

SEPTEMBER 20, 2016*
DRAFT MINUTES

*[This session was originally scheduled for 9/13/16, but was rescheduled by the Commission to this evening.]

Call to Order:

The session was called to order by Chair Carlos Guindon at 7:01 pm.

1. Introduction of Members Present:

Members present were Virginia Raub, Clerk, Todd Piskovitch, Carlos Guindon, Chair, Andrew Koff, Treasurer, Bill Campbell, Vice Chair, and Don Clement (for Anne Surman), BOS Rep. Also present were staff members Kristen Murphy, Natural Resources Planner, David Pancoast, Recording Secretary, and Dave Sharples, Planner (as a presenter).

Applicants/Consultants and members of the public were present as well.

2. Public Comment:

A gentleman who did not identify himself offered that he had been watching the dam removal which had gone well, and saw a lot of debris there and had asked a Selectman he saw about debris removal and was told to come to the ConCom to ask. He offered to volunteer. Mr. Guindon discussed a work session now that the water level is lower, before it rises. The access will be from Gilman or Franklin St. Mr. Campbell said that someone should check with Public Works first. Ms. Ms. Murphy offered that Franklin St. might be the best access to remove it. There was more discussion on the process and water levels. Mr. Clement offered that a town cleanup had been done in July and an enormous amount of material came out of the River, accumulation from hundreds of years of trash disposal there. He suggested a flat bottom boat to fill with trash and haul it out upriver. Ms. Ms. Murphy will check with Public Works.

There was no other public comment.

3. Action Items:

a. Interboard Communication Memo & New NHDES Letter Format (Dave Sharples, Town Planner):

Mr. Sharples provided reporting forms for board use and as a basis of that, said that the Town Manager wanted all the boards to be consistent. ConCom doesn't write their recommendations down and Kristen has to recapture the intent and wording, which can be difficult. The form provided by him has been used by others and works well. Recommendations are written down and signed by the Chair. If Planning Board asks for the Commission's opinion, then Mr. Sharples can email the completed form out to the members and it improves the overall process.

The other form is a wetlands permit application response, listing either no objection, intervene, or recommend approval or denial. He recommended the use that form as well. Mr. Campbell said it was worth a try and he supported it. Mr. Clement said he loved standardization and having a record and this is a good way to get that done, it would provide a more timely, helpful process to all concerned. Ms. Raub said she didn't think the Commission ruled on anything. Mr. Sharples said it is allowed and good to "recommend" one way or the other, if the Commission can do so. The form just makes it official. Mr. Clement added as a member of the Planning Board, he would love to get ConCom thoughts and recommendations on anything of interest to it, such as on Conditional Use Permits. Mr. Campbell said that this is a great idea to help the process. Mr. Sharples said the Commission could put additional commentary on the back of the form. Mr. Guindon said the Commission would try it out.

**b. Southern District YMCA:
Proposals for Use of Morrissette Property Tax Map 82/15 for outdoor
education and a fitness trail/parcourse. (Mr. McGregor McGregor,
President Southern District YMCA):**

Mr. McGregor MCGregor said he is here to present this matter and introduced Cindy Domingues, who is Y Chairperson and is here to endorse it and has a great record of stewardship of land. She stated that this project would make great use of this land for enjoyment of the public and would benefit it through improved health as well.

Mr. McGregor said that this is a good use of open space by children for health and wellness. Mr. Campbell said that he wanted to know if the Y needed to install anything for the outdoor education piece. Mr .McGregor said that kids should be able to bring anything they want or need on their use trips. The YMCA would be their home base. Mr. Campbell suggested the Commission separate the two requests and deal with each that way.H

Mr. Guindon asked Mr. Clement to comment on the historical perspective of this proposal. Mr. Clement said in 2001, when he was on the Commission, the High School was looking to expand and wanted to use the Morrissette parcel for a full sports complex, with new connection roads and such. The Little River is a prime significant wetlands resource and NH DES hearings were held. In the process, it was ascertained that the area was a unique ecosystem with wetlands, a stream, wildlife, habitat, and a valuable wildlife corridor. It included a winter deer 'yarding' area, otter and beaver, and amphibian life. It has a lot of "edge" habitat, woodcock, pheasant, fox, and was less than a mile from downtown. Due to all that natural benefit, Plan B was done instead and a new high school was built elsewhere, which also had a wetlands parcel. That project involved filling of 4 acres of wetlands, the largest in Town at the time. So, as mitigation for that filling, the Morrissette property was to be permanently preserved as a unique wild place just that way, as protected resources for wildlfife, etc. The School Dept. gave this piece to the ConCom in stewardship for that protective purpose.

Mr. Guindon said the perspective given was very important regarding any requests for uses. Education can be intrusive too, so the Commission needs to be wary and be sure it fits in. No structures are to be allowed. Trail for exercising could be done if no structures were added. Ms. Raub said that her concern is that the parcel is completely surrounded by vegetation and can't be seen. There are many folks under age 25 passing by. So she thought that no youngsters should go there unsupervised, due to that. Mr. Campbell moved that the Commission endorse the use as presented and discussed. Mr. Clement offered that the parcel is open to the public. If Y wants to use it as environmentally based education and passive activities, he expressed it as education rather than recreation. Mr. Campbell asked about summer camp. The Y does run a summer camp but they would like to have a green light to utilize the space appropriately. Ms. Murphy offered that the field is not mowed in the summer as it is intended for nesting bird habitat. Mr. Koff seconded the motion. The vote was unanimous for the first request, outdoor education only.

Mr. Campbell then asked about the fitness trail component, how is it set up? Mr. McGregor said health was important for the community, but they had no preconceived idea on a specific course with elements included. Might be nothing permanent. Mr. Piskovitch offered that a similar use occurs in a neighboring community. Ms. Domingues said perhaps three stations could be put in which blend in naturally. Mr. McGregor said he was looking for a blend and a discussion, not specifics. Mr. Guindon said that structures might work if they are more natural. Mr. McGregor said this location is a benefit for ease of use locale for the Y. Mr. Koff asked the Commission if it is okay with structures, does it meet the criteria for passive recreation? Ms. Murphy said it's a level of interpretation of the deed. Mr. Clement said that if the Commission promoted this type of activity, it increases human traffic and the wildlife is in conflict with that. Might be on a slippery slope here encouraging any work stations. Mr. Campbell said a field trip might be worthwhile to view the proposals on site. Ms. Raub said she was trying to clarify passive v. active recreation and online it defines 'active' as whatever increases aerobic rates. This is not an ideal location for any structures. Mr. Campbell asked who is liable if a 'chinny' (chin-up) bar is put up and someone is injured? Mr. Clement said the Town of Exeter, but it

may be covered in Town insurance. But if a party constructs any structures, then that might differ.

Mr. Guindon asked for a motion. Mr. Koff said he was open to something there and perhaps the Y could do trail upkeep in exchange for this activity. There was discussion on this possible use. Mr. Clement emphasized this was a natural preserve and was intended as that, not as active recreation use by YMCA or anyone else. Mr. Campbell said he would like to go look at it with them and see what might work. Mr. Koff said the Commission needs a more specific proposal. Mr. McGregor said he wanted to find out if any exploration is warranted before doing that sort of detailed work. A fitter community and outdoor enjoyment is the goal. Mr. Campbell said that if they agreed to 'X' number of stations, perhaps the public would think more is better and start adding things in there without permission. Mr. Koff said that he did not think that would happen. Mr. Campbell was willing to look at it. Mr. Piskovitch said he agreed with Mr. Koff, a few stations would be good. Based on the definition offered by Ms. Raub, then cross-country skiing would not be allowed out there. Ms. Ms. Murphy said the packet does not contain the deed, it's only an excerpt. The deed was sent separately to the Commission. It is four pages long. There was discussion on the deed provisions. Mr. Clement said he was not trying to offend the YMCA, but this is against the intent as he understood it and orchestrated it as ConCom Chair back when this property was protected. The more formal the program, the more impact it would have on the wildlife. This is not the only place that fitness can happen, it's just the most convenient to the YMCA.

Mr. Piskovitch said that structures are allowed as long as they meet the "purposes set forth above" in the document. Mr. Guindon said the Commission was divided on purpose, the educational piece is fine and has been approved, but the Commission needs a site walk and more information on the fitness piece of the YMCA's request. Ms. Raub said a sitewalk with the YMCA was worthwhile on this. Mr. Koff said that the Y should provide some tentative elements for the Commission to consider for the sitewalk. After discussion, the Commission chose Thursday 10/6 at 5:30 pm for the sitewalk, all to meet at the bridge over the River. The YMCA would attend and provide more specifics on stations.

b. Conditional Use Permit for the proposed construction of a 30,000 square foot addition to an existing building and associated site improvements at 22 Industrial Drive. Tax Map Parcel #48-5. (Luke Hurley, GES, Inc.):

[Mr. Clement excused himself from the next two matters, due to his Planning Board involvement in them.]

Christian Smith, Engineer, presented the matter. Ms. Ms. Murphy said that there was a document of follow-up comments which she used but it didn't have the conditions included in it. Mr. Smith said a building addition was proposed. They were able to keep all proposed impervious surfaces out of the 40 ft setback. The expansion will be on existing parking lot, but some was added to the rear of it. TRC resulted in Phase I in which some sets of parking stalls are NOT to be built until needed. Disturbances in buffers are for stormwater treatment and such only. The applicant does need an alteration of terrain permit here. They decided to come to the ConCom for comments on this. The parking and pavement plan doesn't have the grading shown on it. Wetlands features came about at original detention ponds. Luke Hurley, Environmental Consultant, said the site was all rock and boulders. Mr. Smith said all three stormwater structures are partially in the buffers, but not the whole structures in any of them. There is a gas main running through the site as well, that is subject to gas company maintenance. The bay on the end will not be constructed until absolutely needed. Mr. Campbell said that if Commission gives approval now, then the applicant could build them anytime, they can't stop it. There was discussion about work already going on out there. The Chair said he will go check it out. Mr. Smith said he thought it was the storage work next door.

Ms. Raub asked about snow storage. Mr. Smith said it's plowed off the pavement onto the edge of the pavement. The Alteration of Terrain permit would require reporting and periodic review. Mr. Smith said the driveway and parking areas are standard pavement. There is too much stone there for much infiltration. Ms. Raub asked if the 16" tree location requirement had been waived at Planning Board? Mr. Smith said it was waived. There will be plantings of native trees to make up for that waiver, most of them in front. The second building is a proposed phase II element and is well out of

everything and even then will be built only if rest of the units get filled with tenants. Must have tenants to move it forward. As the Commission utilized the new form provided earlier in the session, Mr. Campbell said that if there no recommendations specifically, then he moved the Commission enter a 'no objections' response on this. Mr. Smith said stormwater quality will be much improved. Mr. Guindon seconded the motion. Ms. Raub abstained, but the remaining members voted unanimously to approve no objections to the project.

d. Riverwoods Pinkham Village-Conditional Use Permit for drainage improvements at 7 Riverwoods Drive; Tax Map Parcel # 97-23:

Chuck Clifford, engineer, and Adam Gilford from Pinkham were present. There is no direct wetlands impact, but Dave Sharples had asked them to appear at ConCom. The Exeter River is nearby. There is a tiny piece that is involved here. Soils are not good. An important ADA accessible walkway is nearby. The roof drains send water to the walkway and problems result-ice occurs and frost heaves too. Collection of water hasn't worked well. The sidewalk is shifting due to all that. They are proposing to replace drip strips and put in drainage for "first flush." They will install a Tree Box Filter (designed by UNH), outletting to a level spreader, then to nearby wetlands afterward. There will be 807 sq ft of temporary impact within the buffer for work and then 140 sq ft would be the permanent structures of the Box filter, the level spreader and a portion of the walkway. A guard rail is also needed. Only one small area of this project is not previously disturbed. The applicant is looking for a recommendation to the Planning Board on this. The Tree Box Filter is round like a manhole but inside there is engineered soil mix with underdrainage, so water enters top, filters through and most comes out in underdrain into soils below that don't accept much water. Open on bottom so tree roots can enter and take up the water, which isn't very dirty. This helps the temperature and 90% of particulates are removed, plus treats nitrates to some extent. First flush is taken up. Mr. Campbell asked about rain if any event exceeds the box capacity? Mr. Clifford said that it overflows through the design outlet.

Mr. Campbell then moved that the first option be chosen, no objections to the proposal. Ms. Raub seconded and it passed unanimously.

4. Committee Reports:

a. Property Management: Timber Harvest Update:

Ms. Ms. Murphy said the timber harvest was done. There is an income statement from the harvest, several thousand dollars (\$8K-\$10K) have been realized for uses of invasive species management as intended. Trail Committee meeting this coming Thursday will get this report in more detail. Trails in the area are open again and folks are finding their way. Some field work needs to be done on that element. Some restoration signs should still be in place for now. Skidder tracks should not become trails down the line, might need to fill them in a bit. Need a balance there. There will be a harvest area site walk and an effort to document the work and the project. The area could be mapped by Mr. Moreno, the harvester, and also photographic documentation by students to show changes over time. Ms. Ms. Murphy suggested finances on this and future mapping as an agenda item. Mr. Moreno would charge \$600 for mapping this. Mr. Koff asked if the trail map needs to be updated and Ms. Ms. Murphy said yes. The Trail Committee should get involved in mapping and decisions on this. There was discussion on the use of this project as guidance for other communities.

b. Raynes Farm Long Term Planning:

Ms. Ms. Murphy said this is for 2017/2018, so the Commission has some time but needs to update documents. Got engineering report on foundation for that work. There was discussion on this situation. Ms. Raub asked if anything in the budget for this project? Ms. Murphy said no.

Ms. Raub said that things got bogged down on the Pumpkin toss. Construction of structure for the project will be underwritten by a volunteer and have a list of workers to go on it. Working on a definite venue. After Halloween, folks could bring their own pumpkins to it. More info will come at October meeting. Mr. Guindon asked if she needs more support? Mr. Koff offered his wife's services on the farmer's market network of vendors who might appear. Ms. Raub said there will be no shelter there-all tents only. Can set up in parking lot or elsewhere. Ms. Raub said that lower level parking area below the barn might work. Ms.

Murphy said she would check with Parks and Rec for vans used for camp kids, might be useful to have those. Nov. 5th is the date for it. Ms. Raub said the poster is underway. Ms. Murphy said for advertising, should for Commission to hold the funds, needs to be a donation. Ms Raub said they don't need a separate entity for this, can go to the Town. Might want a 50/50 split. Mr. Campbell said it would be nice if it could go into the Conservation Fund, to keep it for Raynes Farm uses in future.

Mr. Guindon said that rain has caused some issues out there on the crossing. Ms. Murphy said an Eagle Scout wanted a project and she responded to him with a list--Kiosk was one. Something else at Raynes would be good. Chair: graveyard maintenance would be good. Ms. Raub: needs to be a structure to qualify for ES credit.

c. Trails: Trail Committee Meeting scheduled 9/22/16, 7:00pm , Exeter Library:

Meeting to be held in the Conference Room across from Children's Room. Ms. Murphy said this overlaps with other events. She said they should send in comments for Committee.

d. Outreach:

Ms. Murphy said she is working on Complete Streets event on 10/22 and plan is to demo predestrian and bike friendly uses of streets, tour through down on bikes and improvements of downtown. If anyone want to help set up, could use the help. Meeting this Thursday to go over the needs. Painting in roads, flowers in trees along sidewalks and signs are needed. Event is 8am-4 pm. The Chamber of Commerce is involved. Temporary sidewalks to be painted showing the possibilities.

5. Approval of Minutes: August 9, 2016:

Comments and revisions were offered by various members and after discussion of those, Mr. Clement moved to approve the Minutes of August 9, 2016 as revised and amended, seconded by Mr. Koff and the vote was unanimous approval.

[Note: site walk meeting on 8/10/16 Minutes were done by Ms. Murphy. That project (C3I) was rushed through. Construction there is coming up, with a trail involved, should be discussed at trail meeting. Mr. Campbell moved acceptance of the minutes of the pre meeting sitewalk. Ms. Raub second. Mr. Guindon abstained for absence and the vote was otherwise.]

6. Correspondence:

There was discussion on Jolly Rand and a nice trail loop to Riverwoods-a mile or so. Pond there is a mud puddle now. Discussion was held on the pond.

7. Other Business:

Mr. Campbell raised a means of honoring Pete Richardson, suggested they put a bench out in ___(?)___ Park, but there are already 6 benches there. Don't know if could use one from elsewhere, or buy another one, or have one privately provided. A bench there with Pete's name on it and some appropriate sentiment would be nice. He was much involved in the River.

Ms. Raub: Section 106 is Heritage Commission-John Merkle.

Mr. Campbell said the last session dealt with a minimum impact standard dredge and fill for C3I, that had been approved. Darren Winham and Dan Chartran expedited it before the ConCom dealt with it. Ms. Murphy called Evan Lewis at NHDES, and he said it didn't bother them due to timing or who submitted it-the submission just moved it to the top. Doesn't change ConCom comments on submission. Mr. the Town Manager had said it wasn't done properly and was done against new system. Mr. Winham said he would make sure it would come to ConCom if that happened again. Ms. Murphy said this process by DES is a separate process. C3I had a problem with its lease running out. The Commissioner of DES signs it. Role for Town was pushed ahead by BOS chair and Town Manager and Mr. Winham pushed it forward. It was separate from the Planning Board decision, only about timing due to emergency. It doesn't undermine ConCom comments. Mr. Guindon said that communication could have been better. Mr. Campbell said he thinks the verbal coverage of it with Mr. Winham was good enough.

8. Non-public session: to report on the status of individual land protection efforts/transactions per RSA 91-A:3, II(d)

This session was cancelled as not needed.

9. Next Meeting: Date (10/11/16); Submission Deadline (9/30/16)

10. Adjournment:

There being no further business before the Commission, Mr. Campbell moved to adjourn, seconded by Mr. Koff and the vote was unanimous. The session was adjourned at 9:25 pm

Respectfully submitted by David Pancoast, Recording Secretary.