 67

**OWNERS OF RECORD**  
MAP 82 LOT 16  
PATRICK BREEN &  
SARA BARTOLINI  
63 LINDEN STREET  
EXETER, NH 03833  
BK 5540 PG 2644

MAP 95 LOT 67  
CONTOOCCOOK RIVER LOFTS, LLC  
3 PENSTOCK WAY  
NEWMARKET, NH 03857  
BK 5180 PG 1379

**TOTAL LOT AREA**  
32± ACRES

TOWN OF EXETER PLANNING BOARD, CASE NO. 21419  
CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

Design: JSR	Draft: LAZ	Date: 5/29/14
Checked: DMC	Scale: 1"=200'	Project No.: 07081.1
Drawing Name: 07081-LLA		
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REV.	DATE	REVISION	BY
1	11/18/14	REVISED PER TOWN COMMENTS	DMC
0	8/8/14	ISSUED FOR REVIEW	LAZ

Designed and Produced in NH

**J/B Jones & Beach Engineers, Inc.**

85 Portsmouth Ave. Civil Engineering Services 603-772-4746  
PO Box 219 Stratham, NH 03885 FAX: 603-772-0227  
E-MAIL: JBE@JONESANDBEACH.COM

Plan Name: **LOT LINE ADJUSTMENT PLAN**  
MAP 95, LOT 67 & MAP 82, LOT 16

Project: **LINDEN COMMONS SUBDIVISION & BREEN**  
63 LINDEN STREET, EXETER, NH

Owner of Record: **3 PENSTOCK WAY, NEWMARKET, NH & 63 LINDEN STREET, EXETER, NH**

DRAWING No.

**A1**

SHEET 1 OF 2  
JBE PROJECT NO. 07081



Kristen Murphy <kmurphy@exeternh.gov>

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## Forest Management Schedule and Budget

1 message

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**Don J Briselden** <briseldens@live.com>

Thu, Apr 9, 2015 at 10:57 AM

To: Jason Gregoire <jay.gregoire@gmail.com>, Kristen Murphy <kmurphy@exeternh.gov>, Alyson L Eberhardt <alysone@wildcats.unh.edu>, Cynthia and Mike Field <field3@att.net>, Peter Richardson <richardson\_pete@yahoo.com>, Ginny Raub <coreyraub@comcast.net>, Carlos Guindon <cguindon@comcast.net>, "Campbell, William E." <wcampbell@exeter.edu>, Maggie Matick <maggie15619@yahoo.com>, "nbelanger@exeternh.edu" <nbelanger@exeternh.edu>, Kevin Keaveney <kevinkeaveney@comcast.net>, Sarah McGraw <sarah.mary89@gmail.com>

To Conservation Commission:

I cannot attend the April 14th meeting being away for awhile so I am sending this note.

As we discussed at the March Con Com meeting, Kristen and I have prepared a draft Forest Management Plan budget and time line (both attached) based on the information received from Charlie Morino. attached are Charlie's proposed contracts for invasive treatment and for the logging operations.

The budget portrays the FMP expense and revenue possibilities.

- The invasive treatment work is included as an estimated allowance, the actual figures will need to be acquired as part of Charlies contract work.
- Charlie has estimated the logging revenue in the range of \$15,000 to \$20,000. However, it could be less
- Thus the net proceeds range--as shown in the budget-- could run from a downside risk of negative -\$2,800 assuming \$15,000 in revenues to a net gain of \$2,200.

Kristen recommends that we utilize the following amounts and budget line items.

- Interns (Temp Sal/Wages) \$3024
- Contract Services \$1450
- Conservation Land Admin \$500
- Trail Mgmt & Maint \$400 (leaving \$200 ?? for emergency repairs if needed)

That would total \$5374. \$1426 remaining, to come up to the \$6,800 needed, could potentially come from what little is left in the Conservation Fund. We have \$1400 in there that we have received from LCHIP as reimbursement for monitoring our properties. The budget labels this "restricted" but there really is no true restriction on what it can be spent on. The \$26 we can make up for in the FICA/Medicare line items.

There are other some additional thoughts and suggestions.

- If all goes well, the FMP could have a positive financial outcome. However, as shown in the budget there is a downside risk of perhaps \$2,800; or more if the \$15,000 in revenue does not materialize. The Con Com needs to carefully consider the decision to go forward and consider options for limiting the expenses.
- Charlie's contract includes assistance for outreach to the community. However, assistance from the Con Com will be needed in writing, publishing and posting outreach information. Perhaps the Outreach Committee could provide that assistance.
- Both the invasive treatment phases as well as the logging operation phases will require Con Com participation in terms of community awareness and outreach but also contract oversight and compliance. Kristen will be available as a resource for that purpose but will need Con Com member assistance for frequent on site verification of the contract operations, environmental impact oversight, and contract quantity verification and contract specification compliance.
- If the Con Com decides to proceed with the contracts it also must commit to being involved in the due diligence and compliance aspects to insure a successful outcome.
- That successful outcome will also depend upon how the Con Com organizes a process for providing the oversight; ie who, what and when. So, I suggest forming a Con Com Oversight Committee. The oversight process should be developed in consultation with Charlie Marino.

Thanks and have a productive meeting.

Don

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**3 attachments**



**2015 Forest Harvest Schedule Rev 1.xlsx**

14K



**Con Com FMP Budget.xlsx**

11K



**Exeter Town Forest Forestry Proposals.pdf**

1920K



Month	Year	Activity	Lead	Potential costs	Revenue	Status
January	2015	ConCom meeting - Initial approval to move forward ConCom Meeting: Draft contract, discuss project budget including any upfront costs needed for access work, landings, invasive spp treatment possibly 3-5K or any upfront costs for	Don B			Complete
14-Apr	2015	Brief Russ Dean on schedule and query for comm with BOS	Don B., Kristen			
20-Apr	2015	Forest Improvement Contract with Charlie	Don B., Kristen	\$8,500 (post harvest)		
Late April	2015	Invasive Treatment Oversight Contract, obtain bids	Charlie	\$2,300 (pre-harvest)		
Late April - Early May	2015	Invasive treatment contract, book treatment schedule for invasives, obtain permits (contractor)	Charlie/Town	Estimate \$4,000 (amt TBD) - (Pre- harvest/post-harvest)	NRCS Grant Potential	
Late April	2015	Develop outreach plan that includes publicity, notices, meetings, signs and postings, etc	Outreach Committee (who?) Jay & Outreach			
Early May	2015	Meet with the trails committee & NEMBA Publish an open meeting for information and discussion with stakeholders and forest users.	Outreach Committee Kristen & Oversight Com			
Early May	2015	Begin Invasive Treatment in MA 2	Outreach Committee			
Late May	2015	Host a forest plan site walk for the public showing areas prev logged/date, and future sites				
May-June	2015	Select Logger (bids?), obtains permits, finalize contract. Meet with TM and brief BOS prior to commencement of work.	Charlie			
May-June	2015	Lay out harvest trail	Com Con (who?) Charlie			
July	2015	Public walk of harvest plan				
July	2015	Road improvements, gravel, culvert? May depend on logging Co	Charlie, Logging Co	\$3,500 materials (pre-harvest)		
July - Sept	2015	Harvest begins in MA 2 now through Sept. Progress reports from Charlie regularly, A ConCom member should provide frequent monitoring	Charlie, KM & Oversight Kristen & Charlie		\$15,000 - 20,000	
Sept/Oct	2015	Begin prep for winter harvest in MA 1				
Fall	2016	Follow-up invasive treatment for MA 2 and initial treatment for MA1	Charlie			
Late Fall	2015	Host a forest plan site walk for the public showing areas logged in summer and future sites	Outreach Committee			
Winter	2015-2016	Harvest begins in MA 1 thru winter	Charlie Oversight - new contract? KM & Oversight			

Con Com Town Forest Management Plan Budget									
Action Item	Initiative Expenses*	Deferred Expenses *	Comment						
<b>Invasive Treatment</b>									
Moreno Contract Treatment	\$ 2,300.00	\$ 2,500.00	Allowance +/-						
<b>Logging Operations</b>									
Moreno Contract Road Upgrade	\$ 3,500.00	\$ 8,500.00							
<b>Other</b>									
Outreach	\$ 500.00								
Misc	\$ 500.00								
Subtotal	\$ 6,800.00	\$ 11,000.00		\$ (17,800.00)					
<b>Revenue</b>									
		\$ 15,000.00	\$15 to \$20K range						
<b>Net Proceeds</b>									
		\$ (2,800.00)	(\$2,800) to \$2,200						
Initiative Expenses--Those needed to fund FMP--from Com Con budget									
Deferred Expenses--Those that will be recovered from logging proceeds									

Charles Moreno, LPF  
Consulting Forester  
PO Box 60  
Center Strafford, NH 03815

## PROFESSIONAL WORK AGREEMENT

March 9, 2015

**Landowner:**  
Town of Exeter  
Exeter Conservation Commission  
Attn: Jason Gregoire, Chair  
10 Front Street  
Exeter, NH 03833

**Job:** Project Management for Forest Improvement Harvest  
(Implementation of Oct 2011 Forest Management Plan)

**Location:** Area #2, 60± acres, covering the southwestern section of the 240.5± acre Henderson-Swasey Town Forest which is located on the northwest side of Newfields Road in Exeter, New Hampshire. Exeter Tax Map Lots: 39-2, 39-3, 40-13, and 49-8.

### Project Task Description:

#### I. Preparation of Forest Harvest

- a) *Field location and demarcation* (painting or flagging) of *property lines*.
- b) *Access logistics*: >Road reconnaissance, assessment of needed improvements.  
>Contact with gas line company for specifications of gas line crossing.
- c) *Selection and marking* of trees to harvest for forest improvement and habitat management, in accordance with forest management plan.
- d) *Volume measurement* and summary of sawtimber marked for harvest.
- e) Preparation of *harvest permits*: Intent-to-cut and Wetlands Notification (logger must submit and be responsible for compliance both permits).

#### II. Administration of Forest Harvest:

- a) *Project bid preparation*: Prepare bid forms, harvest specifications. Contact potential bidders.
- b) *Showing(s)* of operation to harvest contractors; solicitation of bids; meeting to open & review bids.
- c) Negotiation and preparation of *logging contract*.
- d) *Supervision* of harvest operation.
- e) *Cost/revenue accounting*.
- f) *Communications* with Exeter Conservation Commission or other town representative(s).

### Professional Service Fees: (Projected cost \$7,800±)

Moreno Forestry Associates personnel, NH Licensed Professional Foresters (LPF)  
Charles Moreno and Gregory Jordan @ \$75/hr.

**Part I:** Projected as 45± hours, with \$275± materials (paint). Total projected cost: \$3,650±.

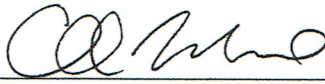
**Part II:** Projected as 55± hours. Total projected cost: \$4125±.

### Service Quotation and Conditions:

- I. Project cost is not to exceed \$8,500 without explanation to, and authorization by, the Conservation Commission or Board of Selectmen
- II. Billing for Harvest Preparation and Administration, Part I and II, to be made at the time of the logging operation, when stumpage payments are received from logger or mill, unless harvest operation is delayed more than 6 months, in which case, billing for preparation time will be submitted to the Town.
- III. Logger/sawmill stumpage payments will be supervised by Charles Moreno, via an escrow account. Charles Moreno will deduct above quoted fees and send stumpage balance to Landowner (Town), with full accounting.
- IV. Stumpage revenue received by Landowner (Town) will be dependent on types of forest products, timber volume harvested, and price received for timber.
- V. The Landowner (Town) will reimburse Charles Moreno for professional time spent on this project if the Landowner (Town) decides to cancel or postpone project after professional services have been initiated.

### Acceptance Signatures:

\_\_\_\_\_  
Authorized Town Official/Representative Date  
Exeter, New Hampshire

  
\_\_\_\_\_  
Charles Moreno, LPF Date  
Consulting Forester, Center Strafford, NH 03815

Charles Moreno, LPF  
Consulting Forester  
PO Box 60  
Center Strafford, NH 03815

## PROFESSIONAL WORK AGREEMENT

March 9, 2015

**Landowner:**  
Town of Exeter  
Exeter Conservation Commission  
Attn: Jason Gregoire, Chair  
10 Front Street  
Exeter, NH 03833

**Job:** Project Management for Invasive Plant Control  
(Implementation of Oct 2011 Forest Management Plan)

**Location:** Affected sections of Areas #1 and #2, covering the southern half of the 240.5± acre Henderson-Swasey Town Forest located on the northwest side of Newfields Road in Exeter, New Hampshire. Exeter Tax Map Lots: 39-2, 39-3, 40-13, and 49-8.

### Project Task Description:

#### I. Project Management for Invasive Plant Control:

- a) *Research* potential contractors.
- b) *Contact* contractors and schedule project showings. Solicit project quotes (on per/acre treatment basis).
- c) *Work with Conservation Commission to select contractor, budget area to be covered.*
- d) *Contract* (typically provided by contractor) *review.*
- e) *Contractor contact*, to insure they perform project on scheduled dates.
- f) *Demarcate* (with flagging) perimeter of treatment areas.
- g) *GPS* acreage of treatment areas.
- h) *Project supervision.*
- i) *Communications/meetings* with Exeter Conservation Commission or other town representative(s).

### Professional Service Fees: (Projected cost \$1,900±)

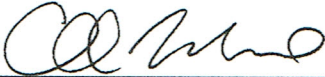
Moreno Forestry Associates personnel, NH Licensed Professional Foresters (LPF)  
Charles Moreno and Gregory Jordan @ \$75/hr.  
Projected as 25± hours, with \$25± materials. Total projected cost: \$1,900±.

### Service Quotation and Conditions:

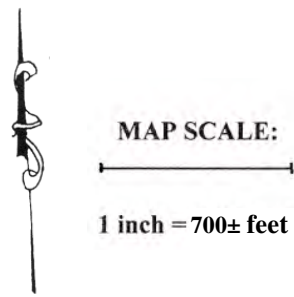
- I. Project cost is not to exceed \$2,300 without explanation to, and authorization by, the Conservation Commission or Board of Selectmen
- II. Billing to be made incrementally or at completion of project.
- III. Project time frame: April through October 2015.
- IV. Deviation from above outlined project tasks, or additional requested project tasks, will be billed according to the quoted hourly rate.

### Acceptance Signatures:

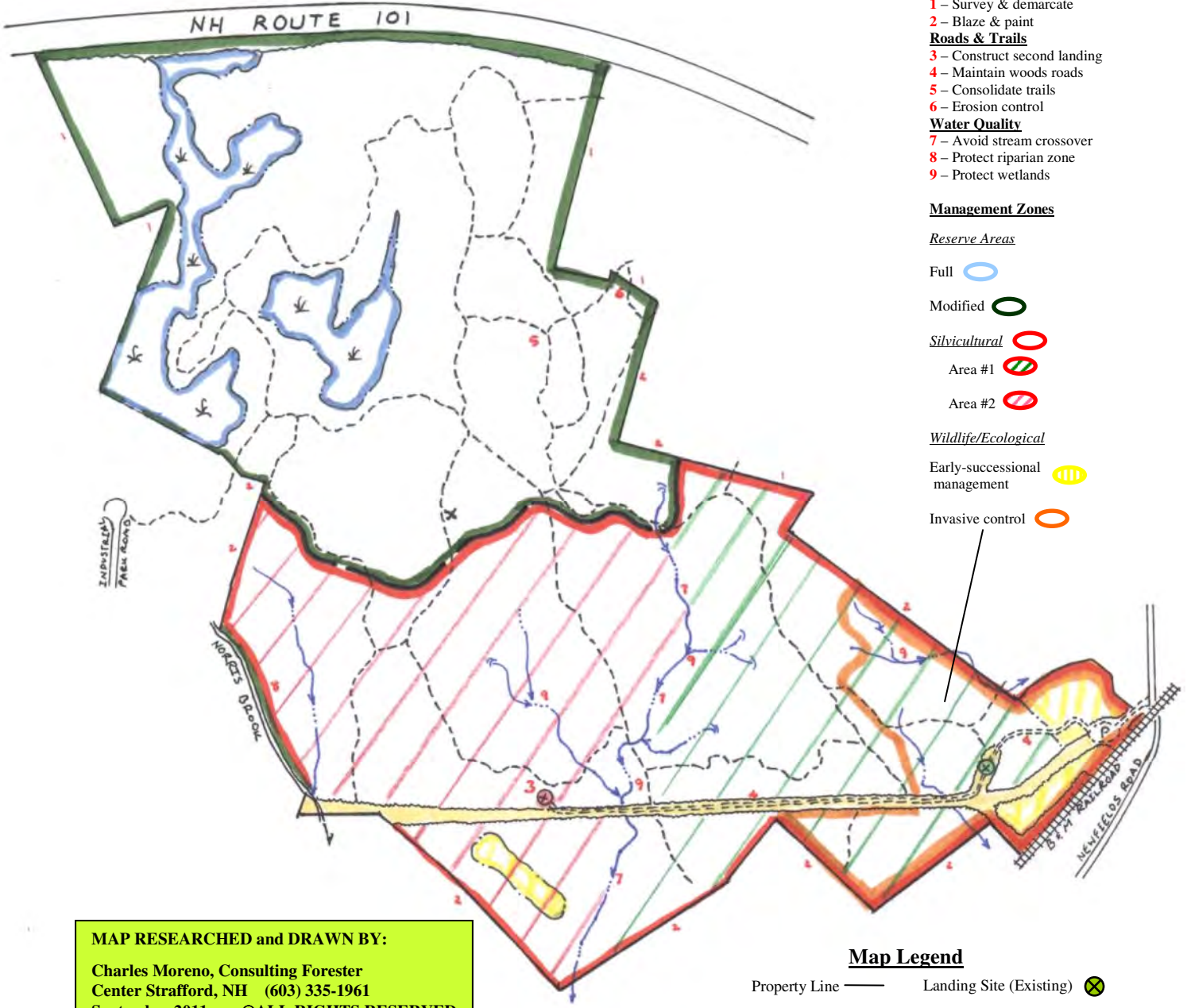
\_\_\_\_\_  
Authorized Town Official/Representative      Date  
Exeter, New Hampshire

  
\_\_\_\_\_  
Charles Moreno, LPF      3/9/15  
Consulting Forester, Center Strafford, NH 03815      Date

Map of the  
**HENDERSON-SWASEY  
 TOWN FOREST**  
 Exeter, New Hampshire  
 240.5± acres



**SHOWING MANAGEMENT  
 RECOMMENDATIONS**  
*Including Management Zones*



**Recommendations Key**

**Bounds**

- 1 - Survey & demarcate
- 2 - Blaze & paint

**Roads & Trails**

- 3 - Construct second landing
- 4 - Maintain woods roads
- 5 - Consolidate trails
- 6 - Erosion control

**Water Quality**

- 7 - Avoid stream crossover
- 8 - Protect riparian zone
- 9 - Protect wetlands

**Management Zones**

*Reserve Areas*

- Full
- Modified

*Silvicultural*

- Area #1
- Area #2

*Wildlife/Ecological*

- Early-successional management
- Invasive control

**MAP RESEARCHED and DRAWN BY:**  
 Charles Moreno, Consulting Forester  
 Center Strafford, NH (603) 335-1961  
 September 2011 ©ALL RIGHTS RESERVED

**MAP REFERENCES:**  
 Aerial Photos: USGS 1998; and NHDOT high resolution 2011 orthophotograph.  
 Property Reconnaissance:  
 Charles Moreno, Consulting Forester, May-Sept 2011.  
 Reference Survey:  
 > "Henderson-Swasey Park, Exeter, N.H.", by Roger P. Sloan, 4/30/73. RCRD #D-4046.

**Map Legend**

- Property Line
- Parking Area **P**
- Woods Road
- Trail
- Tree Line
- Landing Site (Existing)
- Landing Site (Proposed)
- Fort Rock
- Marsh/Scrub-Shrub Swamp
- Seasonal Stream

Draft Minutes  
Exeter Conservation Commission  
March 10, 2015

**Call to Order**

The meeting convened at 7:03 pm in the Nowak Room of the Exeter Town Offices on the above date.

1. MEMBERS PRESENT: Don Briselden, Maggie Matick, Pete Richardson, Ginny Raub, Mike Field, Cynthia Field, Alyson Eberhardt, Jay Gregoire (Chair) STAFF PRESENT: Kristen Murphy (Natural Resource Planner), Sarah McGraw (Recording Secretary)

2. Public Comment: Comments made after action item #1.

**Action Items**

**1. Standard Dredge and Fill for site development at 156 Epping Road to remediate unpermitted wetland impacts. Tax Map and Lot 47/01**

Michael Juliano of Eaglebrook Engineering & Survey LLC described the restoration and development project for the site that had been brought to the ECC at the last meeting in February. Mr. Juliano discussed the storm water treatment of the site. Patrick Seekamp of Seekamp consulting described in detail the planting plan for the remediation including hydraulic flow of the site, native plants to be seeded and the monitoring of the site throughout the process.

**Board Comments:**

Ms. Raub asked if the berm was constructed or existing. Mr. Juliano responded it had been an existing berm. Ms. Raub was concerned the berm would cause standing water. Mr. Juliano replied that the berm was porous.

Mr. Richardson asked about how water flows through this property from the adjacent lands. Mr. Seekamp said wetland impacted provided an intermittent flow connection through the area. Mr. Richardson for the timeline of the project. Mr. Juliano said it would take 4-6 weeks with the plan to start in early fall. Mr. Seekamp said they may start planting native species in the middle of June. Mr. Richardson further asked about the building addition.. Mr. Juliano said the building was not increasing in surface area. Mr. Richardson asked about the existing drain and if it would connect to the created pond. It was clarified the existing parking area will be captured in that drain through catchbasins and carry water south of the property, the new parking area would be picked up by the stormwater quality swale and tree box filters into the constructed pond. In relation to a question asked about the road crossing shown on the plan. Mr. Juliano said there were no plans at this point but there is a possibility to do so in the future and they would need to come back at that point. Mr. Richardson asked about the 40' and 25' buffer. Juliano noted the water quality swale and tree box filters were beyond the 25' wetland buffer. .

Ms. Eberhardt inquired about whether the functions and values of the impacted wetland are retained in the proposed wetland. Mr. Seekamp explained based on wetlands that have not been disturbed, the wetlands are narrow and run through woods in a dense canopy of pine, hemlock and hickory. Mr. Seekamp explained further that the wooded wetland swale has high functions with

evidence of logging. There is also bird habitat where there is a mature canopy. Mr. Seekamp said the wetland discharges in the spring and recharges in the fall. He confirmed there was no evidence yet of rare species and added the intent of remediation was to bring the functions of the wetlands back to the area. Mr. Seekamp added, with two to three site visits he has only begun to look at the soil profile.

Mr. Seekamp said that the Applicant has filed with the New Hampshire Department of Environmental Services and talked with the ECC in an informal way. The Applicant was looking for an endorsement from the ECC for the replacement of the wetlands that were lost.

Mr. Richardson asked them to clarify whether the buffer will remain undisturbed.

Ms. Raub asked about how large the new parking area would be. Mr. Juliano said about 22,000 square feet (0.5 acres).

Ms. Eberhardt inquired about why there was a proposed vehicle crossing when the alternative of not restoring the wetland in place was to avoid a crossing. Mr. Seekamp replied that the owner did not wish to have one of his sites landlocked but if there was intent to build a crossing a separate application would have to be filed with NHDES.

Mr. Briselden shared the same concern but noted on plan C-2 states it was for information only. He suggested if the Commission approved this it would be noted that we are not endorsing the crossing. The Commission has not agreed to the crossing as part of this resolution.

Mr. Gregoire moved to endorse the remediation with the caveat that the proposed vehicle access is information only.

Ms. Eberhardt asked to table the motion and asked to clarify if there were resources set aside for further monitoring after the project is complete. Mr. Seekamp said it is a condition of the permit issued is the success of the remediation. New Hampshire requires five years of monitoring after a completed project. Mr. Richardson asked if monitoring reports come to the town. Ms. Murphy added that through the wetland remediation process we typically receive reports on the monitoring.

*Without further discussion Mr. Richardson seconded the motion made by Mr. Gregoire. VOTE: Unanimous*

Ms. Eileen Flockhart of 62 Park Court, reported to the ECC her progress made from the last meeting on the tree planting project. She said she had talked to neighbors and other residents about it and she received positive comments and further contacts to get in touch with.

## **2. Introduction to the application for Tuck Woods and Squire place at 80 Epping Road.**

Upon request of the applicant this item was removed from the agenda.

## **3. Committee Reports**

**a. Trails:** Mr. Gregoire said he was planning the next meeting and they will be discussing re-blazing trails. Ms. Murphy added that the New England Mountain Biking Association Memorandum of Understanding was recommended to the Board of Selectman for the MOU to be signed. Ms. Murphy said there were minor edits and that the insurance certificate was in the works.

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

Ms. Eberhardt commented that there was a large amount of dog feces left on the Henderson-Swasey trails.

Ms. Murphy reported the Swim and Racket club wish to maintain access to the trails outside their building. Mr. Richardson commented that the right of way access differed from where the trail was located.

#### **b. Outreach**

Mr. Gregoire announced that the Rayne's Snowshoe event had a very good turnout. Ms. Murphy said there were 66 + attendees. Mr. Briselden said that the area is building a constituency. He made a suggestion for next year to have organized groups with designated leaders. Mr. Gregoire gave credit to Ben Anderson for creating this year's flyer. Ms. Raub suggested using the website Meet Up.

Ms. Eberhardt added for next time putting copies of trail maps in the barn and possibly having volunteers answer questions in the barn.

Mr. Briselden said he had sent copies of the Rayne's Barn Development Plan to the ECC members. He reported CLD Engineers had rescheduled a meeting to give a proposal.

#### **c. Forest Management Plan**

Ms. Murphy reported that Charlie Moreno had responded with two work agreements. A summer harvest is in the works and Mr. Moreno will come back with concrete numbers. Mr. Briselden said there will be an estimated \$ 15,000 and \$20,000 in revenue. He said that the ECC can start with the invasive species.

### **4. Approval of Minutes: February 10, 2015**

*Mr. Richardson motioned to approve the minutes as amended, second by Ms. Field. VOTE: Unanimous*

### **5. Natural Resource Planner's Report and Correspondence**

Ms. Murphy passed out a copy of the publication Forest Notes and a reminder for the Saving Special Places Conference. Ms. Murphy requested an expense of \$205.00 for the spring tree program with Peter Waltz for the fifth graders.

*Ms. Raub motioned to approve the expense of \$205.00 for the spring tree program, second by Ms. Eberhardt. VOTE: Unanimous*

Ms. Murphy made a request for the expense of \$572.00 up from \$520.00 for membership in the New Hampshire Association of Conservation Commissions.

Mr. Gregoire said he supported the membership renewal.

*Mr. Gregoire made a motion to approve the expense of \$572.00 for the membership renewal with the New Hampshire Association of Conservation Commissions, second by Mr. Briselden. VOTE: Unanimous.*



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

Ms. Murphy added that last year the ECC had offset the cost of rain barrels sold by ECC. Last year 27 barrels were sold. Ms. Raub suggested demonstrating rain barrels at the farmer's market. Mr. Gregoire commented that he did not wish to subsidize the cost of the barrels for this year. Mr. Briselden agreed and commented there were upcoming expenses.

Ms. Murphy reported the Natural Resource Conservation Service suggests having landowners sign a Compatible Use Authorization form. Mr. Briselden suggested talking to Dwayne Hyde from the South East Land Trust.

Mr. Richardson made a comment on engaging teenagers for a trail crew. There were similar trail crews throughout New Hampshire and with the Student Conservation Association. Ms. Eberhardt said she knew someone with the Acton-Wakefield Watershed Alliance that does a trail crew.

**7. Next Meeting:** April 14<sup>th</sup> , 2015 7:00 pm

Ms. Eberhardt motioned to adjourn the meeting, second by Mr. Richardson. VOTE: Unanimous

The meeting was adjourned at 8: 42 pm.

Respectfully Submitted,

Sarah McGraw