

Exeter Conservation Commission
March 13th, 2019, 7 PM
Town Offices Nowak Room
Draft Minutes

Call To Order

1. Introduction of Members Present

Present at tonight's meeting were Bill Campbell, Ginny Raub, Sally Ward, Todd Piskovitz, Lindsey White, Dave Short, Andrew Koff, Trevor Mattera, Ann Surman, and Kristen Murphy. Alyson Eberhardt, Carlos Guindon, Lucretia Ganley, and Andy Weeks were not present. Ginny Raub and Lindsey White will be voting. Mr. Campbell called the meeting to order at 7:04 PM.

2. Public Comment

There was no public comment at this meeting.

Action items

1. Review of a Wetland Waiver and Shoreland CUP from Palmer & Sicard Inc., for a 26,989 SF Office/Warehouse on Holland Way (Tax Map 66-1, Planning Board Case 18-22) Luke Hurley, GES Inc., Christian Smith, Beals Assoc., Mark Hodston, Palmer & Sicard.)

Christian Smith, an engineer with Beals Associates, spoke about the Waiver and CUP application for this project. Mr. Smith mentioned that during a sitewalk last week, the Commission had asked if the project can use pervious pavement. He found that this was acceptable BMP with the AOT Bureau, but with large trucks turning on this site he felt it was not a good idea. Since pervious pavement clogs when sanded, they would have to use too much ice melt to make it safe for vehicular traffic. The entirety of pavement and the roof drains into a closed drainage system and ends up in a gravel wetland. This design does a good job with nutrient and pollutant removal. Mr. Campbell said that he appreciated their concerns about trucks, but asked if they could use pervious pavement only on the area where cars park. Mr. Smith said that since they can't sand it, they would have to use excess ice melt, whereas the impervious pavement could be sanded and will also route the runoff into the drainage areas.

Mr. Piskovitz asked why they'd requested a waiver for Regulation 7.4.7 on identifying significant trees. Mr. Smith responded that a large portion of the property was cleared in 2011 or 2012, and they're now clearing only a small area. There are many trees on the property, and it doesn't add any value to do an inventory. Mr. Piskovitz pointed out that they don't have to map every tree, just significant ones, those having a 16 inch caliper or greater at 12 inches above the ground. He added that this is a regulation for a reason, and being cumbersome is not a valid reason to waive it. Ms. Ward asked about the proportion of trees on the site which are significant. Mr. Smith said there are many, mostly old growth pines mostly but some hardwood. Ms. Murphy said that she's working on a proposal to revise this regulation, since 16 inches at 12 inches above the ground covers many trees, even small ones. Ms. Raub asked about

revegetation, and Mr. Smith said there are significant plantings proposed.

Mr. Koff asked if there will be fuel storage on site. Mark Hodston of Palmer & Sicard answered that there will only be propane storage. Ms. Ward asked if it is state of the art to put propane tanks underground, and Mr. Smith said it's the safer option. Nothing will be exposed except the fill pipes.

Mr. Campbell mentioned a letter to Christian Smith from Luke Hurley in the packet which discusses the Wetlands Waiver criteria for this project. In this letter, Mr. Hurley mentions Planner Comment #13: the extent of wetlands on the site has not changed; the upper isolated wetlands are small and have minimal functions and values, while those associated with Dearborn Brook have more significant value. Mr. Campbell pointed out that these two areas are also described as part of the same system. Mr. Hurley responded that they are isolated wetlands, Dearborn Brook on the north of the site and the unnamed "DOT Stream" on the south. They are one system but have a topographical division between them, with no hydrologic connection.

Mr. Campbell said that for criteria number 1, most of this project is beyond the setback, and the remaining area should not be impacted by runoff. For criteria 2, they did a Function and Values study of these wetlands. Mr. Hurley added that they avoided one wetland area. Mr. Campbell mentioned criteria 3, the use cannot be reasonably carried out on another portion of the land. Mr. Hurley said if they were to move it to the south, they would hit the more protected buffer and more wetlands. They are proposing a smaller size building this time than in the original proposal. Mr. Campbell mentioned criteria 4, the applicant has made substantial effort to minimize impacts to the buffer. Mr. Hurley said that if they were to move to the south, they would be impacting more of Dearborn Brook buffer. Mr. Campbell said that for criteria 5, there is a drainage system, two detention ponds, and a leach field. For criteria 6, he said that the project will consider the Commission's recommendations once they make them. For criteria 7, he wondered if there be more plantings, and suggested they leave the most valuable wetlands undisturbed. He asked about the view from the road, and Mr. Smith responded that 50 feet of forest will remain, aside from the driveway, so there will be screening.

Mr. Short asked if they will be planting the detention ponds. Mr. Smith said yes, they will be using New England Conservation Mix and some shrubs. Mr. Short responded that it will be hard to keep shrubs alive, and suggested they save the resources for plantings elsewhere. Mr. Smith said he would see if DOT will allow that.

Mr. Campbell then discussed the CUP criteria as described in Mr. Smith's letter to the Planning Board in the packet. For Condition A, surface water, this will not result in unhealthy conditions. All snow will be plowed away from storage areas. He added that Dearborn Brook is the main concern. Mr. Smith responded that there is a 300 foot setback from Dearborn Brook, and they will push the snow as far away from that side of the property as possible. There will be snow stacking that will melt into the treatment pond. Catch basins will catch melt from the driveway; curbing along the driveway will direct runoff to the catch basins. The driveways are super elevated at a 2% slope, with no curbing; the grass slopes toward the building, creating a diversion at the edge.

Mr. Campbell mentioned that for criteria B, the project will solely discharge wastewater into a septic field. Criteria C, there will be no damage to spawning grounds or other habitat. Runoff to Dearborn Brook or the DOT stream would do that, but they're far enough back.

Criteria D and E, there will be revegetation of previously logged area, and they revised the layout to minimize encroachment into the district, consistent with purpose 9.3.1. There will be no disturbance within 150 feet of shoreline protection district.

MOTION: Ms. Raub moved that they reviewed the application and had no objection to the issuance of a Shoreland Conditional Use Permit and Wetlands Waiver. Ms. Ward seconded. Mr. Piskovitz asked if anyone else had an issue with the significant tree waiver; according to regulation 13.7 the Planning Board shall not grant a waiver unless the conditions are unique to a property. He added that this concern doesn't have to do with the waivers, and that he thinks the engineers did a good job, reduced the size, and are leaving a lot of forest. He just have an issue asking for a waiver because it's cumbersome when it doesn't meet the requirements. Mr. Campbell said he wondered what the purpose of the regulation is, since it's usually waived. Ms. Murphy said it's not just about significant trees, but also unique or significant habitats on the property. Mr. Short commented that they can't isolate trees to preserve, since they're mostly white pine that will go down if isolated. Ms. Surman asked why this process is cumbersome, and Mr. Smith responded that lots of trees that meet the criteria, and they are saving as much as they can with this proposal. Any trees closer to the project they tried to save would likely sustain root damage during construction. Mr. Campbell suggested they not amend the motion, but suggested that Ms. Murphy add a comment to the Planning Board questioning the application of this regulation. Mr. Koff pointed out that they will have a choice for the well path, and a tree inventory could help them determine the best way to go, but Mr. Smith objected, saying that falls in the area that was previously clear cut. Ms. Raub suggested they plant trees in this area after installing the well. All were in favor of the motion.

2. Committee Reports

a. Planning and Property Management

i. Proposed Legislation Overview

Ms. Murphy said there is a memo from the Conservation Commission Roundtable concerning all the legislation before the state pertaining to environmental things. They are looking to increase the fees for all applications to the DES, hoping to get money to hire more people. HB281 would allow you to put Beaver Deceivers in without a permit. Mr. Koff explained that a Beaver Deceiver is a flow-through pipe which can control the flow of water through the dam, and usually the beavers don't know that the water is not blocked.

ii. Mitigation Project Update, Conservation Roundtable 4/23

Ms. Murphy said she is generating a list of mitigation opportunities that could be ready to move forward when a project arises that will impact over the wetland mitigation threshold, with an eye towards keeping the mitigation money in town. Some of these opportunities are non-public because they are related to property acquisition. If the commission were to propose the acquisition of a property as mitigation, the applicant does the Function and Values study, survey, baseline document, and other preapproval steps; those tasks are not the town's responsibility. She will bring the mitigation list to the Conservation Roundtable in April for further feedback from DES ARM's director, Lori Summers.

Mr. Mattera added that this list could be used when another project requiring mitigation comes here, but the Conservation Commission could also look for potential funding. The project at the golf course may actually be two projects; on one end there is a marsh migration issue, and on the other an erosional issue. The erosion is easier to tackle.

Ms. Murphy said that Unitil submitted their wetland application with proposal for mitigation to the ARM fund of \$75,000. There was correspondence from DES saying they'd issued wetland permits to that landowner for two other locations, so it would all be considered one single proposal and required mitigation fees for the two other wetland impact areas. Ms. Murphy thought this might give the town time to get back in the door for mitigation, but they're trying to move this project along quickly.

Mr. Mattera said that if they did the engineering study for the erosional piece with a salt marsh restoration project, they could put in an application for ARM funding. They couldn't use mitigation funds solely for the engineering study, but they could wrap the engineering in as long as project is done in the end. Mr. Campbell asked if they required a match, but Ms. White and Mr. Mattera didn't think it was an exact match. Mr. Mattera suggested that the match could be the engineering cost, or the cost of the five years of post-project monitoring which an ARM restoration project requires.

iii. Annual Planning Dashboard

Mr. Campbell said that he had updated the Annual Planning Dashboard presented at the last meeting by categorizing the activities and relating them to the Master Plan. Ms. Murphy said this document is on the shared Google Drive, and encouraged Commission members to add and update events. Mr. Koff suggested adding a field for noting the date of any updates, as well as the updater's name.

iv. Appointment Renewals & Officer Term Reminder

Mr. Campbell said that April is the Commission's membership renewal time. Three members' terms are up, but he hopes they will return. Appointments will be made by April 30. In the May meeting, they will elect new officers, and he would like to step down from being Chair if anyone's interested in taking on the role.

b. Trails

Mr. Campbell said he got the new signs from Jon Thunberg, and they will be putting them up soon, as well as revising the maps. They are also planning the 11x17s that will go in the Oaklands and Henderson-Swasey, then will work on the ones for either side of the tunnel.

c. Outreach Events

i. Raynes Event Planning, RFSC meeting date, Proposed Expenses (Sally Ward)

Ms. Ward said that the Stewardship Committee met in January, and a subcommittee met in February to talk specifically about events. Their goal is to have more events at Raynes, which will educate the public and increase support for the site, and will be attractive to LCHIP next year. They aspire to have monthly events. During the growing season, events would be in the barn or parking lot; in the offseason, they could be in the fields. There will be a Skywatch

stargazing event on October 18th with the NH Astronomical Society. There's a Storywalk in October, on the 26th or 27th. May 4 is a Speaking for Wildlife event; Ms. Murphy said they will send a masters student who specializes in bat research to give a talk, followed by a registration-only portion to construct bat house kits. Ms. Murphy said they could also do a window glazing workshop on June 29th; this is an all-day workshop limited to 10 people. The Preservation Alliance sends a specialist, and covers set-up and gear. The Conservation Commission would need to cover the cost of bathrooms, which Ms. Murphy estimates at \$200. She reached out to the Heritage Commission about a partnership, and Julie Gilman thought it was a good idea. The cost would be \$60 for registration if affiliated with the Preservation Alliance or the Conservation Commission, or \$75 otherwise.

MOTION: Ms. Ward moved that they authorize up to \$250 towards expenses for the window glazing workshop. Mr. Piskovitz seconded. All were in favor.

Ms. Ward said that an event is possible involving the 4th graders who study NH history; she will meet with Lincoln Street School about it next week.

Ms. Murphy said that the owner of Yeti Landscaping is interested in volunteer projects. She suggested the gravesite where the mulch has eroded. Mr. Campbell said he would rather have them work on the barn.

Ms. Ward said she would like to put a sign at Raynes in support of the concept of the "Conservation Center at Raynes." Mr. Campbell suggested they put it on the back of the kiosk.

Ms. Ward said that Ben Anderson of the Stewardship Committee has left two tables in the barn for their use, and will bring additional tables from the Word Barn for events as needed. April 13th 1-3 PM will be an Easter Family Story Hour and Easter Egg Hunt, with an assortment of baby animals.

ii. SST/ECC Partnership: Morrissette Property Earth Day Clean Up (Kristen)

Ms. Murphy said she had proposed potential clean-up dates to Anne Demarco at SST, but none of the dates worked, so she's now looking at the week of April 15th. The event would be 7:30 AM – 1:50 PM. Ms. Raub will provide milkweed seed balls for the students to throw.

iii. PEA Climate Action Day: Henderson Swasey Invasive Plant Removal 4/26 (Bill)

Mr. Campbell said he would like to have the students do invasive removal work, since Mr. Guindon will be back. There will be 14 kids, so he suggested pairing them up and giving them some identification tips, then sending them out. Ms. Raub offered to go out and tag the invasives beforehand.

iv. Spring Tree 4/30 8:45 - 10:30, packing 4/27, 4/28, Proposed Expense (Kristen)

Mr. Campbell said that Peter Waltz is planning his 28th annual spring tree planting with the schools. There are 200 trees and they need to be bagged. Ms. Murphy said the proposed expense for this project is \$218, but she suggested they approve up to \$225.

MOTION: Mr. Piskovitz moved to approve the allocation of up to \$225 from the Community Events budget to cover the costs of the tree planting event. Ms. Ward seconded. All were in favor.

3. Approval of Minutes: February 20th meeting

MOTION: Ms. Raub moved to approve the minutes as submitted. Mr. Short seconded. All were in favor.

4. Correspondence

Ms. Murphy said there was a flyer from the Student Conservation Association, a volunteer organization. They can help with invasive plant removal, trail work, trail design and installation. They come for 11 days, camp onsite, bring their own tools and equipment, and have leaders to supervise. They require that recipient pay some of the costs: over \$10,000 for 11 days, or a 5 day stint for \$5,250. Mr. Campbell said the half session could be managed by not having interns this year. Ms. Murphy said they spend about \$2,500 on interns. Mr. Koff mentioned the Forestry Fund, and Ms. Murphy said there is about \$12,000 in this fund, which are proceeds from the logging operation. Mr. Campbell said there would not be too much Commission involvement, perhaps checking in once daily. Ms. Raub asked if there were enough for the volunteers to do for 5 days, and Ms. Murphy said that the map Mr. Guindon made showed extensive work to be done. Mr. Campbell suggested they also do trail work, small bridge building, etc. Ms. Murphy said there's a good volunteer network for the trails, but the invasives are an issue. Mr. Short agreed, saying it's easier to get people excited about trail work rather than invasives. He suggested that a group like SCA could go through systematically and make a clean sweep, leaving no pockets of invasives behind. If they could approach 100% eradication, it would be easier to maintain from year to year. Ms. Murphy will follow up with the SCA on this project.

5. Other Business

Mr. Piskovitz mentioned that two of the ballot measures which passed, articles 30 and 31, impact the Commission. Article 30 was the rights-based ordinance giving the climate and the environment their own say in development. Article 31 was the creation of a Sustainability Officer. These will help in the work they do, but also show that the town cares about the environment and the work the commission does.

He mentioned that the Sustainability Officer article was nonbinding, but Julie Gilman informally said it's not a lot of money and they could make it work. This person would bridge the gap when they have questions for the Planning Board or Zoning Board. Mr. Campbell said they still need a job description, which could take a couple months. Ms. Ward said that the group behind that warrant article will volunteer to work with the Select Board to create the description.

Ms. Murphy said that tomorrow she will be attending a Nature Economy Workshop, related to selling people on the benefits of maintaining healthy and diverse natural resources. She will bring back information to the next meeting.

6. Next Meeting

- a. Date Scheduled 4/9/19, Submission Deadline 3/29/19

Adjournment

MOTION: Mr. Piskovitz moved to adjourn. Mr. Short seconded. All were in favor and the meeting was adjourned at 8:54 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary