

Exeter Conservation Commission
July 9, 2019 7 PM
Town Offices Nowak Room
Final Minutes

Call To Order

1. Introduction of Members Present

Present at tonight's meeting were Ginny Raub, Todd Piskovitz, Alyson Eberhardt, Trevor Mattera, Julie Gilman, and Kristen Murphy.

Mr. Piskovitz called the meeting to order at 7 PM.

2. Public Comment

Action items

1. Conditional Use Permit application for 3200 SF wetland buffer impact resulting from modification to site plan in order to accommodate gravity sewer line connection to Patricia Ave. Tax Map-Lots 104-70, 104-71 (Brad Jones, Jones and Beach)

Jonathan Ring of Jones and Beach engineers presented an application for a conditional use permit. This application is related to The Residences at Linden Street, a condo development with 8 duplex buildings, for a total of 16 residences. They are looking to install a gravity sewer rather than the forcemain sewer which was previously approved by the Planning Board. There is a small wetland in this area, and the project will have 3200 square feet of wetland buffer impact. This sewer site reduces the long-term costs and issues for private sewer lines and a connection with the public sewer. The buffer will be restored with loam and seed.

Mr. Piskovitz asked Mr. Ring to speak to conditions 2 and 4: 2) That the use for which the permit is sought cannot be feasibly carried out on a portion or portions of the property not in the buffer, and 4) Minimize detrimental impact on the wetland or wetland buffer. Mr. Ring explained that Public Works asked them to consider a logical spot for a theoretical sewer line and road; the location is an extension of where Patricia Ave would cross onto the property. The best case would be to go through the wetland. They look for a better than 90 degree angle in the sewer line, and this fits. It's better planning for the town and residents.

Ms. Eberhardt asked if the buffer could be avoided by starting the line further west. Mr. Ring said that the sewer line should be under a possible road for access. Moving the line to the west lengthens the run, compromises the slope, and makes the turns too abrupt. Public Works and Underwood Engineers agree with this assesment.

Ms. Eberhardt asked for a description of the wetland buffer. Mr. Ring responded that it's a palustrine forested wetland in a pocket, with no defined outlet. There are no significant trees. Ms. Murphy clarified that this is an after-the-fact conditional use permit; Mr. Piskovitz added that they've already cut a 40 foot swath through the wetland, although the sewer line has not yet been installed. Ms. Eberhardt said in that case they may want to focus on revegetation efforts.

Mr. Piskovitz opened the meeting to the public.

Don Clement of 5 Thelma Drive reiterated that disturbance of the buffer has already taken place, but said it would be unfortunate if they feel like there's nothing they can do. The first alternative that was approved did not have any impacts to buffers. There's no road proposed, but they're saying it must go under the road.

Mr. Short agreed, saying that the siting makes a road a fait accompli. If the road were taken out of the equation, the sewer line could be routed around the wetland buffer.

Mr. Mattera asked about the benefits of using a gravity pipe, saying it seems like a better option, as long as they can reduce the buffer impacts. Ms. Eberhardt asked if that was within their purview to decide, and Mr. Piskovitz said it's up the Planning Board to decide but they advise the Planning Board. Gravity is probably better because it's simpler and requires less long-term maintenance.

Mr. Ring said that they can remove the road from the discussion. In their site planning, they did avoid one wetland buffer altogether. It would be possible to go around the buffer completely, but it would make the angles sharper and lengthen the run. He felt that it doesn't make much difference to leave it in the buffer, since they will restore the buffer vegetation.

Mr. Mattera said that revegetating a buffer could be done correctly, but questioned why they have the buffer regulations at all if they will give out CUPs every time. Ms. Murphy suggested they come back to the conditions, and if the project has met the conditions they should recommend no objection.

Mr. Piskovitz read the conditions: 1) That the proposed use is permitted within the underlying zoning district. 2) That the use for which the permit is sought cannot feasibly be carried out on a portion or portions of the lot which are outside the Wetlands Conservation Overlay District. 3) The proposed impact has been evaluated in the context of the relative "value" of the wetland. The proposed impact is not detrimental to the value and function of the wetlands. 4) That the design will minimize impact on the wetland buffer. No alternative which does not impact a wetland or wetland buffer is feasible. 5) That the landowner agrees to restore the site. 6) Will not create a hazard to public safety and health. 7) All required permits shall be obtained from DES.

Mr. Ring said that due to the connection point at Patricia Avenue, the sewer line needs to be placed in this location. Mr. Short responded that the water main is a "what if," it's not part of this project. Mr. Ring countered that taking theoreticals into account is sound engineering planning. Ms. Eberhardt said that regarding condition 3, on the relative value of the wetlands, she felt there was a lack of information. Mr. Piskovitz added that on the sitewalk, they only saw after-the-fact conditions. Mr. Short said that 2 and 4 require that there's no alternative to doing it this way, and he doesn't think that's the case. Ms. Eberhardt said that for 5, they should recommend having a thoughtful revegetation plan.

Mr. Short concluded by saying the application should be denied, since it has not been demonstrated that there is no alternative way to make the connection, in response to conditions 2 and 4.

MOTION: Ms. Eberhardt moved to recommend that the wetland conditional use permit be denied, due to not meeting conditions 2 and 4 and for a lack of data to evaluate condition 3; with regard to condition 5, they would like to see a clear and specific revegetation plan. These

determinations were made without consideration of future developments such as a road or water main. Mr. Mattera seconded. All were in favor.

2. Water Trail Update: 8/13 at 5 PM

Ms. Murphy proposed expanding the Water Trail tour for the Conservation Commission to a public walk, and Julie Labranche of RPC was on board. It's scheduled for August 13 at 5, meeting location TBD.

Mr. Short gave an update on the Eagle Scout project, which will be underway mid-month. They switched the location from Raynes Farm to the Morrissette property, but this will be a superior project: a bridge upgrade, trail upgrade, and the addition of seating area along the river. Mr. Short left the meeting following this update.

3. Mid-year Project Planning Update (dashboard and master plan)

Ms. Murphy told the Commission that she put the master plan action items into placeholder months for the rest of the year, and she discussed upcoming projects. In July, they're installing an 11x17 mini kiosk at the end of Garrison Lane, highlighting Pete's Path and the connection to the Little River conservation area. Drew Koff agreed to lead the Exploring Exeter walk on July 20. They received replacement kiosks for the Oaklands and Henderson Swasey, and volunteers have been installing the wooden signs. The interns are making progress and will be working on a trail blazing refresh. The Stewardship Committee meeting is July 30th, and she submitted a request to Lisa Wise for education assistance. There is a new crew of volunteers for the Volunteer River Assessment Project (VRAP). In August, they will submit a draft budget. They will be hearing about the community garden for Gilman Park; SELT was supportive, but it needed to go to the Attorney General. The Morrissette scout project should be complete by August. Lindsey White showed a good draft of her mapping to identify properties that would rank high as ARM grant candidates, it just needs a few tweaks. In September, there will be another Exploring Exeter event.

4. 2020 Budget Planning Discussion

Mr. Piskovitz said he'd like to explore reestablishing a Conservation Fund. The Commission wants to expand conservation lands but there's no money. Should they go through BRC, or write a warrant article? Ms. Murphy said there is \$7,000 in the Conservation Fund, the Conservation Bond of 2003 has been spent. Prior to 2003, ConCom had a \$50,000 annual application of funds to the Conservation Fund in the CIP. She's seeing opportunities missed for grants because they don't have the matching dollars. If a warrant article is the hope, they should put in a match for LCHIP Raynes Farm repairs. Mr. Piskovitz wondered whether it would hurt or help to have two conservation questions on the ballot. Ms. Gilman suggested they try to Raynes Farm and future grant opportunities into a single warrant article, although they would have to check with the Town Attorney to make sure that's ok. Ms. Murphy said she will look into it before we submitting the budget requests.

Mr. Piskovitz asked how they can apply the list Lindsey White is working on. Ms. Murphy said that Ms. White ranked properties from highest to lowest value according to the ARM criteria. Quite a few properties that they have protected over the years met "significant" criteria.

It could be helpful for informing future decisions. Ms. Gilman suggested they advertise the information about existing conservation land fitting into the ARM framework, since people may not be clear on why property is being conserved. Mr. Mattera said they can use it to inform decisions, but not for making decisions, since it's specific to ARM's prioritization scale. Ms. Eberhardt said it could be a great tool for looking at land acquisition priorities.

Ms. Raub asked if they should be doing basic work on properties in anticipation of applying for ARM money. Mr. Mattera said that this list will help them start looking into potential projects, and he will reach out to Lori Summers, who works on mitigation for DES, and look at what the commission should have in place. He anticipates that there will be ARM fund money for the Seacoast in 2020. They should have an application go in and target a couple parcels, but there's no need to expend money now.

5. Committee Reports

a. Property Management

i. Monitoring Update

Ms. Murphy said that the two interns have monitored many parcels in town, and asked that ConCom members check if a property is already covered before they go out to monitor.

b. Trails

i. Eagle Scout Project Update [see above]

c. Trail improvements

Ms. Murphy said she is concerned about reports of new trails. They may need to blaze the side trails in order to keep people off of the rogue trails.

6. Outreach Events

a. Update: Raynes Window Workshop

Ms. Murphy said this was an interesting workshop. Beverly Thomas from the New Hampshire Preservation Alliance brought in a speaker who went into great detail. Everyone brought their own window, and the stories were interesting. Ben Anderson put the speaker up and offered facilities. She added that it's difficult to have events at Raynes during the growing season.

b. Upcoming: Exploring Exeter 7/20

7. Approval of Minutes: June 11 meeting

MOTION: Ms. Raub moved to approve the minutes as presented. Ms. Eberhardt seconded. Mr. Mattera did not vote and the motion passed 3-0-1.

8. Correspondence

Ms. Murphy said there is a UNH Erosion Control workshop July 17th, and an Invasive Academy September 26 and 27. She received an email from a member of the public who was out in the Oaklands picking up trash, it was neat to hear that people are out there. Parks and Rec are planning a cleanup of the skate park, and the interns found another dump site in Morrissette.

9. Other Business

10. Next Meeting

a. Date Scheduled 8/13/19, Submission Deadline 8/2/19.

Adjournment

MOTION: Ms. Eberhardt moved to adjourn. Mr. Mattera seconded. All were in favor. And the meeting was adjourned at 8:24 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary