

Exeter Conservation Commission
January 8th, 2019
Town Offices Nowak Room
Draft Minutes

Call To Order

1. Introduction of Members Present

Present at tonight's meeting were Bill Campbell, Alyson Eberhardt, Dave Short, Lindsey White, Trevor Mattera, Kristen Murphy, Don Clement, and Dave Sharples. Carlos Guindon, Ginny Raub, Sally Ward, Todd Piskovitz, Andy Weeks, and Lucretia Ward were not present at this meeting. Mr. Campbell called the meeting to order at 7:00 PM.

2. Public Comment

Joanie Pratt of Wentworth Street discussed a citizens' petition on the warrant, which would enact a rights-based ordinance relating to a healthy climate, people and ecosystems. There will be an open community meeting to discuss it on Sunday January 13th at the Unitarian Church from 3 - 5 PM.

Action items

1. Master Plan Overview, Dave Sharples and Aaron Brown

Mr. Sharples discussed the Master Plan and its thirteen action items for the town. The action agenda is broken into six categories: support, prepare, steward, grow, connect, and communicate.

The Support action asks town organizations to identify new facilities or programming that could be added. For example, Con Com is involved in nature hikes, snowshoe walks, and outreach activities. They could develop a public awareness campaign on water quality.

The Prepare action could include inventorying properties vulnerable to natural hazards such as sea level rise; considering alternatives to minimize risk in these areas; implementing land use policies to minimize risk; and educating property owners.

The Steward Action could include identifying properties less likely to be developed based on regulatory requirements and determining their priority for acquisition. They should review the criteria for acquiring land for conservation and consider adding criteria related to flooding and climate change. Based on this revised criteria, they should prioritize parcels of interest for conservation and develop a 10-year schedule for implementation. They should review and update the trail maintenance plan of 2009 and develop a 10-year schedule for maintenance, improvements, or future assessments. They could establish a "Friends" group of volunteers, to which Ms. Murphy responded there's a large trails committee with three active members. Mr. Sharples continued that they should prioritize town conservation properties in need of invasive species management, and review and revise existing forest management plans for Henderson-Swasey and Oaklands.

Regarding the Communicate Action, they should continue to organize community forums to discuss issues important to Exeter. He suggested that larger events should provide food and childcare to be more inclusive.

Mr. Sharples said that the next step is to discuss and prioritize the action items in the plan. He encouraged the Commission to utilize staff, especially himself and Ms. Murphy, and the Master Plan Oversight Committee as resources for the work of implementing the vision and action items set forth in the Master Plan. The action items are categorized as short term, midterm, and long term, but the timeline is not set in stone.

Ms. Raub asked if the Oversight Committee is just a resource, or if they going to be monitoring the Conservation Commission for progress on the items. Mr. Sharples said that every year he would do an analysis of the action items in his annual report, and provide it to the Oversight Committee. Ms. Eberhardt asked how boards are held accountable, and Mr. Sharples said he would keep track of ConCom through Ms. Murphy. Ms. Murphy added that a lot of these items relate to work they're already doing. Mr. Sharples said that Master Plans cover 5 - 10 years, so they have time to implement any changes.

Mr. Campbell said the action items for this Master Plan are very clear and he appreciates that. Mr. Clement said the emphasis on the action plan is what's really different about this Master Plan. Mr. Sharples agreed, saying that the previous plan had so many recommendations they couldn't get it all done, whereas this one tried to list a manageable number of action items. Mr. Campbell said the plan is online for public viewing.

2. DES Wetlands Rule Update

Mr. Campbell discussed changes to the wetlands rules made by DES and the response from the New Hampshire Association of Conservation Commissions (NHACC). The new draft regulations address Lower Scrutiny Approval permits, which apply to projects under 3000 sq. ft. that don't have sensitive resources affiliated. These projects could be approved by Permit by Notification with a 5 day turnaround time. NHACC is concerned that there is no role for conservation commissions in that process, and has questions about how to determine what is not a sensitive area. Some changes are positive, such as an expedited review of living shoreline and restoration projects, but others are negative, such as expanding Lower Scrutiny Approval residential permits from single-family structures only to three-family developments. He asked if the Commission would like to craft a letter about areas of support and concern. If so, they must comment by January 18th.

Mr. Mattera said his main concern is the removal of a point of review. DES has expanded the list of types of projects that would potentially fall under PBN (Project By Notification). He appreciates that DES need to use their limited resources to focus on larger projects, but they need to give conservation commissions the option of weighing in, even if just reviewing a project by email for red flags. Mr. Campbell said they'd like to have the opportunity, even if they didn't always act. The review process for smaller projects will go from 10 days to 5 days, and even big projects are reduced from 75 to 30 days. He asked if the changes are made, could we get a heads up from the Planning Department on new projects and comment.

Ms. Eberhardt asked if the Commission can weigh in on projects via email, or if their review needs to be a public hearing; Mr. Clement was concerned about a conflict with RSA 91-A. He added that each conservation commission has a better understanding of the local area

than the state does, and the state needs input from the advisory committees, even if the recommendations are not followed. He would like to see pushback to the new regulations.

Mr. Koff asked if bigger projects would need to get approval through the Planning Board, so there would be other ways to get their concerns heard. Ms. Murphy responded only sometimes. Exeter has buffer regulations, so the Commission would be making comments on a conditional use permit that DES may have already permitted. This would create a divide between local communities and DES. The town is required to meet MS4 and AOC administrative order of consent requirements, and they're not allowed to meet them if they allow fill without review. Mr. Campbell asked the Commission to authorize him to send a letter with comments.

MOTION: Mr. Koff moved to authorize Bill Campbell to craft a letter to DES regarding the draft regulations. Ms. Raub seconded. All were in favor.

3. Committee Reports

a. Property Management

i. Raynes Farm Use agreement

Ms. Eberhardt presented a draft of the use application for Raynes Farm that she, Ms. Raub, and Ms. Murphy had prepared. She said they tried to align this permit with the town's new property use policy, with a checklist on the first page listing required permits/reviews. They would be using this agreement for any activity at Raynes Farm with more than 10 participants, and she wondered if the application would seem onerous to smaller events. She suggested that they move the checklist to an appendix and require people to provide proof of permits. She added that the fees are described as determined on a case-by-case basis, either a small percentage of the proceeds or a flat fee, and asked if they could be more specific on the fees.

Mr. Clement suggested dividing the use of the farm vs the barn, with a combined fee if using both. Ms. Raub asked how they managed the golf tournament, and Ms. Murphy said a 50/50 split of the proceeds, which was the organizer's suggestion. Ms. Raub said it's difficult to decide a dollar figure without precedent. Mr. Clement said the Select Board broke the fee structure into four different categories: Exeter nonprofits, non-Exeter nonprofits, Exeter for-profits, and non-Exeter for-profits. Ms. Murphy said that it was intentional to include language about a percentage of the proceeds; if the event doesn't earn money they don't give the Commission money, which will help to accommodate nonprofits. Mr. Campbell asked if there should be a base fee, since they're using resources such as electricity. He pointed out that small events may not plan to have any proceeds.

Ms. Eberhardt wondered if there should be two different applications, one that would accommodate a small community group like a kids' play and one that would address a large group with beer and wine and music. She thought the proposed application might be overly complicated for a simple event. Ms. Raub said she'd rather have one application that you could fill out as necessary. Mr. Mattera added that it would be hard to find the line, since it could be a small nonprofit that wanted to have fire pits and alcohol.

Ms. Eberhardt asked how they would come up with fees without data. Mr. Short said that if the issue is a lack of historical records, they could take a year or two to build that kind of record, in the meantime say "a fee, if any is required, will be negotiated at the time of contract."

Mr. Campbell liked the idea of waiting 6 to 8 months to get data. Ms. Eberhardt wanted to add to the application that these monies go back into the upkeep and maintenance of the barn and land. In response to the query that too much was being asked of small groups, Mr. Campbell felt that it would be easy just to cross out the stuff on the application that doesn't apply rather than have a separate application. Ms. Raub suggested that the regulations should be on the first page so they won't fill out the application when not eligible, but Mr. Koff said that they would read the whole application before proceeding.

Mr. Campbell said he didn't like the language of the "privilege" of using Raynes Farm, he would rather say "use" of Raynes Farm. Mr. Koff said just say "event dates." and Ms. Eberhardt agreed. Mr. Campbell asked them to put in the motion that they will review the fees in 8 or 10 months.

MOTION: Mr. Short moved to approve the Raynes Farm application with the changes as discussed, with a review in 8 or 10 months. Mr. Mattera seconded. All were in favor.

b. Trails

i. Trail Sign Estimates

Mr. Campbell asked the Commission to authorize money to make more signs for the town forest. There would be four 11x17 metal signs, two on each side of the tunnel: one sign a map of the Oaklands, and one of Henderson-Swasey. They would also like to make half a dozen wood signs for the Watson Road parking lot, different trails, etc. Additionally, there would be four PVC signs on posts, two in the Oaklands and two in Henderson-Swasey, the latter replacing ones that had been taken out. They could include a QR code so you can get a map of the area on your cell phone.

Ms. Murphy said it would be \$160 for the outdoor metal signs and \$360 for four interior PVC signs, plus wooden signs. Mr. Campbell suggested \$600. Mr. Short said if there's a shortfall the Trails Committee can cover it. He added that the Trails Committee also want to get some wooden signs made, but Mr. Campbell said they should bring the issue before the Conservation Commission, adding that he would like the signs made by John Thunberg for uniformity and affordability. Mr. Short said they don't want to abuse Mr. Thunberg, and suggested that Mr. Thunberg could do the routing of the signs and the Trails Committee do the painting and varnish.

MOTION: Mr. Short moved to approve \$600 for the signs. Mr. Koff seconded. All were in favor.

c. Outreach Events

i. Cottontail Pellet Collection Training Workshop Jan 26, 8 - 1, Nowak Room

Ms. Murphy said that the UNH Cooperative Extension and Fish and Game reached out to her about hosting a workshop in Exeter on a winter cottontail survey. The event would be held partly in the Nowak Room and partly in the town forest. Attendees would learn how to collect rabbit pellets and send them in for analysis. The organizers would like participants to register in advance.

4. Treasurer's Report, Drew Koff

Mr. Koff said that there is a delay for the final FY18 numbers, so he asked that they not vote on the budget yet as it's only a draft. They didn't hire an intern this year, so there is some excess budget. They shifted money around for overspending in some categories. Mowing cost more, so they transferred that. For next year's budget, they consolidated categories; there were so many categories this year it was hard to use all of the budget money. Next month he'll have the final version to approve. Ms. Eberhardt asked about the category of community services, and Ms. Murphy said that covers all outreach events. They consolidated trail management and community services in the FY19 budget, since they're all volunteer-dependent.

5. Approval of Minutes: Dec 11 meeting

MOTION: Ms. Raub moved to approve the minutes as written. Mr. Mattera seconded. Ms. Eberhardt recused herself, as she was not present at the Dec 11 meeting. All were in favor.

6. Correspondence

- a. No correspondence was discussed.

7. Other Business

- a. No other business was discussed.

8. Next Meeting

- a. Date Scheduled 2/12/19, Submission Deadline 2/1/19

Non-public session

MOTION: Ms. Raub moved to go into nonpublic session pursuant to RSA 91-A:3, II (d), for the consideration of the acquisition, sale, or lease of real or personal property. By a roll call vote, all were in favor, and the meeting went into nonpublic session at 8:25 PM.

Adjournment

Respectfully Submitted,
Joanna Bartell
Recording Secretary