

CONSERVATION COMMISSION
3/21/17 (RESCHEDULED FROM 3/14/17)
As Finalized at the 4-11-17 Meeting

Call to Order:

1. The Session was called to order by Vice Chair Bill Campbell, as Acting Chair, at 7:01 pm. Members present were Andrew Koff, Todd Piskovitz, David O'Hearn, Virginia Raub; Vice Chair Bill Campbell; Anne Surman, Selectmen's Representative, and Marie Richey, Newly Appointed Alternate Member. Also present were staff members Kristen Murphy, Natural Resources Planner; and David Pancoast, Recording Secretary. Members of the public. applicants and consultants were present as well.

2. Public Comments

There were none.

Action Items:

1. CKT Associations: preliminary review and comments on a proposal for the construction of an 'active adult community' and a 'multi-use' development on the property located at 183 Epping Road, Tax Map Parcels #47-8 and #47-9, respectively. The subject properties are located in the C-3 Epping Road

Michael Donohue, Esq. spoke on behalf of the applicant. This is an informal meeting regarding projects coming later by Mr. Shafmaster, owner. He is here with Steve Leonard, representative of owner; Dennis Hamel of Cammett Engineering, prepared plans, Tim Gold of Gold Environmental and Justin Desay of the Donohue Law Office.

Presenting two plans that are both conceptual-not fully engineered. Glad to get input on plans and discuss issues. Came to Planning Board earlier and going back to Planning Board again on 3/23/17.

[Alyson Eberhardt arrived at 7:07 pm.]

Mr. Donohue continued that this is about nearly 80 acres of land that is commercially zoned. They are here on two levels, low level and for one specific use.

Mr. Shafmaster, who has stewarded the land for a long time, decided he couldn't wait on this, so he put effort in to attempt to control the development and move it forward. He was brought in due to the TIF element of the project. Plans are only conceptual at this point. Mr. Leonard will provide more details.

Mr. Campbell asked for an overview.

Steve Leonard spoke on behalf of Mr. Shafmaster. He gave an overview of the 80 acres. There is a split between industrial and commercial zoning districts on the property. The piece being discussed tonight is a pork chop shaped parcel. They worked hard to avoid wetlands and wetlands setbacks and tried to avoid losing as many trees as possible. They think they did a pretty good job. Surface water improvements cause loss of many trees.

Dennis Hamel of Cammett Engineering spoke next. The site is challenging. They want to do 4 buildings, 116 units, 261 required parking spaces, some in building basement garages. There are 22 extra spaces outside for visitors, so 140 outside spaces total. There are two wetlands crossings proposed which are the only two direct impacts. Stormwater component impacts are using as much passive treatment as possible to avoid maintenance down the line. They have provided a table of impacts. The plan is color coded for the setbacks. All parking is outside the structural setbacks on three buildings, but the fourth one clips the 75 foot setback. All utilities will be underground. There won't be any septic systems onsite, all public sewer and water systems. Basins will be adjusted as they go forward to accommodate stormwater.

Ms. Raub asked about the size of this parcel. Mr. Hamel responded that the pork chop lot is 11.8 acres which got the variance for this concept. There is a 2000 sq ft building as a community center. There was discussion on the plan key possibly being incorrect.

Jim Gold wetlands consultant spoke. This delineation was originally done in 2015 and it is ongoing. There are vernal pools on the large site. He explained the wetlands on this pork chop parcel. Soils are poorly drained on this lot. Pondered area is poorly drained but the pond does exist. Channel of water goes underground then resurfaces farther out. No vernal pool species in there. Seemed ideal, but none found after searching in 2015 and 2016. Finally a fish trap was used and hornpout (brown bullheads) exist in the pool, so it can't be a vernal pool. The development team listened to him about realizing limitations and avoiding wetlands impacts here. The two crossings are the only wetlands impacts. A prior project design had many impacts. One and a third acres are buffer impacts from driveways and such. Direct impacts are two crossings of less than 3,000 sq ft. The 75 ft structural setback impact of the fourth building is less than 2,000 sq ft. Impacts from other things such as stormwater, parking and driveways are an acre and a third, at 57,047 sq ft. No distinct channels at south end of the site, but topography shows the direction of surface flows. Conceptual rooftop runoff catchment areas are shown for each building.

Mr. Campbell said a beaver pond drains toward this parcel. Mr. Gold said a lot of beaver activity exists in and around the site. Vernal pool activity exists on the site, but not on the parcel in question tonight.

Mr. Campbell said this site will have a lot of stormwater components and some large trees will be lost due to that. There will be a lot of contour changes here. Disturbance causes concern to him. Does the impact number include all regrading too? Mr. Gold said yes, it is included. The Planning Board had some concerns, so they are looking at it.

Mr. Piskovitz said all buildings have underground garages, could reduce pavement at buildings A, B and C, by relocating driveways to other end of the buildings, especially B. Mr. Hamel said that fitting to land was the reason, and staying out of the buffers.

Ms. Eberhardt said Exeter is an MS4 Community with nitrogen loading reduction mandates, but scores low in dealing with stormwater and stormwater management. Practically every piece of upland here has

impervious surfaces on it in this plan. Would the developer consider reducing the impacts? Would low impact structural Best Management Practices (“BMPs”) be considered here? She has concerns about density and sheer volume of impervious surfaces on the property. Would he consider reducing that and leaving more natural land there?

Mr. Gold said the Planning Board wondered that too and wanted reductions. We would not mind if you tacked density impact comments on to the Planning Board commentary sheet. Mr. Leonard said he understands that they are looking for improvements townwide, but he thinks this plan is really good work. They are hoping to get some relief from the Planning Board as well. Mr. Campbell said east of Building A there is some concern. Mr. Hamel said the structures are all low impact facilities and will look natural when they are done.

Ms. Surman asked if building this will be phased approach? Mr. Hamel said Building A and the Community Center would be built first. They will only start the next building when prior one(s) are sold out. These will all be two bedroom condominiums. Each building will be self-contained so if anything stops project-wise, they are still finished and functional and working fine.

Mr. Campbell said he would like a site walk but in better weather. Ms. Murphy said that it should happen once the official application is in.

2. Highway Commercial and I-Industrial zoning district. Bunker Conservation Easement – Request for Agricultural use (*Laura Barker*)

Mr. Campbell said Ms. Barker didn’t realize she had to come to ConCom to get approval for agricultural use. Ms. Murphy said some errors in memo dates: on the history second line: response by January 6th, not the 16th, but they got her response within the required time frame.

Ms. Barker said she started back in 2002, when situations were different. She missed a step with ConCom. Concerns brought up and all will be addressed by the upcoming June 1st deadline if not long before. That is absolute. The hay barn is an issue and the ZBA has to address that. Aerial photos show that shelters for animals seem like buildings, but they aren’t,

they are movable cart shelters for animals-lowest impact possible. Current fencing will be in two phases, some near powerline. Goats and sheep there help to minimize need for powerline cutting by Eversource and they are glad of that.

Mr. Campbell said that Mr. Sharples, Town Planner, identified that certain areas need to be cleaned up. Ms. Barker said signage will change. New signage will be in compliance. Ms. Eberhardt asked if there was a wetlands permit and Ms. Barker said she did get one. Mr. O’Hearn asked if wildlife management area behind will have public access. He asked what new signage will say on that access. Ms. Barker posted it No Hunting and No Motorized Vehicles, due to animals, but can work it out with Mr. Sharples. Mr. O’Hearn asked if there is access through your easement to the property behind it, where hunting is allowed? Ms. Barker said yes. Mr. O’Hearn asked if she could post safety signs rather than No Hunting signs. Ms. Barker said that it only takes one bad hunter to ruin it for everyone.

Ms. Murphy clarified that the Conservation Land Map shows folks can access the property behind off Old Town Farm Road through other Town lands. Mr. Koff moved to approve the agricultural use request as shown of the aerial photographs, on conditions of applicant obtain a building permit for the hay barn and site inspection on or before June 1st of 2017, with approved signage as required, seconded by Ms. Surman and unanimously approved. Mr. Sharples will do the inspection.

**3. McDonnell Conservation Area Kiosk – Eagle Candidate (Caleb Mahoney)
Daniel Simpson appeared on this.**

[Mr. Mahoney did not appear, so the Chair tabled the matter]

4. Jolly Rand or Morrissette Scout Project Ideas – Eagle Candidate (Daniel Stinson)

Mr. Stinson passed out a plan and reported that trail markers are simply white squares painted on trees, would like to redo them to make them better. He thinks the nailed markers or signs elsewhere should come off trees and be put on 4” x 4” posts in ground. A bench could be added on

Jolly Rand as well. He would do a general cleanup of trails with his troop. He wants to install Kiosk/sign similar to one at Southeast Land Trust property with similar dimensions and technique.

Mr. Campbell said the South East Land Trust likes the white paint markers and feels their property is in good shape. Mr. Stintson needs to discuss this with them. River Woods is involved too. Ms. Eberhardt asked if the project is for both or only one property. Mr. Stintson said both. Ms. Eberhardt is in support of the Morrissette work proposal.

Ms. Murphy said the parking lot is not Town property, need to go over the footbridge. Would be a good place to do it. Ms. Raub said there should be a marker at the parking lot but the kiosk should be farther in, off the trail. Ms. Murphy said this would have to be sited so it's outside the sewer line itself. Across the bridge and to the left is outside that easement area.

Mr. Koff said property owners need to consider both proposals but another bench at Jolly Rand would be very good. There was discussion on the trail markers and posts and the properties they would be located on and their owners. Mr. Campbell asked if any Commissioner could accompany Mr. Stinson onsite to oversee the planning. Mr. Koff volunteered to do that. The plan will be firmed up and owners contacted for agreement. Ms. Murphy will contact Mr. Stinson to set it up.

5. Comcast Cares Day: Oaklands Trail Improvements (Bob Kelly, Tom Jelinek, Harvey Gish, James Eiffe)

Harvey Gish of Comcast presented that in 2001 they started Comcast Cares Day, and had 108,000 volunteers last year-over a thousand projects done per year. It's the single most volunteered day in the country. They offer a day of service, which can be anything. A grant will be cut to Exeter Parks and Recreation for the work they do on improvements-usually it's about \$10 per volunteer involved. They worked on a bridge in Oakland Forest a couple years ago. Clean up trails, remove fallen trees by cutting them up. This is a fun event for the applicant. Mr. Bob Kelly, Town resident and Budget Committee member, would be the local sponsor and he said he has worked with Kristen and done trail cleanups in past. Tom and he ride to

work together and have identified some work area possibilities. North of Exit 10, a short stretch of trail of 200 feet and bridge with live edges has declined due to wetness there. The increased use stresses on bridges is much higher now. Plank replacements are fine in the short term but they want to do long term improvement there. They would love to put up a small pressure-treated bridge about 2 feet wide, which is the minimum for dogs and people uses. They would mobilize at the DPW garage nearby, make 8 foot sections of 2" x 6" construction and bring them in with pickup trucks, have DPW move the access road blocking boulders temporarily just to get in with the sections. Haven't gone out yet due to weather. It would be about 200 feet of total bridging boardwalk so the sections are needed, but they will measure it. This is an important access for walkers. Hope to get about 30+ people to volunteer.

Mr. Campbell asked if the trail is wide enough for a truck to get in and Mr. Kelly said he thought so but they will go in only as far as they can. They'll carry them in if they have to. Comcast will help. This is proposed for a Saturday so for volunteer parking they just need cones on the roadside which they will get from DPW. Discussion on the grant occurred, as well as other possible areas that might need attention. Mr. Campbell discussed the possibility of the Commission contributing some money for materials for this. Mr. Kelly said they prefer to do a good job and not have to come back to redo it in five years. The Town might pitch in a couple hundred dollars for this. Mr. Kelly said the Mountain Bike Association might contribute some money. Ms. Richey raised the issue of the duration of the boardwalk longevity and suggested that longevity of five years isn't so bad. Mr. Kelly said he's done this for a long time and they just want to do it the best way.

Mr. Koff said he's a little concerned about accessing this by truck. Mr. Kelly said that it's not much impact but if road is impacted they won't go down it. Discussion was held on materials contributions. Ms. Eberhardt asked about the old bridge materials and disposition. Mr. Kelly said they get reused on other bridges if they can. If it's all broken up and not useable, they pull nails and toss it to the side if it's not pressure treated wood.

Ms. Surman moved to approve the project and expend up to \$300 in materials for it. Ms. Raub seconded and it was unanimously approved.

6. Summer Band at Raynes Farm May 7th (*Ben Anderson*)

Mr. Anderson said he is proposing a summer concert at Raynes Barn. The event would be on Sunday May 7th and he would take care of everything- the Commission would not have to do anything. It would be held in good weather only. Folks would park on his property. He would expect about 200 attendees.

Mr. Campbell said the Rayes Barn documents might not permit this. The Agreement is for agricultural uses and that the land remain open. If there is no farmer to hay it, they have to mow it which is expensive. May is the mowing season. Ms. Murphy hasn't heard back from the person who mowed last year-it was a one year deal only. If they have to hay it, that might interfere with the event. Ms. Surman said the Commission has been anxious to hold events there to get exposure on it. There was discussion on approvals. There is no farmer onboard yet for mowing the parcel and if the Commission has to mow it, it's a huge expense. Mr. Koff said that's a small risk and the benefit of the event offsets it. Ms. Eberhardt asked about parking area? Mr. Anderson said he can accommodate the expected 50-60 cars for this on his abutting property.

Mr. O'Hearn said he didn't think it will be mowed by May 7th and if it could not be mowed until July he thought that would not be a problem. He knows a fellow who would probably volunteer to mow it. Grass height on May 7th isn't a big issue. The use of alcohol and liability for problems with that was discussed and cleanup is important too. Mr. Campbell was concerned about the Town's liability on this, that needs to be checked. It was decided that this event would be non-alcoholic event. Mr. Piskovitz said no glass containers should be allowed at this and that should be printed on the tickets that Mr. Anderson would provide through his online service on this. This would all be donations solely to cover the event costs. Mr. O'Hearn moved approval after the mowing issue is resolved with the farmer and liability issues are checked with the Town, and subject to a porta-potty being provided, property clean-up and rubbish disposal, and that it be a non-alcoholic event with no glass containers allowed, printed on the tickets provided for the event. Ms. Raub seconded for discussion. The discussion

was about the farmer and mowing possibilities. After discussion the motion passed unanimously as conditioned.

7. Committee Reports:

a. Property Management

i. 52 Barns in 52 Weeks Barn Assessment Grant

Applied for this grant for structural assessment. Ms. Raub was instrumental in doing it. They were awarded the grant for \$200 plus the Town's \$50 grant. The contractor is Ian Blackman. They need the \$50 match and to go to the Board of Selectmen for approval to accept the grant. Mr. Campbell will go to the Board. Ms. Eberhardt moved it, Mr. Piskovitz seconded and it was unanimously approved.

ii. NRCS Forest Management Plan Update - Elliott Management Objectives

Ms. Murphy reported that Megan Henderson was the lowest bidder. Access is an issue, but this could be just invasive plant removal. They need to meet with her on parameters of work and need to complete work by July 7, 2017, which the contractor assured would be met.

iii. Raynes Barn Sign

Ben Anderson is proposing a sign for Raynes Barn and requesting \$200 for it. Where and how it should be done? Dimensions on the sign on his barn are 16' x 2' but his barn is smaller. Depends on the wording as to costs. Mr. Campbell said might say Raynes Barn and the date it was built. Ms. Murphy said there's no restriction right now on sign there, so need to act before the LCHIP agreement is done to renovate the barn. Mr. Anderson should come back with wording. Ms. Eberhardt will assist in this matter. Mr. Koff said they should move on it due to time limits. Mr. Piskovitz moved \$100 for materials, wording to be decided, seconded by Ms. Raub and unanimously approved.

b. Trails

i. Agenda and 3/22/17 Trails Committee Meeting

This is upcoming and Mr. Koff is coordinating.

c. Outreach

i. An Evening with the Singing Woodcock @ Raynes or Morrissette (*David O'Hearn*)

Mr. O'Hearn said middle April is best, about the 22nd . at 6:30 pm. Morrissette site is very good for it. He wants to give a little presentation on Woodcock beforehand, if Kristen could assist with reserving a room for that. Event would be free and rain or shine, with the Commission as sponsor.

ii. Climate Action Day – April 26-from 9 am to noon

Phillips Exeter Academy sponsors this for community service. They want to work on the landing at Henderson Swasey, use folks to drag materials in and create seed pockets with some channeling to avoid sheet flow washouts. That is public school vacation week. Ms. Murphy will be there.

iii. Spring Tree Program 5/2 (packing 4/29, 4/30)

The volunteer needs \$352 for seed trees for this. Discussion was for native trees to be used, but the program supplies them from the State. Ms. Raub moved approval of this expenditure. Ms. Eberhardt suggested that the Commission include a place to plant the trees if kids have no place at home-to contact the Commission for suggestions. It was seconded by Mr. O'Hearn and unanimously approved.

iv. Morrissette Apple Tree Release – 6/4 (David O'Hearn)

Mr. O'Hearn found lots material there. Ben & Jerry's Ice Cream will volunteer to clean it up, bag it in the woods and bring to the fields and DPW will pick it up.

8. Approval of Minutes: February 14th, 2017, Meeting and Site Walk

These were tabled to the next session due to time.

9. Correspondence

Mr. Piskovitz reported major cuts to federal environmental programs by the President. He sent an email to Commission. Wrote letter for Ms. Murphy to put on letterhead for possible approval to go to the Town's federal representatives as soon as possible. Mr. Raub moved to send the letter to the NH delegation, Ms. Surman seconded. Ms. Eberhardt abstained and it was otherwise unanimously approved.

10. Other Business

There was none.

11. Next Meeting: Date Scheduled (4/11/17), Submission Deadline (3/31/17)

12. Adjournment:

There being no other business coming before the Commission, Ms. Surman moved to adjourn, seconded by Mr. Campbell, and the vote was unanimous. The session was adjourned by the Chair at 9:30 pm.

Respectfully submitted by David Pancoast, Recording Secretary.