

TOWN OF EXETER, NEW HAMPSHIRE

10 FRONT STREET • EXETER, NH • 03833-3792 • (603) 778-0591 •FAX 772-4709 <u>www.exeternh.gov</u>

PUBLIC NOTICE EXETER CONSERVATION COMMISSION

The Exeter Conservation Commission will meet in the Nowak Room of the Town Office Building, Exeter on Tuesday, February 2nd, 2016 at 7:00 P.M.

Call to Order:

- 1. Introduction of Members Present
- 2. Public Comment

Action Items

- 1. Request for Conducting Tours/Rentals in Town Forest (Cecil Ables)
- 2. Event Agreement Orienteering Program February 13th (Adam Mangan)
- 3. Expedited Minimum Impact Dredge and Fill Application for the Construction of a Concrete Pad and Enclosure for a New Cooling Tower at 10 Chestnut Street, Tax Map 64/Lot 51 (*Mike Wynkoop, Jim Gove*)
- 4. Rehabilitation of the String Bridge on both sides of Kimball Island (*Jennifer Mates DPW*, *Kimberly Peace HTA*)
- 5. Committee Reports
 - a. Property Management
 - i. Timber Harvest Update
 - ii. Raynes Farm Signage
 - iii. Trails Sign Estimate
 - *b*. Trails
 - c. Outreach
 - i. Raynes Farm Full Moon Snowshoe Planning
- 6. Treasurers Report
- 7. Approval of Minutes: January 12th, 2015
- 8. Correspondence
 - a. Request to Oppose Bobcat Legislation
- 9. Other Business
- 10. Next Meeting: Date and Agenda Items

Work Session

2016 Work Plan Development

Jay Gregoire, Chair

Exeter Conservation Commission

January 28th, 2016 Exeter Town Office, Exeter Public Library, and Town Departments.

TOWN OF EXETER PLANNING DEPARTMENT MEMORANDUM

Date: January 29th, 2016

To: Conservation Commission Board Members
From: Kristen Murphy, Natural Resource Planner
Subject: Feb 2nd Conservation Commission Meeting

Event Agreement - Orienteering in Oaklands Town Forest

Event application is in your packet. 18 participants expected. They will be shuttled to the site. Event will be limited to the Oaklands Town Forest so no conflict with logging activities.

Recommendation: Approve as proposed.

10 Chestnut Street Water Cooling Tower

Received by Town Clerk: *N/A: Expedited Request. Document comes to CC before Town Clerk* 40 Day NHDES Response Deadline:

The project involves 238 sq ft of impact to previously developed upland tidal buffer zone for the installation of a pad to support a new cooling tower.

Wetland Application Review

- Application included items in "Required Information" check list
- Wetland application appears to be filled out accurately and appears to meet the Minimum Impact Expedited Review Criteria
- NH Fish and Game had no concerns. NHB recommended survey for spongy leaf arrow-head but described habitat as the brackish marsh area. The project is proposed for within the existing lawn area.

Town Application Review

Project requires Site Plan Review and Conditional Use Permit –Shoreland District from the Planning Board. The applicant was before the Planning Board on October 22nd with the location proposed for the SE corner of their property on Chestnut Street. Based on abutter concerns, alternative locations were considered. No TRC was scheduled for this project.

Points for Consideration:

Project is located within existing lawn and therefore will not impact the existing shoreland buffer.

Recommendation:

Should you concur with the applicant's statements regarding the need for the project, that the proposal is the alternative with the least adverse impacts given the constraints, and that construction will not impact the brackish marsh area, I recommend signing the expedited application at the meeting, no memo to NHDES required.

Should you concur with the applicant's response to Conditional Use Permit criteria, I recommend sending a memo supporting the CUP application to the Planning Board.

String Bridge Repair

Wetland Application Review

- Application included items in "Required Information" check list
- Wetland application and 20 Questions document appears to be filled out accurately
- Project will not impact mudflats so NHB does not have concerns over spongy leaved arrow-head impacts. Applicant met early with NHFG and altered project timing so activity will not impact marine or anadromous fish.

Town Application Review

Project was reviewed by Exeter HDC in October. No other town board review is required.

Points for Consideration:

Project will be conducted in two phases working each side of Kimball Island separately. During this time water will be redirected outside of the project area. In addition timing of project is planned to further avoid impacts to anadromous and marine fish species.

Recommendation:

Should you concur with the applicant's response to Attachment A. 20 Questions, I recommend sending a letter of no objection to the project as presented to NH DES.

Timber Harvest Update:

You have been getting updates all along but it would be good to do on camera for the public.

Raynes Farm Signage

Packet includes draft sign and correspondence w/ police and Town Manager. This is not a new problem and we have discussed this in the past. Draft sign is 12x18 aluminum.

Recommendation: Approve the expenditure of up to \$45 for purchase of this custom sign from the Conservation Land Administration account.

Sign Estimate:

Jason Fritz (NEMBA trail patrol rep) said his father is a woodworker. I took the liberty of obtaining an estimate. See email from Larry Fritz in packet.

Recommendation: Discuss sign design further with the White family to see if costs can be reduced.

Full Moon Snowshoe:

Full moon is Monday Feb 22. Ideal date for walk with moonlight would be the prior Saturday the 20th. Moon rises at 2:35PM Friday and then an hour later each day so 3:35PM Sat, 4:35 PM...etc. I am out of town from the 20th – the 27th so I will not be able to assist day of but can still help with coordination prior to the 20th. Support tasks from the group could include help with posting signs at Raynes before, parking assistance evening of, someone to break trail before the event, refreshments prep and serving, welcoming remarks, leading the event and clean up. I can help with a flyer and advertising and will notify DPW and PD so they are aware of the event for plowing or traffic concerns.

Recommendation: Determine if/when the event will be and identify leads for various activities.

Bobcat Legislation:

Discussed at last meeting but Commission wanted time to do your own research. Written comments being accepted by NHFG until Feb 10th. Packet again includes the letter from Stoddard CC as well as letter of opposition prepared for you, should you agree to oppose.

Here is a link to an Op-Ed sent along by the Stoddard CC:

http://www.sentinelsource.com/opinion/columnists/guest/tell-fish-and-game-not-to-let-bobcats-behunted/article 84128759-3a59-53d9-afea-1703481d83c9.html

Recommendation: Determine if you would like to take a position as a Commission on this issue and if you do, if you support signing the provided letter or preparing your own.

Exeter Conservation Commission Event Agreement

NOTE: This agreement is in addition to permits required by the Town of Exeter. Contact the Town Managers Office to determine any additional permit needs

Event N	Vame: Team Rubicon Orienteering/hike	Event Date: 02/13/16
Point of	Contact: Alan Mangan Ph 617 816 2950	mangan@teamrubiconusa.org
		Estimate of Participants:18
Event I	Description: A very basic trail hike along Oa	aklands 5.3 mile established trail with basic orienteering
involve	d in an effort to introduce the concept for fur	ture events . Participants will be shuttled to the site from an
offsite l	ocation.	
	read, sign and initial below. A copy of the neservation Commission and should be in han	otice of Authorization will be provided to you upon signature by d on the day of the event.
I, _Alar	Mangan agree to comply with the following	g terms for the above referenced event.
A.M_	Event related activities do not involve private such permission provided to the Conservat	ate property, unless authorized in writing by landowner, with ion Commission 2 days prior to the event.
A.M_	Two (2) days prior to the event, the course cancelled or re-routed to avoid wet condition	conditions will be inspected. If trails are wet, the event will be ons.
A.M_	•	he Conservation Commission's representative prior to and after ent conditions within 7 days following the event.
A.M_	The event will be cancelled if rain occurs a	after the inspection or on the day of the race
A.M_	All litter will be removed within 24 hours	following the event
A.M_	A map of the planned route is attached	
A.M_	Trail markings shall be non-permanent	
A.M_		ngements for parking at Department of Public Works (if provisions for port-a-potties at their expense.
Date/Ti	me of Date/Time of 02/1	
Pre-run	Inspection _Fri-02/12/16_ Post-run I	nspection 13.00 Hrs _Sat 02/13/16
Event (Contact – Alan Mangan Date 01/27/16	Consequation Commission Date



January 20, 2016

NHDES – Wetlands Bureau 29 Hazen Drive Concord, NH 03302-0095

RE: Exeter Mills, LLC
NHDES Wetlands Permit Application

To whom it may concern,

Exeter Mills, LLC respectfully submits the enclosed completed NHDES Wetlands Permit Application for the construction of a small concrete pad for HVAC equipment within the buffer zones of the Squamscott River. The concrete pad is proposed to be constructed in an area that is presently lawn and that has historically been developed since construction of the Exeter Mill complex in the 19th century. Below is a brief project summary.

Background

- Exeter Mills, LLC is the owner of the residential apartment community located at 10
 Chestnut Street in Exeter, NH. The community includes historic, renovated brick mill buildings and modern apartment buildings constructed in the 1980's and 1990's.
- In an effort to support the Town's planned demolition of the Squamscott River dam,
 Exeter Mills, LLC will be replacing its riverwater-based cooling system with a mechanical
 cooling system known as a cooling tower. The cooling system provides air conditioning
 to the majority of the residents in the Exeter Mill apartments.
- The majority of the Exeter Mill property lies within the Town and State's Shoreland Protection Districts. Essentially any location on the site would require an NHDES permit. Knowing the importance of the Exeter Mills property to the community, the applicant worked with Town officials, neighbors, and its residents to identify a mutually agreeable location. The proposed location is within the Tidal Buffer Zone of the Squamscott River.

Scope of Work

- The extent of the construction includes the excavation of 14'x17' area, in a location that is currently lawn, and the installation of a concrete pad. The pad is for a cooling tower (HVAC equipment).
- The new impervious area is very small only 42.02 %, an increase of .06% from the current 41.96%.
- The proposed location be shielded by natural shoreline vegetation on the river side, and additional landscaping will be added on the mill side. Any disturbed areas not landscaped will be restored to lawn.



• The completed structure will sit close to the shoreline, within 100' of the Squamscott River. However, neither the completed structure, nor any of the construction activity, will have any impact on the natural navigable shoreline or natural wetlands vegetation.

Thank you for reviewing the enclosed application. We welcome your guidance and comments should the application require additional supporting information to be eligible for approval.

Sincerel	ly,

Matt Assia



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau Land Resources Management

Check the status of your application: www.des.nh.gov/onestop



RSA/Rule: RSA 482-A/ Env-Wt 100-900 Toerde dan 1. REVIEW TIME: Indicate your Review Time below. Refer to Guidance Document A for instructions. Standard Review (Minimum, Minor or Major Impact) 2. PROJECT LOCATION: Separate applications must be filed with each municipality that jurisdictional impacts will occur in. ADDRESS: 10 Chestnut Street TOWN/CITY: Exeter **TAX MAP: 64** BLOCK: LOT: 51 UNIT: USGS TOPO MAP WATERBODY NAME: Squamscott River ☐ NA STREAM WATERSHED SIZE: ⋈ NA LOCATION COORDINATES (If known): ☐ Latitude/Longitude ☐ UTM ☐ State Plane 3. PROJECT DESCRIPTION: Provide a brief description of the project outlining the scope of work. Attach additional sheets as needed to provide a detailed explanation of your project. DO NOT reply "See Attached" in the space provided below. To add a 14' x 17' concrete pad and enclosure for the purpose of housing a new cooling tower. 4. SHORELINE FRONTAGE NA This lot has no shoreline frontage. SHORELINE FRONTAGE: 730' +/-Shoreline frontage is calculated by determining the average of the distances of the actual natural navigable shoreline frontage and a straight line drawn between the property lines, both of which are measured at the normal high water line. 5. RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC... Exeter Planning Board - Conditional Use Permit & Minor Site Plan Amendment 6. NATURAL HERITAGE BUREAU & DESIGNATED RIVERS: See the Instructions & Required Attachments document for instructions to complete a & b below. a. Natural Heritage Bureau File ID: NHB 12 - 3784 □ Designated River the project is in ¼ miles of: Squamscott River date a copy of the application was sent to the Local River Management Advisory Committee: Month: 1 Day: 20 Year: 2016 □ NA

7. APPLICANT INFORMATION (Desired permit holder)						
LAST NAME, FIRST NAME, M.I.: Chinburg, Eric J.						
TRUST / COMPANY NAME: Exeter Mills, LLC	TRUST / COMPANY NAME: Exeter Mills, LLC MAILING ADDRESS: 3 Penstock Way					
TOWN/CITY: Newmarket				STATE: NH	1	ZIP CODE: 03857
EMAIL or FAX:	: 603-868-	5995				
ELECTRONIC COMMUNICATION: By initialing here: EJ_, I here	eby authorize NH	IDES to c	ommunicate	all matters rela	ative to t	this application electronically
8. PROPERTY OWNER INFORMATION (If different than	n applicant)					
LAST NAME, FIRST NAME, M.I.:						
TRUST / COMPANY NAME:	MAI	ILING AD	DRESS:			
TOWN/CITY:				STATE:		ZIP CODE:
EMAIL or FAX:	, 1113		PHONE:			
ELECTRONIC COMMUNICATION: By initialing here, I lelectronically	hereby authorize	NHDES	to communic	ate all matters	relative	to this application
9. AUTHORIZED AGENT INFORMATION						
LAST NAME, FIRST NAME, M.I.: Matt Assia			COMPANY I	NAME: Exete	r Mills	s, LLC
MAILING ADDRESS: 3 Penstock Way						
TOWN/CITY: Newmarket				STATE: NH	I	ZIP CODE: 03857
	PH	IONE: 60	03-969-914		I	ZIP CODE: 03857
TOWN/CITY: Newmarket	NAME OF THE OWNER OWNER OF THE OWNER		W 1100001	l-8		
TOWN/CITY: Newmarket EMAIL or FAX: massia@chinburg.com ELECTRONIC COMMUNICATION: By initialing here EJ_, I here 10. PROPERTY OWNER SIGNATURE:	by authorize NH	DES to co	ommunicate a	I .8 all matters rela		
TOWN/CITY: Newmarket EMAIL or FAX: massia@chinburg.com ELECTRONIC COMMUNICATION: By initialing here EJ, I herel	by authorize NH	DES to co	ommunicate a	I .8 all matters rela		
EMAIL or FAX: massia@chinburg.com ELECTRONIC COMMUNICATION: By initialing here EJ_, I here 10. PROPERTY OWNER SIGNATURE: See the Instructions & Required Attachments document for By signing the application, I am certifying that: 1. I authorize the applicant and/or agent indicated on the upon request, supplemental information in support of the upon request, supplemental information & attachments. 2. I have reviewed and submitted information & attachments. 3. All abutters have been identified in accordance with Information outous. I have read and understand Env-Wt 302.03 and have for a large transfer of the proposing to repair/replace with Information outous. I have submitted a Request for Project Review (RPR (SHPO) at the NH Division of Historical Resources to with the lead federal agency for NHPA 106 compliants. I authorize NHDES and the municipal conservation of the Information being submitted and the Information being submitted and Infor	clarification of his form to act in this permit appears outlined in Env-Verence chosen the least either previous either previous either previous either previous either previous either previous either to the best misrepresented eadditional sta	the below the be	ommunicate and statement whalf in the polymer of the apparacting altern rmitted by the hather of the site of the knowledge to the corfederal personners of the corfederal personners of the site of the corfederal personners of the corfederal personne	all matters related by the informatic New Hamps related by the service of the ser	this app Attachr ect type Bureau State Hical reso project. on is tru shire De	plication, and to furnish ment document. u or would be considered storic Preservation Officer purces while coordinating ue and accurate. epartment of esponsible for obtaining.

MUNICIPAL SIGNATURES

11. CONSERVATION C	OMMISSION SIGNATURE	
The signature below certifies that the municipal conservation commission has reviewed this application, and: 1. Waives its right to intervene per RSA 482-A:11; 2. Believes that the application and submitted plans accurately represent the proposed project; and 3. Has no objection to permitting the proposed work.		
	Print name legibly	Date

DIRECTIONS FOR CONSERVATION COMMISSION

- 1. Expedited review ONLY requires that the conservation commission's signature is obtained in the space above.
- 2. Expedited review requires the Conservation Commission signature be obtained **prior** to the submittal of the original application to the Town/City Clerk for signature.
- 3. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, the application is not eligible for expedited review and the application will reviewed in the standard review time frame.

12. TOWN / CITY CLERK SIGNATURE					
As required by Chapter 482-A:3 (amended 2014), I hereby certify that the applicant has filed four application forms, four detailed plans, and four USGS location maps with the town/city indicated below.					
ightharpoonup					
Town/City Clerk Signature	Print name legibly	Town/City	Date		

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3.I

- 1. For applications where "Expedited Review" is checked on page 1, if the Conservation Commission signature is not present, NHDES will accept the permit application, but it will NOT receive the expedited review time.
- 2. IMMEDIATELY sign the original application form and four copies in the signature space provided above;
- 3. Return the signed original application form and attachments to the applicant so that the applicant may submit the application form and attachments to NHDES by mail or hand delivery.
- 4. IMMEDIATELY distribute a copy of the application with one complete set of attachments to each of the following bodies: the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board; and
- 5. Retain one copy of the application form and one complete set of attachments and make them reasonably accessible for public review.

DIRECTIONS FOR APPLICANT:

1. Submit the single, original permit application form bearing the signature of the Town/ City Clerk, additional materials, and the application fee to NHDES by mail or hand delivery.

13. IMPACT AREA: For each jurisdictional area that will Permanent: impacts that will remain		uare feet and, if app	licable	e, linear fee	et of impact	
Temporary: impacts not intended to		e-construction condi	tions)	after the p	roject is complete	э.
JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	;			EMPORARY ą. Ft. / Lin. Ft.	
Forested wetland		ATF				ATF
Scrub-shrub wetland		ATF				ATF
Emergent wetland		ATF	-			ATF
Wet meadow		☐ ATF				ATF
Intermittent stream		☐ ATF				ATF
Perennial Stream / River	1	☐ ATF		/	,	☐ ATF
Lake / Pond	1	☐ ATF		/	,	ATF
Bank - Intermittent stream	1	☐ ATF		/		☐ ATF
Bank - Perennial stream / River	1	ATF		1	1	ATF
Bank - Lake / Pond	1	☐ ATF		1		ATF
Tidal water	1	ATF		1	,	☐ ATF
Salt marsh		ATF				ATF
Sand dune		☐ ATF				☐ ATF
Prime wetland		ATF				☐ ATF
Prime wetland buffer		ATF				☐ ATF
Undeveloped Tidal Buffer Zone (TBZ)		☐ ATF			70 V 00 00 00 00 00 00 00 00 00 00 00 00	ATF
Previously-developed upland in TBZ	238	☐ ATF				☐ ATF
Docking - Lake / Pond		☐ ATF				ATF
Docking - River		☐ ATF				ATF
Docking - Tidal Water		☐ ATF				ATF
TOTAL	238 /			1		
14. APPLICATION FEE: See the l	nstructions & Required Attachments	s document for furth	er inst	truction		
Minimum Impact Fee: Flat fee						
	Iculate using the below table below				_	
Permaner	nt and Temporary (non-docking)		- X	\$0.20 =	\$	
Tempora	ry (seasonal) docking structure:	sq. ft.	_ X	\$1.00 =	\$	
	Permanent docking structure:	sq. ft.	_ X	\$2.00 =	\$	
Proje	cts proposing shoreline structur	es (including dock	s) ade	d \$200 =	Ψ 	·
				Total =	\$	
The Applica	ation Fee is the above calculated To	otal or \$200, whiche	ver is	greater =	\$ 200	

NHDES-W-06-013



WETLANDS PERMIT APPLICATION – ATTACHMENT A MINOR AND MAJOR - 20 QUESTIONS

Water Division/ Wetlands Bureau/ Land Resources Management Check the Status of your application: www.des.nh.gov/onestop



RSA/ Rule: RSA 482-A, Env-Wt 100-900

<u>Env-Wt 302.04 Requirements for Application Evaluation</u> - For any major or minor project, the applicant shall demonstrate by plan and example that the following factors have been considered in the project's design in assessing the impact of the proposed project to areas and environments under the department's jurisdiction. Respond with statements demonstrating:
The need for the proposed impact.
The 17'x`14' concrete pad is required to construct a new cooling tower to operate the property's HVAC systems. The proposed location is the only mutually agreed upon location by municipal officials, abutters, and the property owner.
2. That the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
The location will have minimal impact to the wetlands or surface waters.

3. The type and classification of the wetlands involved.
Squamscott River:
Water Quality Classification: B - Tidal
Designation: Community
4. The relationship of the proposed wetlands to be impacted relative to nearby wetlands and surface waters.
Tidal Buffer Zone - Less than 100' from shoreline.
\cdot
E. The worth, of the wetland conference and down a tidal buff.
5. The rarity of the wetland, surface water, sand dunes, or tidal buffer zone area.
Not Rare
6. The surface area of the wetlands that will be impacted.
238 square feet

¹ 7.	The impact on plants, fish and wildlife including, but not limited to:
	a. Rare, special concern species;
	b. State and federally listed threatened and endangered species;
	c. Species at the extremities of their ranges;
	d. Migratory fish and wildlife;
	e. Exemplary natural communities identified by the DRED-NHB; and
	f. Vernal pools.
The	re will be no direct impact to plants, fish and wildlife. The Concrete Pad will be located on an area that is rently lawn.
	es been noted in the past that there is Spongy-Leafed Arrowhead in the surrounding area, but not in our posed location.
8. 7	he impact of the proposed project on public commerce, navigation and recreation.
Nο	mpact on public commerce, navigation or recreation.
110	input on public commerce, navigation of recreation.
	The extent to which a project interferes with the aesthetic interests of the general public. For example, where an applicant proposes the construction of a retaining wall on the bank of a lake, the applicant shall be required to indicate the type of material to be used and the effect of the construction of the wall on the view of other users of the lake.
The	re will be not impact to the aesthetic interest of the general public.

10. The extent to which a project interferes with or obstructs public rights of passage or access. For example, where the applicant proposes to construct a dock in a narrow channel, the applicant shall be required to document the extent to which the dock would block or interfere with the passage through this area.
There will be no interference or obstructions to public rights of passage or access.
11. The impact upon abutting owners pursuant to RSA 482-A:11, II. For example, if an applicant is proposing to rip-rap a stream, the applicant shall be required to document the effect of such work on upstream and downstream abutting properties.
No impact to abutters if it is located in the proposed location.
40 The hand first and the first state of the first
12. The benefit of a project to the health, safety, and well being of the general public.No impact to the health, safety, and well being of the general public.
mipuot to the health, existy, and wen being of the general public.

13. The impact of a proposed project on quantity or quality of surface and ground water. For example, where an applicant proposes to fill wetlands the applicant shall be required to document the impact of the proposed fill on the amount of drainage entering the site versus the amount of drainage exiting the site and the difference in the quality of water entering and exiting the site.
No impact on quantity or quality of surface and ground water.
14. The potential of a proposed project to cause or increase flooding, erosion, or sedimentation.
No potential for increased flooding, erosion or sedimentation.
15. The extent to which a project that is located in surface waters reflects or redirects current or wave energy which might cause damage or hazards.
No impact.

16.	The cumulative impact that would result if all parties owning or abutting a portion of the affected wetland or wetland complex were also permitted alterations to the wetland proportional to the extent of their property rights. For example, an applicant who owns only a portion of a wetland shall document the applicant's percentage of ownership of that wetland and the percentage of that ownership that would be impacted.
no	cumulative impact.
17.	The impact of the proposed project on the values and functions of the total wetland or wetland complex.
no	impact to the values and functions of the wetlands.

18.	The impact upon the value of the sites included in the latest published edition of the National Register of Natural Landmarks, or sites eligible for such publication.
No I	mpact.
	The impact upon the value of areas named in acts of congress or presidential proclamations as national rivers, national wilderness areas, national lakeshores, and such areas as may be established under federal, state, or municipal laws for similar and related purposes such as estuarine and marine sanctuaries.
no ii	npact to value.
	The degree to which a project redirects water from one watershed to another.
the _l	project does not redirect water from one watershed to a another.

Additional comments		

Letter of Authorization

I, Eric J. Chinburg, Manager of Exeter Mills, LLC, 3 Penstock Way, Newmarket, NH 03857, owner of property located in Exeter, NH known as Tax Map 64, Lot 10, do hereby authorize Chinburg Builders, Inc. d/b/a Chinburg Properties, 3 Penstock Way, Newmarket, NH 03857, to act as agent for Exeter Mills, LLC in all matters pertaining to permitting, variances, and special permits in the town of Exeter, NH. The aforementioned property has an address of 10 Chestnut Street, Exeter, NH.

Eric J. Chipburg, Manager

Exeter Mills, LLC

Date

Witness



Programmatic General Permit (PGP) Appendix B - Required Information and Corps Secondary Impacts Checklist

In order for the Corps of Engineers to properly evaluate your application, applicants must submit the following information along with the DES Wetlands Bureau application or permit notification forms. Some projects may require more information. For a more comprehensive checklist, go to www.nae.usace.army.mil/regulatory, "Forms/Publications" and then "Application and Plan Guideline Checklist." Check with the Corps at (978) 318-8832 for project-specific requirements. For your convenience, this Appendix B is also attached to the State of New Hampshire DES Wetlands Bureau application and Permit by Notification forms.

All Projects:

- Corps application form (ENG Form 4345) as appropriate.
- Photographs of wetland/waterway to be impacted.
- Purpose of the project.
- Legible, reproducible black and white (no color) plans no larger than 11"x17" with bar scale. Provide locus map and plan views of the entire property.
- Typical cross-section views of all wetland and waterway fill areas and wetland replication areas.
- In navigable waters, show mean low water (MLW) and mean high water (MHW) elevations. Show the high tide line (HTL) elevations when fill is involved. In other waters, show ordinary high water (OHW) elevation.
- On each plan, show the following for the project:
- Vertical datum and the NAVD 1988 equivalent with the vertical units as U.S. feet. Don't use local datum. In coastal waters this may be mean higher high water (MHW), mean high water (MHW), mean low water (MLW), mean low lower water (MLLW) or other tidal datum with the vertical units as U.S. feet. MLLW and MHHW are preferred. Provide the correction factor detailing how the vertical datum (e.g., MLLW) was derived using the latest National Tidal Datum Epoch for that area, typically 1983-2001.
- Horizontal state plane coordinates in U.S. survey feet based on the [insert state grid system] for the [insert state] [insert zone] NAD 83.
- Show project limits with existing and proposed conditions.
- Limits of any Federal Navigation Project in the vicinity of the project area and horizontal State Plane Coordinates in U.S. survey feet for the limits of the proposed work closest to the Federal Navigation Project;
- Volume, type, and source of fill material to be discharged into waters and wetlands, including the area(s) (in square feet or acres) of fill in wetlands, below the ordinary high water in inland waters and below the high tide line in coastal waters.
- Delineation of all waterways and wetlands on the project site, including vernal pools:
- Use Federal delineation methods and include Corps wetland delineation data sheets. See GC 2; Endnotes 1, 6, 7 and 15 in Appendix A; and www.nero.noaa.gov/hcd for eelgrass survey guidance.
- Appendix A, (e) Moorings, contains eelgrass survey requirements for the placement of moorings.
- For activities involving discharges of dredged or fill material into waters of the U.S., include a statement describing how impacts to waters of the U.S. are to be avoided and minimized, and either a statement describing how impacts to waters of the U.S. are to be compensated for (or a conceptual or detailed mitigation plan) or a statement explaining why compensatory mitigation should not be required for the proposed impacts. Please contact the Corps for guidance.



New Hampshire Programmatic General Permit (PGP) Appendix B - Corps Secondary Impacts Checklist (for inland wetland/waterway fill projects in New Hampshire)

- 1. Attach any explanations to this checklist. Lack of information could delay a Corps permit determination.
- 2. All references to "work" include all work associated with the project construction and operation. Work includes filling, clearing, flooding, draining, excavation, dozing, stumping, etc.
- 3. See PGP, GC 5, regarding single and complete projects.
- 4. Contact the Corps at (978) 318-8832 with any questions.

1. Impaired Waters	Yes	No
1.1 Will any work occur within 1 mile upstream in the watershed of an impaired water? See		
http://des.nh.gov/organization/divisions/water/wmb/section401/impaired_waters.htm	1	
to determine if there is an impaired water in the vicinity of your work area.*		
2. Wetlands	Yes	No
2.1 Are there are streams, brooks, rivers, ponds, or lakes within 200 feet of any proposed work?	X	
2.2 Are there proposed impacts to SAS, shellfish beds, special wetlands and vernal pools (see		
PGP, GC 26 and Appendix A)? Applicants may obtain information from the NH Department of		
Resources and Economic Development Natural Heritage Bureau (NHB) website,		V
www.nhnaturalheritage.org, specifically the book Natural Community Systems of New		
Hampshire.		
2.3 If wetland crossings are proposed, are they adequately designed to maintain hydrology,	None	
sediment transport & wildlife passage?	Propo	sed
2.4 Would the project remove part or all of a riparian buffer? (Riparian buffers are lands adjacent		
to streams where vegetation is strongly influenced by the presence of water. They are often thin		J
lines of vegetation containing native grasses, flowers, shrubs and/or trees that line the stream		<i>Y</i>
banks. They are also called vegetated buffer zones.)		
2.5 The overall project site is more than 40 acres.		X
2.6 What is the size of the existing impervious surface area?	147.8	314.06
2.7 What is the size of the proposed impervious surface area?	23	
2.8 What is the % of the impervious area (new and existing) to the overall project site?	42.0	270
3. Wildlife	Yes	No
3.1 Has the NHB determined that there are known occurrences of rare species, exemplary natural		-
communities, Federal and State threatened and endangered species and habitat, in the vicinity of	X	
the proposed project? (All projects require a NHB determination.)		
3.2 Would work occur in any area identified as either "Highest Ranked Habitat in N.H." or		
"Highest Ranked Habitat in Ecological Region"? (These areas are colored magenta and green,		
respectively, on NH Fish and Game's map, "2010 Highest Ranked Wildlife Habitat by Ecological		
Condition.") Map information can be found at:		
• PDF: www.wildlife.state.nh.us/Wildlife/Wildlife_Plan/highest_ranking_habitat.htm.		X
• Data Mapper: www.granit.unh.edu.		
• GIS: www.granit.unh.edu/data/downloadfreedata/category/databycategory.html.		
• GIS. <u>www.granit.umi.edu/data/downloadfreedata/category/databycategory.ntml.</u>		

SF

3.3 Would the project impact more than 20 acres of an undeveloped land block (upland, wetland/waterway) on the entire project site and/or on an adjoining property(s)?		X
3.4 Does the project propose more than a 10-lot residential subdivision, or a commercial or industrial development?		K
3.5 Are stream crossings designed in accordance with the PGP, GC 21?	No Cre	SSING
4. Flooding/Floodplain Values	Yes	No
4.1 Is the proposed project within the 100-year floodplain of an adjacent river or stream?		Х
4.2 If 4.1 is yes, will compensatory flood storage be provided if the project results in a loss of flood storage?		
5. Historic/Archaeological Resources		
For a minor or major impact project - a copy of the Request for Project Review (RPR) Form		
(www.nh.gov/nhdhr/review) shall be sent to the NH Division of Historical Resources as required on Page 5 of the PGP**		

^{*}Although this checklist utilizes state information, its submittal to the Corps is a Federal requirement.

** If project is not within Federal jurisdiction, coordination with NH DHR is not required under Federal law..



NEW HAMPSHIRE NATURAL HERITAGE BUREAU

DRED - DIVISION OF FORESTS & LANDS
PO BOX 1856 -- 172 PEMBROKE ROAD, CONCORD, NH 03302-1856
(603) 271-2214

To:

Zachary Taylor, Riverside and Pickering Marine Contractors

Allen Folsom, Riverside and Pickering Marine Contractors

From:

Melissa Coppola, NHB-Environmental Information Specialist

Date:

January 23, 2013

Subject:

NHB12-3784

This memo is a follow-up to NHB12-3784 which had indicated three state-listed plant species in the vicinity of the proposed project. The Natural Heritage Bureau (NHB) requested further details about the project to: 1) determine the potential for impacts and 2) provide appropriate recommendations to avoid impacts if necessary.

NHB is recommending a survey for the spongy-leaved arrowhead (Sagittaria montevidensis ssp. spongiosa) during the growing season because this species has been documented within the brackish marsh at this location. NHB can conduct this survey in late-May or early June and then provide recommendations on how to avoid and minimize impacts to this state-endangered species. Any survey conducted outside of the growing season cannot truly confirm the presence or absence of this species on site. NHB is willing to work with the landowner and consultants to help the project continue to move forward, while reducing impacts to rare plant species.

Should you have any further questions, contact me at 603-271-2215 ext. 323 or at Melissa.Coppola@dred.state.nh.us.

Memo



NHB DATACHECK RESULTS LETTER NH NATURAL HERITAGE BUREAU

To: Eliot, ME 03903 Zachary Taylor P.O. Box 368

From: Melissa Coppola, NH Natural Heritage Bureau

Date: 12/19/2012 (valid for one year from this date)
Review by NH Natural Heritage Bureau

Re:

NHB File ID: NHB12-3784 Town: Exeter

Description: Construct a 6'x20' fixed pier with a 4'x30' aluminum gangway landing on a 10'x20' float system located on moorings

Location: Tax Maps: 64-51

As requested, I have searched our database for records of rare species and exemplary natural communities, with the following results.

Comments:

Plant species	State ¹	Federal Notes	Notes
climbing hempvine (Mikania scandens)*	ਸ਼	i i	Threats include changes to the hydrology (e.g., water levels) of its habitat and increased sedimentation or nutrients and pollutants in stormwater runoff.
little-headed spikesedge (Eleocharis parvula)	pu-]	l	Threats are primarily alterations to the hydrology of the wetland, such as ditching or tidal restrictions that might affect the sheet flow of tidal waters across the intertidal flat, activities that eliminate plants, and increased input of nutrients and pollutants in storm runoff.
Spongy-leaved Arrowhead (Sagittaria montevidensis ssp. spongiosa)	н	i	Primarily vulnerable to changes to the hydrology of its habitat, especially alterations that change water levels. It may also be susceptible to increased pollutants and nutrients carried in stormwater runoff.
Vertebrate species	State ¹	Federal Notes	Notes
Common Moorhen (Gallinula chloropus)	SC	ł	Contact the NH Fish & Game Dept (see below).
Osprey (Pandion haliaetus)	SC	l	Contact the NH Fish & Game Dept (see below).
Pied-billed Grebe (Podilymbus podiceps)	7	ŀ	Contact the NH Fish & Game Dept (see below).
Sora (Porzana carolina)	SC	I	Contact the NH Fish & Game Dept (see below).

¹Codes: "E" = Endangered, "T" = Threatened, "--" = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official state list. An asterisk (*) indicates that the most recent report for that occurrence was more than 20 years ago.

Contact for all animal reviews: Kim Tuttle, NH F&G, (603) 271-6544.

Division of Forests and Lands Department of Resources and Economic Development

(603) 271-2214 fax: 271-6488

Memo

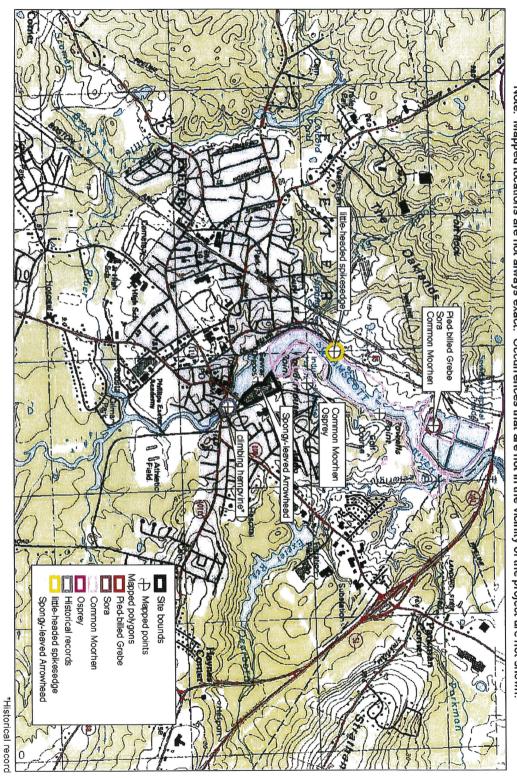


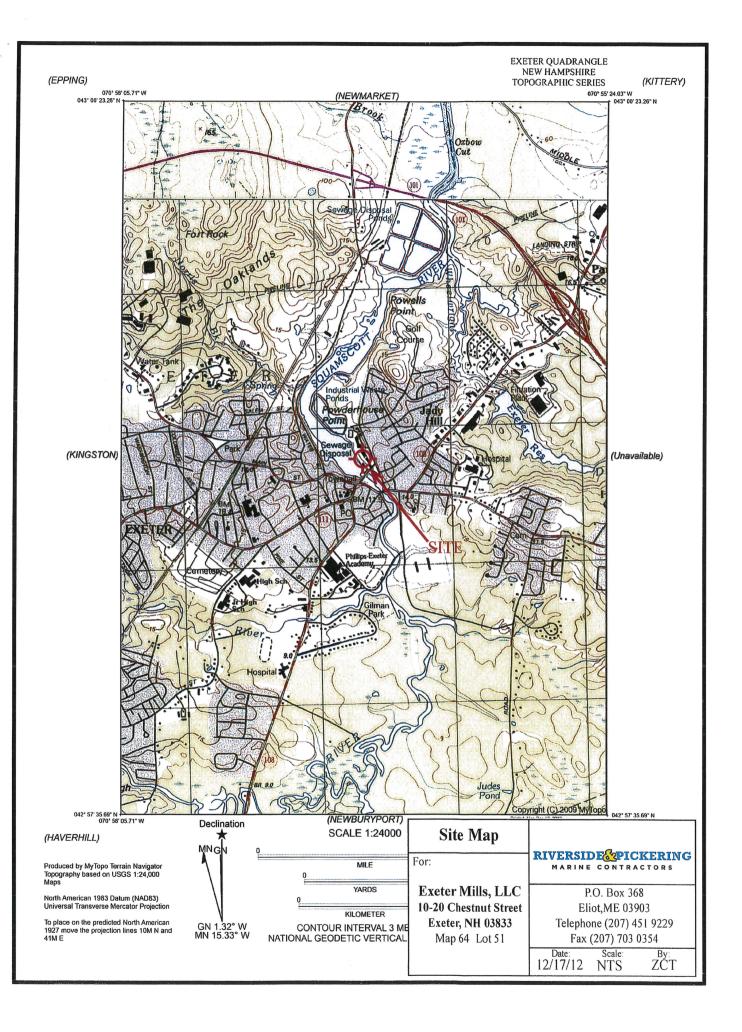
NH NATURAL HERITAGE BUREAU NHB DATACHECK RESULTS LETTER

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

Known locations of rare species and exemplary natural communities

Note: Mapped locations are not always exact. Occurrences that are not in the vicinity of the project are not shown.





Allen Folsom

From: Sent: Tuttle, Kim < Kim.Tuttle@wildlife.nh.gov> Thursday, February 14, 2013 2:42 PM

To: Cc: Allen Folsom Dionne, Michael

Subject:

RE: NHB12-3784, Exeter Mills, Exeter, NH pier, gangway, float

Allen,

The NHFG Nongame and Endangered Wildlife Program has reviewed NHB12-3784 for the proposed tidal dock for Exeter Mills in Exeter. The following species were listed on the NHB database check as occurring in the vicinity of the project:

Common Moorhen (Gallinula chloropus) SC -- Osprey (Pandion haliaetus) SC --Pied-billed Grebe (Podilymbus podiceps) T --Sora (Porzana carolina) SC --

1 Codes: "E" = Endangered, "T" = Threatened, "-SC" = Species of Concern

We do not expect impacts to any of the above listed species as habitat does not appear to be affected by the project. Also, as long as there is no dockage or associated structures upstream of the current dock at the upstream end of the boardwalk on the river-left bank, we do not expect impacts to essential fish spawning and staging habitat.

The proposed tidal dock project is below the area of essential fish habitat, therefore we do not expect impacts to anadromous fish (rainbow smelt and river herring). Please feel free to contact me if you have any further questions regarding this review.

Sincerely,

Kim Tuttle Certified Wildlife Biologist NH Fish and Game Nongame and Endangered Species Program 603-271-6544

NH Fish and Game - Protecting Wildlife Since 1935

From: Allen Folsom [mailto:allenp@riversideandpickering.com]

Sent: Thursday, February 14, 2013 1:28 PM

To: Tuttle, Kim

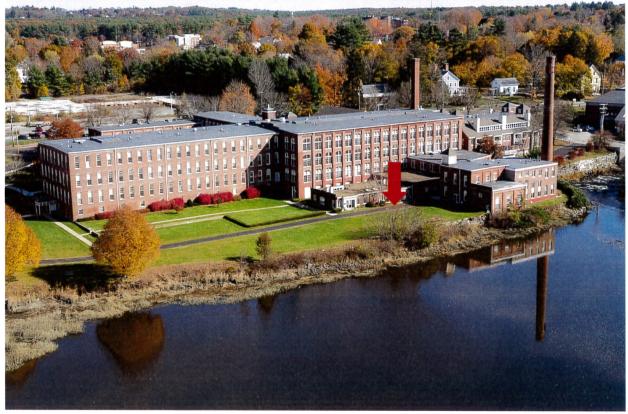
Subject: RE: NHB Report 12-3784, Exeter Mills, Exeter, NH

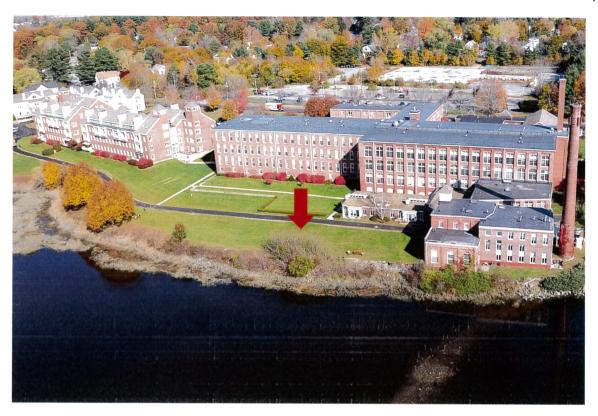
Hi Kim,

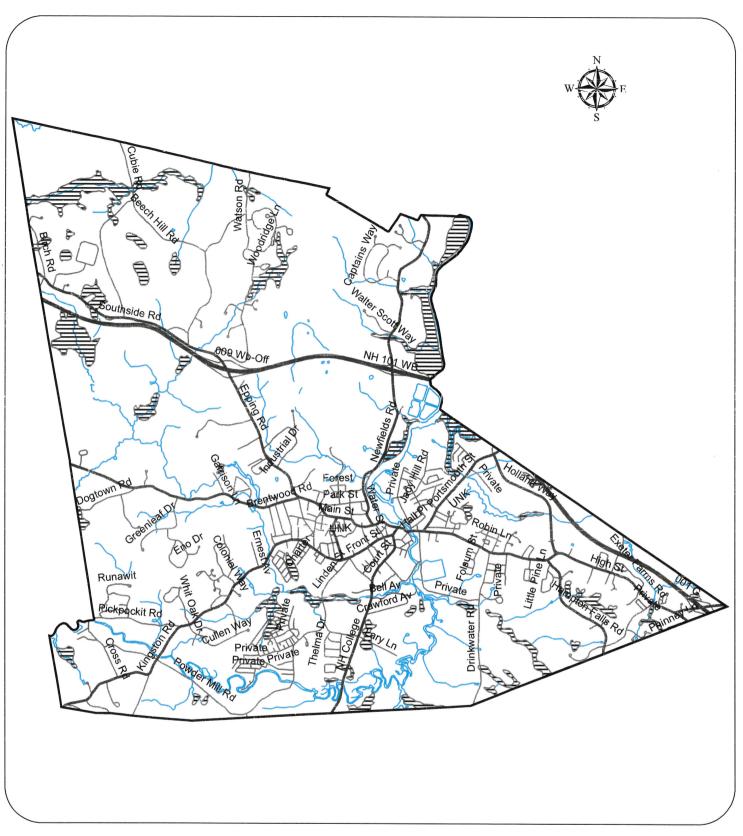
I haven't heard back and thought I would touch base with you regarding your review of NHB Report 12-3784, Exeter Mills, Exeter, NH.

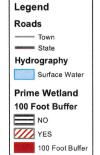
Thank you,











Prime Wetlands in Exeter, NH

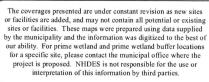
Miles

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New Hampshire State Plane Coordinate System

North American Datum 1983 (feet)

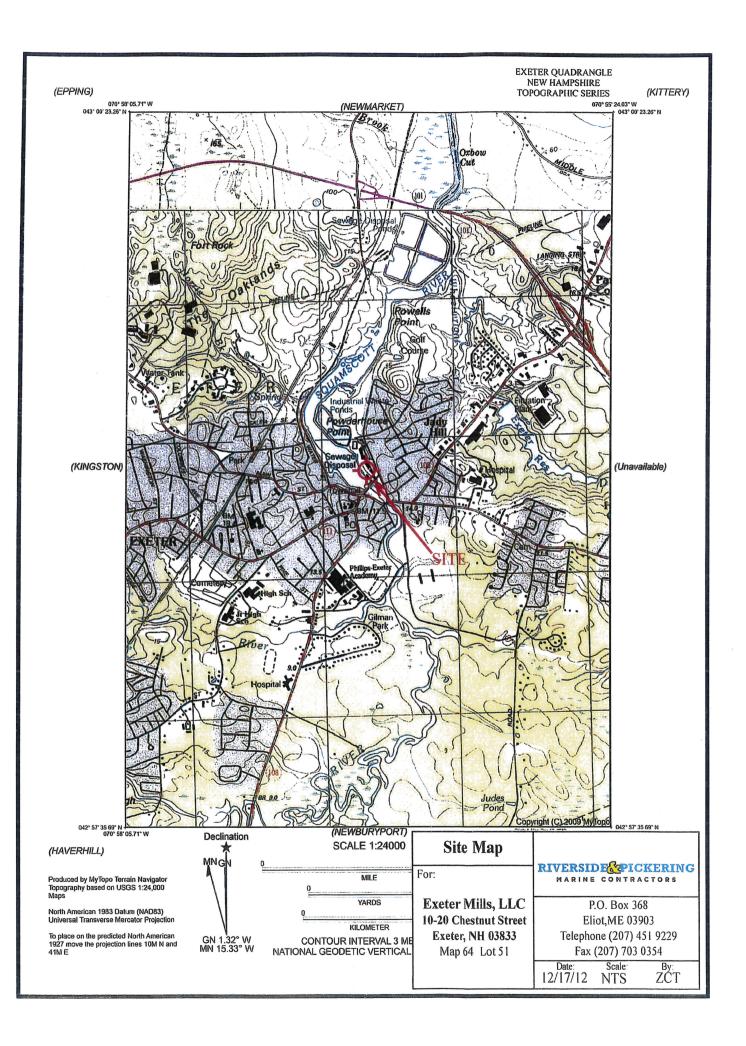
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New Hampshire Department of Environmental Services Wetlands Bureau 29 Hazen Drive P.O. Box 95 Concord, NH 03302-0095

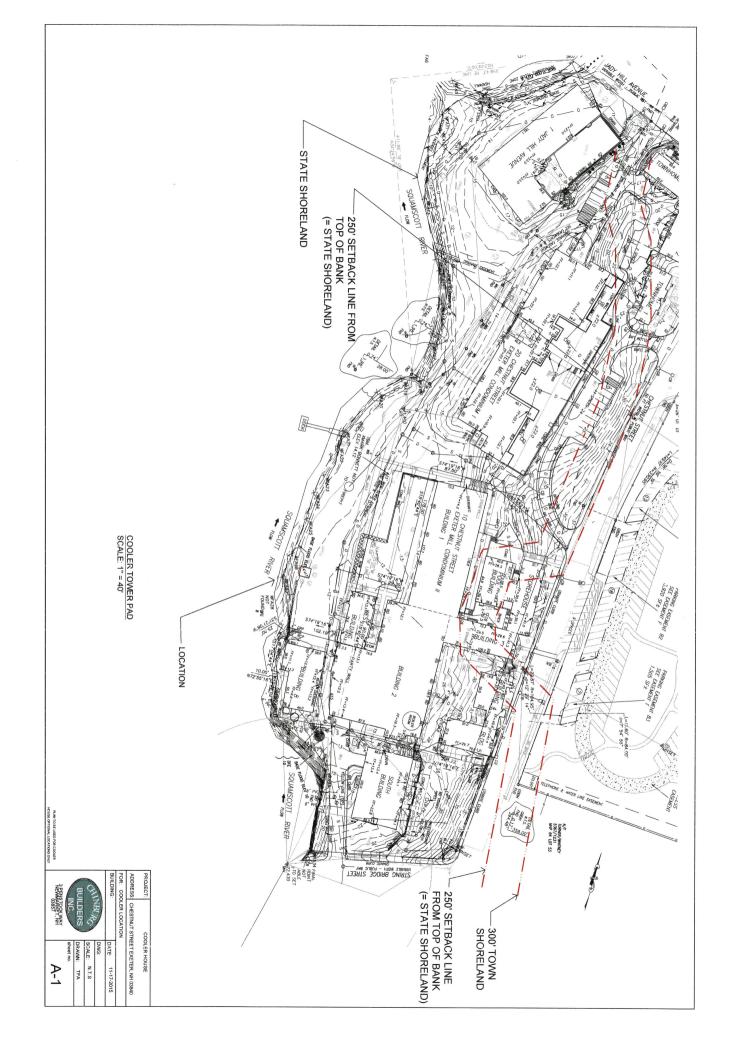
DATE PRODUCED October, 2012

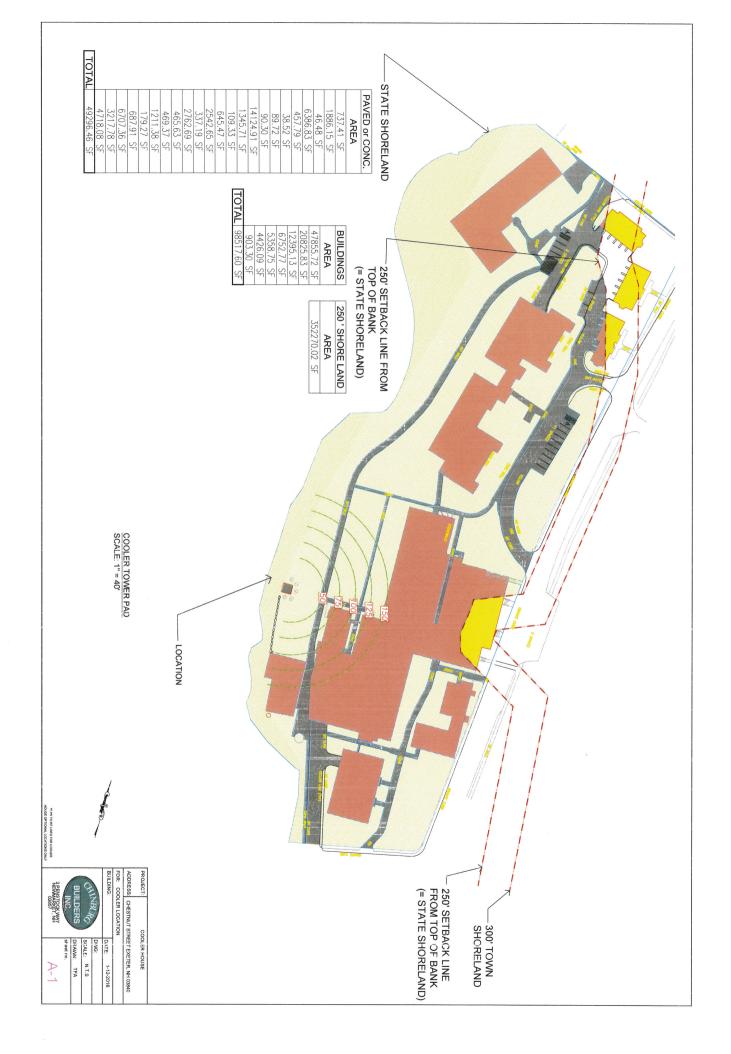


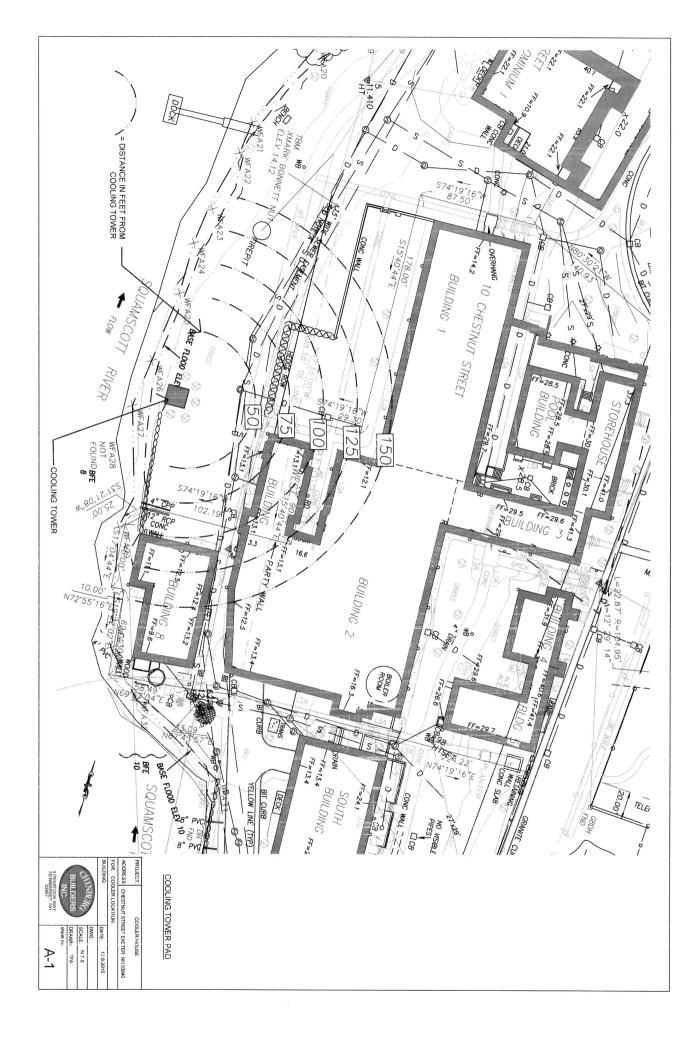
290

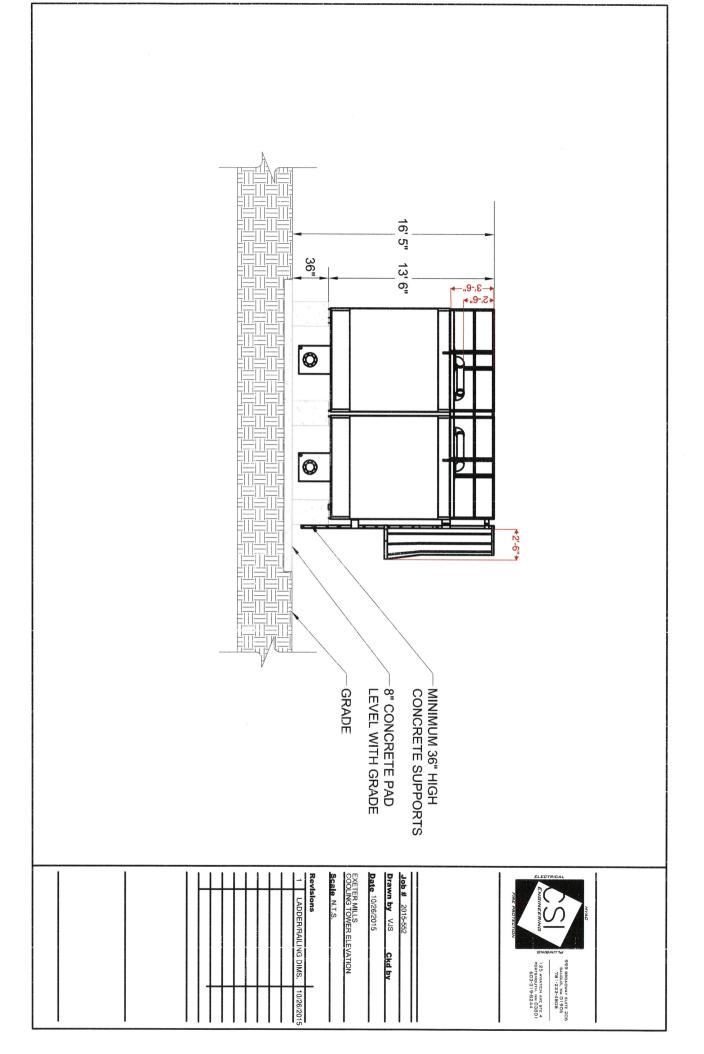
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Exeter MapsOnline









TOWN OF EXETER PLANNING DEPARTMENT INTER-OFFICE TRANSMITTAL

DATE:

January 26, 20016

TO:

Glenn Greenwood, Interim Planner

FROM:

Barb McEvoy, Deputy Code Enforcement Officer, Planning & Bldg. Dept.

RE:

PB Case #21523 – Chinburg Properties & Exeter Mills LLC Minor N/R Site Plan Review and Conditional Use Permit

Proposed Cooling Tower - 10 Chestnut Street & One Jady Hill Ave.

Tax Map Parcel #64-51 and #64-86

Attached please find a Conditional Use Permit application and plans, dated 11/17/15, for the above captioned project. This application is a supplemental submission to the minor site plan review application heard by the Planning Board on October 22, 2015. The location of the proposed cooling tower has changed as well as the dimensions of the concrete pad.

Also attached is a letter from Matt Assia, Director of Asset Management, Chinburg Builders, dated 1/7/16, with additional information relative to the CUP application.

<u>Town Staff</u>: There is <u>NO</u> TRC scheduled for this project. Please review the attached materials and provide our office with your written comments and/or concerns. The Applicant is scheduled to present their plans to the Planning Board on Thursday, February 11, 2016.

Any questions, please give us a call.

Thanks!!

cc:

Jennifer Mates, P.E., Ass't. Town Engineer

Lt. Paul Morin, Fire Inspector

Kristen Murphy, Natural Resource Planner - Conservation Commission

Chief Bill Shupe, Police Dept.



RECEIVED

January 7, 2016

Exeter Planning Board Attn: Ms. Kelly Bergeron, Chairwoman 10 Front Street Exeter, NH 03833 JAN 12 2016

EXETER PLANNING OFFICE

RE: Conditional Use Permit Application – Exeter Mills, LLC 10 Chestnut Street & One Jady Hill Avenue, Exeter, NH Tax Map 64, Lots 51 & 86

Dear Ms. Bergeron:

Exeter Mills, LLC submitted an application Conditional Use Permit for work in the Town's Shoreland Protection District. This letter is a supplement to the application.

The majority of the property lies within the Shoreland Protection District. There is not a suitable portion of the lot that is outside the District. As noted in the application, the Mill property has been developed and altered since the 1800's. The new concrete pad will create only 238 SF of impervious area on an 8.57 acre lot.

Using the criteria provided in Article 9.3.4.G.2 of the Zoning Ordinance, we offer the following support:

9.3.4.G.2 Criteria for Granting Conditional Use Permit

- a. The proposed use will not detrimentally affect the surface water quality of the adjacent river or tributary, or otherwise result in unhealthful conditions.
 - Exeter Mills: The amount of impervious being created is relatively very small -238~SF on an 8.57 acre site. The run-off from this small area will not be significant. The proposed use will not detrimentally affect the surface water quality of the River.
- b. The proposed use will discharge no waste water on site other than that normally discharged by domestic waste water disposal systems and will not involve on-site storage or disposal of hazardous or toxic wastes as herein defined.
 - Exeter Mills: The proposed use will not discharge any domestic wastewater. The proposed use will not involve storage of hazardous or toxic wastes.
- c. The proposed use will not result in undue damage to spawning grounds and other wildlife habitat.

Exeter Mills: The location of the proposed concrete pad is presently cultivated lawn. The proposed use will not result in undue damage to spawning grounds or other wildlife habitat.



January 7, 2016 Page 2 of 2

- d. The proposed use complies with the use regulations identified in Article 9.3.4 Exeter Shoreland Protection District Ordinance Use Regulations and all other applicable sections of this article.
 - Exeter Mills: The concrete pad and HVAC equipment are accessory to the Residential use on the property. The pad is not a structure. The use is allowed.
- e. The design and construction of the proposed use will be consistent with the intent of the purposes set forth in Article 9.3.1 Exeter Shoreland Protection District Ordinance Authority and Purpose.

Exeter Mills: The design and construction of the proposed use is consistent with Article 9.3.1. Specifically, we offer the following using the lettering in 9.3.1:

- B. The use will not impact the water quality of the Squamscott River
- D. The use will not impact aquatic or terrestrial habitat associated with the River since the impact is only to lawn area
- E. The siting of the use is screened by existing vegetation and a preserves the aesthetic and recreational values of the shoreline

We believe the information contained herein completes the application. We look forward to presenting to the Planning Board.

Sincerely,

Matt Assia

Chinburg Properties

Agent for Exeter Mills, LLC



November 17, 2015

Exeter Planning Board Attn: Ms. Kelly Bergeron, Chairwoman 10 Front Street Exeter, NH 03833

RE: Conditional Use Permit Application – Exeter Mills, LLC 10 Chestnut Street & One Jady Hill Avenue, Exeter, NH Tax Map 64, Lots 51 & 86

Dear Ms. Bergeron:

Exeter Mills, LLC respectfully submits the enclosed application for a Conditional Use Permit for work in the Town's Shoreland Protection District. The intent of this application is to simply construct a 14' x 17' concrete pad in an area that is presently lawn. A new cooling tower will be installed on the pad to provide summer time cooling for the residents of the apartment community on the referenced parcels known as "Exeter Mill." Please reference the enclosed submission documents.

In addition to being a new application for the Conditional Use Permit, the enclosed is also a supplemental submission for the the continued Minor Site Plan Amendment.

At the Board's October 22, 2015 hearing, we presented a pad location that was not well received by the abutters along Chestnut Street. In response to their concerns, we have decided to relocate the pad so that is on the riverfront side of the property. This location was chosen because of the existing vegetative screening provided by a stand of mature sumac. In addition, we will plant additional landscaping on the mill side of the equipment. Since the pad is to be built on level ground, it can be smaller further reducing the site impact.

We believe the enclosed location is an excellent compromise and will satisfy the Board, the abutters, and the public.

Please find enclosed fifteen copies of the completed application, plans, and supporting documents.

We understand that this application will be placed on the Planning Board's December 17, 2015 agenda. Thank you for your review of this Conditional Use Permit application.

Sincerely,

Matt asin

Town of Exeter



Planning Board Application for Conditional Use Permit: Shoreland Protection District

July 2015



Town of Exeter Planning Board Application

Conditional Use Permit: Shoreland Protection District

SUBMITTAL REQUIREMENTS:

- 1. Fifteen (15) copies of the Application
- 2. Fifteen (15) 11"x17" and three (3) full sized copies of the plan which must include:

Existing Conditions

- a. Property Boundaries
- b. Edge of Wetland and associated Buffer (Wetlands Conservation Overlay District WCOD)

-- Prime wetland: 100'

--Very Poorly Drained: 50'

--Vernal Pool (>200 SF): 75'

--Poorly Drained: 40'

--Exemplary Wetland: 50'

--Inland Stream: 25'

c. Structures, roads/access ways, parking, drainage systems, utilities, wells and wastewater disposal systems and other site improvements

Proposed Conditions

- a. Edge of Wetlands and Wetland Buffers and distances to the following:
 - i. Edge of Disturbance
 - ii. Structures, roads/access ways, parking, drainage systems, utilities, wells and wastewater disposal systems and other site improvements
- b. Name and phone number of all individuals whose professional seal appears on the plan
- 3. If applicant and/or agent is not the owner, a letter of authorization must accompany this application
- 4. Supporting documents i.e. Letters from the Department of Environmental Services, Standard Dredge and Fill Application and Photos of the property
- 5. A Town of Exeter Assessors list of names and mailing addresses of all abutters

Required Fees:		
Planning Board Fee: \$50. 00	Abutter Fee: \$10.00	Recording Fee (if applicable): \$25.00

The Planning Office must receive the completed application, plans and fees on the day indicated on the Planning Board Schedule of Deadlines and Public Hearings.

APPLICANT	Name: Exeter Mills, LLC - Matt Assia			
	Address: 3 Penstock Way, Newmarket, NH 03857			
	Email Address: massia@chinburg.com			
	Phone: 603-868-5995			
PROPOSAL	Address: 10 Chestnut Street, Exeter, NH			
	Tax Map #64 Lot#51 Zoning District:R-5			
	Owner of Record: Exeter Mills, LLC			
Person/Business performing work outlined in proposal	Name: Chinburg Builders, Inc			
	Address: 3 Penstock Way, Newmarket, NH 03857			
	Phone: 603-868-5995			
Professional that	Name: Jim Gove - Gove Environmental Services			
delineated wetlands	Address: 8 Continental Drive, Bldg 2, Unit H, Exeter, NH 03833			
	Phone: 603-778-0644			

Town of Exeter Planning Board Application Conditional Use Permit: Shoreland Protection District

Detailed Proposal including intent, project description, and use of property: (Use additional sheet as needed) To add a 14'x17' Concrete Pad on the lot located at 10 Chestnut street, for the purpose of installing a new cooling tower.						
Sharaland Protection F	District Impact (in square	footogo				
Temporary Impact	Wetland: □ Prime Wetlands □ Exemplary Wetlands	(SQ FT.) 0 0	Buffer: □ Prime Wetlands □ Exemplary Wetlands	(SQ FT.) TBD TBD		
	☐ Vernal Pools (>200SF) ☐ VPD ☐ PD ☐ Inland Stream	0 0	☐ Vernal Pools (>200SF) ☐ VPD ☐ PD ☐ Inland Stream	TBD TBD TBD TBD		
Permanent Impact	Wetland: Prime Wetlands Exemplary Wetlands Vernal Pools (>200SF) VPD PD Inland Stream	0 0 0 0 0 0	Buffer: Prime Wetlands Exemplary Wetlands Vernal Pools (>200SF) VPD PD Inland Stream	TBD TBD TBD TBD TBD TBD		
List any variances/special N/A	exceptions granted by Zonii	ng Board of	Adjustment including dates:			
Describe how your proposal meets the conditions of Article 9.3.4.G.2 of the Town of Exeter Zoning Ordinance: The use for which the permit is sought cannot be carried out on any other portion of the lot which are outside the Shoreland Protection District. The proposed use will not create a hazard to individual or public health, safety and welfare.						

Conditional Use Permit Criteria

Shoreland Protection District

9.3.4 G Conditional Uses:

- 1. The following uses, if allowed in the underlying zoning district, are permitted only after a Conditional Use Permit is granted by the Planning Board.
- a. Industrial and commercial uses not otherwise prohibited in Article 9.3.4.F Exeter Shoreland Protection District Ordinance Use Regulations of these regulations.
- b. Multi-family residential development.
- c. Transmission lines, access ways, including driveways and parking lots or roadways, paved or unpaved, within 150 feet of the Exeter River, Squamscott River or their major tributaries, or within 100 feet of perennial brooks, streams and creeks located within the Exeter Shoreland Protection District.
- d. Detention ponds, treatment swales, and other drainage structures as required by State or local regulations.
- 2. The Planning Board may grant a Conditional Use Permit for those uses listed above only after written findings of fact are made which have been reviewed by technical experts from the Rockingham Conservation District, if required by the Planning Board, at the cost of the developer, provided that all of the following are true:
- a. The proposed use will not detrimentally affect the surface water quality of the adjacent river or tributary, or otherwise result in unhealthful conditions.
- b. The proposed use will discharge no waste water on site other than that normally discharged by domestic waste water disposal systems and will not involve on-site storage or disposal of hazardous or toxic wastes as herein defined.
- c. The proposed use will nor result in undue damage to spawning grounds and other wildlife habitat.
- d. The proposed use complies with the use regulations identified in Article 9.3.4 Exeter Shoreland Protection District Ordinance Use Regulations and all other applicable sections of this article.
- e. The design and construction of the proposed use will be consistent with the intent of the purposes set forth in Article 9.3.1 Exeter Shoreland Protection District Ordinance Authority and Purpose.

ABUTTERS LIST 10 CHESTNUT STREET TAX MAP 64 LOTS 51

ABUTTERS:

TAX MAP 64 LOTS 45, 47 & 87 TAX MAP 72 LOT 42 TOWN OF EXETER 10 FRONT STREET EXETER, NH 03833 BK 2400/PG 85 (72/42) BK 2631/PG 27 (64/47)

TAX MAP 64 LOT 46 PHILLIPS EXETER ACADEMY 20 MAIN STREET EXETER, NH 03833

TAX MAP 64 LOT 49 CHARLES C. TRAVERSE, JR. LUCIEN & NORMA DALLAIRE 22 PEABODY DRIVE BRENTWOOD, NH 03833 BK 4467/PG 0637

TAX MAP 64 LOT 50 FREEDMAN REALTY INC. 173 WATER STREET EXETER, NH 03833 BK 2546/PG 7

F:\Land Projects 3\12132-EXETER-10-27-CHESTNUT-STREET-CHINBURG\12132 - 10 Chestnut Street\Word\2015\ABUTTERS LIST.rtf

TAX MAP 64 LOT 53 JEFF TURNER & LORI WHITNEY 11 CHESTNUT STREET EXETER, NH 03833 BK 5367/PG 1231

9, 🕸 🐪

TAX MAP 64 LOT 54 SAMUEL BELL CONDO ASSOC. ATTN: PETER DOW 9 CHESTNUT STREET UNIT 4 EXETER, NH 03833

TAX MAP 64 LOT 55
7 CHESTNUT ST REALTY TR.
JONATHAN L. & SANDRA L. PINETTE
108 POST ROAD
NORTH HAMPTON, NH 03862
BK 5163/PG 2584

TAX MAP 64 LOT 89 JOHN E. & JANET L. RANDOLPH 1 STAGECOACH ROAD DURHAM, NH 03824 BK 4680/PG 1438

TAX MAP 64 LOT 90 PAUL G. & ELAINE M. SCAFIDI 26 JADY HILL AVENUE EXETER, NH 03833 BK 2366/PG 1810

TAX MAP 64 LOT 91 IRENE G. CURRAN TRUST IRENE G. CURRAN, TRUSTEE 12 JADY HILL AVENUE EXETER, NH 03833 BK 3786/PG 0308

TAX MAP 64 LOT 92 DOUGLAS R. & SUSAN L. SUMNER 28 JADY HILL AVENUE EXETER, NH 03833 BK 5472/PG 1664 TAX MAP 64 LOT 93 KATHLEEN JUDITH HOGAN 30 JADY HILL AVENUE EXETER, NH 03833 BK 5457/PG 1422

TAX MAP 64 LOT 105 HAYES MOBILE HOME PARK, INC. 56 JADY HILL AVENUE EXETER, NH 03833 BK 3178/PG 286

TAX MAP 72 LOTS 18, 18-2, 23 & 25 PAIRPOINT GROUP LLC PO BOX 70 EXETER, NH 03833 BK 4109/PG 0205 (72/18 & 72/18/2) BK 5327/PG 1154 (72/23)

TAX MAP 72 LOT 18-1 TKD LLC 17 TWILLINGATE LANE SUDBURY, MA 01776 BK 5117/PG 0758

TAX MAP 72 LOT 20 PHILLIPS WHARF CONDO ASSOCIATION 135 WATER STREET EXETER, NH 03833

TAX MAP 72 LOT 21 DANIEL W. JONES REV. TRUST DANIEL W. JONES, TRUSTEE PO BOX 526 EXETER, NH 03833 BK 5199/PG 0787

TAX MAP 72 LOT 22 127 WATER STREET REALTY INC. 127 WATER STREET EXETER, NH 03833 TAX MAP 72 LOT 24 117 WATER ST PROPERTIES LLC C/O LABRANCHE 27 BADGERS IS. W, UNIT 3 KITTERY, ME 03904 BK 3705/PG 2021

TAX MAP 72 LOT 26 ROONIC PROPERTIES LLC 18 CHERRY ROAD NORTH HAMPTON, NH 03862 BK 5569/PG 2161

TAX MAP 72 LOT 27 EXETER JEWELERS INC. 101 WATER STREET EXETER, NH 03833 BK 2866/PG 2455

TAX MAP 72 LOT 28 TSUI AND YAP LIMITED 97 WATER STREET EXETER, NH 03833 BK 3636/PG 2337

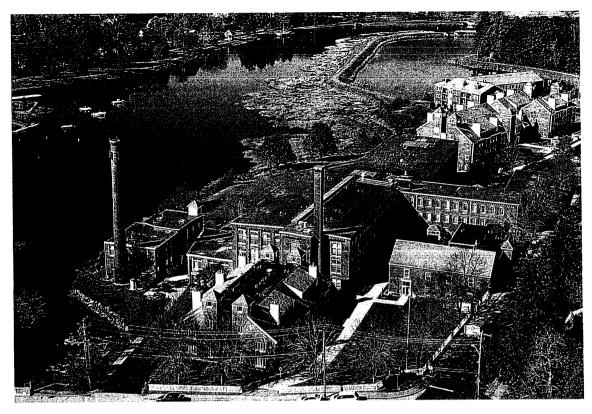
TAX MAP 72 LOT 29 MARIO A. PONTE, SR REVOC. TRUST MARIO A. PONTE, SR, TRUSTEE 101 WATER STREET EXETER, NH 03833 BK 3815/PG 0920

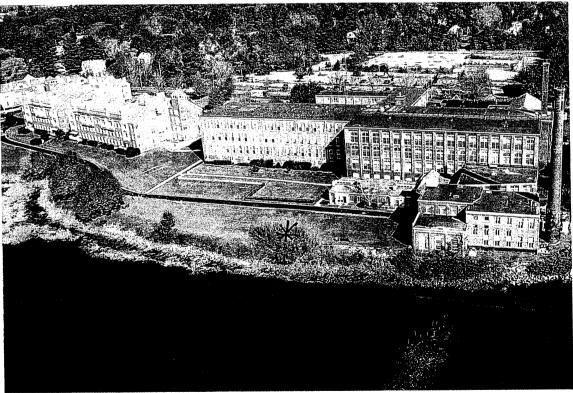
TAX MAP 72 LOT 30 PEG SHAW & RONNEY A. NADILE AARON & JUDITY KATZ 2147 O STREET NW APT 306 WASHINGTON, DC 20037 BK 4780/PG 1968

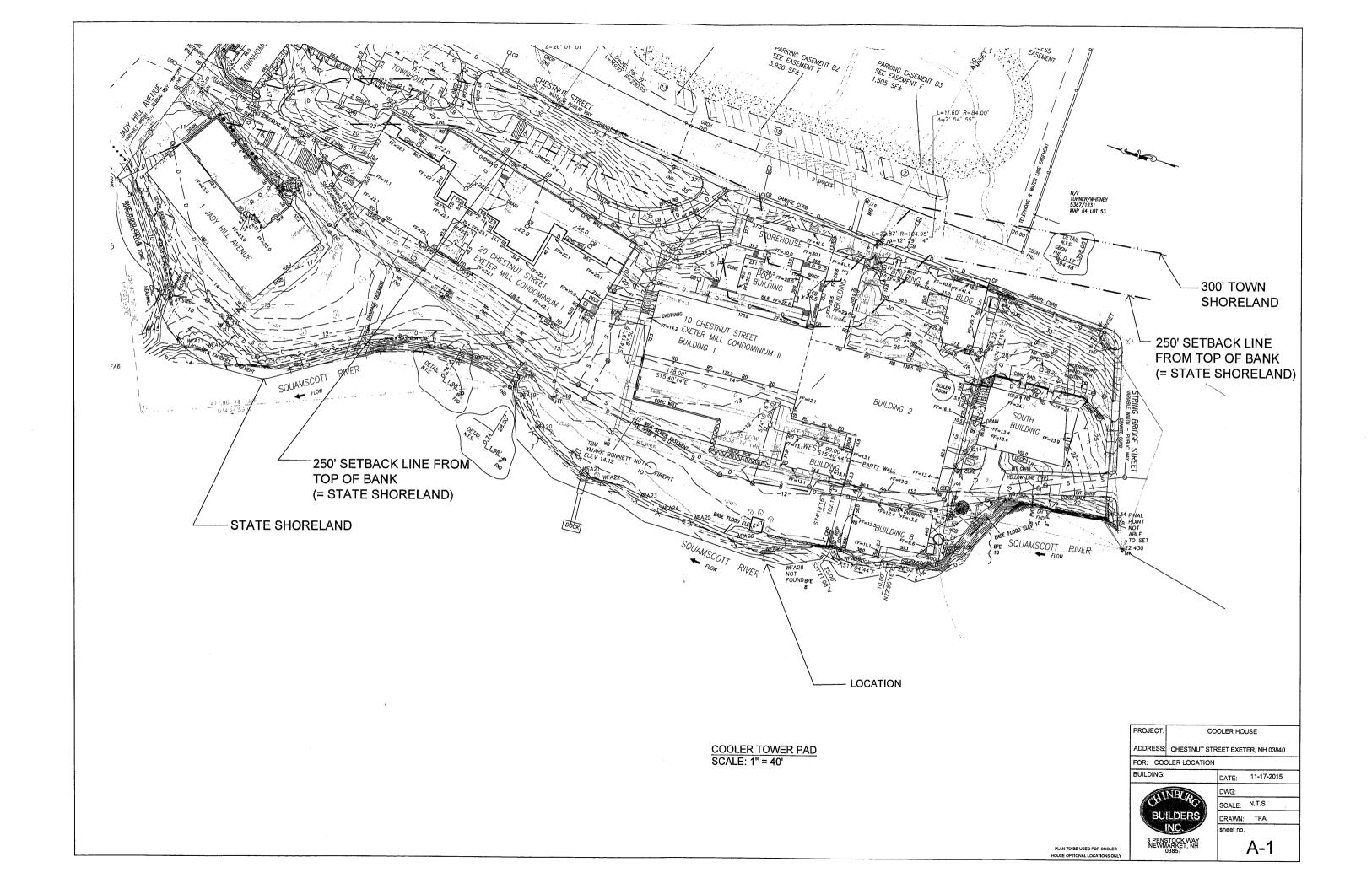
TAX MAP 72 LOT 31 KIMBALL ISLAND LLC 33 WATER STREET EXETER, NH 03833 BK 5531/PG 2642 TAX MAP 72 LOT 32 JEFFREY C. SALISBURY REV. TRUST JEFFREY C. SALISBURY, TRUSTEE 27 FRONT STREET UNIT 1 EXETER, NH 03833 BK 3669/PG 1439

TAX MAP 72 LOT 33 EXETER MASONIC ASSOCIATION C/O GAIL M. SWAIN 95 WALNUT AVENUE NORTH HAMPTON, NH 03862 BK 456/PG 183

TAX MAP 72 LOT 34 KENSINGTON EXETER LLC 347 CONGRESS STREET BOSTON, MA 02210 BK 5279/PG 1878









Re: Chapter 7 - Discharge of Firearms

1 message

Kristen Murphy kmurphy@exeternh.gov>

Wed, Jan 20, 2016 at 11:45 AM

To: Russ Dean <rdean@exeternh.gov>

Cc: William Shupe <wshupe@exeternh.gov>

Attached is a mocked up sign and edited town ordinance. Once you both are OK with the wording I will look into having it made. I dont know where the sign shop is. I just found an online website you could create your own. This would cost \$38 + S/H.

Kristen

On Wed, Jan 20, 2016 at 9:58 AM, Russ Dean <rdean@exeternh.gov> wrote:

It sounds like it was over the weekend. He did call the PD who said they would dispatch an officer.

If I can get a marked up town ordinance I'd be happy to bring it to the Board for readings and adoption.

In the meantime, I still suggest we work up a sign that reflects how hunting is allowed but perhaps also refers to "no other discharge of a firearm on public property" under Ordinance 704. Perhaps we also include the dates of hunting season when it's allowed.

My thoughts,

Russ

On Wed, Jan 20, 2016 at 9:54 AM, Kristen Murphy kmurphy@exeternh.gov wrote:

FYI the ordinance does need updating as hunting is permitted at Raynes Farm but not listed in the properties. Target shooting is not permitted however. The only open season at the moment is for waterfowl.

We have had issues in the past with people driving through the fields. The PD tried to help and installed a trail camera but were not able to catch them.

Recently dumping has been noted and I am hoping to clean it up soon.

Did he see shooting or off road vehicle use recently?

Kristen

On Wed, Jan 20, 2016 at 9:39 AM, Russ Dean <rdean@exeternh.gov> wrote: Hi folks,

Just had a call from a Jeff Kepner of 78 Linden Street. He's concerned about firearms being discharged at the Raynes property.

He also was concerned about off road vehicles "tearing up" the property.

What do we think of putting a sign up somewhere that speaks to the rules under Chapter 7.

I'd certainly be concerned if this were a common occurrence or an occurrence at all.

Maybe the sign shop can put something together like we have down at the Stewart Docks - a typical regulatory-type sign. Suggest black and white, not green.

Thanks,

Russ

http://exeternh.gov/sites/default/files/fileattachments/ord_chapter_7_conduct_regulations_2011jun.pdf

Kristen Murphy Natural Resource Planner Town of Exeter 10 Front Street, Exeter, NH 03833 (603) 418-6452

Kristen Murphy Natural Resource Planner Town of Exeter 10 Front Street, Exeter, NH 03833 (603) 418-6452

2 attachments



Possible Sign Design.jpg 68K



Proposed Revisions - ord_chapter_7_conduct_regulations_2011jun.docx

NOTICE: Hunting in season is permitted. Visitors should wear day-glow orange during hunting seasons.

Discharge of firearms for any other use is prohibited under Exeter Town Ordinance 704.

Violators will be fined \$100 for each offense.

Active Crop Management Area. No motor vehicles permitted on fields.



Re: trail signs

1 message

Larry Fritz < larrynfritz@gmail.com>

To: Kristen Murphy kmurphy@exeternh.gov>

Wed, Dec 23, 2015 at 2:44 PM

Hello Kristan.

Sorry it has taken so much time to give you an estimate on the signs. It's a difficult thing to do, since I do not have a machine to automatically route the letters. If I make a mistake I have to start all over with a new piece of wood. (all lost time & materials) I have designed & made many signs for the Sunshine Campus that I managed for 24 years, but I had a nice wood shop to work in. Anyway, here is my best guess. The big sign will have to be made out of (2) pieces of 1 1/2" X10" X8' Cedar joined together. If 3" letters are desired, the overall length will be 7'-3" long. William J "Willy" White will be on the top board & Conservation Area with the PINE BRANCHES on the second board. White paint will be used for the lettering. The sample picture looks like it has a grey paint finish on the face. Is that what is wanted for the new sign? Also the posts will be pressure treated, will they need the top edge angled or chamfered (for water run off)? This estimate does not include installation.

Large "Willy White sign: \$936.00

(3) Junction signs: \$120.00

Sincerely , Larry N. Fritz 6 Great Hill Court Exeter, NH 03833 (585)749-8174

On Fri, Dec 11, 2015 at 11:11 AM, Kristen Murphy kmurphy@exeternh.gov wrote:

Here is the photo of the sign that the White Sign would be similar to. We don't have photos of the junction markers though I bet I could get someone to snap one while riding if you need one of those.

Kristen

----- Forwarded message -----

From: Kristen Murphy kmurphy@exeternh.gov>

Date: Tue, Nov 24, 2015 at 8:38 AM

Subject: Re: trail signs

To: Jason Fritz <jfritz3491@yahoo.com>

Yes I put it in the mail that same day (Friday?) w/ a stamped envelope for returning.

On Mon, Nov 23, 2015 at 3:36 PM, Jason Fritz <ifritz3491@yahoo.com> wrote:

Ok, thank you. Did the updated MOU get sent to Phillip at NEMBA?

Have a Happy Thanksgiving

J

Sent from Yahoo Mail on Android

Exeter Conservation Commission DRAFT MINUTES January 12, 2016

Call to Order

Ms. Raub, acting chair called the meeting to order at 7:04 pm in the Nowak Room of the Exeter Town Offices on the above date.

1. MEMBERS PRESENT: Don Clement (BOS Rep), Don Briselden, Bill Campbell, Ginny Raub, Pete Richardson, Alyson Eberhardt

Staff Present: Kristen Murphy (Natural Resource Planner), Sarah McGraw (Recording Secretary)

2. Public Comment: None

Action Items

1. Snowshoe Hullabaloo February Snow Shoe Race Even Request February 20 (Ri Fahnstock, Sarah Sallade

Sarah Sallade spoke about the snowshoe Hullabaloo event for February 20, 2016. She said the event will begin at 6 Commerce Way starting at 11:00 am with registration at 9:30 am. She commented that last year's event had been successful. She then outlined the plan for race cancellation. There will be online registration the week before the race. She and Ri will make a decision on race cancellation before February 12th. Ri said he is in charge of logistics and added that there may be issues coordinating the race with tree harvesting activities. The route may have to be re-routed. Ginny asked what they need for snow cover to have a race. Ri said at least 6 inches.

Mr. Richardson moved to approve the application second by Mr. Briselden. VOTE: Unanimous

2. Standard Dredge and Fill Application for a Light Industrial/Distribution Facility at 12 Continental Drive, Tax Map 46, Lot 1 (Jim Petropulos, Brendan Quigley)

James Petropulos, civil engineer with Hayner/Swansen introduced himself and was accompanied by Brendan Quigley representing Gove Environmental Services. Mr. Petropulos said the Applicant was seeking a standard dredge and fill permit approval. The Applicant is also meeting with the Exeter Planning Board for a conditional use permit. The property abuts Continental Drive, FW Webb, and conservation land to the north. Eight lots were created on the property of which four were developed into what is known as a "pork chop lot." Mr. Petropulos said the lot was mostly wooded. The wetlands have been surveyed and poorly drained wooded wetlands were found. Mr. Petropulos explained the facility will consist of offices and an assembly distribution facility. The goal is to retain a New Hampshire business.

There will be a shared entrance with FW Webb and a 99 space parking lot. The facility will connect with the town water and sewer. Mr. Petropulos explained that there will be 6,178 square feet of wetland impacts and 59,600 square feet of buffer impacts. Storm water treatment will consist of curbing and catch basins as well as planting in wet areas with with aquatic plants. The Applicant has filed with the Department of Environmental Services for a dredge and fill permit. Mr. Petropulos explained the Conditional Use Permit from section 9.1.6.A, Wetlands Conservation Overlay District. Mr. Petropulos said that the applicant has tried to minimize affects to nearby wetlands. The Applicant is not proposing industrial discharge and there will not be detrimental affects to public safety.

Mr. Briselden asked about draining and curbing. Mr. Petropulos answered that curbing and catch basins will be used as well as controlling runoff. Driveway runoff will be captured and piped into catch basins as well as runoff from the roof. Mr. Briselden inquired about percolation. Mr. Petropulos said that the soil density was tight with not much recharge. A precast box will slow down the filtering process. Mr. Campbell asked where all the water will run to. Mr. Quigley said that the wetlands are part of Little River and Bloody Brook complex. Mr. Campbell was concerned with drainage into an abutting lot. Mr. Mr. Petropulos said that future developments will sit higher than the wetlands.

Mr. Richardson said the wetlands are lower than the parking lot. Mr. Petropulos said that the land was 7 to 8 feet above the wetland. Mr. Richardson asked if the surveyor has surveyed the property corners. Mr. Petropulos said that at the end of construction there will be monuments set down. Mr. Quigley said that the conservation land has been marked. The property corners are present as well as markers for the conservation corners. Mr. Briselden commented that the Commission spends time searching for monuments in the field.

Ms. Raub asked about the TRC meeting. Mr. Petropulos said that they will be resubmitting changes made from the TRC meeting to the town. One of the buffers was mislabeled and corrected. There were no big storm water changes or land development changes.

Mr. Briselden recognized a discrepancy with the buffer square footage. Mr. Petropulos said this will be corrected. Ms. Eberhardt asked about the seeding plan. Mr. Petropulos said that there will be a better buffer. Trees, shrubs and aquatic plants will also be incorporated.

Mr. Briselden moved the recommendation of concurrence with the application and to send a letter of recommendation to NHDES, second by Mr. Campbell.

Mr. Richardson asked if there were any invasive species that could be spread during construction. Mr. Quigley said after his investigation, the area doesn't seem to be affected by invasive species.

With no further discussion, VOTE: Unanimous

Mr. Briselden moved to send a memo recommending the conditional use permit as presented to the Planning Board, second by Mr. Campbell. **VOTE:** Unanimous

3. Raynes Foundation Repairs Engineering

Mr. Briselden referred to a memo he submitted via email and in the packets about repairing the foundation of the barn.

Mr. Briselden recommended an estimate not to exceed \$2,000 for the north east foundation.

Mr. Campbell said that they should do an engineering report and estimate. Mr. Briselden said this would put them in a position for a warrant article for 2017 as the cost of the repairs could exceed \$40,000. For this reason an engineering study and cost estimate would be required.

Mr. Campbell motioned to hire Emanuel Engineering for the study not to exceed \$2,000, second by Ms. Eberhardt.

Mr. Clement asked if the town was considered as an engineering consultant. Mr. Briselden said that he has talked to the town and this type of work is not generally what they do but have been helpful in other aspects of the barn.

Without further discussion, VOTE: Unanimous

Ms. Murphy explained that the proposed budget for 2016 was \$10,058.00. Ms. Murphy handed out the requested budget. Some numbers needed to be moved around based on increased costs which are why there is \$2,000 available in the budget for engineering.

4. All boards meeting – February 10, Exeter Public Library 6 pm

Ms. Raub said that one talking point for the meeting is the MRI report and how the boards can work together. Ms. Raub said that Jay Gregoire met with the Planning Board. Ms. Murphy said that the outcome of the meeting was to communicate more often and if the Commission has a recommendation, to put in memo format.

Mr. Briselden asked if tonight's discussion fit the recommendation. Ms. Murphy said that due to the Planning Board schedule applications will not be able to meet the Commission first.

Ms. Murphy said that she had sent out a copy of the MRI report. Ms. Eberhardt suggested childcare be available at the All Boards Meeting. Ms. Murphy said that a contact from Phillips Exeter Academy community action group offers childcare services. Mr. Clement said he will also bring this up at the BOS meeting.

5. Committee Reports

- a) Property Management
 - i. Timber Harvest Update

Ms. Murphy said there was a Conservation Commission special session in December where Sweets Logging was contracted for timber harvesting services. Charlie Moreno put together a contract which went before legal counsel.

Ms. Murphy said that legal counsel suggested the town get reimbursed for what the mill paid for the timber and get invoiced for expenses. Language was added about the logging company having responsibility for leaving the site and out into the main road. Ms. Murphy suggested that the Commission authorize the Commission chair to sign the logging contract.

Ms. Raub clarified that changes were presented to the logging company by Charlie Moreno. Ms. Murphy said that the logger is ready to work but it is weather dependent. The logging company is ready to go as soon as contract is signed.

Mr. Briselden said that the Commission needs to decide who will sign the contract. Discussion ensued about how to get the contract to the chair.

Mr. Campbell moved to allow the Chair or appointee to sign the harvesting contract second by Mr. Richardson. **VOTE:** Unanimous

ii. Chamberlin Easement Paddock Notification

Ms. Murphy said she had met with the new landowners. They discussed the conditions of the easement and siting for four horse paddocks within the twelve acre exclusion area which overlaps 50 feet to the west and 100 feet to the south into the conservation easement. This requires notification to Commission should the landowners want to exercise their reserved rights. Ms. Murphy said after checking, an Alteration of Terrain Permit is not required which is waived for agricultural areas. The reason for the conservation land overlap is that there are soils that the landowners want to avoid.

The owners provided notification to Ms. Murphy and she allowed them to move forward. Ms. Murphy said she believes that they are fit as good stewards of the land.

Mr. Clement said that RCCC could be a good resource for manure management. Ms. Murphy spoke with Glen Greenwood Interim Planner to see if this is considered agricultural. Mr. Greenwood provided a best practices book.

b. Trails

i. Closure Process for Harvest

Ms. Murphy said that trail closure is necessary for public safety. The southern part of the trail network is within harvest area one and two. It is up to the Commission to put up posting on the trails. Someone would have to change the signs as the harvesting operation moves. Ms. Murphy said that the Public Works Department has old barricades not in use.

Mr. Briselden said that he will be available to move signs. It was not certain how long the harvesting would take place in each section. Ms. Murphy said that they could close off the whole southern

portion to walkers if need be. Ms. Eberhardt said she could be of assistance to post signs along with Mr. Campbell. Mr. Briselden said that flagging and barriers would suffice for notification. Ms. Murphy also suggested sawhorses. Ms. Murphy drafted up a closure sign for the trails and notification on the town website with a map of locations.

ii. Sign estimate

c. Outreach

i. Bobcat Hunting Legislation

Ms. Raub said that they had received a letter from Stoddard

Conservation
Commission about the proposed bobcat hunting legislation. Mr. Campbell said that he thinks the legislation is premature. Ms. Eberhardt said she had read that there will be an estimated population increase of 70 bobcats. And there is some room to trap.

Mr. Clement asked if there might be a lottery. Ms. Eberhardt said she was not positive. Mr. Briselden said that the action is to support the draft letter from Stoddard. Ms. Eberhardt asked if this was within the Commission purview. Ms. Murphy said that there is precedence for joining with other conservation commissions. Ms Murphy said the options are to not sign off in opposition, to sign individually or to sign as a Commission.

Mr. Campbell asked if there have been evidence of bobcats in this area. Ms. Murphy said that they put out trap cameras in conjunction with UNH and haven't seen evidence of bobcats. Ms. Murphy said that the legislation going before the State in the coming months. Ms. Raub didn't feel the board has enough information to decide. Ms. Eberhardt suggested letting people make their own decision on signing the petition. Mr. Campbell asked what further information was needed to make a decision. Discussion ensued about what information is available on bobcat population numbers. Ms. Eberhardt said that the anticipated number of additional bobcats is 70. Mr. Briselden said that the letter stated 1,100 bobcats.

Mr. Clement also said he does not know enough about this to sign the petition as a Commission. Ms. Eberhardt suggested for the Commission to not sign if there is no consensus. Mr. Briselden and Ms. Raub agreed. Ms. Raub said seeing no consensus that individuals sign the letter on their own.

ii. Soak NH Spring Rain Garden Installation

Ms. Murphy said that Mr. Richardson, Ms. Raub and Ms Murphy had met with Soak NH to look at properties for a rain garden installation project. They chose Marshall Farms as a site for a rain

garden. Ms. Murphy said she did not think that the Commission has enough funds to help finance a rain garden but as a Commission reach out to the West Side Drive neighborhood. Soak NH would help with the installation but they want locals to reach out to homeowners.

Ms. Murphy suggested looking at Cockly road in Portsmouth to see examples of smaller rain gardens that would fit into similar neighborhoods in Exeter. She suggested once they find an interested homeowner to have an event showcasing the rain garden.

6. Treasurer's Report

Ms. Raub reported that the 2015 budget is \$10, 057 dollars. Funds approved for expenditure by November 30, 2015: \$1023,53.

Final Total: \$1,332.00 Cash on hand: \$3,012.27

Ms. Raub said she will try and resolve the discrepancy with the finance department.

Mr. Campbell motioned to approve the budget, second by Mr. Campbell. **VOTE:** Unanimous

7. Minutes from December 8, 2015, Site Walk from December 15, 2015, Minutes from December 15, 2015

Mr. Campbell motioned to accept the site walk minutes, second by Mr. Briselden. VOTE: 5 Yays: 1 Abstention

Mr. Campbell motioned to accept the minutes from December 15, 2015 second by Mr. Briselden. VOTE: Unanimous

Mr. Campbell motioned to accept the minutes from December 8, 2015, second by Ms. Raub. VOTE: Unanimous

8. Other Business

Ms. Raub asked if there will be a snowshoe event at Raynes given the full moon is on February 22. Mr. Campbell suggested Sunday February 21st. Mr. Briselden suggested settling on the 21st and talking about it at the next meeting.

Mr. Briselden commented that they should reach out to the Police Department and Public Works on the logging operation. Ms. Murphy said from the special meeting held, the goal is to do both harvest areas at one time to

make use of time. They will have to pay out of town funds which are why the budget is so tight.

Mr. Campbell moved to adjourn second by Mr. Richardson. VOTE: Unanimous.

The meeting was adjourned at 8:50 pm.

Ms. Raub said the chamber will not hold their fall festival. She suggested the Conservation Commission organizing a fall festival in coordination with the Recreation department.

The meeting was adjourned at 8:50 pm.

9. Next meeting: February 9, 2016

Respectfully Submitted,

Sarah McGraw