

These minutes are subject to possible correction/revision at a subsequent Exeter Conservation Commission meeting

Draft Minutes  
Exeter Conservation Commission  
August 11, 2015

**Call to Order**

The meeting convened at 7:00 pm in the Nowak Room of the Exeter Town Offices on the above date.

1. **MEMBERS PRESENT:** Alyson Eberhardt, Don Briselden, Ginny Raub (Acting Chair), Cynthia Field, Bill Campbell, Nancy Belanger (BOS Rep)
2. **Public Comment:** None

**Action Items**

**1. Standard Dredge and Fill for a driveway crossing on Powdermill Road (Map 102, Lot 7)**

Spencer Tate with Meridian Land Services, representing Maverick Development Corporation, described the site and the dredge and fill permit. He explained the land as early successional agricultural land and palustrine wetland that bisects the lot. There will be a driveway constructed running through a wet meadow to the buildable lot with four culverts installed to divert runoff away from the driveway.

COMMISSION COMMENTS

Ms. Eberhardt asked if there would be wildlife crossings along the culverts. Mr. Tate confirmed that there were.

Mr. Tate also said that 5,550 square feet would be impacted by the project and wetlands are beyond the scope of work. A permit has been submitted to New Hampshire Department of Environmental Services (NHDES) and the project will go before the planning board.

Ms. Belanger said that she knew flooding occurred where the driveway is projected and said there was a river near the property with an oxbow shape. Mr. Tate replied there were no plans to change the hydrology of the land to accommodate for flooding. Mr. Campbell asked how high the driveway would be. Mr. Tate said that the culverts would be 3 feet above the surrounding grade.

PUBLIC COMMENT:

Michele Berke, Exeter resident, commented that she noticed the runoff from Kingston Road to the river. Ms. Berke asked if there were plans to mitigate for any wetland loss. Mr. Tate replied that while some wet meadow will be impacted, there is enough wet meadow left to retain sediment from runoff. Ms. Berke followed up by asking if there had been any studies conducted

on the sediment running off of the impacted area. Mr. Tate said no studies were completed. He also said that the soil on the impacted area is tight with wetlands beyond the scope of work.

Ms. Raub asked what the Planning Board wanted to see from the applicant. Mr. Tate said that although he does not know exactly what to expect from the Planning Board in regards to comments, he knows they will want to see that the applicant is following state regulations.

Mr. Campbell asked how water would cross the road. Ms. Berke inquired about any studies completed about the sediment runoff. Ms. Berke said that she assumed a culvert aided the runoff to the other side of the road. Ms. Berke reiterated that she was concerned about silt running into the river.

Steve Febonio, owner, Maverick Development Corp LLC, said that the intent was to impose the least impact to gain access to the property. Mr. Febonio said that erosion control will be applied, and the impacted area reseeded and stabilized.

Ms. Raub inquired about nitrates and fertilizers applied to the property. Mr. Febonio said he could not speak for the homeowner but based on working with them, he thinks that they will be aware of fertilizer application. Ms. Eberhardt commented that said she was concerned about the type of paving material being used. Mr. Briselden also expressed concerns about pavement material and the width of the culverts. Mr. Tate said that the 12 inch pipes are the correct size for the anticipated water flow.

*Mr. Briselden motioned to interject no objection to the Planning Board but recommend that the Applicant look carefully at the surface material on the driveway, second by Mr. Campbell. VOTE: Unanimous*

Agenda item # 3 was moved ahead of the agenda item #2.

## **2. Conditional Use Permit for 4 Storage Warehouse Buildings at 4 Commerce Way (Map 48, Lot 4)**

Jonathan Ring with Jones and Beach Engineers, representing the applicant, Mark King, described the proposed project. The 6.14 acre lot is proposed for behind the Rinks of Exeter as a mini storage facility and 4 buildings. A brook behind the property has yet to be correctly identified as the tax map shows Watson Brook and the USGS indicates Norse Brook. There is no wetland impact affected by the property but there is a 150 foot shore land protection district that the property impacts which triggered the Conditional Use Permit. Mr. Ring explained the impacts of the property and erosion control applied along with the Alteration of Terrain Permit. Mr. Ring said that the applicant is looking for a Conservation Commission recommendation to the Planning Board.

Ms. Eberhardt asked if the 14,000 feet of impact included the gravel driveway. Mr. Ring confirmed that it was part of the amount impacted.

Ms. Raub asked if there would be steep grading existent. Mr. Ring said the property slopes down and some of the land will have to be flattened with the fill going into the detention pond.

Jim Gove with Gove Environmental Services spoke on the natural resources. Mr. Gove said the site is incredibly rocky. Mr. Gove showed pictures of the property. There are no wetlands associated with the perennial brook present. The discharge will run through the boulder field.

Mr. Briselden commented that the sloped area and its runoff will not make it to the retention pond. Mr. Ring said that there will curbing and gutters to bring the runoff down. Mr. Briselden asked about the retention pond and reseeding the impacted area. Mr. Ring said there would be a wetland grass mix.

Ms. Raub asked about the added driveway and will it change what is actually on the plans. Mr. Ring said that any changes will be seen on the new plans. Mr. Ring read the Conditional Use Permit letter into the record. Mr. Ring said the proposed project will go before the Planning Board on August 27, 2015. Ms. Raub asked what would be stored in the storage units. Mr. King said that normal household items would be stored and there are restrictions as to what can be stored.

*Mr. Campbell motioned to notify to the Planning Board that there are no objections to the project, second by Mr. Briselden. VOTE: Unanimous*

#### **4. Project Introduction/ Overview by Tuck Realty Corp for Mixed Use Facilities at 80 Epping Road (Map 55, Lot 3)**

Jonathan Ring, of Jones and Beach Engineers explained the property as 16.62 acres on 80 Epping Road with the access driveway across from The Meeting Place. There are 5 buildings proposed and a foot print of 9,000 square feet. The property would be tied into the municipal water and sewer system. Mr. Ring addressed the plan development schedule. Along with the property, a 9.1 acre conservation easement is proposed. A joint site walk is proposed for the Planning Board and Conservation Commission on August 31, 2015. Mr. Ring said that after meeting with the Technical Review Committee, the plans submitted for the Conservation Commission had changed. Mr. Campbell commented that the proposed conservation area was not attached to public access. Ms. Belanger asked if they could see the language of the conservation easement.

Mr. Gove described the site in detail. He noted historic agricultural activity, and small wetland impact. There is no cultural heritage present. A vernal pool had been identified by the presence of fairy shrimp and egg masses. Mr. Gove said that in recent years these pools have dried up before the egg masses could hatch. In a letter dated June 16, 2015 the Rockingham County Conservation District, outlined some suggestions from working session that resulted in plan changes. Mr. Gove explained that the man-made ponds may be used instead of the detention ponds.

Ms. Belanger asked about public access to trails. Mr. Ring said that there would be sidewalk access. Mr. Briselden asked if the items on the Rockingham County Conservation District letter resolved. Mr. Gove said that the items were resolved and discussed the answered.

Ms. Raub commented on the amount of people occupying the property and size of disturbance beyond the 150 foot buffer and related parking spaces. Mr. Campbell noted the lack of recreational space.

Mr. Ring said they will talk to the Planning Board about Shore land protection. A site walk was set up for Tuesday September 31, 2015 at 5:00 pm.

Mr. Ring said he will send a memo to the Planning Board with Conservation Commission recommendations.

#### **5. By-laws Review – Articles I-V.**

Ms. Raub suggested tabling the bylaws discussion because of the late hour but inquired about the unexcused absences question. Ms. Belanger said that the Board of Selectmen representation is not included in the membership.

#### **6. Zoning Amendment Inquiry from Planning Board Chair**

Ms. Raub said the Conservation Commission received a letter from the Planning Board asking for proposed zoning amendment changes.

**7. Committee Reports:** None were brought forward

#### **8. Approval of Minutes: July 14th, 2015**

The minutes of July 14<sup>th</sup>, 2015 were tabled until the next meeting.

#### **9. Treasurers Report**

Ms. Raub said that the Chair had requested an explanation of restricted funds but will table the discussion until he is present at the next meeting.

#### **10. Correspondence**

Mr. Raub referred to the Meeting Place letter received but said that there was no urgency.

#### **11. Natural Resource Planner's Report**

Ms. Murphy was not present.

#### **12. Other Business**

Mr. Briselden referred to a request from Ben Anderson, organizer for Arts in the Park in Portsmouth, about the use of the Rayne's Barn for performances. Mr. Briselden expressed that

the use fits with what he would like to see for the barn but would like to first meet with Ben to get more details on logistics. Ms. Eberhardt agreed that more research should be done.

Ms. Raub asked for permission to expend \$130 for painting the doors of the Rayne's Barn.

Mr. Briselden moved to expend \$130 for the Rayne's Barn, second by Ms. Eberhardt. VOTE:  
Unanimous

The public meeting was adjourned at 9:05 pm.

**Non Public Session**

Nonpublic session pursuant to RSA 91-A: 3, II (d) for the consideration of the acquisition, sale, or lease of real or personal property

Mr. Briselden moved to enter into non-public session at 9:06 pm, second by Mr. Campbell.  
Rollcall: 6 yays 0 Nays.

Respectfully Submitted

Sarah McGraw