

CONSERVATION COMMISSION
MAY 9, 2017
-Final Minutes as Approved 8-8-17-

Call to Order:

Chair Carlos Guindon called the session to order at 7:05 pm.

1. Members present were Anne Surman, Selectmen's Representative; Ginny Raub, Clerk; Andrew Koff, Treasurer; Carlos Guindon, Chair; Bill Campbell, Vice Chair; Todd Piskovitz; David O'Hearn; and Marie Richey, Alternate Member.

Staff present were Kristen Murphy, Natural Resources Planner; and David Pancoast, Recording Secretary. Members of the public, applicants and consultants were present as well.

2. Public comment:

Mark William Damsell, 10 Newfields Road, Exeter, said he had been to the Commission January 10, 2017, about dog waste in Oaklands Town Forest. He had asked Commission as steward of the land to take action. It is abused and unhealthy/destructive. Dog waste is a large problem, need to resolve it. He was not in favor of signage but passed out photos of suggested signage to the Commission that would address the issue].

Mr. Guindon said he would look into it and report back. Commissioner Campbell said he was out to the same area today and it wasn't bad, .

Action Items:

- 1. Election of Officers**

Mr. Guindon proposed to step down as Chair as it is very hard for him to act as Chair due to working out of the country part of the year.

Ms. Raub nominated Bill Campbell as Chair, Mr. Piskovitz seconded and it was unanimously approved.

Mr. Piskovitz nominated Mr. Guindon as Vice Chair, seconded by Mr. O’Hearn, and it was unanimously approved.

Ms. Raub nominated Mr. Koff to continue as treasurer, seconded by Mr. O’Hearn, and unanimously approved.

Mr. Campbell nominated Ms. Raub as Clerk, seconded by Mr. O’Hearn, and it was unanimously approved.

2. Exeter Department of Public Works: Lincoln street Watershed Improvement Project (Jen Mates, Exeter Public Works and Rob Roseen, Waterstone Engineering)

Mr. Paul Vlasich, Town Engineer, said the new stormwater (MS4) permit is effective next year and there is also a new wastewater treatment permit with controls over nitrogen/nutrients. The Town received a grant that was awarded for the WISE Project (Water Integration for the Squamscott and Exeter Rivers), for effluent and nutrient control measures on the new treatment facility. Administrative Order of Consent with State (“AOC”) was made which has a nitrogen control plan to become effective in September 2018-requires removal of nitrogen from the storm water system as well. Town got another “319” grant for \$72,000 to implement the WISE report.

Mr. Robert Roseen, Waterstone Engineering, said he is reporting interim results from WISE grant and will be back with an update. Slide presentation was for nutrient control strategies within the local watershed; a regional concept. I 2009 NH DES listed Great Bay as an impaired water body which triggered many things. New wastewater plant and MS4 Permit coming into play. 2012: 3mg/liter is the new target with the AOC nitrogen control plan. Must identify nitrogen controls (wastewater plant is largest, but many

smaller ones). This project builds on earlier efforts. This is all about Best Management Practices (“BMPs”) and performance metrics for prioritizing: including unit cost, flood mapping and a set of final designs that can be part of future capital projects phased to get them done. He then reviewed in-depth the five tasks which the project is designed to accomplish [not set out here for brevity of minutes]. The watershed is the Lincoln Street Watershed. Largest in town at 188 acres, generates 1200+/- lbs of nitrogen annually. It all drains to a single undersized pipe, then to Phillips Exeter Academy (“PEA”), then to the PEA boathouse where it drains in to the river.

There is flooding at the drainage structure which is undersized. Very costly to enlarge it due to the area and railroad there, so need to reduce stresses there with low impact development practices like tree planters, porous pavement, rain gardens, green roofs, and such. Such improvements would add in features upstream that would reduce floodwater-adding “sponge” factor to the watershed and retaining water upstream. They have identified BMP locations, one at the corner of Front and Winter Streets, another at Columbus, Railroad Ave and Winter Streets, a third at Lincoln Street area. A last one is on Front St, an area of greatest concern. For the watershed modeling component-ran a flood model. Some areas backed up in 10 year storm event (just under 5” rain in 24 hours). This will be the basis for present baseline studies. Some early recommendations are on Winter Street. There is a small pocket park there-would pull infrastructure out, get some beach sand into it and allow the water to infiltrate into the ground.

Lincoln St is being redesigned in near future and the new BMPs would be incorporated into that project such as tree planters and right-of-way (“ROW”) infiltrators near street. Those would be subsurface infiltrators, that provide water storage and they act like salad spinners to get trash out. There is good sand and soils there. Tree planters would go in paved areas. Mr. Guindon asked about the BMPs reducing the natural flow of water, Mr. Roseen said yes, but the other side of the coin is to dramatically enhance

water quality function. Soils allow for infiltration. The general trajectory in municipal planning exceeds a four year interval-things don't change quickly. He will come back and update ConCom on the Phase II element of project.

3. Wetland and Shoreland Conditional Use Permit for a Wireless Communications Facility at 8 Kingston Road, Map/Lot 81/49 (Francis Parice, Varsity Wireless Investors, LLC).

Francis Parice presented. They submitted applications to the Planning Board and Zoning Board of Adjustment for a special exception.. The Planning Board would like the Commission's input. This is for a cell tower for wireless services. From a wetlands perspective it's benign with a fence of 60' x 60' and a couple of concrete foundations for the tower, couple hundred sq ft total with minimal impact on the environment. Property abuts Little River-wetlands buffers there but not encroached upon. Wetlands biologist Tom Liddy, Certified Wetlands Scientist, of Luke Environmental, said they reviewed property for wetlands. There is a 25 ft setback, a 50 ft waterfront buffer, 50-100 ft natural woodland buffer and the 250 ft shoreland buffer and also the local 300 ft shoreland buffer. They will apply to NHDES for shoreline permit and expect to get it due to minimal nature of impacts for project.

Technical review has not yet happened. Low impacts due to all lawn mostly. Construction impact 70' x 70' and final 60' x 60' impact area. Erosion control plan will be forthcoming. Most trees will not be coming down in this project because it's lawn for existing single family house, but some trees in low areas do need to come down.

Mr. Campbell said the Commission needs to forward a recommendation to the Planning Board. Ms. Raub said any Technical Review Committee ("TRC") conditions might influence the Commission's comments. Mr. Parice said if any greater impacts arose, they would have to come back.

Mr. Koff said the impact near the buffer zone should be moved back away from the buffer zone a few feet. Mr. Parice agreed. Ms. Raub said the Commission should say it has no objection rather than make any recommendation on it. The Board agreed with that. Mr. Guindon moved the Commission submit the form with no objection, pending any TRC changes that affect wetlands, and to move the detention pond as far away from the wetlands as feasible. Mr. Piskovitz seconded and it as unanimously approved.

4. Request for indication of intent to accept 12.9 acres of undeveloped land in accordance with density bonus requirements under Open Space zoning regulations 7.71.A. Properties are associated with the Rose Farm conceptual open space subdivision at Map 54, Lots 5, 6 and 7 and Map 63, Lot 205. (Keith Pattison, Exeter Rose Farm LLC)

Mr. Piskovitz recused himself from this matter.

Keith Pattison of Exeter Rose Farm LLC, under contract to purchase 50 acres of land. With him are Brenda Palver (?) of MSC Engineering, and Tim Stone of Stonehill Environmental. Worked on this for a few years. Believe this is compliant with open space regulations. The Planning Board suggested they come to the Commission for a possible decision on accepting this land. There is an existing public interest in this land, due to the spring. Discussion occurred on what is being deeded and areas of open space. They are proposing some portion be designated to public use.

Ms. Surman asked if the number of units was approved by Planning Board. Mr. Pattison said Planning Board accepted the yield number. But-members of the public disagreed with that statement. No final plan is approved yet.

Public Comments:

Doug Flockhart of 62 Park Court said he recommends very strongly that the Commission walk the entire site-many issues out there, pollution. The green space proposed to go to the Town is insulting. One piece is 2.9 acres surrounded by paved road. The largest portion is isolated and anyone would have to slog through wet areas and over Norris Brook to get to it. Any land contribution of any real value there should be 12.9 acres adjacent to the Town Forest.

Maura Fay, 13 Forest Street in Exeter. This plan hasn't gone to Planning Board at this time, Commission shouldn't act yet, but should do a site walk before any decisions. One acre parcel around the spring is questionable. If build all the houses near the spring, it might not continue or even exist due to impacts.

Caroline Piper of 8 Forest St said she is a stickler for details. These three small discontinuous parcels don't meet the open space regulations of the Commission and should be denied tonight. She cited specific regulations. The goal of the open space regulations are not an opportunity to set aside small areas and then cram as many houses into the rest of the area as they can. Goal is to preserve areas at highest ecological value, but this plan does not do that. She questions the quality of the runoff entering tributary. Regulations should be for continuous open space but it doesn't exist here. Large portion of the vegetated buffer would be protected anyway. She asked the Commission to deny this tonight at least until formal plan is submitted. There was discussion on failure to connect the dots on the overview of environmental issues for this project.

Eileen Flockhart, 62 Park Court, spoke on the spring area issues. Wadleigh Street was supposed to be the sole access. Now, the new development may be restricted and/or gated. That is a horrible condition not planned on. How folks get in and out needs to be looked at.

[End of public comments.]

Mr. Campbell said there are two issues here-to accept these parcels as open space depending on where they are located and the spring issue as well. Mr. Pattison said spring has been around a long time, but was relocated from its original location. It's just a natural flow out of the ground through a pipe. Discussion was on potable nature of the water, Mr. Pattison was unsure but thought folks used the water to drink. Mr. Campbell said he would be very hesitant for the Town to take on that responsibility of management of the spring, Town should not have to do that. It can't monitor that feature. Commission also probably wouldn't want to do that. Mr. Pattison said the water has been recently tested.

Mr. Koff said Town shouldn't take it either, may be issues with drinking that water, there are many possible problems and issues on that use. Unsanctioned drinking water sources can be big problems. Signs should say it's not necessarily a potable water source and to be used at users own risk. Site activities for this project might affect water quantity and quality.

Mr. Campbell said a site walk seems to be a good idea. The Commission has been reluctant to just accept pieces of land, due to need to monitor them and take care of them and such. Commission now has about 2300 acres that it can't adequately monitor now. Unless really valuable, like abutting the Town Forest, it will be tough to convince the Commission to do it. Would there be access to public? Mr. Pattison said there might be a pocket park created around the spring area. There was discussion on a site walk and whether to await formal plans. Mr. Koff said fragmented nature of these properties harder to monitor, there is too much perimeter for three parcels. Mr. Campbell said not sure what this would be preserved for. Ms. Raub said she wouldn't want to pick up trash and such and more and more of the protected land would be impacted due to abutter activities. This proposed land is right up against the houses. A site walk would be good.

Ms. Piper suggested the Commission go on a site walk with the Planning Board and thus full information behind it. There was discussion on the way to go about review of this. Ms. Murphy said a site walk wouldn't hurt but if the parcel layouts change, the Commission might want to go back. Mr. Campbell said he will consult with the Planning Board.

Don Clement of the Board of Selectmen said a combination site walk would be great idea since the boards would be cooperating and there would be better input, decisions and communication. Mr. Campbell said the Commission will be back in touch with Mr. Pattison on this.

Ms. Richey said that as the Commission is a board of conservation, getting caught up on bureaucratic side of things but the public views are valuable. The Spring is a big cultural matter for Town consideration. Ms. Murphy asked if the recommendation to Planning Board is for formal site walk together. Mr. Campbell said he would contact the Board Chair.

[Mr. Piskovitz stepped back in at 8:32 pm]

5. Committee Reports:

a. Property Management

Summary of Raynes Farm Stewardship Committee will be presented next time.

Ms. Murphy said there is an interns' budget for property monitoring. Do Members want to assist in interviewing candidates?. Mr. Guindon and Mr. Campbell said they would assist.

b. Trails

Letter to Editor was submitted by Mr. Campbell, thanking Comcast Cares and NEMBA and Bob Kelly and Jim Clark for all their efforts in the recent trails improvement project. Go to Oakland, 1/4 mile in, and its amazing results. He will send thank you notes to the parties.

Mr. Guindon said some new bridging sections pulled out there are next to the trails and will have to be removed. Pressure treated remnants should be removed from site. Mr. Campbell will contact Mr. Kelly to do that. There was discussion on aspects of the situation.

Mr. Campbell said Mr. Kelly was here recently and went over a lot of projects, but it needs a site walk with him to discuss and review the areas of proposed work. A weekday at 5 pm is best for most, but Mr. Guindon wants to do a Tuesdays at 5 pm. Mr. Campbell will tell him. Ms. Murphy will do a Doodle Poll on that. (Mr. Anderson wants to also do trail work)???. Ms. Murphy said funding for the project was substantial and it should be acknowledged. Comcast put in \$1300 for materials. Jackson Lumber contributed \$500, NEMBA gave \$500 and the Commission put in \$300 too. There were 50 Comcast folks and 20 trail workers. There was a big lunch and a lift to take the sections into the woods after they were built at DPW with Jim Clark's efforts. There was discussion on how the project unfolded and how well it went. Ms. Raub said importance of trails to Town and to the users was evident in that work.

Mr. Guindon went to see the Little River Trail, it was good and beautiful, highly recommends it. Flagging is still in place; needs to be blazed.

Mrs. Raub went to McDonnell this weekend and on the blazed trail there were logs and trees down that need removal. Discussion on that.

c. Outreach

Mr. O'Hearn reported the woodcock walk went well. He gave a description of the woodcock dance and singing that occurred. He is trying to get a Fish & Game funding application for mowing the field and pruning the apple trees. Have to allow hunting to get the grant.

It would be for wildlife habitat improvement funding and looks like this might be considered if they apply for it. Discussion on mowing the field was to do half of it each year, not all of it every year.

Ms. Murphy said there was a Climate Action Day at PEA, with almost 20 kids. They worked on the erosion issues at the timber landing site and the kids got branches and put them on the erosion as attachments for seeds.

Ms. Murphy said there was a Vernal Pool Workshop for Forest Ridge residents, Mr. Guindon and Ms. Murphy attended. The residents were very interested and the Commission should continue it every year. NH Fish and Game suggested it would be a good site for a night-time walk there next year with Brandon Clifford to view adult vernal pool activities.

Ms. Raub helped former Commission member, Mr. Peter Waltz pack balsam fir seedling and the school gave out 200 of them to the 5th grade students at the Lincoln St. school as part of the Spring Tree program, This is the 26th year Mr. Waltz has done this presentation.. Mr. Campbell will send a note of thanks to him.

Rain Barrel program was successful but some issues with links. Delivery this week at DPW, Mr. O'Hearn will have a list and color of barrel ordered. Discussion on publication of program in newspaper.

6. Approval of Minutes April 11, 2017:

Ms. Raub said she had some minor changes and would email them to the Recorder. Mr. Piskovitz moved approval subject to Ms. Raub's corrections, Mr. Koff seconded, and they were unanimously approved.

7. Correspondence:

Ms. Murphy reported that NHACC annual dues are \$629. Mr. Koff moved approval of the expenditure, seconded by Mr. Guindon, unanimously approved.

LCHIP gave town \$400 as recognition of ConCom's monitoring efforts, for Commission's conservation fund.

There will be a timber harvest on Connor Farm Property by NH Fish and Game.

Mr. Guindon asked about treating the invasive species at Henderson Swasey. Ms. Murphy said the Town needs three estimates, walked it with three contractors; time is of essence to get it moving and get commitment by the successful contractor in order to get permitting from DES for work this fall.

8. Other Business:

Mr. Campbell said he will not be present at the next session-June 13th, Mr. Guindon will chair it.

9. Next Meeting: Date Scheduled (6/13/17), Submission Deadline (6/2/17)

10. Adjournment:

There being no further business before the Commission, Ms. Raub moved to adjourn, seconded by Mr. Piskovitz and it was unanimously approved. The Chair adjourned the session at 9:06 pm.

Respectfully submitted by David Pancoast, Recording Secretary.