

Exeter Conservation Commission
April 13, 2021
Virtual Meeting
Approved Minutes

Call to Order

1. Introduction of Members Present (by Roll Call)

Present at tonight's meeting were by roll call, Chair Andrew Koff, Vice-Chair Trevor Mattera, Sally Ward, Clerk, Bill Campbell, Carlos Guindon, Alyson Eberhardt, Julie Gilman Select Board Liaison, Ginny Raub, (Alternate), Donald Clement, (Alternate), Nick Campion (Alternate), Kristen Osterwood (Alternate), Conor Madison (Alternate) and Kristen Murphy, Natural Resource Planner.

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

Absent: Dave Short

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 (7:00 PM)

Ms. Osterwood asked about land near the reservoir at Wheelwright Ave & Towle and potential conservation acquisition. Ms. Murphy indicated it is private land and early discussions were had with the owners who at the time were not interested. Ms. Gilman noted the location is at High Street and Rocky Hill Road. Two lots are being developed as single-family residence.

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

Action Items

1. Conceptual discussion in association with a conditional use permit for clean-up and construction of a residential multi-family unit within the prime wetland buffer and structural setback at 32 Charter Street, Tax Map #82-36 (One Home Builders, Jim Gove, Christian Smith, Frank Catapano and Colton Gove).

Mr. Catapano described the current condition of the property which had a site walk earlier. The wetlands are littered with trash and car parts, there are paths and docks, all to be removed but will require wetlands permits at a later date to do the removal work.

Christian Smith posted the two earlier development plans proposed but felt the large building would have more impact and so they reduced the proposal to 11 townhomes. Mr. Catapano posted the plan for the 11 townhomes.

Ms. Eberhardt asked about snow storage areas and Mr. Smith pointed to two areas and a possible third, one located to the center of parking, another at the bottom of the parking lot and potential at the right corner at the angle separating the buildings.

Mr. Campbell asked what would be done with the area behind the parking and Mr. Smith noted it would be loamed and seeded specific for wetland buffers, the junk piles would be removed.

Mr. Clement asked about garages and the number of parking spaces required and Mr. Smith noted two spaces are required for each of the two-bedroom units and one space for every four for visitors. Mr. Clement noted he preferred the 11-unit plan. Mr. Campbell agreed.

Ms. Ward asked about pervious material and Mr. Smith noted standard asphalt was planned. Mr. Koff noted stormwater system would be required but is not shown. Jim Gove noted the northern boundary was steep and the parcel is the bottom of an old gravel pit. The depth of the water table will determine whether porous pavement would function but usually the reason gravel pits stop digging is because they have come to that and he can guarantee there is no natural soil. Mr. Campbell asked about runoff and Mr. Gove noted it appears to be contained.

Mr. Koff noted there could be additional buffer impacts not shown.

Mr. Campbell noted the railroad cutoff the parcel from Little River and Mr. Gove indicated that was correct, as far as it being a physical barrier however there may be some hydrological flow. The parcel functions as a habitat island and there is a lot of wildlife diversity.

Ms. Osterwood asked about water features or rain gardens and gas hookup. Mr. Smith noted he believed there was gas hookup on Charter Street. Ms. Osterwood emphasized the importance of energy efficiency. Mr. Catapano noted a filtration, bioretention or rain garden would be the way to go.

Ms. Ward noted the condition of the site is problematic.

2. Wetland/Shoreland CUP for an open-space development at Cullen Way/Tamarind Lane, Tax Map 96-15 and 96-9 (Brian Griset, Attorney Justin Pasay, Christian Smith, Jim Gove and Luke Hurley)

Attorney Justin Pasay presented the plan and noted Brian Griset was present with him and Jim Gove and Christian Smith remotely. On April 2nd the CUP application filings and included plans, were submitted, the approved Yield Plan, Wetlands Impacts, Shoreland Impact plans and environmental site assessment. The applicant appeared in December 2019 with a similar plan. There will be discussion about donation of the 32-acre Mendez Trust property later in the process.

Mr. Koff noted the submission was a lot to cover in one night and recommended prioritizing. Attorney Pasay noted they would be appearing before the Planning Board at their next meeting and would like to get recommendations for the CUP first.

Attorney Pasay reviewed the history of the three parcels, the 23.6-acre Griset property, the 31-acre Mendez Trust property and the Town-owned property. Attorney Pasay posted the plan showing uplands in green and access points and indicated prime wetlands in brown. Attorney Pasay noted the applicant was before the Planning Board for their Yield Plan. The properties are in the R-1 and NP District. The Yield Plan is to develop 17 lots. The Town property which was donated in the 90s provides density through a contract with the Town for this development off Route 111. There are three crossings, 12,000 SF of wetland impact which could have been four times greater than they are actually proposing. 90% of the impact relates to proposed access at Wild Apple Lane. The WCD impact is 90% road and detention. 1,320 SF of structural impact with Unit 1, 10 and 11, 13, 15 and 16. A wet meadow will be maintained by the HOA. 80% of the parcels will be preserved and 20% developed.

Mr. Smith posted the plan showing the WC District overlay and noted technical reviews and reviews with Department Heads and Planning. The road would begin narrow at 20' wide with 5' sidewalk until the mail kiosk then become 24' wide with a 4' sidewalk. There is 2,960 SF of direct wetland impact. A manmade pond. 11,002 SF buffer impact, 1,320 SF into the 75' for paving and building setback. Unit 10 and 11 were re-engineered because access was needed for maintenance of the pond. Buildings will be 25' apart and sprinklered. There will be underground electric and gas and Town water and sewer. Attorney Pasay showed the shoreland setback impact which is 7,983 SF.

Jim Gove identified functions and values beginning with the manmade pond dug in the past. It is deep enough for fish and there are some sun fish and minnows present. It does not function as a vernal pool. The small edge will be impacted with proper erosion control in place, and he doesn't see any change to function. To the south the forested wetland is a larger ecosystem for wildlife and stormwater storage and nutrient trapping. Already been somewhat impacted by the existing road. Doesn't see degradation. A large open field will not see significant change. There may be some disruption to upland wildlife.

Luke Hurley reviewed the wildlife assessment noting it is potential not a survey. There were no hits with Natural Heritage. The parcels are significant wetlands with reptiles, amphibians and bird species and some meadow species. Lot of ground nesters and that is the place he sees impact. Mowing is recommended once a year in the late fall in September or October.

Mr. Campbell asked to see the vernal pools and Attorney Pasay pointed the two pools out noting the location avoids most of the impact and benefits the public. The crossing access is over an existing ROW with prior disturbance.

Mr. Griset noted the property is owned by his wife and reiterated what the others said previously adding the goal is to reduce impacts and protect the brook. The swamp was flagged and only four trees were impacted. Other swamp oak locations were located with 250 trees over 6" caliper. There are structural encroachments with Units 1, 10 and 11. Unit 10 will have a shared driveway. Unit 1 will have 202' impact due to steep contours. The driveway at elevation 37 and the retaining wall behind an additional 10.' The garage was designed under so it will be a drive through to reduce the size of the driveway and impact to the buffer of only 19.' The Mendez Trust property is being offered to the Town

as donation and waiver allows to provide a greater value wetland. The prime wetland and two vernal pools would be completely protected.

Ms. Murphy asked to show on the plan where the Commission went on the site walk through the Meadow and looked for the prime wetland. Mr. Koff, Mr. Guindon and Mr. Mattera attended. Mr. Koff noted a lot of phragmites.

Mr. Koff opened the hearing to the public for comments and questions.

Lisa Bleicken of 11 Tamarind Lane notes several areas of concern: drainage, impacts concentrated to one area, relation of upland and wetlands, neighboring properties, size/density of development, stormwater, snow storage, road treatment, chemicals, fertilizer, access, disruption and protecting resources. The donated land for preservation is the only benefit and she asked about public access, hunting rights, coyote control and also noted comments submitted by Laura Knott who could not be present who shared accessibility concerns and asked about the single -family home at the end of Cullen Way whether there would be impacts there as well?

Mark Paige of 13 Tamarind Lane noted legal concerns with the transfer of density and agreed with the hunting issue and noted the plans were difficult to follow.

Pete Steckler of 4 Locust Ave noted he is an alternate on the Planning Board and expressed concerns about the HOA maintained open space, pushing the habitat down to the wetland, restrictions on the open space, such as dog walking, dogs off leash and recreation impacting habitats and the prime wetland expansion changes.

Mr. Gove noted Mr. Steckler was correct with the rule change with prime wetlands however there are no impacts to prime wetlands in this case.

Mr. Koff asked about the restrictions on the HOA maintained open space and Mr. Griset noted mowing will be done at the end of fall, not during summer. There would be restrictions on dog walking and perhaps a designated dog park on Farm Road. Snow storage goes to drainage and pretreatment ponds, showing one located in the center of the cul-de-sac. Regulations don't require that the applicant turn over access. Mr. Griset noted he wants hunting for the benefit of veterans, especially disabled veterans. 9.4 acres were donated at Brickyard for a kid's park and there is access and parking there. Their goals are to preserve the property environmentally, allow veterans to hunt to thank them for their service, to regulate and manage coyote and beaver and possibly provide future groundwater sources.

Ms. Gilman noted state law prohibits discharge of firearms within 300' of a dwelling. HB 307 is coming up which would prohibit municipalities from prohibiting firearms on municipal property. Schools still fall under the federal law.

Mr. Clement asked the intent of the HOA maintained field and whether it would be public or private. Mr. Griset noted this would be restricted to the 16-unit owners and not a public park. The Mendez property could be open to the public if the Town allows.

Mr. Clement asked the status with the Planning Board and Attorney Pasay noted they have approved the Yield Plan and the site plan and CUP were filed. He expects to meet with them at their next meeting. Mr. Clement clarified the recommendation was what he was looking for from the Commission on the two CUP permits.

Mr. Koff asked if the decks were included in the impact calculations and Mr. Griset noted decks and pavilions were allowed, they were not included in the impact calculations and there would be temporary construction disturbance.

Ms. Murphy noted she did not have the full TRC response. Mr. Campbell asked if there was anything in the TRC response the Commission should see. Ms. Murphy noted she had not seen it and expressed concerns with the wildlife assessment/swamp white oak basin, brook, beaver control/management (which could be accomplished with a deceiver device), coyote control and trapping safely with residents and homes 300' from the meadow.

Ms. Osterwood asked about soil saturation and rain water impacts to the local area and Ms. Murphy noted the information was available in the drainage analysis and TRC comments.

Mr. Koff noted 7,983 SF of impact in the 150' shoreland protection line. The road overlaps the Wetlands Conservation District. Mr. Koff noted he saw no further minimization. 2,960 SF of direct wetland impact at the intersection of Tamarind and the new road and manmade pond. 11,000' of buffer impact and 90% of it road and detention pond related.

Mr. Clement noted State permits would also be required. Attorney Pasay added an AOT permit as well and have not been submitted yet.

Mr. Smith calculated 8,700 SF of temporary impact including construction of decks in the 75' setback. The Town engineer also reviews his calculations, and the state has their own criteria and reviews their drainage analysis.

Mr. Mattera agreed with Mr. Koff on the minimization efforts. Mr. Guindon agreed and noted he did walk the site. Mr. Mattera noted he appreciated Jim's comments about functions and feels the application has done a commendable job. Mr. Koff agreed.

Mr. Clement noted the Town had budgeted to deal with the drainage issues on Tamarind Lane last year and were supposed to replace the culvert. Mr. Griset noted the culvert began to collapse 20 years ago and fully collapsed three years ago. There is minimal flow. Tamarind is at elevation 37. Mr. Clement noted it is part of the drainage analysis.

Mr. Koff recommended tabling the application until the May meeting. Mr. Steckler can convey what happened at this meeting to the Planning Board. Ms. Ward agreed. Attorney Pasay welcomed contacting Mr. Griset for another site walk or individually.

Mr. Koff activated alternates Nick Campion and Conor Madison. Ms. Eberhardt departed the meeting.

MOTION: Mr. Campbell motioned to table the application for the two Conditional Use Permits to May 11th. Mr. Koff seconded the motion. A roll call vote was taken Koff – aye, Mattera – aye, Ward – aye, Campbell – aye, Guindon – aye, Campion – aye and Madison – aye. The motion passed 7-0-0.

3. Committee Reports

a. Tree Committee Update (Sally Ward)

Ms. Ward noted the Tree Committee is working on a tree ordinance and will share it with the Commission before bringing it to the Select Board. The Tree Walk is on the website and may become a

periodic event. Planting which was delayed will continue at Park Street Common. The Committee would like to have a budget for expenses. Ms. Murphy noted Jay Perkins the tree warden has a budget. Ms. Gilman noted she did not recommend having a budget separate from the Commission. Ms. Ward will provide feedback to the Committee.

b. Property Management

Ms. Murphy noted the farmer requested a change with mowing at Raynes Farm to do an early cut through the end of May and another in August. Concerns were expressed about nesting birds returning and how to assess that. Mr. Koff recommended a one-year trial period.

MOTION: Mr. Koff motioned to allow the mowing schedule as presented for May and August for a one-year trial period. Ms. Ward seconded the motion. A roll call vote was taken – Koff – aye, Mattera – aye, Ward – aye, Campbell -aye, Guindon – aye, Campion – aye and Madison – aye. The motion passed 7-0-0.

Ms. Ward updated the status of the L-Chip application for Raynes. The historic structure report will be done by Bedard so they can submit their intent by May and application in June. Ms. Ward noted the Chair of the Raynes Farm Stewardship Committee is a member of Conservation and recommended Nick Campion take her place. She will remain the point person for the L-Chip application. Mr. Campbell noted the Facilities Committee is meeting there Friday at 3:30. Mr. Campion will attend.

MOTION: Mr. Campbell motioned to nominate Mr. Campion as Chair of the Raynes Farm Stewardship Committee. Ms. Ward seconded the motion. A roll call vote was taken Koff – aye, Mattera – aye, Ward – aye, Campbell – aye, Guindon – aye, Campion – abstain and Madison – aye. The motion passed 6-0-1.

c. Trails

d. Outreach Events

i. Spring Tree Program (not to exceed \$200)

Ms. Murphy noted the tree program will be distributed through school and asked to approve expenses not to exceed \$200 for the seedlings. The trees would be packed up May 8th and 9th and volunteers would be appreciated.

MOTION: Mr. Koff motioned to approve up to \$200 from the Conservation fund for the purchase of seedlings. Mr. Campbell seconded the motion. A roll call vote was taken Koff – aye, Mattera – aye, Ward – aye, Campbell – aye, Guindon – aye, Campion – aye and Madison – aye. The motion passed 7-0-0.

ii. Pollinator Book trail/Grab and Go Seed Kits (not to exceed \$65)

Ms. Murphy noted the Pollinator Book Trail and Grab and Go Seed kits will be distributed at the Library. Each kit would have milkweed seed and soil and lay mix to make seed balls and plant. The event would take place the 1st of May. There will be a story walk at Morrisette the 1st of May and students will have readymade seed balls to plant with the Kindergarten class.

MOTION: Mr. Koff motioned to approve up to \$65 for the cost of the milkweed kits from the Conservation fund. Ms. Ward seconded the motion. A roll call vote was taken Koff – aye,

Mattera – aye, Ward – aye, Campbell – aye, Guindon – aye, Campion – aye and Madison – aye. The motion passed 7-0-0.

iii. Kites for Cancer – Raynes Field Use Request

Ms. Murphy reported the Exeter Hospital is seeking event permission from the Select Board to have a Kites for Cancer event at Raynes and would like Commission approval. There will be 10-15 kites and a crossing guard. They plan to have the event at the end of May and there is no problem with use of the field at that time.

MOTION: Mr. Campbell motioned to approve the use of Raynes field at the end of May for the Exeter Hospital's Kites for Cancer event. Ms. Ward seconded the motion. A roll call vote was taken Koff – aye, Mattera – aye, Ward – aye, Campbell – aye, Guindon – aye, Campion – aye and Madison – aye. The motion passed 7-0-0.

iv. Evening Picnic at Raynes

Mr. Koff recommended having a get together for the Commission in the form of a picnic at Raynes Farm in May especially with three members leaving soon. Mr. Koff will email details.

v. Opportunities – April 17-25 [Great New England Cleanup](#)

(Late May/Early June) [New England Garlic Mustard Challenge](#)

(Sept) [NH Statewide BioBlitz](#)

Mr. Koff noted Ms. Murphy provided links to the opportunities listed.

4. Approval of Minutes: March 9, 2021 Meeting - Tabled

5. Correspondence

6. Other Business

7. Next Meeting: Date Scheduled (5/11/21), Submission Deadline (4/30/21)

Adjournment

MOTION: Mr. Campbell moved to adjourn at 10:22 PM. Ms. Ward seconded the motion. A roll call vote was taken Koff – aye, Mattera – aye, Ward – aye, Campbell – aye, Guindon – aye, Campion – aye and Madison – aye. With all in favor the motion passed unanimously.

Respectfully submitted,

Daniel Hoijer, Recording Secretary