

Exeter Conservation Commission

July 11, 2017

Call to Order

1. *Introduction of Members:*

Chairman Bill Campbell called the meeting to order at 7:05 pm in the Nowak Room of the Exeter Town Office building. Members present were Carlos Guidon, Alyson Eberhardt, Todd Piskovitz, David O’Hearn, Andrew Koff, Ginny Raub, Marie Richey (alternate) and Dave Short (alternate) Selectman Don Clement was, sitting in for Selectwoman Anne Surman.

Ms. Richey and Mr. Short as alternate members will not be voting at the meeting. Mr. Clement, BOS liaison will also not be voting.

2. *Public Comment:*

From the public, Ms. Kathy Norton 74 Newfields Road addressed the Commission on her dismay the broken glass in several of the windows at the Raynes Barn has not been repaired for some time. Recently in a conversation with Mr. Kevin Smart, Maintenance Supervisor for the Department of Public Works, she was told that was not something the DPW did but needs to be a Conservation budget item with the work done by an outside contractor. She was there this evening to ask the Commission to act upon this matter as the maintenance of the Barn was part of the agreement entered into when her father, John Raynes, conveyed the title to the Town. (Later in meeting she suggests members read the agreement(s) the Town accepts when title is conveyed)

Chairman Campbell agreed to follow up Mr. Smart.

Action Items

1. *Review of an Application in accordance with Zoning Ordinance 9.3 Exeter Shoreline Protection District for a Conditional Use Permit to construct an addition to an existing house within the lawn and landscaped area at 1 Newfields Road (Tax Map 53/Lot 7)*

Working from a prepared Shoreline Impact Plan, Mr. Mark West, certified wetland scientist and principal of West Environmental, identified the tidal and fresh water buffers. The applicant wishes to construct a 218 sq. ft. addition to an existing dwelling to accommodate the household needs of the prospective owners. The proposed use is outside the 100 foot tidal and prime wetland buffer and outside the 40 foot poorly drained soil buffer. The dwelling addition is 106 feet from the tidal wetland boundary but within the 150 foot shoreline zone. Application included a photo log of existing dwelling and vegetation in the area to be impacted. Other than moving the two large shrubs to another location on the property there is minimal impact to the site. A small excavator will be used to prepare site for a 3 foot foundation and excavated material will be taken off site; no storage on site.

Mr. West noted a shoreline permit needs to be obtained from the State but that has been filed and is expected to be received before the next Planning Board meeting.

The Chair reviewed the criteria as stated in Zoning Ordinance Article 9:3 .4 G for granting approval for such a permit. All criteria were appropriately addressed in application.

Mr. Guidon moved to recommend approval of the Conditional Use Permit (CUP) application to the Planning Board as presented contingent on receiving State Shoreland Permit approval; seconded by Mr. O’Hearn. Motion carried.

2. ***Review of an application in accordance with Zoning Ordinance 9.3 Exeter Shoreland Protection District for a Conditional Use Permit to construct a residential. Active Adult Community on Epping Road (Tax Map 47/Lot8)***

Attorney Michael Donahue, presenting for CKT Associates, noted the project is returning with an amended application for the Ray Farm housing complex including a submission for an Exeter Shoreland Conditional Use permit (CUP) application. At the June 9, 2017 Conservation Commission this application was not submitted because from their interpretation of the Shoreland Protection Ordinance (9.3.3.C.2) as written, did not feel it was applicable to their project. After further conversations with the Town Code Enforcement Officer, Mr. Doug Eastman and the Natural Resource Planner, Kristen Murphy, it seemed prudent to proceed with this application.

Mr. Brendon Quigley of Gove Environmental, working from a revised design plan gave an overview of the present proposal with the perennial Watson Brook that runs through the property now a factor in the project. Working with the criteria as outlined in the Shoreland Ordinance there are two small but significant design changes that does reduce impact; the altered slopes and drainage around Building A.

Bio retention basins and outfalls associated with stormwater management are re-designed to comply with ordinance criteria but will be done with a minimum of disturbance. Questions were asked how would a heavy storm event affect the basins/outfalls. Would a new stream (a rivulet) be created before it gets to existing stream? Mr. Quigley ascertained the proposed installed modular bio retention devices will handle such events.

Dennis Hamel of Cammett Engineering elaborated further on the function and maintenance of the bio retention units and will be inspected annually but most likely will have frequent visits until the surrounding vegetation gets established; all part of the stormwater maintenance plan to be submitted with application.

Mr. Koff stated it was not clear to him if the brook runs N to S, why is a wrap-around buffer shown. Mr. Quigley displayed a U.S.G.S topo map showing an enlarged segment of Watson Brook and noted the junction of Watson Brook were it becomes an intermittent stream. And yes, they are hydrologically connected. He did confirm it was a 1985 map but on an updated version it remains the same.

Discussion continued on the age of maps and what activity occurred above the junction where a perennial stream becomes an intermittent stream; if any projection of impacts extending up to Building C based on their interpretation of what was being asked of applicant. Atty. Donohue stated the Town Ordinance passed in 1989 references the U.S.G.S. 1985 maps; written when the intent was to protect the water quality of the Exeter and Squamscott Rivers. For purposes of this application they are following the present ordinance. He then proceeded to read the Ordinance and the (Town) definition of a perennial stream, brook and creek

With no further questions or comments, the Chair proceeded with a review of the responses in application as they pertained to complying with the Town's 9.3.4 Shoreland Ordinance

.In reviewing the expressed concerns of the Commission to formulating a response to be sent on to Planning Board, Mr. Piskovitz outlined the motion to state: We have no objections to the application with the conditions the applicant provide the most up-to-date topo map and the Planning Board has no objection to their (applicant's) interpretation of the area at the end of the perennial stream.

With a second, the Chair called for a vote: Motion carried 6 in favor and Mr. Koff opposed.

3. ***By-Laws Update***

Ms. Raub noted the process to update the By-Laws, dated June, 2017, started some time ago. The objective was to eliminate inactive committees and provide clearer definitions to the role and function of the Commission. Since the revision seemed to be complete, she found she had questions on the role/composition of several committees i.e. Raynes Farm Stewardship Committees (RFSC) and possibly Trails Committee. She personally did not want to take any action at this time until there was an

opportunity to determine the functionality in upcoming months. . The presented revision allows the By-Laws to be reviewed annually and revised as needed by a majority vote of the Commission.

Mr. Guidon agreed saying he reviewed the document and saw no major changes; felt they were an improvement to the present document. He motioned to approve the June 2017 revised By-Laws as presented noting they could be updated annually; seconded by Mr. Piskovitz. Motion carried.

Mr. Campbell wanted to return to the RFSC saying it needs to meet soon to address some events coming up and how to proceed. The present membership is Peter Smith representing the Historical Society, Kevin Smart DPW and tenant farmer Darren Davis of Little Brook Farm. Citizen Representatives are Kathy Norton, Don Briselden and Ben Anderson while Ginny Raub and Dave O'Hearn represent the Commission. Mr. Campbell is serving as Chair

4. Treasurer's Report

Mr. Koff reviewed the prepared copy of the report for the months ending May 2017. He noted there are possibly some updates that are not listed. In a discussion on using budget funds for repairing Raynes Barn windows; Mr. Koff noted there is \$500 in the Raynes Building Maintenance account. Mr. Campbell said he would like to talk with Mr. Smart to see what could be done before using Commission funds. If it is necessary to use Commission funds to repair the windows to preventing further moisture from entering the barn, Mr. Koff motioned to spend up to \$250 for the repairs. Motion seconded and passed. Mr. Campbell will follow up.

5. Committee Reports

(Discussion of Action Items No. 3 and 4 on agenda was delayed to permit public comment on agenda items Henderson Swasey Invasive Plant Treatment and Raynes Barn signs)

a. Property Management

i. Henderson Swasey Invasive Plant Treatment Plan

Although Ms. Murphy was not present, she provided an update on where the Commission stood in following up on the treatment of invasive plant material present in the recent timber harvest area of the forest as originally outlined in management plan. In meeting on site with three companies qualified to treat invasives only one estimate was received. That estimate way exceeded our available forestry funds. Mr. O'Hearn then reached out to Ms. Murphy suggesting under present circumstances a second opinion on method of treatment would be warranted.

Ms. Murphy, Mr. O'Hearn, Mr. Campbell met on site with Mr. Matt Tarr, a wild biologist from the UNH Cooperative Extension Service, and toured the area. Mr. Tarr felt chemical treatment might not be the best course of action. A written response summarizing his thoughts and recommendations for the site was sent to Ms. Murphy and in turn shared with Commission members. Mr. Tarr's recommendations for the treatment of invasives differ from that of our forester Charlie Moreno.

Also in the memo she stated she and Mr. Guidon had attempted to map out the harvest paths and wildlife openings and found it difficult to distinguish between the two and consequently have not completed the task. It was suggested the Commission approved a minimum of \$600 from the forestry funds to hire Mr. Moreno to map the paths and openings. Mr. Moreno also intends to collect baseline information on the harvest areas.

Mr. O'Hearn inquired to Mr. Guindon as to the difficulty in distinguishing the two and could not with the available mapping technology and this membership accomplish the task. After further discussion, Mr. Koff summarized his feeling the six hundred dollar expenditure was a small price in the long term. He agreed perhaps it could be accomplished by the group but best to have one person compile and record the data to provide a printed map and digital file.

Ms. Eberhardt moved to expend up to six hundred dollars (\$600.00) to have Mr. Moreno map paths, wildlife openings and distribution of native and non-native plant material; motion seconded by Mr. Piskovitz. Motion

carried 6 in favor; Mr. O'Hearn opposed. Although not in the motion the intent was when the mapping was complete to perhaps target 5 areas to treat in some manner and 5 areas to leave for comparison per suggestion of Mr. Tarr in his report.

From the public, Ms. Kris Vaughan, 348 Water St, acknowledged as a homeowner she is wrestling with invasives on her property and admitted it was a challenge. But she suggested perhaps getting together a small group to explore options; could possibly expand to a community effort. Mark Damsell and Paul Friedrichs, both residents of Newfields Road, expressed their opposition to the use of pesticide. Both are well users and concerned with possible contamination. Mr. Friedrichs spoke of the aerosol created by spraying. The summer when work was being done on the gas lines in Henderson Swasey and he lost all his hives of bees. It is a very sensitive area not just his back yard but the back yard of the Town. Selectman Clement also expressed his strong opposition in considering any type of herbicide. With the changing environmental patterns cannot be certain of what ramification may lie ahead. ..

From this discussion came a formal motion to form a subcommittee to explore options of eradicating/controlling invasives. Commission members willing to participate are Mr. Guidon, Mr. O'Hearn, Ms. Eberhardt and citizen representatives, Kris Vaughan, Mark Damsell and Paul Friedrichs. Ms. Richey agreed to participate as much as her schedule would permit. Motioned seconded by Mr. Piskovitz. Motion carried.

ii. Raynes Barn Sign

Mr. Campbell stated at the April 17, 2017 Raynes Farm Stewardship Committee meeting (Minutes included in meeting packet) questions were raised to proposed signage with the intent to be attached to the south side of barn.

Mr. Ben Anderson offered to design and construct such a sign. Using photo shop, he placed various sign designs onto the south side of the barn to give an idea of placement, wording etc. for discussion and comments. Three designs were included in July meeting packet. .

From the public, Ms. Norton expressed her opposition to placement of any signage on the side of the barn; felt if anything it be over the doors on Newfields Road side. Mr. Damsell also opposed signage; too commercial. Selectman Clement questioned why the need for a sign. There was a sign on site noting it was an LCHIP property.

Mr. Koff said the idea emerged when it became evident public funds will be needed for needed renovations to the barn; how do we get citizen support when many are unaware of the ownership and management of the property. Ms. Eberhardt added we want people to know that is Town land and it is a resource for them to enjoy. We want for the citizens to feel invested in the property and if and when we approach the Town for renovation funding they will be aware and supportive of the property. She did add after hearing the comments from public, she did not feel we were wedded to these particular graphics; certainly open to comments/suggestions.

Ms. Norton suggested a location down by the well house; perhaps freestanding. Mr. Campbell added perhaps more of a rectangular shape.

Mr. O'Hearn went to the podium and used projected visuals to demonstrate suitable location for signage. He suggested signage be on the north side of barn to be seen by those entering Town and not on south side for those leaving Town who would know of property. He noticed the LCHIP sign is weathered and almost invisible from encroaching vegetation. He would like if any funds are appropriated they be used to refurbish this sign. .Mr. Campbell suggested contacting LCHIP for assistance with this as it is their sign; will follow up.

Ms. Eberhardt suggested if that is done to add a smaller sign beneath saying Exeter Conservation Commission property; feels it to be very important for residents to know this is a unique property that they

can come and explore. Mr. Campbell thought it might be possible to have two signs; the LCHIP and one on south side of barn.

Considering the varied responses to the idea of signage for the barn/property, the Chair tabled the item for further research

b. Trails

i. Morrisette & McDonnell Kiosk Funding

Members had a copy of the estimate with two options for the construction of signage for both Eagle Scout projects of constructing kiosks at the McDonnell and Morrisette Conservation areas. The total dollar amount exceeded the original amount allocated for our contribution to the projects. Both options were for single side aluminum sign with a laminated color vinyl print the difference being in the thickness of the aluminum to be used.

Following discussion Mr. Guidon moved to approve the expenditure of \$580 (Option 2.) for the heavier aluminum used in reproducing the signs. Mr. Koff seconded. . The motion included to expend \$300 from the Trail Management/Maintenance line account and \$280 from the Conservation Land Administration account to fund the purchase of signage. Motion carried.

6. *Approval of Minutes*

The minutes from the May 9, 2017 and June 6, 2017 meetings were tabled. The minutes of site walk with members of Planning Board on June13, 2017 was also tabled along with the June 13, 2017 minutes of the Raynes Farm Stewardship committee meeting.

7. *Other Business*

a. Environmental Education Grant Opportunity

A notice from the NH Association of Conservation Commission notifying local conservation groups of their program Creating Partnerships between Conservation Commission and Schools did not arrive in time to be included in the meeting packet. However Ms. Murphy forwarded the memo as she felt it was worth advising members of the project for consideration and possible ideas for projects.

Ms. Raub said in her discussion with several elementary school teachers, the August 31, 2017 deadline was limiting as their classroom lesson plans were set especially for a start date for this coming fall. Ms. Eberhardt wondered if this was to be an annual event as she would like to see some type of activity associated with the return of the river herring.

The question of Peter Waltz's program of speaking and distributing evergreen seedlings to the 5th graders at the Lincoln St. School might be applicable. The possibility of participation will be pursued.

b. Municipal Support for Paris Climate Agreement

Mr. Piskovitz stated he and other members of a local civic action group appeared before the June 26, 2017 meeting of the Board of Selectmen asking the Town to consider joining the Paris Climate Agreement at the Municipal level. The group acknowledged the Town has taken steps on sustainability and is not asking to pursue something we are not already doing; it is to make a statement. They were pleased to learn Selectman Clement and Selectwoman Gilman shared their position and was working on a draft proclamation to present at a future BOS meeting. Mr. Piskovitz was inquiring if this is something this group would want to support the BOS proclamation or have any action items/ideas to include.

Mr. O'Hearn felt the agreement was too complex and beyond our duties of the Commission to voice support or to take a position. Following that meeting he submitted a letter to the BOS suggesting the group return with a citizens' petition to be voted upon at 2018 Town meeting to permit the citizens' voices be heard.

Ms. Richey voiced her support of such as a statement as future issues/decisions taken by this Commission will be tied to climate change. Mr. Guidon stated as educator having taught a course in environmental sustainability it was not necessary to know all the details to support climate change issues; should support working toward the goal.

Mr. Piskovitz said the group is suggesting Town follow procedures in the spirit of the Agreement; each country/state/ municipality setting its own goals. At the suggestion of the Chair, Mr. Piskovitz moved the Conservation Commission support the BOS resolution supporting the goals of the Agreement and to include climate change considerations into all municipal planning documents. Ms. Eberhardt noted this would be an excellent time to incorporate such policies into the Master Plan currently in the revision stage. Motion seconded by Ms. Eberhardt. Motion carried 6 in favor; Mr. O'Hearn opposed.

7 Other Business

Ms. Raub stated Ice cream procured with coupons given to the Commission by the Ben & Jerry employees at the Apple Tree release work day at the Morrissette Conservation area this past spring will be served following the adjourned meeting The Ben & Jerry workers were thanking us for allowing them to participate in the work day but she felt it should be the Commission thanking them for their help.

8. Next Meeting set for August 8, 2017 Submission deadline is July 28, 2107

With no further business meeting adjourned at 9:47 pm

Respectfully submitted

Virginia Raub
Clerk