

Exeter Conservation Commission
August 8, 2023
Nowak Room
10 Front Street
7:00 PM
Draft Minutes

Call to Order

1. Introduction of Members Present (by Roll Call)

Present at tonight's meeting were by roll call, Vice-Chair Trevor Mattera, David Short, Treasurer, Nick Campion, Connor Madison, Kyle Welch, Alternate Keith Whitehouse, and Alternate Michelle Crepeau

Present remotely were: Alternate Don Clement, Alternate Bill Campbell and Nancy Belanger, Select Board Representative

Staff Present: Kristen Murphy, Conservation and Sustainability Planner

Mr. Mattera called the meeting to order at 7:00 PM and activated Alternates Whitehouse and Crepeau.

2. Public Comment

Mr. Mattera asked if there was any public comment unrelated to agenda items and there was none.

3. Non-Public Session pursuant to RSA 91-A:3(II)(d) for consideration of the acquisition, sale or lease of real or personal property.

MOTION: By Roll Call, Mr. Mattera motioned to go into non-public session pursuant to 91-A:3(II)(d) consideration of the acquisition, sale or lease of real or personal property. Mr. Welch seconded the motion. A roll call vote was taken: Mattera voted aye, Crepeau voted aye, Short voted aye, Madison voted aye, Welch voted aye, Campion voted aye, and Whitehouse voted aye. The motion passed 7-0-0.

The members departed the meeting room at 7:36 PM.

MOTION: Mr. Mattera motioned to come out of non-public session. Mr. Short seconded the motion. A vote was taken, all were in favor, the motion passed 7-0-0.

The members returned to the meeting room at 7:51 PM. Mr. Clement returned to the meeting room remotely at 7:52 PM.

MOTION: By Roll Call, Mr. Mattera motioned to seal the minutes of the non-public session. Mr. Madison seconded the motion. A roll call vote was taken: Campion voted aye, Welch voted aye,

44 Mattera voted aye, Madison voted aye, Whitehouse voted aye, Crepeau voted aye, and Short voted aye.
45 The motion passed 7-0-0.

46

47 **Action Items**

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49 1. Continued review of Wetland Conditional Use Permit for the construction of a single-family house at
50 24 Powdermill Rd for Chrissy Rupp (Daniel Coons)
51 Tax Map 102-04

52

53 Mr. Mattera read out loud the public hearing notice.

54

55 Daniel Coons continued the presentation on behalf of Ms. Rupp. He noted at the request of the Board
56 the entire frontage at Powdermill Road and the property line by the Railroad were re-delineated. A
57 small wetland pocket was found by the location of the originally proposed driveway, so the driveway has
58 been moved outside the buffer. He reported permanent impact to wetland of 631 SF and 560 SF of
59 impacts to buffers.

60

61 Mr. Mattera thanked him for going out and confirming the delineations and making alterations. Mr.
62 Madison agreed and asked if the culvert would be the same size and Mr. Coons indicated it would.

63

64 MOTION: Mr. Madison motioned that after review the Commission has no objection to the application
65 and will send a memorandum in favor to the Planning Board. Mr. Short seconded the motion. A vote
66 was taken, all were in favor, the motion passed 7-0-0.

67

68 2. Wetland Conditional Use Permit Application for a subdivision and single-family house and driveway
69 for the Maloney family (John Hayes)

70 18 Beech Hill Road

71 Tax Map 32-11

72

73 Mr. Mattera read out loud the public hearing notice.

74

75 Jason Franklin presented the application on behalf of the Maloney family. He noted there would be
76 buffer impacts only of 4,000 SF temporary and 1,350 permanent.

77

78 Mr. Madison asked about setbacks and Mr. Franklin indicated 25' are shown on the plan and that he
79 believes the side setback to be 15.'

80

81 Ms. Murphy noted the percentages of upland versus wetland according to the regulations which allow
82 up to 50% and calculated 23%.

83

84 Mr. Franklin indicated the state setbacks of 50' would be met.

85

86 Ms. Murphy read the criteria out loud, and Mr. Franklin answered the questions.

87

88 1. Use permitted in underlying zone. Mr. Franklin noted the use is permitted in the R-1 wetland
89 conservation district.

90
91 2. No alternative design....Mr. Franklin noted that this design would have the least impact as otherwise
92 there would need to be two wetland crossings and be more detrimental.

93
94 3. Wetland function and values. Mr. Franklin indicated the function and values report done by John B.
95 Hayes, provided.

96
97 4. Design Construction Maintenance Minimum Detrimental Impacts. Mr. Frankin described the
98 Advanced Enviroseptic system and sediment and erosion controls during construction.

99
100 5. Health, Safety, Welfare, loss of wetland or other resources. Mr. Franklin stated there are no hazards
101 or loss and they will meet DES regulations with no loss of wetlands.

102
103 6. Mr. Franklin stated there was no plan to provide something of equal value in another location.

104
105 7. Restoration. Mr. Franklin stated the area will be loamed and reseeded.

106
107 8. Other Permits. Mr. Franklin stated there would be two state permits for a subdivision of a lot under
108 five acres and state approval, which have not yet been submitted.

109
110 Mr. Madison indicated he felt he researched the right location. Mr. Mattera agreed it was placed as well
111 as it can be and moving it would have more impact.

112
113 MOTION: Mr. Madison motioned that the Commission had no objection to the application and will
114 submit a letter to the Planning Board. Mr. Champion seconded the motion. A vote was taken, all were in
115 favor, the motion passed 7-0-0.

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117 3. Shoreland Conditional Use Permit Application for a three-lot subdivision for the Hewsons (Henry
118 Boyd)
119 45 Pine Street
120 Tax Map 83-59

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122 Mr. Mattera read out loud the public hearing notice.

123
124 Henry Boyd of Millenium Engineering presented the application on behalf of the Hewsons. He
125 apologized for the mistake concerning the original determination that it was not within the 150'
126 shoreline of Little River. He showed the location of the buffers on the plan. He noted changes to the
127 plan for safety concerns in the proximity of Court Street with traffic turning onto Nelson Drive.

128
129 Mr. Boyd described the impacts of Lot 2 and 3. He noted Lot 2 has temporary impacts of 834 SF and 107
130 SF of that is impervious. He noted Lot 3 has 2100 SF of impervious due to the driveway and grading. He
131 described the stone infiltration strip and noted the parcel is on public water and sewer.

132
133 Mr. Campbell expressed concerns about the loss of buffers. Mr. Campbell commented on stormwater
134 management. Mr. Boyd described the drip edge and maintenance. He noted no high-water table and
135 did not believe it would ever cross the crown of Nelson Drive at an elevation of 39 or higher.
136
137 Mr. Madison noted the calculations did not add up because 18.1% and 89% totaled more than 100%.
138
139 Mr. Madison asked about the location of storm drains and Mr. Boyd reported the pitch to Court Street,
140 catch basin on opposite side of street and described the massive amount of stormwater that comes
141 down Court Street and is a town issues.
142
143 Mr. Mattera asked about fertilizer limits which Ms. Murphy described within the shoreland district. She
144 noted no fertilizer is allowed within 100' of all regulated water bodies. That would be 100% of the
145 entirety of the lot. She described BMP limits to not put nitrogen into runoff and minimum 50% flow
146 release of nitrogen/phosphorous free unless soil test shows a deficiency. She described the rate
147 requirements per pound and annual limits (1/2 lb. nitrogen/annual min 1.5 lbs.). She requested that the
148 regulation be noted on the plan.
149
150 Mr. Boyd asked if it included water bodies and Ms. Murphy explained the shoreland district at the edge
151 of contiguous wetlands.
152
153 Mr. Mattera asked if there were any comments or questions from the public at 8:33 and being none
154 closed the hearing to the public for deliberations.
155
156 Ms. Murphy noted the application would not go to TRC because it was just a three-lot subdivision, but it
157 would go to Planning Board on August 24th.
158
159 MOTION: Mr. Campion motioned that the Commission reviewed the application and had no objection
160 to the CUP being approved with the fertilizer limits to be included on the plans. Mr. Short seconded the
161 motion. A vote was taken, all were in favor, the motion passed 7-0-0.
162
163 4. Wetland and Shoreland Conditional Use Permit Application for the expansion of an existing building,
164 parking and stormwater structures for C-Marine Dynamis Reality, LLC. (Jack McTigue)
165 8 Commerce Way
166 C3i, Tax Map 48-3
167
168 Mr. Mattera read out loud the public hearing notice.
169
170 Jack McTigue of TF Moran presented the updated plan to the Commission. He noted Corey Coldwell,
171 surveyor, was present and Mr. Ritchie the construction project manager. He described the project as
172 two 4,000 SF expansions on either side of the existing building for the facility that manufacturers critical
173 communication controls for the US Navy. He pointed out areas of lawn already impacted and described
174 the stormwater management system made of bioretention areas (ISR). He noted the system would
175 have high nitrogen removal and provided performance curves chart. He noted that Gove Environmental

176 provided plan revisions and noted very poorly drained soil to the west requiring 50' buffer and pulled
177 back 10.' He noted no prime wetlands. He described wildlife evaluations in neighboring Norris Brook
178 which he described as marsh and forested wetland. He described the western 40' edge of trees to be
179 removed and the value of wildlife to the northern edge and desire not to break up habitat corridors. He
180 noted there were bike trails that would continue with a pedestrian and bike bridge to be built where the
181 berms were added. There is no fishing, hunting or boating.
182
183 Mr. Short noted that impacts of the stormwater treatment system were closer to the stream shoreland
184 buffer than he was comfortable with.
185
186 Mr. McTigue reviewed the criteria:
187
188 He noted the use is a permitted use in the industrial zoning district.
189 He noted there was no alternate design with less impact as the north is a higher value wildlife area,
190 ledge has a greater temporary disturbance and functions and values are not being impacted. He noted
191 the stormwater treatment areas will act as a buffer to the wetland areas. He noted no increase
192 elsewhere on site. He stated all impacts are permanent as far as restoration. He noted permits with
193 DES for AoT and two others.
194
195 He described the criteria for shoreland CUP and the stormwater treatment system. He noted no
196 wastewater or onsite storage of hazardous materials. He described regulation 9.3.4 and fertilizer
197 requirements, except for establishment which has quicker stabilization/less erosion. They will apply for
198 a waiver for with the Planning Board. He described regulation 9.3.1 and the purpose of the stormwater
199 treatment system to reduce nitrogen and solids.
200
201 Mr. Short asked when construction would begin, and Mr. McTigue noted fall or early 2024 because AoT
202 has a minimum of 45 days since the last application is within ten years (2016).
203
204 Corey Coldwell discussed the three impacts, building, pavement and stormwater improvements and
205 described the existing disturbed buffer which has a shed, transformer and lawn on it. He described the
206 woody vegetation removal for the bioretention areas. He noted the 1.5" pipe would not have a high
207 flow draining into the wetland after treatment.
208
209 Mr. Mattera noted he appreciated preserving the east and west buffer values. Mr. Mattera described
210 the high volume and frequency of precipitation lately and the goal to keep water where it lands. Mr.
211 Coldwell indicated even had 100-year storm he felt it would not fail.
212
213 Mr. Mattera asked why design for a 1" storm and Mr. McTigue described that 80-90% of solids and
214 pollutants; nitrogen and phosphorus are in the first 1" wash.
215
216 Ms. Murphy asked about the vernal pool previously noted on the plan and Mr. McTigue noted Gove
217 Environmental dismissed it as a vernal pool and removed it from the plan.
218
219 Mr. McTigue described the snow removal shown on the plan.

220

221 Mr. Clement expressed concerns about the loss of buffers and the dilemma between the right to build
222 and protect resources.

223

224 Mr. Mattera noted the application was going to TRC and the Planning Board.

225

226 Mr. Mattera opened the hearing to the public for comments and questions at 9:17 PM and being none
227 closed the hearing to the public for deliberations.

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229 MOTION: Mr. Madison motioned that the Commission reviewed the application and had no objection
230 to the shoreland conditional use permit as proposed. Mr. Short seconded the motion. A vote was
231 taken, Mr. Whitehouse abstained. The motion passed 6-0-1.

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233 MOTION: Mr. Campion motioned that the Commission reviewed the application and had no objection
234 to approval of the wetland conditional use permit. Mr. Short seconded the motion. A vote was taken,
235 Mr. Whitehouse abstained. The motion passed 6-0-1.

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237 Mr. Mattera noted that the Commission would send a letter to the Planning Board.

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239 5. Expenditure Requests

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241 a. Commemorative Bench at Raynes Farm (Dave Short and Bill Campbell)

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243 Mr. Short presented the request for funding to construct Leopold benches at Raynes Farm. He
244 noted they considered this as a memorial tribute for past member Carlos Guindon who passed
245 away a few months ago and they have considered adding them for others who have served for a
246 long time. He noted the best place is Raynes Farm and Mr. Guindon was an active bird
247 watcher/ornithologist and described how the Leopold bench's design would be low impact and
248 recommended they could serve as a viewing platform and reverse to sit and rest binoculars set
249 atop the knoll which is picturesque. The benches would be painted and set on top of pavers.
250 The pavers would be flush with the ground to allow for mowing.

251

252 Mr. Short noted the time for constructing the benches was being donated and he would assist.

253

254 MOTION: Mr. Campion motioned to approve the expenditure of up to \$300 from the
255 Conservation Land Administration budget line for the purpose of purchasing materials and
256 supplies to install Leopold benches at Raynes Farm and add names. Mr. Madison seconded the
257 motion. A vote was taken, all were in favor, the motion passed 7-0-0.

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259 b. Approval of Mowing Funds

260

261 Ms. Murphy reported the quotes she received from David Ahearn for mowing, of \$1,875. This
262 year the full Morrissette field would be mowed rather than the 1/3 sections he charged \$1,600
263 for. This includes Perry, White's Meadow and Irvine.

264
265 MOTION: Mr. Short motioned to approve the expenditure of \$1,875 from the Roadside Mowing
266 line item for grassland field maintenance. Mr. Madison seconded the motion. A vote was
267 taken, all were in favor, the motion passed 7-0-0.

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269 c. ESRLAC Dues - \$150

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271 Don Clement recused himself as he is a member of ERSLAC or Exeter Squamscott River Advisory
272 Committee. Mr. Mattera asked him to described what ERSLAC does. Mr. Clement described
273 different ways they provide support to Conservation Commissions and review of shoreland CUP
274 applications for the State.

275
276 MOTION: Mr. Short motioned to approve \$150 from the Dues line item. Mr. Campion seconded
277 the motion. A vote was taken, all were in favor, the motion passed 7-0-0.

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279 6. 2024 Budget Planning

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281 Ms. Murphy provided a draft of the proposed 2024 budget which she noted is due before the next
282 Conservation Commission meeting in September. The proposed budget then goes to the Town Manager,
283 the Budget Committee and Select Board before being put on the Town Warrant. She indicated she did
284 not make any changes but questioned whether it made sense to include the line for interns. She noted
285 the interns are coming back covered in ticks from monitoring and brush-hogging and questioned
286 whether those activities could be done in late fall or early winter or whether other activities could be
287 found for them. She noted that it helps to expend the existing budget and recommended the members
288 think about projects or outreach events and encouraged new members to attend training. Ms. Crepeau
289 offered to help with inventory of materials. Mr. Short recommended an offset of Raynes construction
290 costs. Mr. Mattera recommended removing invasives. Ms. Crepeau asked about the Tree Committee
291 and the Spring Tree Program. Ms. Murphy noted 15 Liberty Elms were coming in. Mr. Short noted they
292 will be stored at the nursery.

293
294 The Commission agreed to submit the proposed budget as is.

295
296 7. Funding request to foundations (CC auth to reach out)

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298 Ms. Murphy reported that Valerie Fanger signed up for a program that led her to two funds that would
299 line up well with Raynes Farm. She provided a draft email for approval.

300 MOTION: Mr. Mattera motioned to authorize Chair Drew Koff to send the email for funding to support
301 repairs at Raynes Barn. Mr. Short seconded the motion. A vote was taken, all were in favor, the motion
302 passed 7-0-0.

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304 Mr. Mattera thanked Ms. Fanger for the work she did on this.

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306 8. Committee Reports – Ms. Murphy provided a written report to the Commission which she noted can
307 be viewed by the public online on their website.

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a. Property Management

b. Trails

Ms. Murphy will post the trail closures online at Wason Road for the Eversource maintenance work as the start date in October approaches. She will contact Fort Rock Riders and Mr. Short will contact Trail Forks.

c. Outreach Events

d. Other Committee Reports (River Study, Sustainability, Energy/CPAC, Tree, CC Roundtable)

9. Approval of Minutes

i. July 11, 2023 Meeting

MOTION: Mr. Mattera motioned to approve the July 11, 2023 meeting minutes. Mr. Madison seconded the motion. A vote was taken, Mr. Campion, Ms. Crepeau and Mr. Short abstained. The motion passed 4-0-3.

10. Correspondence

Ms. Murphy will forward a copy of the email invitation she received from SELT for the presentation at Burleigh Farm on Monday August 14th at 5:00 PM, RSVP date August 10th. Greg Jordan will also present at the event.

11. Other Business

12. Next Meeting: Date Scheduled (9/12/23), Submission Deadline (9/1/23)

13. Adjournment

MOTION: Mr. Short moved to adjourn the meeting at 9:57 PM seconded by Mr. Welch. A vote was taken, all were in favor, the motion passed unanimously.

Respectfully submitted,

Daniel Hoijer, Recording Secretary
Via Exeter TV
Zoom ID 896 9112 8042