

Exeter Conservation Commission
June 9, 2020
Virtual Meeting
Draft Minutes

Call to Order

1. Introduction of Members Present (by Roll Call) and New Members Welcome

Present at tonight's meeting were Chair Andrew Koff, Dave Short, Treasurer, Kristen Murphy, Sally Ward, Clerk, Bill Campbell, Carlos Guindon, Trevor Mattera, Lindsey White, Alternate, Nick Campion, Alternate, Donald Clement, Alternate and Kristen Osterwood, Alternate

Members present indicated there was no one else present in the room with them during this meeting.

Absent: Alyson Eberhardt, Ginny Raub, Julie Gilman, Select Board Liaison, Daryl Browne, Select Board Alternate Liaison

Mr. Koff called the meeting to order at 7 PM and indicated Alternate Lindsey White is voting.

Mr. Koff recognized Todd Piskovitz for his five years of service to the Board and thanked him for his service to the Town and the Commission. Mr. Piskovitz was thoughtful, had good discussions and will be missed.

Mr. Koff recognized new alternate members Nick Campion and Kristen Osterwood.

Mr. Campion has been with Danvers Parks & Recreation for six years and Somersworth Recreation prior to that. Mr. Campion also serves on the Raynes Farm Stewardship Committee. Mr. Koff noted it is great to have another event organizer in the midst.

Ms. Osterwood serves on the Exeter Sustainability Committee, moving here in 2018 from Pennsylvania. Ms. Osterwood is originally from Maine and grew up hiking and camping in New England. Ms. Osterwood was in engineering working at Unitil and as a sustainability analyst on Energy Way.

Mr. Koff thanked them both for joining and noted both had great backgrounds and are real assets the Commission was lucky to have such a diverse group of wetlands scientists and biologists.

Mr. Koff read the meeting preamble indicated that an emergency exists and the provisions of RSA 91-A:2 III (b) are being invoked. As federal, state and local officials have determined gatherings of ten or more people pose a substantial risk to the community and the meeting imperative to the continued operation of Town and government and services which are vital to public, health, safety and confidence. This meeting will be conducted without a quorum physically present in the same location and welcome members of the public accessing the meeting remotely.

2. Public Comment

None.

Action Items

1. Election of Vice-Chair

MOTION: Mr. Koff motioned to appoint Trevor Mattera as Vice Chair of the Exeter Conservation Commission. Ms. Ward seconded the motion. A roll call vote was taken Ward – aye, Campbell – aye, Guindon – aye, Mattera – aye, White – aye, Koff – aye, and Short – aye. The motion passed 7-0-0.

2. Discussion of deed/stewardship fee/baseline on proposed conservation land in association with Gateway at Exeter LLC mixed use development on Epping Road (Tax Map 47, Lots 6 and 7) (Brendan Quigley)

Mr. Koff indicated the Commission will be reviewing the proposed deed, stewardship fee and baseline documents for Map 47, Lots 6-7 which is a mixed-use development on Epping Road.

Ms. Murphy indicated the project was before the Commission last fall and again last month. The Commission will evaluate whether to support passive recreation on the property with no negative impact and what types, establish the baseline report, determine an appropriate stewardship fee, and location of access. Ms. Murphy indicated she met and walked the boundary and interior of the parcel with Bill, Drew and Carlos, and reviewed the deed, baseline and management plan and made recommendations to the full Commission at tonight's meeting. Mr. Quigley received a copy.

Ms. Murphy indicated an old skidder trail was present which is one possibility for a trail, where there has already been impact vs. a loop around the perimeter. Mr. Campbell noted there are ten vernal pools on the property. Mr. Guindon questioned the main access area and would like to discourage ATVs with larger roads. Ms. Murphy pointed to a potential access point on the map noting the thought about the trail from the subcommittee was it would not connect to the Little River Conservation area. No sign of ATV use, however hunting does take place on the parcel and on the adjoining parcels. .

Ms. Murphy said the subcommittee felt it was important for the CC to be involved with the design, location, width and surface material. They felt they would need some to either construct the trail jointly or have the developer install it at their expense because relying solely on volunteer labor may delay construction and if it's not done early there could be impacts to sensitive areas.

Tom Monahan who was on the call noted he was proud to donate 43 acres to the Town of Exeter and Conservation Commission.

Mr. Clement noted the parcel is flat and wide with good access. There is nothing wrong with having one way in and one way out.

Mr. Koff noted a zig zag structure/gate could encourage walking and exclude bikes and motorized vehicles as intended.

MOTION: Mr. Campbell motioned prior to issuing a certificate of occupancy, a trail open to foot traffic only would be installed at the applicant's expense following review and approval by the Conservation Commission of the location, length, width and surface materials. To prevent vehicular and bike access from the property to the mitigation parcel, the logging access road will be gated with a barrier open to pedestrians only. Ms. Ward seconded the motion.

Mr. Clement questioned whether "wheeled vehicles" covered a broader spectrum? Mr. Short added motorized addresses snowmobiles as well.

Mr. Koff recommended amending the last sentence of the motion to read "to prevent any wheeled and/or motorized access from the property to the mitigation parcel."

Mr. Campbell asked if that wording might unintentionally exclude wheelchair use. Mr. Koff questioned whether the parcel should be handicapped accessible and recommended keeping wheeled but excluding wheelchairs noting it would be a separate discussion for the developer to investigate the feasibility of handicapped accessible portion of the trail.

Mr. Quigley indicated both non-motorized and excluding mountain bikes specifically and questioned where those appear in the preservation documents. Mr. Campbell indicated it should appear in the deed. Ms. Murphy added when the development gets approved the Planning Board will establish conditions of approval for the development plan to connect the Conservation parcel with the development.

Ms. Murphy indicated the applicant could explore ways to prohibit vehicular access with the developer to be responsible to design an access point which would exclude motorized and wheeled vehicles.

Mr. Koff recommended amending the original motion by keeping up to the last sentence and doing a separate motion that bikes be limited through the deed, so it says foot traffic only.

Mr. Campbell accepted the change to his motion. Ms. Ward seconded the amendment and asked to reread the motion with the last sentence eliminated.

REVISED MOTION: "Mr. Campbell revised his motion to state prior to issuing a certificate of occupancy, a trail open to foot traffic only would be installed at the applicant's expense following review and approval by the Conservation Commission of the location, length, width and surface materials."
A roll call vote was taken Koff – aye, Short – aye, Ward – aye, Campbell – aye, Guindon – aye, Mattera – aye and White – aye. The motion passed 7-0-0.

Mr. Koff noted Gove Environmental had prepared the Baseline Document report and Management Plan.

Mr. Quigley noted he reviewed the suggested changes proposed by the committee had no objections to the Natural Features section and details in the deed. Mr. Quigley noted it wasn't clear if both documents, including the Management Plan, were required and offered to work out the content with Ms. Murphy.

Mr. Campbell asked about the deeded right of way in the document and where it goes and comes from and Mr. Quigley noted there were six parking spaces and trail access through the wetland and that it referred to the proposed deeded access. Mr. Quigley noted this was not establishing a public access but establishes the right of the Town of Exeter agents to have access through Little River to do monitoring etc.

Mr. Guindon noted there was little evidence of invasive species, only some glossy buckthorn and multi flora rose. Brendan Quigley indicated he saw some phragmites shown of Photo 16 at Bloody Brook

Mr. Quigley questioned who the listed contact person should be, Ms. Murphy specifically, by her title or the Town of Exeter. Mr. Clement noted that in his experience on the Select Board as personnel and positions come and go it is always best to list the Town of Exeter.

MOTION: Mr. Koff motioned that the Conservation Commission was comfortable signing off on the final documents after review and drafting by the subcommittee. Ms. Ward seconded the motion. A roll call vote was taken Koff – aye, Short – aye, Ward – aye, Campbell – aye, Guindon – aye, Mattera – aye, and White – aye. The motion passed 7-0-0.

Mr. Quigley will work to finalize the documents.

Mr. Koff said the subcommittee felt the Stewardship Fee should be a one-time payment and noted there is additional protection and lower legal risk with DES able to enforce any non-compliant behavior.

Mr. Campbell indicated the document they reviewed showed a yearly range could be from \$400-\$1,500. \$400 which at 25 years would be \$10,000. He also suggested the fee should cover expenses like kiosk, trail maintenance and gates, so perhaps the \$5,000 to \$10,000 range. Mr. Koff noted the gate would be off the conservation area so it only needs to cover monitoring. Mr. Guindon added and maintenance and invasive species control, and felt \$8,000.

Mr. Mattera questioned whether there was a parcel and associated fee that could be used as a precedent and Ms. Murphy noted 80 Epping Road is smaller and collects \$1,000 annually and is a conservation easement vs this which would be owned outright by the Town of Exeter and that we do not have a parcel similar to this. Hourly rates for monitoring range from \$12-\$15 per hour, however with DES support there is no comparison.

Mr. Quigley said given the requirement to install the trail, he and Mr. Monahan were thinking more in the \$5,000 range. Mr. Koff suggested that given the trail would be on the logging road, construction would be minimal. Mr. Short proposed \$7,500. Ms. Ward agreed. Mr. Mattera agreed that at the \$7,500

rate a 5% return would be enough to cover monitoring expenses and the \$5,000 range may not cover expenses.

MOTION: Mr. Mattera motioned to require a one-time stewardship fee of \$7,500 paid by the applicant and deposited to the Conservation Fund for stewardship. Mr. Guindon seconded the motion.

Mr. Quigley questioned whether the fee might be paid over two years. The Commission noted that was acceptable.

AMENDED MOTION: Mr. Mattera amended the motion to include the payment would be spread over two years if the applicant desired.

A roll call vote was taken Koff – aye, Short – aye, Ward – aye, Campbell – aye, Guindon – aye, Mattera – aye and White – aye. The motion passed 7-0-0.

Mr. Koff led discussion on deed review and asked if hunting would be acceptable on the parcel? Ms. Ward expressed concerns with the proximity to the development. Mr. Koff proposed a safety zone could be established to protect the residential use and be a part of the management plan. Ms. Ward asked what the state law was with regard to discharge of hunting rifles near residences and Mr. Clement noted there is no discharge permitted within 300’ of a residence and 150’ of a road. Shot guns used in hunting have a limited range although there have been instances where that has been violated. Mr. Mattera noted whether or not to mark the safety zone could be part of another discussion.

Ms. Murphy noted once the Commission approved the recommendation it would go to Town Counsel and then the Select Board.

MOTION: Mr. Campbell motioned the Commission has reviewed this proposal and recommend acceptance of the conservation easement for a portion of Tax Map Parcel 47-7-1 pending review by Town Counsel. Mr. Koff seconded the motion. A roll call vote was taken Koff – aye, Short – aye, Ward – aye, Campbell – aye, Guindon – aye, Mattera – aye and White – aye.

3. Committee Reports

a. Property Management

i. Stone/Leighton Correspondence

Ms. Murphy noted email correspondence was received concerning the Stone/Leighton parcel on Powder Mill Road. A gentleman’s agreement has been in place for years concerning haying of the open grassland field by the heirs of the property’s family. An abutter raised concerns the field was not hayed in the past couple of years.

Ms. Murphy indicated the deed does not obligate any individual to do annual haying or mowing which is a fair expense. Ms. Murphy will contact the people who were doing the haying to see if they are still interested before budget season begins.

Mr. Clement indicated as far as best management practices it should remain a field, it makes Powder Mill Road look attractive and is a great place for the Bobolink. Ms. Murphy indicated if the Stone heirs are no longer interested in haying it could be added to the annual budget.

ii. Invasive Plant Management Update (Carlos)

Mr. Guindon indicated Kristen helped him begin removal at the Rose Farm and edge of Henderson Swasey. There is a lot of garlic mustard. Mr. Guindon worked with Paul Friedrichs at Landing I on the north side of the gas line. There was a lot of poison ivy. The other side of the gas line was heavily infested.

Mr. Guindon worked at Raynes Farm today and noted a lot of garlic mustard and knotweed along the stream. Mr. Mattera and Mr. Short indicated they would help with that.

Mr. Koff thanked Mr. Guindon for an amazing, tremendous amount of work.

Ms. Murphy noted the weed wrench came in and she will make arrangements to drop it off to Mr. Guindon.

iii. Raynes Field Perimeter Maintenance

Kathy Norton emailed about hiring David O'Hearn to mow along the stone wall near the parking lot entrance to improve visibility on Newfields Road. Ms. Norton was willing to spend her own money and it would be nice to send a thank you note for the \$300 donation. Ms. Ward will provide a notecard.

Ms. Murphy noted last year \$1,250 was approved for brush removal around the field which did not get done and was returned to the budget. There is another \$1,000 in contract services. The mowing proposal is \$1,575 at \$65/hr.

MOTION: Ms. Ward motioned to approve \$1,000 from Contract Services and \$275 from the Mowing budget line item for 19 hours of field perimeter maintenance. Mr. Campbell seconded the motion. A roll call vote was taken Koff – aye, Short – aye, Ward – aye, Campbell – aye, Guindon – aye, Mattera – aye and White – aye. Motion passed 7-0-0.

b. Trails

Mr. Koff indicated Everett Evans installed the Irvine sign and thanked him for his craftsmanship. The sign is located on the backside of the Country Club access. Mr. Koff will provide the information to Ms. Murphy to add it to Trail Finders.

Mr. Koff indicated he would like to send a gift card to Mr. Evans and Mr. Thunberg each for \$30.

MOTION: Mr. Guindon motioned to approve spending \$60 for gift cards as thanks for the craftsmanship as a gesture of thanks for their service to the Town. Mr. Campbell seconded the motion. A roll call vote was taken Mr. Koff – aye, Mr. Short – aye, Ms. Ward – aye, Mr. Campbell – aye, Mr. Guindon – aye, Mr. Mattera – aye and Ms. White – aye. Motion passed 7-0-0.

i. Trails for People and Wildlife Tool

Mr. Murphy indicated NH Fish & Game and partners have put together a trail management guide and GIS tool (available on Grant View). Ms. Murphy attended the workshop and provide a link to the video which is about 40 minutes. The document and mapping tool has potential to assist with sensitive areas and impact locations. The tool will identify in red zones what could be a sign of impact to lessen impact on wildlife.

ii. New trails and Trail Closure Update (Bill & Dave)

Mr. Campbell noted Mr. Guindon, and Ms. Murphy started a new trail at the kiosk which comes out by the skateboard park.

Mr. Short indicated three more trails were closed. Ms. Murphy will get more signage.

iii. Trail Challenge

Mr. Murphy noted she has been adding more trail networks to the Trail Finder program. Ms. Murphy put together a challenge to encourage more use of some of the lesser known parcels. The challenge is for the first person to send a photo of all eight wins an “I hike Exeter” sticker. Ms. Murphy indicated it is a clickable flyer which pulls up Trail Finder pictures, maps, and parking. Ms. Murphy will post it to the website.

c. Outreach Events

i. Raynes Virtual Bird Walk

Ms. Ward indicated the Sky Watch event was postponed to October.

Mr. Guindon indicated the Bobolink was the highlight of the Virtual Bird Walk and is posted on Facebook.

d. Tree City Subcommittee Report

Ms. Ward noted planting was done May 21st. The Chinese Elm was planted on Lincoln Street by the playground as an Arbor Day event this year. The flag and sign are mounted at the triangle by Water and Summer Street and outside Town Offices.

e. Sustainability Advisory Committee (Kirsten O.)

Ms. Osterwood indicated she is working with Mr. Sharples on a greenhouse gas inventory with a UNH fellow and intern and Unitil and will have an update at the next meeting.

7. Approval of Minutes: May 12, 2020

Ms. Ward recommended edits to the section on Tree City.

MOTION: Mr. Campbell motioned to accept the May 12, 2020 minutes as amended. Mr. Koff seconded the motion. A roll call vote was taken Koff – aye, Short – aye, Ward – aye, Campbell – aye, Guindon – aye, Mattera – aye and White – aye. Motion passed 7-0-0.

8. Correspondence

9. Other Business

Mr. Guindon attended a webinar concerning multi-state connectivity with the coastal area to the White Mountains and will send the information. Ms. Murphy noted she printed a summary in the memo to highlight bits and pieces and will discuss it at the next meeting.

10. Next Meeting: Date Scheduled: July 14, 2020, Submission Deadline: July 3, 2020

Adjournment

MOTION: Chair Koff moved to adjourn at 9:43 PM. Mr. Campbell seconded the motion. A roll call vote was taken, all were in favor, the motion passed unanimously.

Respectfully submitted,

Daniel Hoijer
Recording Secretary