



TOWN OF EXETER, NEW HAMPSHIRE

10 FRONT STREET • EXETER, NH • 03833-3792 • (603) 778-0591 • FAX 772-4709

www.exeternh.gov

PUBLIC NOTICE EXETER CONSERVATION COMMISSION

Monthly Meeting

The Exeter Conservation Commission will meet in the Nowak Room, Exeter Town Offices at 10 Front Street, Exeter on **Tuesday, September 10th, 2019 at 7:00 P.M.**

Call to Order:

1. Introduction of Members Present
2. Public Comment

Action Items

1. Consideration of conservation easement on +/- 61 acres of land within Tax Map and Lots 98-37 and 80-18 surrounding the Ridge and the Boulders at Riverwoods development in accordance with the condition of approval issued by the Planning Board on June 5, 2008. Riverwoods has proposed a conservation deed restriction, should the Commission not wish to recommend holding the easement.
2. Consideration of issuing a letter of support for DPW Water Department's grant application to the NHDES drinking water trust fund.
3. Waleryszak Easement Violation Update
4. Committee Reports
 - a. Property Management
 - i. McDonnell Conservation Area Use Concerns Update
 - ii. Raynes Management Activities Update
 - b. Trails
 - i. Eagle Project Update
 - ii. Trail Signage and Blazing Update
 - c. Outreach Events
 - i. Upcoming: 9/21, Squamscott River Kayak Trip
 - ii. UNH Extension/Sea Grant Climate Change Outreach
5. Approval of Minutes: July 9th Meeting (no quorum last time), Aug 13th Meeting.
6. Correspondence
7. Other Business
8. Next Meeting: Date Scheduled (10/8/19), Submission Deadline (9/27/19)

Todd Piskovitz, Chair

Exeter Conservation Commission

Posted Sept 6th, 2019 Exeter Town Office, Exeter Public Library, and Town Departments.

**TOWN OF EXETER
PLANNING DEPARTMENT MEMORANDUM**

Date: September 62, 2019
To: Conservation Commission Board Members
From: Kristen Murphy, Natural Resource Planner
Subject: Sept 10th Conservation Commission Meeting

1. *Riverwoods Conservation Easement*

When the Boulders development at Riverwoods was approved by the Planning Board in 2008, a condition of that approval was “all final revisions to the plans, agreements as described herein (including the conservation easement as presented at the 4/10/08 meeting) ...shall be reviewed and approved”. In Nov 2008, the Conservation Commission reviewed a draft easement from Riverwoods covering land surrounding the Boulders and the Ridge. At the time the minutes reflect that Rockingham County Conservation District had expressed an interest in holding the easement. During the meeting the Commission stated they were supportive of RCCD holding the easement given they had the support structure (staff) to manage the property. No easement was ever finalized. Riverwoods is now before you seeking to determine if you are supportive of holding the easement. To move the land protection forward, should you decide to not recommend acceptance of the easement, Riverwoods would move forward with the included Deed Restriction. Should you be supportive of holding the easement but have any recommended changes to the terms of the easement, it is preferable to discuss and identify those changes tonight. Following your recommendation to accept the easement, the language would be reviewed by the Town’s legal counsel, and then go before the Selectboard for review and acceptance. This land was identified during the development process as containing a number of important wetland areas including a Swamp White Oak Basin Swamp identified by the NH Heritage Bureau as an exemplary community in the state. The land also provides connectivity between the Swasey easement, the SELT’s Kimball Reserve and the Jolly Rand Trail.

Suggested Motions for a memo to the Selectboard:

_____ We have reviewed this proposal and **recommend acceptance** of the conservation easement as proposed for a portion of Tax Map Parcels 98-37 and 80-18.

_____ We have reviewed this proposal and (**recommend acceptance**) (**do not recommend acceptance**) of the conservation easement for a portion of Tax Map Parcels 98-37 and 80-18 as noted below:

2. *Grant Letter of Support*

The Town is proposing to submit a grant application to NHDES Drinking Water and Ground Water Trust Fund to provide a portion of the funds necessary to acquire property on Drinkwater Road Tax Map 107-Lot 3 for securing a future water supply source. They are seeking a letter of support from the Commission in this effort. As you know this land would be contiguous with other parcels on Drinkwater Rd the Town already holds an interest in. This parcel is identified as a priority for protection under the TNC Land Conservation Priorities for Coastal Water Resources, falls within our 2012 Natural Resource Inventory core focus areas with drinking water being a large contributor to the justification, and appears in the 2015 update to NHFG Wildlife Action Plan as ranking highest in biological region with a portion as highest ranking habitat in the state. I have included a map and draft letter in your packet.

Suggested Motions for a letter of support to NHDES:

_____ We have reviewed this proposal **and vote to authorize** the chair to sign a letter of support for this grant application on behalf of the Commission.

_____ We have reviewed this proposal **but do not** wish to sign a letter of support from the Commission for the reasons noted below:



CELEBRATING OVER 30 YEARS OF SERVICE TO OUR CLIENTS

Please Respond to the Exeter Office

August 30, 2019

ROBERT D. CIANDELLA
LIZABETH M. MACDONALD
JOHN J. RATIGAN
DENISE A. POULOS
ROBERT M. DEROSIER
CHRISTOPHER L. BOLDT
SHARON CUDDY SOMERS
DOUGLAS M. MANSFIELD
KATHERINE B. MILLER
CHRISTOPHER T. HILSON
HEIDI J. BARRETT-KITCHEN
JUSTIN L. PASAY
ERIC A. MAHER
AMELIA G. SRETER
BRENDAN A. O'DONNELL

RETIRED

MICHAEL J. DONAHUE
CHARLES F. TUCKER
NICHOLAS R. AESCHLIMAN

Todd Piskovitz, Chairman
Exeter Conservation Commission
10 Front Street
Exeter, New Hampshire 03833

Re: Protection of Conservation Areas at The Ridge at RiverWoods and The Boulders at RiverWoods, White Oak Drive, Jolly Rand Road and Pickpocket Road, Exeter, New Hampshire

Dear Mr. Piskovitz and Members of the Board:

In 2008, when the Town land use boards approved the construction of what is now The Boulders, the Town indicated, and The RiverWoods Company, at Exeter, New Hampshire ("RiverWoods") agreed, that it would be critical to protect certain portions of RiverWoods' property from future development.

As a result, a draft conservation easement was created and was reviewed and approved by at least Sylvia Von Aulock, who was Town Planner at the time. A copy of that draft conservation easement is enclosed. While I was not part of these activities, it is my understanding that some attempts were made to identify a party who would be willing to hold the conservation easement, but that the attempts were not completely successful.

Notwithstanding that fact, RiverWoods has been and continues to be committed to keeping the identified conservation restriction areas in an undeveloped state. More recently and in an effort to ensure that the conservation areas are legally bound to remain undisturbed, RiverWoods has met with Kristen Murphy and David Sharples.

The result of these meetings is a request that this Commission consider one of two paths to meet the goal of conservation restriction. The first path is to authorize RiverWoods to subject its property to a legally binding conservation restriction, which in turn would be enforceable by RiverWoods and the Town. A draft of such a conservation restriction, together with plans updated from 2008, is included for your review. The second path is to authorize that RiverWoods proceed with finalizing a conservation easement to be held by the Conservation

DONAHUE, TUCKER & CIANDELLA, PLLC
16 Acadia Lane, P.O. Box 630, Exeter, NH 03833
111 Maplewood Avenue, Suite D, Portsmouth, NH 03801
Towle House, Unit 2, 164 NH Route 25, Meredith, NH 03253
83 Clinton Street, Concord, NH 03301

Todd Piskovitz, Chairman
Exeter Conservation Commission
August 27, 2019
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Commission. As an additional alternative, please note that the conservation restriction model also allows for a future easement holder to be identified if one does not exist currently. This arrangement allows for a restriction to go into effect immediately, but then be terminated if and only if a conservation easement subsequently goes on record.

Regardless of which path is chosen by the Commission, the documents in question would need to be reviewed and approved by the Town attorney and others.

We request that this matter be placed on your agenda for the September 10, 2019 meeting. RiverWoods representatives will be present to answer any questions which you may have at the time.

Very truly yours,

DONAHUE, TUCKER & CIANDELLA, PLLC



Sharon Cuddy Somers
ssomers@dtclawyers.com

SCS/jh

Enclosures

cc: Deb Riddell, Executive Director, The RiverWoods Company, at Exeter, New Hampshire
Robert Lietz, VP Special Projects, The RiverWoods Group
Kristen Murphy, Natural Resource Planner
David Sharples, Town Planner

THIS IS A NON-CONTRACTUAL CONVEYANCE PURSUANT TO NEW HAMPSHIRE RSA 78-B:2 AND IS EXEMPT FROM THE NEW HAMPSHIRE REAL ESTATE TRANSFER TAX.

CONSERVATION EASEMENT DEED

THE RIVERWOODS COMPANY, AT EXETER, NEW HAMPSHIRE, a New Hampshire nonprofit corporation with an address of 7 RiverWoods Drive, Exeter, County of Rockingham, State of New Hampshire 03833 (hereinafter referred to as the "Grantor", which word where the context requires includes the plural and shall, unless the context clearly indicates otherwise, include the Grantor's executors, administrators, legal representatives, devisees, heirs, successors and assigns),

FOR CONSIDERATION PAID, with WARRANTY covenants, grants in perpetuity to the

_____, a New Hampshire not-for-profit corporation, with an address of _____, County of Rockingham, State of New Hampshire 03833, having been determined by the Internal Revenue Service to be an income tax exempt, publicly supported corporation, contributions to which are deductible for federal income tax purposes pursuant to the United States Internal Revenue Code, (hereinafter referred to as the "Grantee" which shall, unless the context clearly indicates otherwise, include the Grantee's successors and assigns),

the **Conservation Easement** (herein referred to as the "Easement") hereinafter described with respect to that certain parcel of land (herein referred to as the "Property") with any and all structures, and improvements thereon/being unimproved land situated off N.H. Route 111 in the Town of Exeter, County of Rockingham, State of New Hampshire, more particularly bounded and described in **Exhibit "A"** attached hereto and made a part hereof.

1. PURPOSES

The Easement hereby granted is pursuant to NH RSA 477:45-47, exclusively for the following conservation purposes:

1. To assure that the Easement Area will be retained forever in its undeveloped, scenic, and open space condition and to prevent any use of the Easement Area that will significantly impair or interfere with the conservation values of the Easement Area; and,
2. To assist in assuring the drinking water supply of the Town of Exeter, the Easement Area being in the drainage area of the Exeter River; and
3. To preserve the land subject to this Easement for the passive pedestrian recreational use of the Grantor, its successors or assigns, and the public from time to time; and
4. To preserve open spaces, particularly the wetland and productive forest land, of which the land area subject to this Easement granted hereby consists, for the scenic enjoyment of the general public and consistent with New Hampshire RSA Chapter 79-A which states: "It is hereby declared to be in the public interest to encourage the preservation of open space in the state by providing a healthful and attractive outdoor environment for work and recreation of the state's citizens, by maintaining the character of the state's landscape, and by conserving the land, water, forest, and wildlife resources," to yield significant public benefit in connection therewith; and with NH RSA Chapter 221-A, which states: "The intent of the program is to preserve the natural beauty, landscape, rural character, natural resources, and high quality of life in New Hampshire by acquiring lands and interests in lands of statewide, regional, and local conservation and recreation importance.";

all consistent with the Exeter Master Plan which calls for preservation of the character of the Town by preservation of forest land open spaces and protection of water supply sources, all consistent and in accordance with the U.S. Internal Revenue Code, with respect to that certain parcel of land (herein referred to as the "Easement Area") being unimproved land situated in the Town of Exeter, County of Rockingham, the State of New Hampshire, more particularly bounded and described as set forth in Exhibit "A" attached hereto and made a part hereof.

DESCRIPTION OF ENVIRONMENTAL VALUE

The property contains significant wetlands which provide excellent habitat for a variety of water fowl, aquatic furbearers, and in the adjacent uplands, deer, other mammals and birds. The Easement Area is important since its wetlands retain water which is gradually released to the Exeter River. Rockingham County is the fastest growing county in the State, and large tracts of land are being lost to development. These significant conservation values are set forth in detail in baseline documentation on file with the Grantee.

The Easement hereby granted with respect to the Property is as follows:

2. USE LIMITATIONS (Subject to the reserved rights specified in Section 3 below)
 - A. The Property shall be maintained in perpetuity as open space without there being conducted thereon any industrial or commercial activities, except as listed below in Paragraph 2.D. and in Paragraph 3.

B. Forestry on the Property shall be performed, to the extent reasonably practicable, with the goal of maintaining a healthy mature forest appearance, and not for the production of marketable timber, but may include the removal of dead, dying or diseased trees or the selective cutting, culling or thinning of trees which are deemed undesirable in order to maintain the appearance of a mature forest, according to practices recommended by the University of New Hampshire Cooperative Extension, U.S. Natural Resources Conservation Service, or other government or private, nonprofit, natural resource conservation and management agencies then active.

C. The Property shall not be subdivided.

D. No structure or improvement, including, but not limited to, a dwelling, any portion of a septic system, tennis court, golf course, swimming pool, dock, aircraft landing strip, mobile home or dwelling, and/or road shall be constructed, placed or introduced onto the Property. However, ancillary structures and improvements including, but not limited to, a permeable road, dam, fence, bridge, culvert, shed, telecommunications and/or wireless communications facility towers, alternative energy facility (such as geothermal wells, solar panels, windmills, or other such devices) may be constructed, placed or introduced onto the Property as necessary in the accomplishment of the forestry, conservation, or noncommercial outdoor recreational uses of the Property and provided that they are not substantially detrimental to the purposes of this Easement.

E. No removal, filling, or other disturbances of soil surface, nor any changes in topography, surface or subsurface water systems, wetlands, or natural habitat shall be allowed unless such activities:

i. are commonly necessary in the accomplishment of the agricultural, forestry, conservation, habitat management, or noncommercial outdoor recreational or other permitted uses of the Property;

ii. do not harm state or federally recognized rare, threatened, or endangered species, such determination of harm to be based upon information from the New Hampshire Natural Heritage Inventory or the agency then recognized by the State of New Hampshire as having responsibility for identification and/or conservation of such species; and

iii. are not detrimental to the scenic, recreational, wildlife habitat, and water quality protection purposes of this easement.

iv. Prior to commencement of any such activities, all necessary federal, state, and local permits and approvals shall be secured.

E. No outdoor advertising structures such as signs and billboards shall be displayed on the Property except as desirable or necessary in the accomplishment of the forestry, conservation, or noncommercial outdoor recreational uses of the Property, and provided such signs are not detrimental to the purposes of this Easement.

F. There shall be no mining, quarrying, excavation, or removal of rocks, minerals, gravel, sand, topsoil, or other similar materials on the Property, except in connection with any improvements made pursuant to the provisions of sections 2.A., C., D., or E., above. No such rocks, minerals, gravel, sand, topsoil, or other similar materials shall be removed from the Property.

G. There shall be no dumping, injection, burning, or burial of man-made materials or materials then known to be environmentally hazardous including vehicle bodies or parts.

H. The Property may be used in order to help satisfy the density requirements of the Town of Exeter Zoning Ordinance and Site Plan Review Regulations.

I. There shall be no defacement, movement, removal, or alteration of any stone walls or other monuments or markers that serve as legal boundaries, as per New Hampshire RSA 472:6, or as the legal boundary of this Easement as described in Appendix A.

3. RESERVED RIGHTS

A. All uses of the Property not expressly prohibited herein and not inconsistent with the Purposes of this Easement are expressly reserved to the Grantor.

B. The Grantor specifically reserves the right to construct, maintain, repair, upgrade, or replace the existing utilities within the Easement Area, as identified upon the Plan recorded herewith, and on the Baseline Documentation Report on file with the Grantor and Grantee and to add alternative energy forces such windmills, geothermal wells, solar panels and other such facilities, telecommunication towers and other such facilities provided that any purpose is to assist in the needs of the area outside the Easement as owned by the Riverwoods Company, its successors and assigns, although that need not be the sole beneficiary of such facilities. Any upgrade or replacement of said existing utilities that significantly alters the relationship to and impact of the utilities on the Easement Area including, but not limited to, the replacement of overhead power lines with buried power lines, shall be subject to review and approval by the Grantee. The Grantor shall provide the Grantee with appropriate plans and descriptions of the proposed upgrade or replacement at least sixty days before the proposed undertaking of said activities. The Grantee shall review and evaluate said upgrade or replacement based on its impact on the Purposes of this Easement and shall approve, approve with conditions, or disapprove of said upgrade or replacement within forty-five days of receipt of the proposed plans and descriptions. In making its decision, the Grantee shall take into consideration the short-term and long-term impact of the proposed upgrade or replacement of said utilities on the Purposes of this Easement, but in no case shall approve an upgrade or replacement that will have a greater impact on the Purposes of this Easement than the existing utilities being upgraded or replaced. Said approval shall be not be unreasonably withheld.

C. The Grantor reserves the right to maintain, repair, and replace retention and detention basins, storm drainage channels, and appurtenant embankments, dams, and other drainage

structures, as identified on the Plan recorded herewith and on the Baseline Documentation Report on file with the Grantor and Grantee, in order to accommodate and treat storm water runoff from the developed area of the Grantor's property.

D. The Grantor reserves the right to create and maintain pedestrian trails located within the Easement Area. The Grantor shall notify the Grantee thirty days prior to undertaking the creation of new trails.

E. The Grantor reserves the right to post against vehicles, motorized or otherwise, on the Easement Area.

F. The Grantor reserves the right to post against hunting.

G. The Grantor reserves the right to post a portion or all of the Property, temporarily or permanently, in the event public access proves detrimental to the open space and conservation value of the easement area, or, to the health and safety of the residents of the non-easement area owned by the Grantor.

4. NOTIFICATION OF TRANSFER, TAXES, MAINTENANCE

A. The Grantor agrees to notify the Grantee in writing 10 days before the transfer of title to the Property.

B. The Grantee shall be under no obligation to maintain the Property or pay any taxes or assessments thereon.

5. BENEFITS, BURDENS, AND ACCESS

A. The burden of the Easement conveyed hereby shall run with the Property and shall be enforceable against all future owners and tenants in perpetuity; the benefits of this Easement shall not be appurtenant to any particular parcel of land but shall be in gross and assignable or transferable only to the State of New Hampshire, the U.S. Government, or any subdivision of either of them, consistent with Section 170(c)(1) of the U.S. Internal Revenue Code of 1986, as amended, or to any qualified organization within the meaning of Section 170(h)(3) of said Code, which organization has among its purposes the conservation and preservation of land and water areas and agrees to and is capable of enforcing the conservation purposes of this Easement. Any such assignee or transferee shall have like power of assignment or transfer.

B. The Grantee shall have reasonable access to the Property and all of its parts for such inspection as is necessary to determine compliance with and to enforce this Easement and exercise the rights conveyed hereby and fulfill the responsibilities and carry out the duties assumed by the acceptance of this Easement.

C. The Grantee shall have the right to place signs on the Property boundaries for the purpose of identifying it as conservation easement land protected by the Grantee.

6. BREACH OF EASEMENT

A. When a breach of this Easement, or conduct by anyone inconsistent with this Easement, comes to the attention of the Grantee, it shall notify the Grantor in writing of such breach or conduct, delivered in hand or by certified mail, return receipt requested.

B. The Grantor shall, within thirty (30) days after receipt of such notice or after otherwise learning of such breach or conduct, undertake those actions, including restoration, which are reasonably calculated to cure swiftly said breach, or to terminate said conduct, and to repair any damage. The Grantor shall promptly notify the Grantee of its actions taken under this section.

C. If the Grantor fails to take such proper action under the preceding paragraph, the Grantee shall, as appropriate to the purposes of this deed, undertake any actions that are reasonably necessary to cure such breach or to repair any damage in the Grantor's name or to terminate such conduct. The cost thereof, including the Grantee's expenses, court costs, and legal fees shall be paid by the Grantor, provided that the Grantor is directly or primarily responsible for the breach.

D. Nothing contained in this Easement shall be construed to entitle the Grantee to bring any action against the Grantor for any injury to or change in the Property resulting from causes beyond the Grantor's control, including, but not limited to, unauthorized actions by third parties, natural disasters such as fire, flood, storm, and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.

E. The Grantee and the Grantor reserve the right, separately or collectively, to pursue all legal remedies against any third party responsible for any actions detrimental to the conservation purposes of this Easement.

F. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantor shall impair Grantee's rights or remedies or be construed as a waiver.

7. NOTICES

All notices, requests and other communications, required or permitted to be given under this Easement shall be in writing, except as otherwise provided herein, and shall be delivered in hand or sent by certified mail, postage prepaid, return receipt requested to the appropriate address set forth above or at such other address as the Grantor or the Grantee may hereafter designate by notice given in accordance herewith. Notice shall be deemed to have been given when so delivered or so mailed.

8. SEVERABILITY

If any provision of this Easement, or the application thereof to any person or circumstance, is found to be invalid by a court of competent jurisdiction, by confirmation of an arbitration award

or otherwise, the remainder of the provisions of this Easement or the application of such provision to persons or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.

9. CONDEMNATION

A. Whenever all or part of the Property is taken in exercise of eminent domain by public, corporate, or other authority so as to abrogate in whole or in part the Easement conveyed hereby, the Grantor and the Grantee shall thereupon act jointly to recover the full damages resulting from such taking with all incidental or direct damages and expenses incurred by them thereby to be paid out of the damages recovered.

B. The balance of the land damages recovered (including, for purposes of this subsection, proceeds from any lawful sale, in lieu of condemnation, of the Property unencumbered by the restrictions hereunder) shall be divided between the Grantor and the Grantee in proportion to the fair market value at the time of condemnation of their respective interests in that part of the Property condemned. The values of the Grantor's and Grantee's interest shall be determined by an appraisal prepared by a qualified appraiser at the time of condemnation.

C. The Grantee shall use its share of the proceeds in a manner consistent with and in furtherance of one or more of the conservation purposes set forth herein.

10. ADDITIONAL EASEMENT

Should the Grantor determine that the expressed purposes of this Easement could better be effectuated by the conveyance of an additional easement, the Grantor may execute an additional instrument to that effect, provided that the conservation purposes of this Easement are not diminished thereby and that a public agency or qualified organization described in Section 5.A., above, accepts and records the additional easement.

11. ARBITRATION OF DISPUTES

A. Any dispute arising under this Easement shall be submitted to arbitration in accordance with New Hampshire RSA 542.

B. The Grantor and the Grantee shall each choose an arbitrator within 30 days of written notice from either party. The arbitrators so chosen shall in turn choose a third arbitrator within 30 days of the selection of the second arbitrator.

C. The arbitrators so chosen shall forthwith set as early a hearing date as is practicable which they may postpone only for good cause shown.

D. A decision by two of the three arbitrators, made as soon as practicable after submission of the dispute, shall be binding upon the parties and shall be enforceable as part of this Easement.

The Grantee, by accepting and recording this Easement, agrees to be bound by and to observe and enforce the provisions hereof and assumes the rights and responsibilities herein granted to and incumbent upon the Grantee, all in the furtherance of the conservation purposes for which this Easement is delivered.

12. MERGER

The Grantor and Grantee explicitly agree that it is their express intent, forming a part of the consideration hereunder, that the provisions of the Easement set forth herein are to last in perpetuity, and that to that end no purchase or transfer of the underlying fee interest in the Property by or to the Grantee or any successor or assignee shall be deemed to eliminate the Easement, or any portion thereof, granted hereunder under the doctrine of "merger" or any other legal doctrine.

The Grantee, by accepting and recording this Easement, agrees to be bound by and to observe and enforce the provisions hereof and assumes the rights and responsibilities herein granted to and incumbent upon the Grantee, all in the furtherance of the conservation purposes for which this Easement is delivered.

This Property is not the homestead of the Grantor, the Grantor's spouse, or any other person.

IN WITNESS WHEREOF, Grantor has hereunto set its hand this _____ day of _____, 2008.

THE RIVERWOODS COMPANY,
AT EXETER, NEW HAMPSHIRE

BY: _____

Duly Authorized

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM, ss.

On this _____ day of _____, 2008, before me personally appeared _____ the _____ of **The RiverWoods Company, at Exeter, New Hampshire**, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public

ACCEPTED: [GRANTEE]

By: _____

Title: _____
Duly Authorized

Date: _____

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM, ss.

On this _____ day of _____, 2008, before me personally appeared _____ the _____ of the _____, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed for the purposes therein contained.

Notary Public

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EXHIBIT A

DRAFT August 28, 2019

S:\RA-RL\RiverWoods Company\2019 Expansion\2019 08 28 declaration of conservation restrictions (clean).docx

**DECLARATION OF CONSERVATION RESTRICTION
THE RIVERWOODS COMPANY, AT EXETER, NEW HAMPSHIRE**

This Declaration is made this _____ day of _____, 2019, by **The RiverWoods Company, at Exeter, New Hampshire**, a New Hampshire non-profit corporation, having an address of 5 White Oak Drive, Exeter, New Hampshire 03833, hereinafter referred to as the Declarant.

INTRODUCTION

Declarant is the owner of certain property shown on a plan of land entitled “Conservation Restriction Plan, The Boulders at RiverWoods, Pickpocket Road & White Oak Drive, Exeter, New Hampshire, Tax Assessor’s Parcel 98-37 for the RiverWoods Company at Exeter, N.H.,” prepared by James Verra and Associates, Inc., dated July 22, 2008, last revised _____ and recorded in the Rockingham County Registry of Deeds as Plan D-_____; and property shown on a plan of land titled “Conservation Restriction Plan, The Ridge at RiverWoods, White Oak Drive & Jolly Rand Road, Exeter, New Hampshire, Tax Assessor’s Parcels 98-37 & 80-18, for The RiverWoods Company at Exeter, N.H.,” dated _____, last revised _____, 2019, and recorded in said Registry of Deeds as Plan D-_____ (hereinafter, collectively the “Plans” and the “Property”).

STATEMENT OF RESTRICTIONS AND USES

The Declarant on behalf of itself, and its successors in interest, covenants that the areas shown on the Plans as Conservation Restriction “1”, “Conservation Restriction “2”, Conservation Restriction “3”, Conservation Restriction “4” and Conservation Restriction “5” (hereinafter, collectively, the “Conservation Restriction Areas”), all of which are located on portions of The Boulders at RiverWoods (the “Boulders”) and The Ridge at RiverWoods (the “Ridge) and which are more particularly described in Exhibit A hereto, are and shall forever be and remain subject to the following restrictions, which covenants and restrictions shall bind the Declarant, and its successors in interest:

1. The purpose of the Conservation Restriction Areas is to: a) retain the areas forever in their undeveloped, scenic and open space condition; b) to prevent any use of the Conservation Restriction Areas that will significantly impair, or interfere with, their conservation value; c) to protect and conserve the natural biological diversity of the region, exemplary natural communities, wetlands and other significant wildlife habitats in the Conservation Restriction Areas; d) to assist in assuring the drinking water supply of the Town of Exeter, the Conservation Restriction Areas being in the drainage area of the Exeter River; and e) to preserve the land subject to this Declaration for the passive recreational use of the Declarant, its successors or assigns, and the public from time to time, such use to include but not be limited to: walking, snowshoeing, cross country skiing, bird watching and non-commercial tapping of maple sugar trees.
2. The Conservation Restriction Areas shall be maintained in perpetuity as open space.
3. There shall be no motorized vehicles permitted upon the Conservation Restriction Areas except for emergency service vehicles or vehicles which are present in connection with tree removal efforts as further defined in paragraph 7 below or those necessary to maintain or repair any improvement to the Conservation Restriction Areas, including, but not limited to, the detention pond in Conservation Restriction Area #1, the field measured location of the gas line crossing Conservation Restriction Area #2 and any pedestrian trails which currently exist or may exist within the Conservation Restriction Areas.
4. There shall be no dumping or depositing of trash, debris, stumps, yard waste, hazardous fluid or materials, vehicle bodies or parts within the Conservation Restriction Areas.
5. No discharge of firearms or shooting with a bow and arrow or trapping of animals shall be permitted upon the Conservation Restriction Areas in violation of RSA 207:3-a, as amended.
6. Access to the Conservation Restriction Areas shall be as depicted on the Plan.
7. Forestry on the Property shall be performed, to the extent reasonably practicable, with the goal of maintaining a healthy mature forest appearance, and not for the production of marketable timber, but may include the removal of dead, dying or diseased trees or the selective cutting, culling or thinning of trees which are deemed undesirable in order to maintain the appearance of a mature forest, according to practices recommended by the University of New Hampshire Cooperative Extension, U.S. Natural Resources Conservation Service, or other government or private, nonprofit, natural resource conservation and management agencies then active.

8. No structure or improvement, including, but not limited to, a dwelling, any portion of a septic system, tennis court, golf course, swimming pool, dock, aircraft landing strip, mobile home or dwelling, and/or road shall be constructed, placed or introduced onto the Property. However, ancillary structures and improvements including, but not limited to, a permeable road, dam, fence, bridge, culvert, shed, telecommunications and/or wireless communications facility towers, alternative energy facility (such as geothermal wells, solar panels, windmills, or other such devices), bird houses and bat houses may be constructed, placed or introduced onto the Conservation Restriction Areas as necessary in the accomplishment of the forestry, conservation, or noncommercial outdoor recreational uses of the Property and provided that they are not substantially detrimental to the purposes of this Declaration.
9. No removal, filling, or other disturbances of soil surface, nor any changes in topography, surface or subsurface water systems, wetlands, or natural habitat shall be allowed unless such activities:
 - a. are commonly necessary in the accomplishment of the agricultural, forestry, conservation, habitat management, or noncommercial outdoor recreational or other permitted uses of the Property;
 - b. do not harm state or federally recognized rare, threatened, or endangered species, such determination of harm to be based upon information from the New Hampshire Natural Heritage Inventory or the agency then recognized by the State of New Hampshire as having responsibility for identification and/or conservation of such species; and
 - c. are not detrimental to the scenic, recreational, wildlife habitat, and water quality protection purposes of this Declaration. .

Prior to commencement of any such activities, all necessary federal, state, and local permits and approvals shall be secured.

10. Annual Inspection and Termination of Restriction. The Town of Exeter Conservation Commission shall have the right but not the obligation to inspect the Conservation Restriction Areas on an annual basis to verify compliance with the restrictions set forth in this Declaration. Further, in the event that an entity is identified to hold a conservation easement over the subject property and the terms of the conservation easement are successfully negotiated with Declarant, with approval from the Exeter Town Planner, which shall not be unreasonably withheld, then notwithstanding the language contained in this Declaration that the restrictions exist in perpetuity, the restrictions contained in this Declaration shall terminate once the conservation easement deed described herein is recorded.
11. The restrictions contained in this Declaration do not preclude the Declarant from exercising any of the following rights;

- a. The right to adopt reasonable rules and regulations for the use of the Conservation Restriction Areas by Declarant's guests or invitees or by members of the public.
 - b. The right to create and maintain pedestrian trails located within the Conservation Restriction Areas.
 - c. The right to post against motorized or non-motorized vehicles on the Conservation Restriction Areas.
 - d. The right to post against public use for a portion or all of the Conservation Restriction Areas, either temporarily or permanently, in the event public access proves detrimental to the open space and conservation value of the Conservation Restriction Areas, or to the health, safety and welfare of the residents or any of the Exeter campuses which form The RiverWoods Company, at Exeter, New Hampshire.
12. The Conservation Restriction Areas may continue to be used to help satisfy density requirements of the Town of Exeter Zoning Ordinance and Site Plan Review Regulations.

ENFORCEMENT

These restrictions shall be interpreted to create an Enforceable Development Restriction in accordance with RSA 674:21-a. The purpose of these restrictions is to prevent future development, provide a conservation restriction on the portion of the parcels subject to said conservation restrictions and provide enforcement authority to the Town as provided for in RSA 674:21-a.

The burden of these restrictions shall run with the land and be enforceable any official of the Town of Exeter, however, the Town of Exeter shall have the right but not the obligation with respect to such enforcement.

VIOLATION OF RESTRICTIONS

In the event that any person violates any provision of this Declaration of Conservation Restriction and such violation comes to the attention of the Declarant or the Town of Exeter, the party allegedly causing such violation shall be notified in writing by the Declarant or the Town of Exeter of the nature of such violation, which notice shall be delivered in hand or by certified mail, return receipt requested. However, if the party allegedly causing the violation is a resident of the Boulders, the Ridge or any other RiverWoods residence located in Exeter, New Hampshire, then the Declarant will take curative action within ten (10) days of learning of the violation. No written notice is required to be sent to the resident(s) who caused the violation.

The party allegedly causing the violation; or where applicable the Declarant, shall have ten (10) days after receipt of such notice to undertake appropriate actions including restoration, which are reasonably calculated to swiftly cure the conditions constituting the violation.

If said party, or where applicable the Declarant, fails to take such curative action, the Declarant and/or Town may undertake any actions that are reasonably necessary to cure the violation, including the filing of appropriate legal action to enjoin prohibited conduct; the cost of any curative measure, including reasonable attorney's fees, shall be paid by the violating party.

IN WITNESS WHEREOF, The Declarants have caused this instrument to be signed as of the _____ day of _____, 2019.

THE RIVERWOODS COMPANY,
AT EXETER, NEW HAMPSHIRE

Witness

By: Justine Vogel, President

Witness

By: Deborah Riddell, Executive Director

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM, ss

On this _____ day of _____, 2019, before me, personally appeared Justine Vogel, duly authorized President of The RiverWoods Company, at Exeter, New Hampshire, a New Hampshire not for profit corporation, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that she executed the same for the purposes therein contained on behalf of said corporation.

(Affix Notarial Seal)

Notary Public/Justice of the Peace
Printed Name: _____
My Commission expires: _____

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM, ss

On this _____ day of _____, 2019, before me, personally appeared Deborah Riddell, duly authorized Executive Director of The RiverWoods Company, at Exeter, New Hampshire, a New Hampshire not for profit corporation, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that she executed the same for the purposes therein contained on behalf of said corporation.

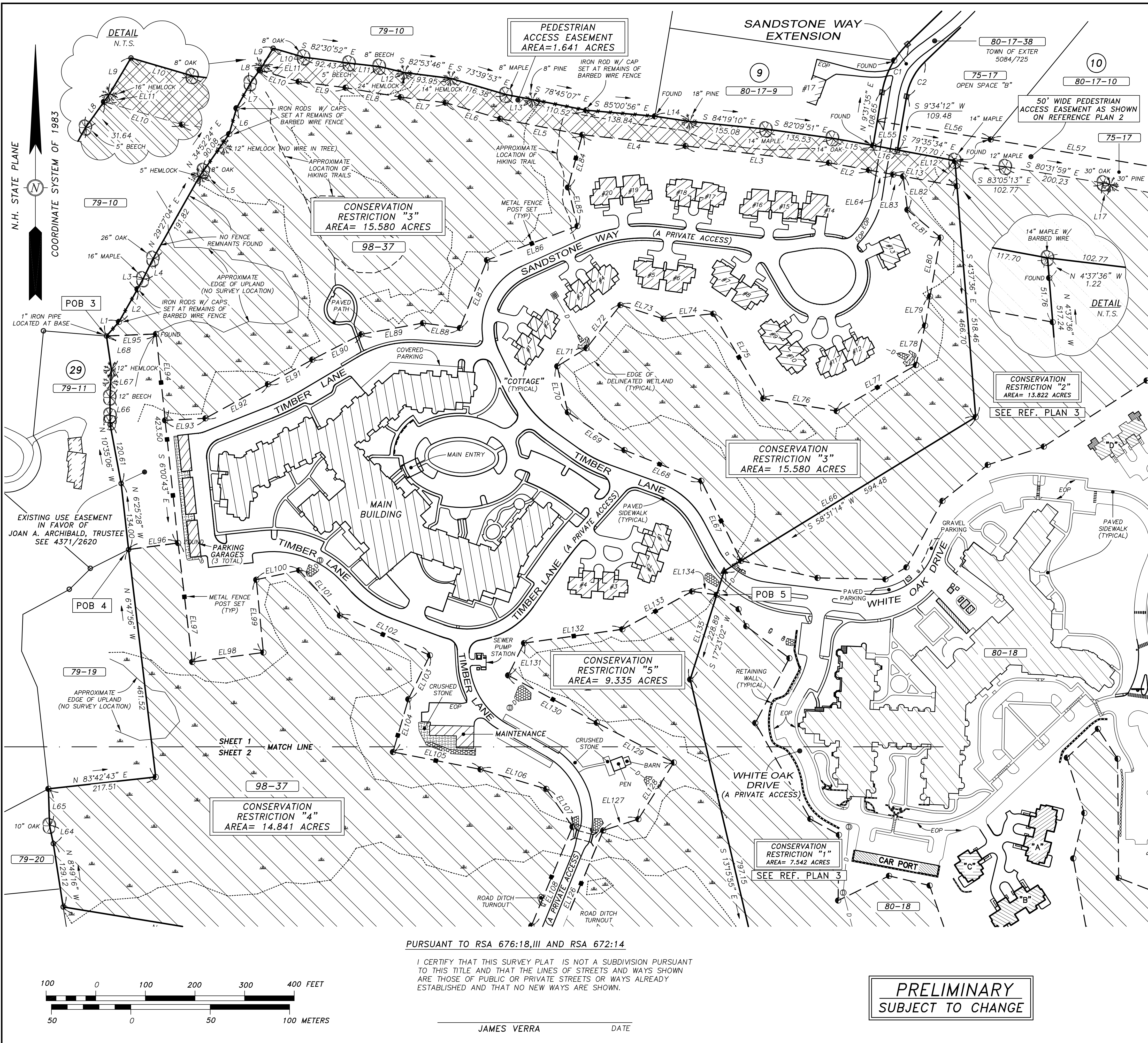
(Affix Notarial Seal)

Notary Public/Justice of the Peace

Printed Name: _____

My Commission expires: _____

S:\RA-RL\RiverWoods Company\2019 Expansion\2019 08 28 declaration of conservation restrictions (clean).docx



NOTES:

- OWNER OF RECORD.....THE RIVERWOODS COMPANY AT EXETER, NEW HAMPSHIRE ADDRESS.....5 WHITE OAK DRIVE, EXETER, NH 03833 DEED REFERENCE.....3856/1913 & 3851/1293 TAX SHEET / LOT.....98-37
- THE RELATIVE ERROR OF CLOSURE WAS LESS THAN 1 FOOT IN 15,000 FEET.
- THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED UPON THE FIELD LOCATION OF ALL VISIBLE STRUCTURES (IE CATCH BASINS, MANHOLES, WATER GATES ETC.) AND INFORMATION COMPILED FROM PLANS PROVIDED BY UTILITY COMPANIES AND GOVERNMENTAL AGENCIES. ALL CONTRACTORS SHOULD NOTIFY, IN WRITING, SAID AGENCIES PRIOR TO ANY EXCAVATION WORK AND CALL DIG-SAFE @ 1-888-DIG-SAFE.
- SEE SHEET 2 FOR OWNERS OF RECORD.
- WETLANDS DELINEATION PERFORMED BY NHSC, INC., 202 KENT PLACE, NEWMARKET, NH 03857. WETLANDS FLAGS WERE SURVEY LOCATED BY THIS OFFICE UNLESS NOTED OTHERWISE.
- THE SITE IMPROVEMENTS SHOWN HEREON FOR PARCEL 80-18 WERE TAKEN FROM REFERENCE PLAN 5. DRAINAGE IMPROVEMENTS WERE FIELD LOCATED. THE ROADWAY SHOWN HEREON CONNECTING TO BLACKFORD DRIVE IS BASED ON AN AS-BUILT.
- THE PROPOSED CONSERVATION RESTRICTION AREAS ARE SUBJECT TO THE RETAINED RIGHT OF THE GRANTOR TO CONSTRUCT, REPAIR AND MAINTAIN THE STORM DRAINAGE FACILITIES AS SHOWN ON REFERENCE PLAN 6.
- ALL CONSERVATION RESTRICTION AREA CORNERS SHOWN HEREON WERE MONUMENTED 1/2010. THE CORNERS ARE WITNESSED WITH METAL FENCE POSTS. ADDITIONALLY, METAL FENCE POSTS WERE SET ALONG SOME OF THE EASEMENT LINES AS SHOWN HEREON.

REFERENCE PLANS:

- PLAT OF LAND FOR THE RIVERWOODS COMPANY AT EXETER, N.H., PICKPOCKET ROAD & WHITE OAK DRIVE, EXETER, N.H., FOR THE RIVERWOODS COMPANY AT EXETER, N.H., PREPARED BY THIS OFFICE, REVISED TO 11-14-07, RCRD PLAN D-35706.
- BLACKFORD PLACE SUBDIVISION FOR TUCK REALTY CORP., GREENLEAF DRIVE, EXETER, NH, SHEETS 1-6, RCRD PLAN D-29099.
- CONSERVATION RESTRICTION PLAN, THE RIDGE AT RIVERWOODS, WHITE OAK DRIVE & PICKPOCKET ROAD, EXETER, N.H., FOR THE RIVERWOODS COMPANY AT EXETER, N.H., PREPARED BY THIS OFFICE, REVISED TO 6-3-2019, PRELIMINARY.
- EASEMENT PLAN OVER LAND OF THE RIVERWOODS COMPANY AT EXETER, N.H., PICKPOCKET & RUNAWIT ROADS, EXETER, N.H., FOR JOAN A. ARCHIBALD REV. TRUST OF 1997, RCRD PLAN C-32020.
- SITE PLAN, THE RIDGE AT RIVERWOODS, KINGSTON ROAD, EXETER, NH, FOR RIVERWOODS AT EXETER, REVISED TO 8-1-03, RCRD PLAN D-30932.
- SITE PLAN, SHEET C-2, THE BOULDERS AT RIVERWOODS, KINGSTON ROAD, EXETER, NH, FOR RIVERWOODS AT EXETER, BY ALTUS ENGINEERING, INC., LATEST REVISION.

LEGEND:

- IRON ROD SET, UNLESS OTHERWISE NOTED
- IRON PIPE FOUND
- ⊙ DRILL HOLE FOUND, UNLESS OTHERWISE NOTED
- △ SPIKE SET
- ▲ SURVEY NAIL SET IN PAVEMENT
- GRANITE BOUND FOUND
- METAL FENCE POST SET
- STONE WALL
- ⊙ DRAIN MANHOLE
- D- DRAIN LINE
- RCRD ROCKINGHAM COUNTY REGISTRY OF DEEDS
- 98-37 TAX SHEET - LOT NUMBER
- ① SUBDIVISION LOT NUMBER
- DECIDUOUS TREE W/ BARBED WIRE
- ⊙ CONIFEROUS TREE W/ BARBED WIRE
- EOP EDGE OF PAVED DRIVEWAY/PARKING AREA
- ▨ RIP RAP

3	8/19/19	REVISE PER ATTORNEY COMMENTS	JV
2	6/7/19	CHANGE PLAN TITLE & UPDATE PLAN	JV
1	2/8/10	REVISE CONSERVATION EASEMENT LIMITS TO MATCH MONUMENTS SET	JV
REV. NO.	DATE	DESCRIPTION	APPR'D

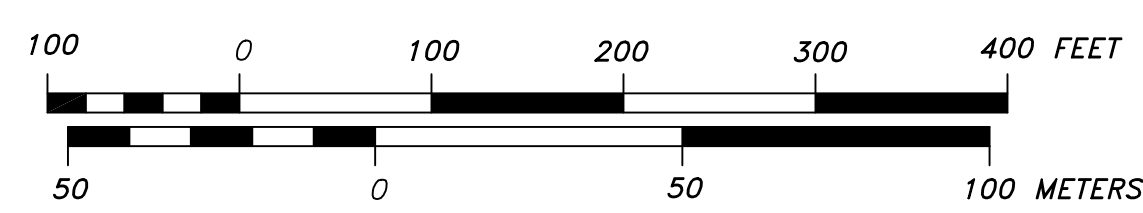
**CONSERVATION RESTRICTION PLAN
THE BOULDERS AT RIVERWOODS
PICKPOCKET ROAD & WHITE OAK DRIVE
EXETER, NEW HAMPSHIRE
TAX ASSESSOR'S PARCEL 98-37
for THE RIVERWOODS COMPANY at EXETER, N.H.**

JAMES VERRA and ASSOCIATES, INC.		DATE: 7-22-08
101 SHATTUCK WAY SUITE 8 NEWINGTON, N.H., 03801-7876 603-436-3557		JOB NO: 23006
JCS PROJECT MGR	JCS DRAWN BY	SCALE: 1" = 100'
COPYRIGHT ©2008 by JAMES VERRA and ASSOCIATES, INC.		DWG NAME: 23006-5
		PLAN NO: 23006-5
		SHEET: 1 OF 2

PURSUANT TO RSA 676:18,III AND RSA 672:14

I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

**PRELIMINARY
SUBJECT TO CHANGE**



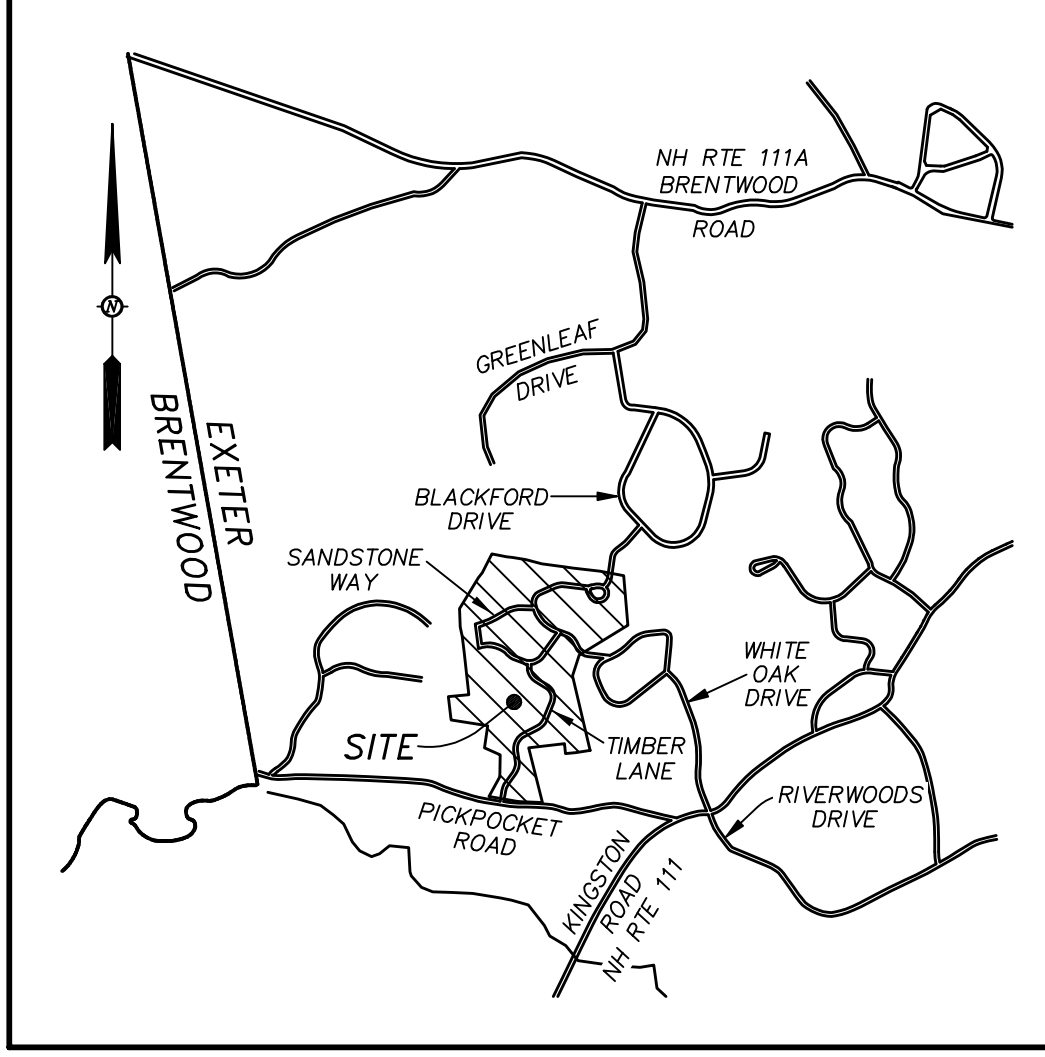
JAMES VERRA DATE

N.H. STATE PLANE
COORDINATE SYSTEM OF 1983

SHEET 1
SHEET 2
MATCH LINE
98-37
CONSERVATION RESTRICTION "4"
AREA= 14.841 ACRES

CONSERVATION RESTRICTION "1"
AREA= 7.542 ACRES
SEE REF. PLAN 3

CONSERVATION RESTRICTION "5"
AREA= 9.335 ACRES



LOCUS
SCALE: 1"=2000'±

JOLLY RAND ROAD
a.k.a. JOLLY RAND
HISTORIC TRAIL
(A PUBLIC WAY-VARIABLE WIDTH)

EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L1	N 41°22'52" E	38.07
L2	N 29°29'53" E	75.85
L3	N 28°37'06" E	23.11
L4	N 26°21'02" E	45.96
L5	N 36°40'45" E	12.36
L6	N 15°48'41" E	54.03
L7	N 28°56'19" E	58.28
L8	N 35°35'05" E	41.13
L9	N 30°48'10" E	42.40
L10	S 73°43'11" E	64.45
L11	S 83°35'15" E	61.24
L12	S 76°26'47" E	51.72
L13	S 79°20'30" E	53.93
L14	S 81°27'33" E	70.61
L15	S 79°49'50" E	82.74
L16	S 79°29'56" E	49.92
L17	S 77°47'32" E	13.81
L63	N 7°55'21" E	30.02
L64	N 12°04'12" W	37.15
L65	N 1°38'30" W	74.01
L66	N 0°23'15" W	55.21
L67	N 2°56'00" E	56.37
L68	N 8°24'33" W	67.77
L69	S 81°44'54" W	17.15
L70	S 6°19'08" E	43.68
L71	N 89°04'49" E	16.61
L72	N 84°05'42" W	51.25

LINE	BEARING	DISTANCE
EL2	N 79°39'00" W	81.73
EL3	N 83°18'53" W	291.00
EL4	N 83°49'01" W	209.24
EL5	N 78°56'41" W	168.65
EL6	N 73°39'54" W	114.65
EL7	N 82°53'46" W	91.03
EL8	N 80°19'06" W	112.91
EL9	N 82°30'47" W	95.32
EL10	N 73°43'21" W	82.06
EL11	N 35°35'05" E	9.49
EL12	S 4°37'36" E	51.76
EL13	N 79°39'08" W	130.41
EL55	N 9°31'35" E	50.00
EL56	S 80°46'40" E	231.75
EL57	S 80°26'22" E	348.06
EL64	N 79°39'09" W	50.00
EL66	S 58°31'14" W	554.50
EL67	N 26°26'02" W	180.00
EL68	N 68°14'27" W	166.74
EL69	N 56°12'15" W	137.13
EL70	N 12°57'15" W	95.00
EL71	N 58°15'11" E	69.17
EL72	N 38°10'32" E	110.66
EL73	S 72°16'35" E	90.60
EL74	N 84°18'37" E	101.45
EL75	S 30°31'36" E	198.23
EL76	S 80°18'00" E	150.00
EL77	N 59°54'15" E	184.65
EL78	N 12°57'06" E	81.70
EL79	N 9°37'52" E	59.77
EL80	N 10°13'11" E	120.23
EL81	N 49°58'01" W	87.28
EL82	N 7°22'05" W	67.84
EL83	N 79°39'08" W	20.00
EL84	S 15°20'09" W	110.00
EL85	S 13°56'28" E	80.00
EL86	S 69°20'00" W	194.89
EL87	S 21°46'42" W	147.27
EL88	N 82°24'02" W	74.91
EL89	S 79°43'17" W	126.17
EL90	S 62°43'07" W	111.31
EL91	S 61°03'51" W	102.32
EL92	S 61°18'36" W	143.41

LINE	BEARING	DISTANCE
EL93	S 87°09'46" W	81.40
EL94	N 6°00'43" W	175.00
EL95	S 87°37'24" W	99.96
EL96	N 82°26'23" E	100.56
EL97	S 6°47'56" E	241.34
EL98	N 82°26'51" E	144.56
EL99	N 5°33'26" W	147.30
EL100	N 77°39'52" E	88.63
EL101	S 42°01'49" E	122.51
EL102	S 66°07'59" E	198.09
EL103	S 26°04'38" W	98.60
EL104	S 16°13'55" W	110.74
EL105	S 78°46'11" E	179.90
EL106	S 73°27'14" E	138.13
EL107	S 34°45'24" E	92.84
EL108	S 22°34'05" W	216.00
EL109	S 62°34'52" W	176.65
EL110	N 69°17'22" W	63.39
EL111	S 32°21'28" W	55.04
EL112	S 37°59'00" E	82.46
EL113	S 8°24'56" E	106.83
EL114	S 35°49'05" W	159.87
EL115	S 29°25'52" W	85.00
EL116	N 76°15'27" W	85.00
EL117	N 28°25'00" E	207.02
EL118	N 70°38'27" W	55.00
EL119	N 26°58'22" W	45.00
EL120	N 35°49'05" E	95.00
EL121	N 64°48'27" E	140.00
EL122	N 2°05'07" E	55.00
EL123	N 85°30'02" W	70.00
EL124	N 8°24'56" W	106.83
EL125	N 62°34'52" E	176.65
EL126	N 22°34'05" E	232.92
EL127	N 72°05'40" E	74.38
EL128	N 32°07'10" E	134.58
EL129	N 62°42'44" W	174.78
EL130	N 61°51'31" W	202.59
EL131	N 26°16'09" E	72.38
EL132	N 81°58'06" E	200.00
EL133	N 61°32'21" E	160.00
EL134	S 82°04'58" E	50.00
EL135	S 17°23'02" W	178.87

CURVE	RADIUS	DELTA	LENGTH	CHORD	DIST
C1	175.00	36°32'19"	111.60	N 27°49'35" E	109.72
C2	125.00	36°32'19"	79.71	S 27°49'35" W	78.37

CURVE	RADIUS	DELTA	LENGTH	CHORD	DIST
EC1	120.00	40°00'47"	83.80	S 42°34'28" W	82.11
EC2	180.00	23°52'24"	75.00	S 50°38'40" W	74.46
EC4	170.00	44°14'01"	131.24	S 13°42'05" W	128.01
EC5	120.00	26°14'46"	54.97	N 22°41'42" E	54.49
EC6	230.00	18°41'00"	75.00	N 0°55'34" E	74.67
EC7	120.00	70°59'48"	148.69	N 27°04'58" E	139.36
EC8	180.00	40°00'47"	125.70	N 42°34'28" E	123.17

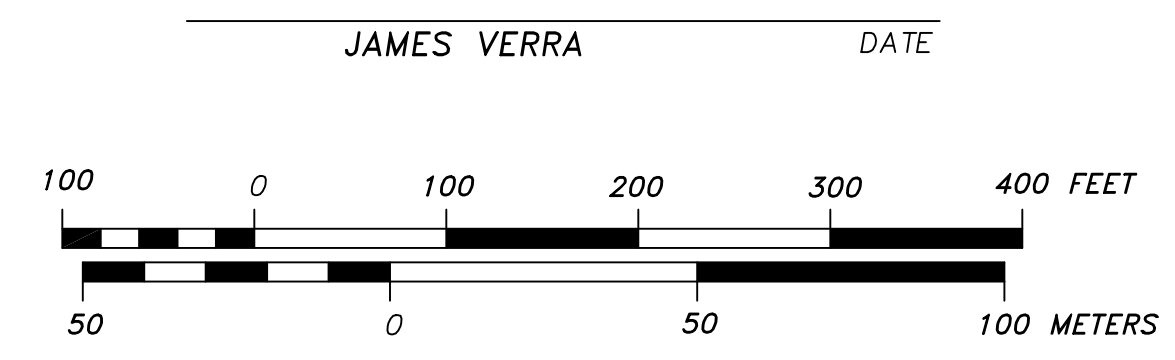
SEE RCRD BOOK 1938, PAGE 306 & BOOK 2000, PAGE 39 & REFERENCE PLAN 1 FOR DETAILS OF RESTRICTIONS BURDENING PARCEL 98-37

MAP-LOT	OWNERS OF RECORD	DEED REFERENCE
80-18	THE RIVERWOODS COMPANY AT EXETER, N.H.	3856/1913 & 3851/1293 & 4867/2913
75-17	BLACKFORD PLACE HOME OWNER'S ASSOC.	3632/1089
79-10	MACHOAN M. & KATHRYN A. BONAFEDE	5790/2075
79-11	ANTHONY G. PYRO & KATHERINE E. WALTHER	5741/182
79-19	STEVEN J. & SARAH B. RAMSAY	5034/1476
79-20	PAUL J. HOLLOWAY, JR.	2820/1025
79-21	JOHN BELL	2354/189
80-17-9	DAVID C. & ELISABETH C. MATSON	5405/617
80-17-10	LUCHEN & YAN WANG LI	5632/367
80-17-38	TOWN OF EXETER	5084/725
97-41	SOUTHEAST LAND TRUST OF N.H.	5583/2611
98-35	THE RIVERWOODS COMPANY AT EXETER, N.H.	5803/1359
98-36	PAUL B. & SHEILA M. ROBERGE	2439/1124
98-39	DENNIS A. HAYWARD REV. TRUST CHERYL A. HAYWARD REV. TRUST	4264/1743

- LEGEND:**
- IRON ROD SET, UNLESS OTHERWISE NOTED
 - IRON PIPE FOUND
 - ⊙ DRILL HOLE FOUND, UNLESS OTHERWISE NOTED
 - ▲ SPIKE SET
 - ▲ SURVEY NAIL SET IN PAVEMENT
 - GRANITE BOUND FOUND
 - METAL FENCE POST SET
 - ⊞ STONE WALL
 - ⊙ DRAIN MANHOLE
 - D- DRAIN LINE
 - RCRD ROCKINGHAM COUNTY REGISTRY OF DEEDS
 - 98-37 TAX SHEET - LOT NUMBER
 - ① SUBDIVISION LOT NUMBER
 - ⊕ DECIDUOUS TREE W/ BARBED WIRE
 - ⊗ CONIFEROUS TREE W/ BARBED WIRE
 - EOP EDGE OF PAVED DRIVEWAY/PARKING AREA
 - ⊞ RIP RAP

PURSUANT TO RSA 676:18,III AND RSA 672:14

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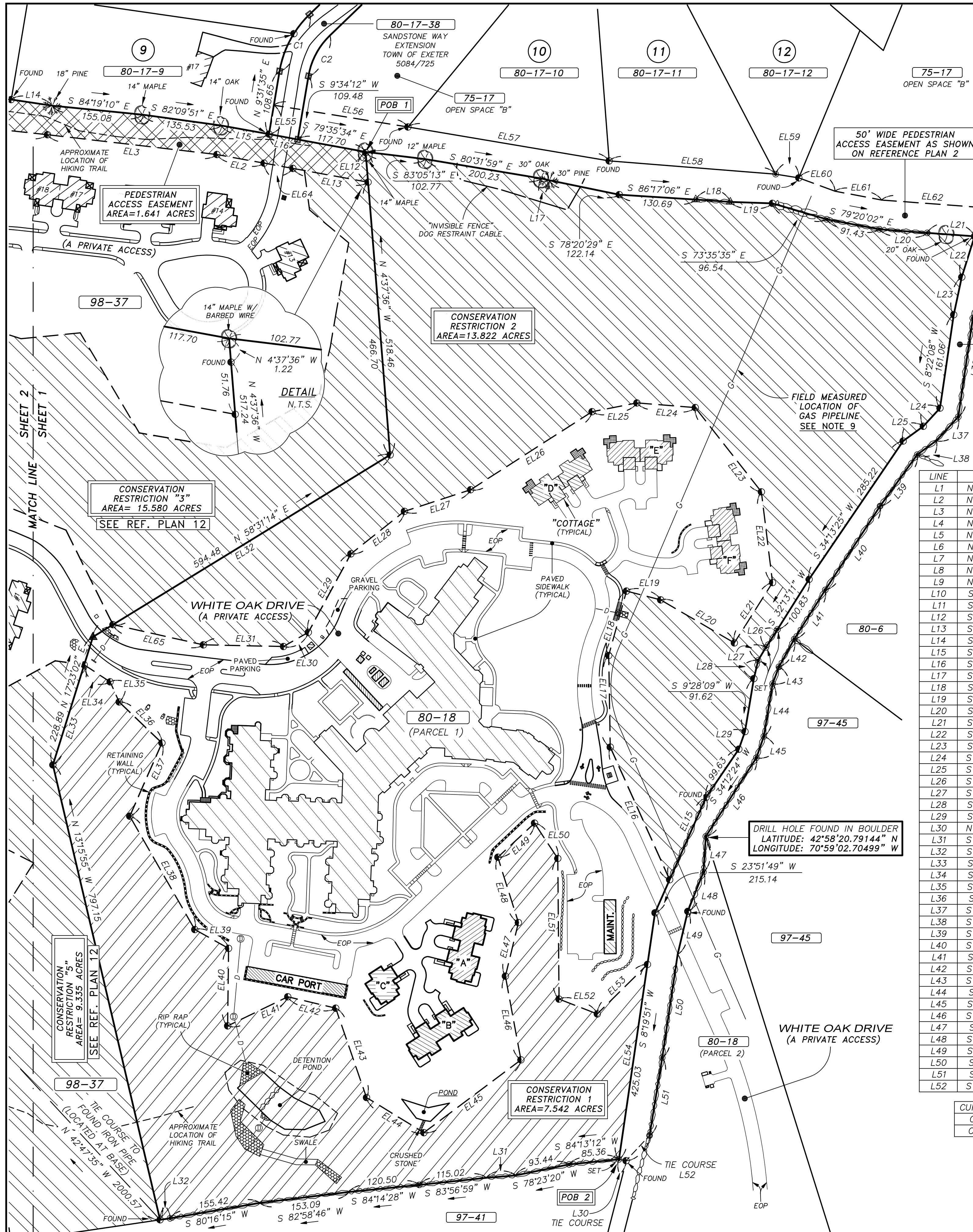
PRELIMINARY
SUBJECT TO CHANGE

REV. NO.	DATE	DESCRIPTION	APPR'D
3	8/19/19	REVISE PER ATTORNEY COMMENTS	JV
2	6/7/19	CHANGE PLAN TITLE & UPDATE PLAN	JV
1	2/8/10	REVISE CONSERVATION EASEMENT LIMITS TO MATCH MONUMENTS SET	JV

CONSERVATION RESTRICTION PLAN
THE BOULDERS AT RIVERWOODS
PICKPOCKET ROAD & WHITE OAK DRIVE
EXETER, NEW HAMPSHIRE
TAX ASSESSOR'S PARCEL 98-37
for **THE RIVERWOODS COMPANY at EXETER, N.H.**

JAMES VERRA and ASSOCIATES, INC.
101 SHATTUCK WAY
SUITE 8
NEWINGTON, N.H., 03801-7876
603-436-3557

DATE:	7-22-08
JOB NO:	23006
SCALE:	1" = 100'
DWG NAME:	23006-5
PLAN NO:	23006-5
SHEET:	2 OF 2



EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
EL2	N 79°39'00\"	81.73
EL3	N 83°18'53\"	291.00
EL4	N 83°49'01\"	209.24
EL5	N 78°56'41\"	168.65
EL6	N 73°39'54\"	114.65
EL7	N 82°53'46\"	91.03
EL8	N 80°19'06\"	112.91
EL9	N 82°30'47\"	95.32
EL10	N 73°43'21\"	82.06
EL11	N 35°35'05\"	9.49
EL12	S 4°37'41\"	51.76
EL13	N 79°39'09\"	130.41
EL15	S 23°51'43\"	153.42
EL16	N 24°07'34\"	247.87
EL17	N 0°57'29\"	156.30
EL18	N 15°23'34\"	114.00
EL19	S 75°31'54\"	60.27
EL20	S 59°43'50\"	145.56
EL21	N 32°20'22\"	121.81
EL22	N 7°01'27\"	155.90
EL23	N 38°07'11\"	182.66
EL24	N 85°25'08\"	99.91
EL25	S 78°55'40\"	77.93
EL26	S 57°17'12\"	246.28
EL27	S 71°55'08\"	118.80
EL28	S 51°32'33\"	116.53
EL29	S 28°29'02\"	152.30
EL30	S 60°14'25\"	48.79
EL31	N 88°48'37\"	136.77
EL32	N 58°31'14\"	554.50
EL33	N 17°23'02\"	178.87
EL34	S 56°44'06\"	52.87
EL35	S 24°17'36\"	37.62
EL36	S 46°10'46\"	101.06
EL37	S 23°42'15\"	136.40
EL38	S 29°50'00\"	222.93
EL39	S 60°55'11\"	66.01
EL40	S 0°41'47\"	132.24
EL41	N 64°09'53\"	113.92
EL42	S 76°37'00\"	84.08
EL43	S 19°01'27\"	161.23
EL44	S 58°32'34\"	114.70
EL45	N 53°08'53\"	206.92
EL46	N 10°30'59\"	145.29
EL47	N 13°39'49\"	94.05
EL48	N 17°27'56\"	116.82
EL49	N 47°05'13\"	85.42
EL50	S 33°21'02\"	72.12
EL51	S 0°31'32\"	239.96
EL52	S 68°48'26\"	69.96
EL53	N 45°21'25\"	120.24
EL54	S 8°19'51\"	336.08
EL55	N 9°31'35\"	50.00
EL56	S 80°46'40\"	231.75
EL57	S 80°26'22\"	348.06
EL58	S 85°26'54\"	284.99
EL59	S 80°45'32\"	39.98
EL60	S 69°48'33\"	65.78
EL61	S 79°16'38\"	80.82
EL62	S 85°43'01\"	175.48
EL63	S 18°33'31\"	51.48
EL64	N 79°39'09\"	50.00
EL65	N 77°23'23\"	158.04

LINE	BEARING	DISTANCE
L1	N 41°22'52\"	38.07
L2	N 29°29'53\"	75.85
L3	N 28°37'06\"	23.11
L4	N 26°21'02\"	45.96
L5	N 36°40'45\"	12.36
L6	N 15°48'41\"	54.03
L7	N 28°56'19\"	58.28
L8	N 35°35'05\"	41.13
L9	N 30°48'10\"	42.40
L10	S 73°43'11\"	64.45
L11	S 83°35'15\"	61.24
L12	S 76°26'47\"	51.72
L13	S 79°20'30\"	53.93
L14	S 81°27'33\"	70.61
L15	S 79°49'50\"	82.74
L16	S 79°29'56\"	49.92
L17	S 77°47'32\"	13.81
L18	S 86°07'10\"	59.14
L19	S 88°07'36\"	71.91
L20	S 85°41'38\"	81.94
L21	S 85°49'00\"	80.81
L22	S 17°20'31\"	72.89
L23	S 12°06'18\"	65.62
L24	S 42°34'40\"	41.96
L25	S 53°47'25\"	42.72
L26	S 32°54'09\"	36.72
L27	S 30°49'29\"	25.80
L28	S 13°15'25\"	31.94
L29	S 19°16'35\"	31.80
L30	N 79°44'31\"	12.43
L31	S 85°25'45\"	50.03
L32	S 81°44'54\"	17.15
L33	S 88°16'58\"	34.23
L34	S 17°18'51\"	80.59
L35	S 12°06'18\"	63.04
L36	S 8°22'08\"	170.13
L37	S 42°34'40\"	55.36
L38	S 53°47'25\"	40.27
L39	S 35°53'56\"	108.22
L40	S 33°09'43\"	170.80
L41	S 32°13'11\"	99.31
L42	S 28°56'51\"	53.97
L43	S 20°35'50\"	30.60
L44	S 9°28'09\"	91.24
L45	S 19°16'35\"	38.52
L46	S 32°44'23\"	159.58
L47	S 3°40'10\"	60.95
L48	S 21°46'30\"	72.27
L49	S 13°17'05\"	75.23
L50	S 8°29'36\"	178.24
L51	S 9°13'49\"	134.45
L52	S 43°00'29\"	58.75

CURVE	RADIUS	DELTA	LENGTH	CHORD	DIST
C1	175.00	36°32'19\"	111.60	N 27°49'35\"	109.72
C2	125.00	36°32'19\"	79.71	S 27°49'35\"	78.37

NOTES:

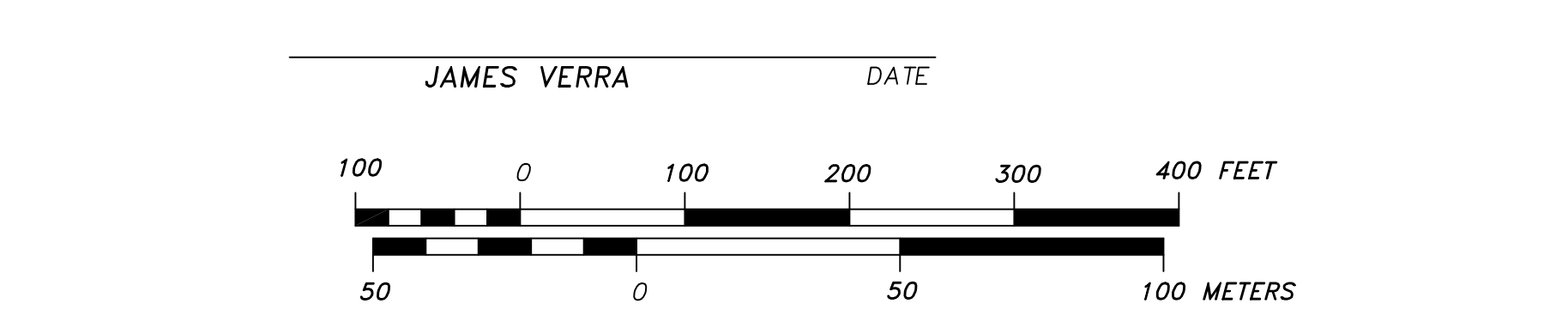
- OWNER OF RECORD..... THE RIVERWOODS COMPANY AT EXETER, NEW HAMPSHIRE ADDRESS..... 5 RIVERWOODS DRIVE, EXETER, NH 03833 DEED REFERENCE..... 3856/1913 & 3851/1293 & 4867/2913 TAX SHEET / LOT..... 98-37 & 80-18
SEE VOLUNTARY LOT MERGER DATED 9/9/2010 MERGING TAX PARCELS 80-18 & 97-43 INTO PARCEL 80-18. SEE RCRD BOOK 5206, PAGE 2825.
SEE VOLUNTARY LOT MERGER DATED 11/30/2009 MERGING TAX PARCELS 97-42 & 97-43 INTO PARCEL 97-43. SEE RCRD BOOK 5084, PAGE 723.
- THE PURPOSE OF THIS PLAN IS TO ESTABLISH AND MONUMENT THE LIMITS OF THE CONSERVATION RESTRICTIONS. THIS PLAN SUPERCEDES THE CONSERVATION EASEMENT LIMITS AS DEPICTED ON REFERENCE PLAN 1 (SHEET 2). THE LATTER PLAN DEPICTED THE CONSERVATION EASEMENT LIMITS LARGELY AS CURVES MAKING THE MONUMENTATION OF THE EASEMENT PROBLEMATIC.
- THE RELATIVE ERROR OF CLOSURE WAS LESS THAN 1 FOOT IN 15,000 FEET.
- THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED UPON THE FIELD LOCATION OF ALL VISIBLE STRUCTURES (IE CATCH BASINS, MANHOLES, WATER GAUGES ETC.) AND INFORMATION COMPILED FROM PLANS PROVIDED BY UTILITY COMPANIES AND GOVERNMENTAL AGENCIES. ALL CONTRACTORS SHOULD NOTIFY, IN WRITING, SAID AGENCIES PRIOR TO ANY EXCAVATION WORK AND CALL DIG-SAFE @ 1-888-DIG-SAFE.
- THE SITE IMPROVEMENTS SHOWN HEREON, EXCEPTING DRAINAGE, TREE LINE AND GAS PIPELINE WERE TAKEN FROM REFERENCE PLAN 7. THE FORMER MENTIONED ITEMS WERE FIELD LOCATED.
- SEE SHEET 2 FOR OWNERS OF RECORD.
- HORIZONTAL DATUM: NAD 1983 GEOGRAPHIC POSITION ESTABLISHED AT SITE BY NGS "OPUS" SOLUTION (CORS96)(EPOCH:2002.0000) STATIONS USED: "ZBWI", "BARN" & "NHUN" GPS EQUIPMENT: TRIMBLE 4800 SURVEY GRADE UNITS
- THIS PLAN IS BASED UPON SURVEY WORK CONDUCTED BY THIS OFFICE 9/2006 TO 7/2018.
- THE FIELD MEASURED LOCATION OF THE GAS PIPELINE DIFFERS FROM THE EASEMENTS OF RECORD. SEE RCRD BOOK 3309, PAGE 1619, BOOK 3296, PAGE 2712, BOOK 3316, PAGE 1822 & BOOK 3260, PAGE 1049. IT IS THE INTENTION OF THE RIVERWOODS COMPANY TO GRANT CORRECTIVE EASEMENTS TO AGREE WITH THE ACTUAL LOCATION OF THE GAS PIPELINE. ALSO, SEE REFERENCE PLAN 11.

- REFERENCE PLANS:**
- LOT LINE ADJUSTMENT PLAN OF LAND AND EASEMENT PLAN, PICKPOCKET, KINGSTON AND JOLLY RAND ROADS, EXETER, N.H., REVISED TO 8-1-03, RCRD PLAN D-30933, SHEETS 1 & 2.
 - BLACKFORD PLACE SUBDIVISION FOR TUCK REALTY CORP., GREENLEAF DRIVE, EXETER, NH, SHEETS 1-6, RCRD PLAN 29099.
 - CONSERVATION EASEMENT PLAN FOR JOSEPH C. & NELLIE B. SWASEY, 131 PICKPOCKET ROAD, BRENTWOOD & EXETER, NH, DATED 7-1998, RCRD PLAN D-26743.
 - SUBDIVISION OF LAND, PAUL HOLLOWAY, JR., PICKPOCKET ROAD, EXETER, N.H., DATED 10-1978, RCRD PLAN D-8534.
 - PLAT OF LAND FOR MARTHA M. PENNELL, EXETER, N.H., DATED 5-1980, RCRD PLAN D-9607.
 - EASEMENT PLAN OVER LAND OF THE RIVERWOODS COMPANY AT EXETER, N.H., PICKPOCKET & RUNAWIT ROADS, EXETER, N.H., FOR JOAN A. ARCHIBALD REV. TRUST OF 1997, RCRD PLAN C-32020.
 - SITE PLAN, THE RIDGE AT RIVERWOODS, KINGSTON, NH, FOR RIVERWOODS AT EXETER, REVISED TO 8-1-03, RCRD PLAN D-30932.
 - PLAT OF LAND, PICKPOCKET ROAD & WHITE OAK DRIVE, EXETER, N.H., FOR THE RIVERWOODS COMPANY AT EXETER, N.H., REVISED TO 11/14/2007, RCRD PLAN D-35706.
 - PLAT OF LAND, 77 KINGSTON ROAD, EXETER, N.H., FOR THE RIVERWOODS COMPANY AT EXETER, N.H., DATED 11/18/2008, RCRD PLAN D-35705.
 - CORRECTIVE GAS PIPELINE EASEMENT PLAN, THE RIDGE AT RIVERWOODS, KINGSTON ROAD & WHITE OAK DRIVE, EXETER, N.H., FOR THE RIVERWOODS COMPANY AT EXETER, N.H., DATED 6/3/2019 (PRELIMINARY).
 - CONSERVATION RESTRICTION PLAN, THE BOULDERS AT RIVERWOODS, PICKPOCKET ROAD & WHITE OAK DRIVE, EXETER, N.H., FOR THE RIVERWOODS COMPANY AT EXETER, N.H., DATED 6/3/2019 (PRELIMINARY).

SEE SHEET 2 FOR LEGEND

PURSUANT TO RSA 676:18,III AND RSA 672:14

I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.



5	8-19-19	REVISE PER ATTORNEY COMMENTS	JV
4	6-5-19	CHANGE PLAN TITLE & UPDATE PLAN	JV
3	8-24-10	REVISE CONSERVATION EASEMENT AREA 2	JV
2	5-21-07	REVISE CONSERVATION EASEMENT AREAS 1 & 2	JV
1	3-30-07	ADD PEDESTRIAN ACCESS EASEMENTS ACROSS PARCEL 98-37	JV
REV. NO.	DATE	DESCRIPTION	APPR'D

CONSERVATION RESTRICTION PLAN
THE RIDGE AT RIVERWOODS
WHITE OAK DRIVE & JOLLY RAND ROAD
EXETER, NEW HAMPSHIRE
TAX ASSESSOR'S PARCELS 98-37 & 80-18
for THE RIVERWOODS COMPANY at EXETER, N.H.

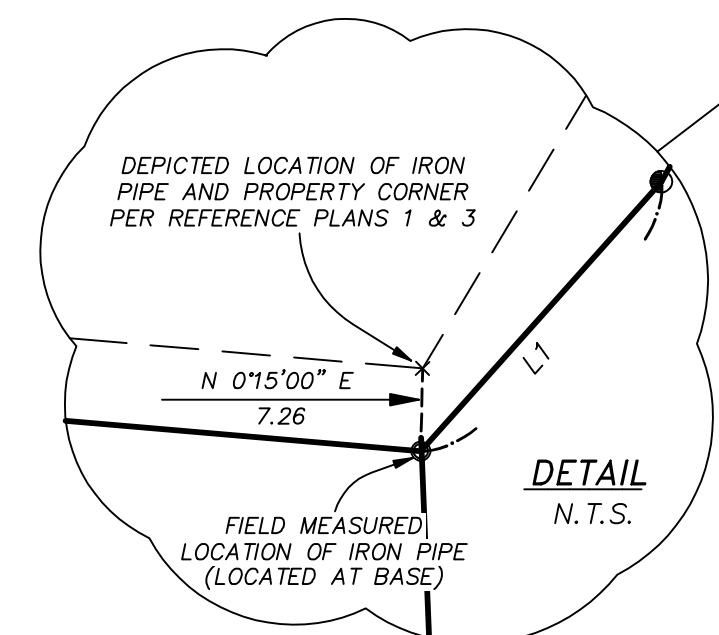
JAMES VERRA and ASSOCIATES, INC.
 101 SHATTUCK WAY
 SUITE 8
 NEWINGTON, N.H., 03801-7876
 603-436-3557

DATE: 12-12-06
 JOB NO: 23006
 SCALE: 1" = 100'
 DWG NAME: 23006
 PLAN NO: 23006
 SHEET: 1 of 2

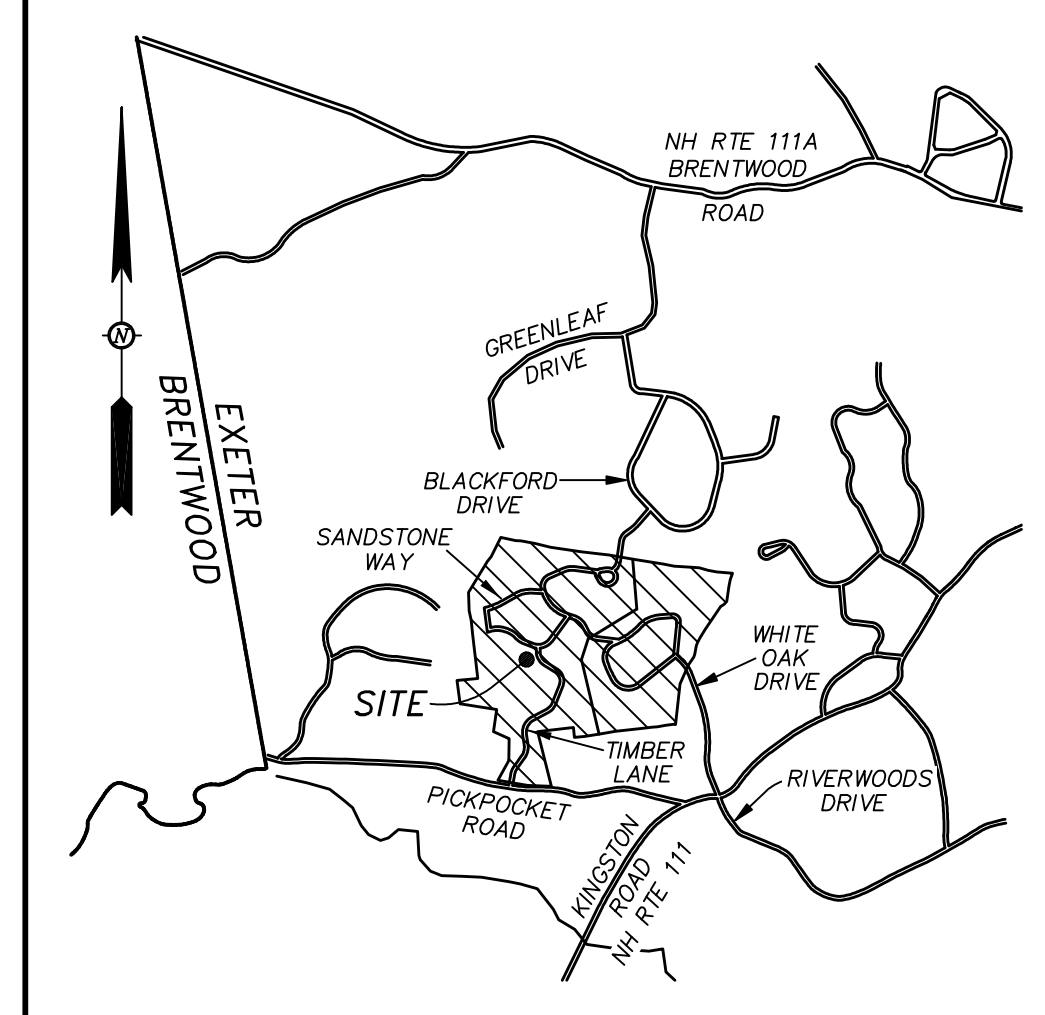
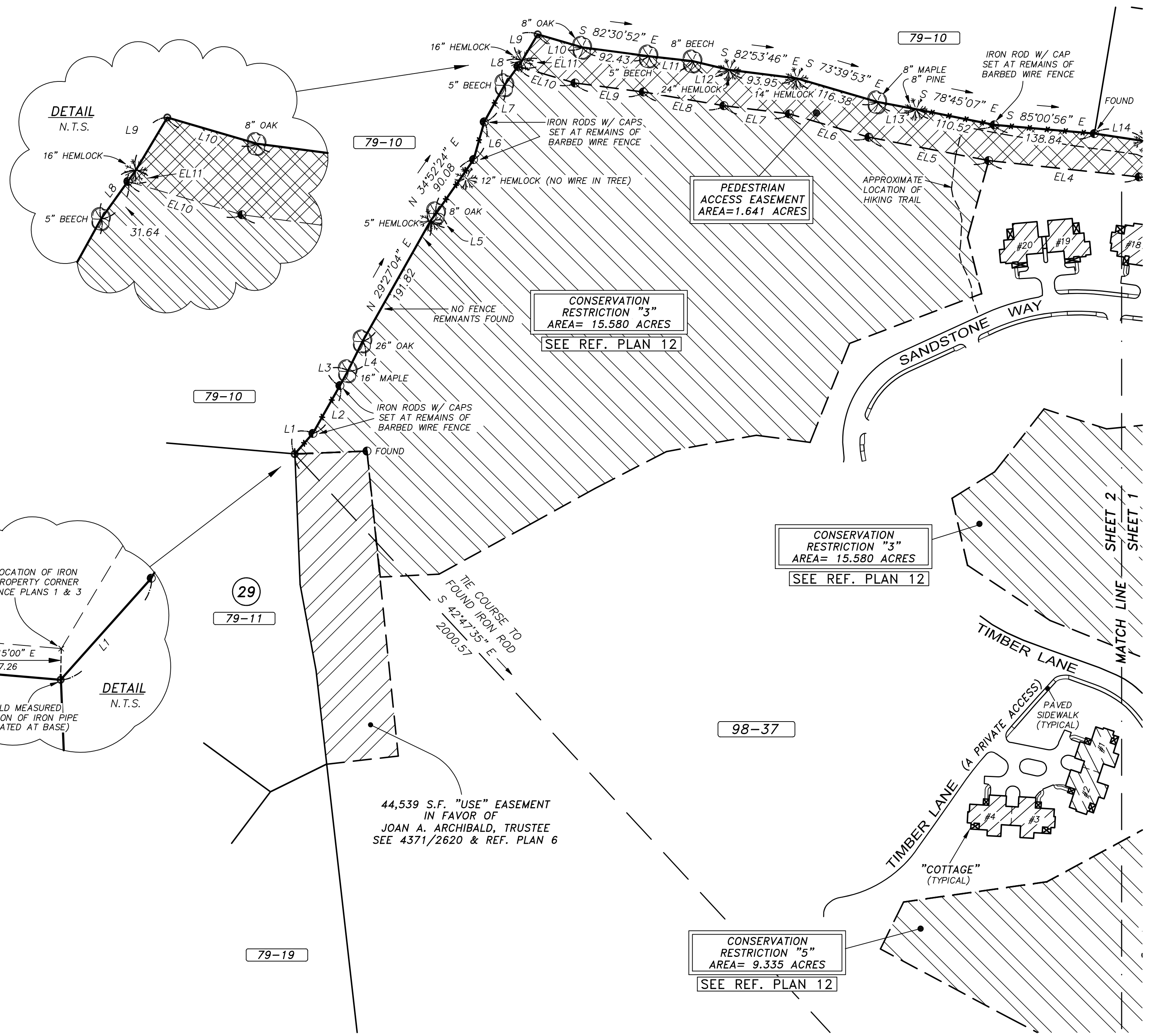
JCS PROJECT MGR
 JCS DRAWN BY
 COPYRIGHT © 2006 by JAMES VERRA and ASSOCIATES, INC.

PRELIMINARY
SUBJECT TO CHANGE

MAP-LOT	OWNERS OF RECORD	DEED REFERENCE
75-17	BLACKFORD PLACE HOME OWNER'S ASSOC.	3632/1089
79-10	MACHAON M. & KATHRYN A. BONAFEDE	5790/2075
79-11	ANTHONY G. PYRO & KATHERINE E. WALTHER	5741/182
79-19	STEPHEN J. & SARAH B. RAMSAY	5034/1476
79-20	PAUL J. HOLLOWAY, JR.	2820/1025
79-21	JOHN BELL	2354/189
80-6	MARSHALL FARMS CROSSING CONDOMINIUM	2495/419
80-17-9	DAVID C. & ELISABETH B. MATSON	5405/617
80-17-10	LUCHEN & YAN WANG LI	5632/367
80-17-11	DUTILE FAMILY TRUST	5563/460
80-17-12	JAMES D. SPIVEY & JUANITA M. FONSECA	4192/2005
80-17-38	TOWN OF EXETER	5084/725
97-41	SOUTHEAST LAND TRUST OF N.H.	5583/2611
97-45	RUTH HOOTEN REV. TRUST	5274/2386
98-35	THE RIVERWOODS CO. AT EXETER, N.H.	5803/1359
98-36	PAUL B. & SHEILA M. ROBERGE	2439/1124
98-39	DENNIS A. HAYWARD REV. TRUST CHERYL A. HAYWARD REV. TRUST	4264/1743



N.H. STATE PLANE
COORDINATE SYSTEM OF 1983



LOCUS
SCALE: 1"=2000'

- LEGEND:**
- IRON ROD SET, UNLESS OTHERWISE NOTED
 - IRON PIPE FOUND
 - DRILL HOLE FOUND, UNLESS OTHERWISE NOTED
 - ▲ SPIKE SET
 - ▲ SURVEY NAIL SET IN PAVEMENT
 - GRANITE BOUND FOUND
 - STONE WALL
 - ⊙ DRAIN MANHOLE
 - D— DRAIN LINE
 - G— GAS LINE
 - RCRD ROCKINGHAM COUNTY REGISTRY OF DEEDS
 - 98-37 TAX SHEET / LOT NO.
 - ① SUBDIVISION LOT NUMBER
 - DECIDUOUS TREE W/ BARBED WIRE
 - * CONIFEROUS TREE W/ BARBED WIRE
 - EOP EDGE OF PAVED DRIVEWAY/PARKING AREA

SEE SHEET 1 FOR NOTES & REFERENCE PLANS

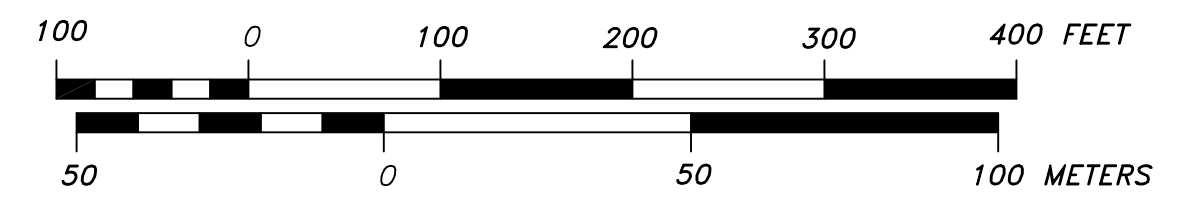
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JAMES VERRA DATE

REV. NO.	DATE	DESCRIPTION	APPR'D
5	8-19-19	REVISE PER ATTORNEY COMMENTS	JV
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3	8-24-10	REVISE CONSERVATION EASEMENT AREA 2	JV
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**CONSERVATION RESTRICTION PLAN
THE RIDGE AT RIVERWOODS
WHITE OAK DRIVE & JOLLY RAND ROAD
EXETER, NEW HAMPSHIRE
TAX ASSESSOR'S PARCELS 98-37 & 80-18
for THE RIVERWOODS COMPANY at EXETER, N.H.**

JAMES VERRA and ASSOCIATES, INC.		DATE: 12-12-06
101 SHATTUCK WAY SUITE 8 NEWINGTON, N.H., 03801-7876 603-436-3557		JOB NO: 23006
PROJECT MGR: JCS		SCALE: 1" = 100'
DRAWN BY: JCS		DWG NAME: 23006
COPYRIGHT © 2006 by JAMES VERRA and ASSOCIATES, INC.		PLAN NO: 23006
		SHEET: 2 of 2



**PRELIMINARY
SUBJECT TO CHANGE**



TOWN OF EXETER, NEW HAMPSHIRE

10 FRONT STREET • EXETER, NH • 03833-3792 • (603) 778-0591 • FAX 772-4709

www.exeternh.gov

September 10, 2019

Drinking Water and Groundwater Trust Advisory Commission
c/o Ms. Erin Holmes, Administrator
Drinking Water and Groundwater Trust Fund
Department of Environmental Services
P.O. Box 95
Concord, NH 03302-0095

Re: Source Water Protection Grant
Drinkwater Road Groundwater Supply
Exeter, NH

Dear Advisory Commission Members:

The Town of Exeter, through its Water Department, completed a Grant Eligibility Application to the NH Drinking Water & Groundwater Trust Fund (DWGTF) for grant funding to assist in purchase of a parcel off Drinkwater Road (Map 107, Lot 3), which has been identified as a future water supply source (Drinkwater Road Groundwater Supply) for the Town. In a July 18, 2019 meeting, the Source Water Protection Grant Program Subcommittee determined that the project is eligible to apply for a future water source grant. The Water Department has reached out to the Commission about their plans to complete a full application.

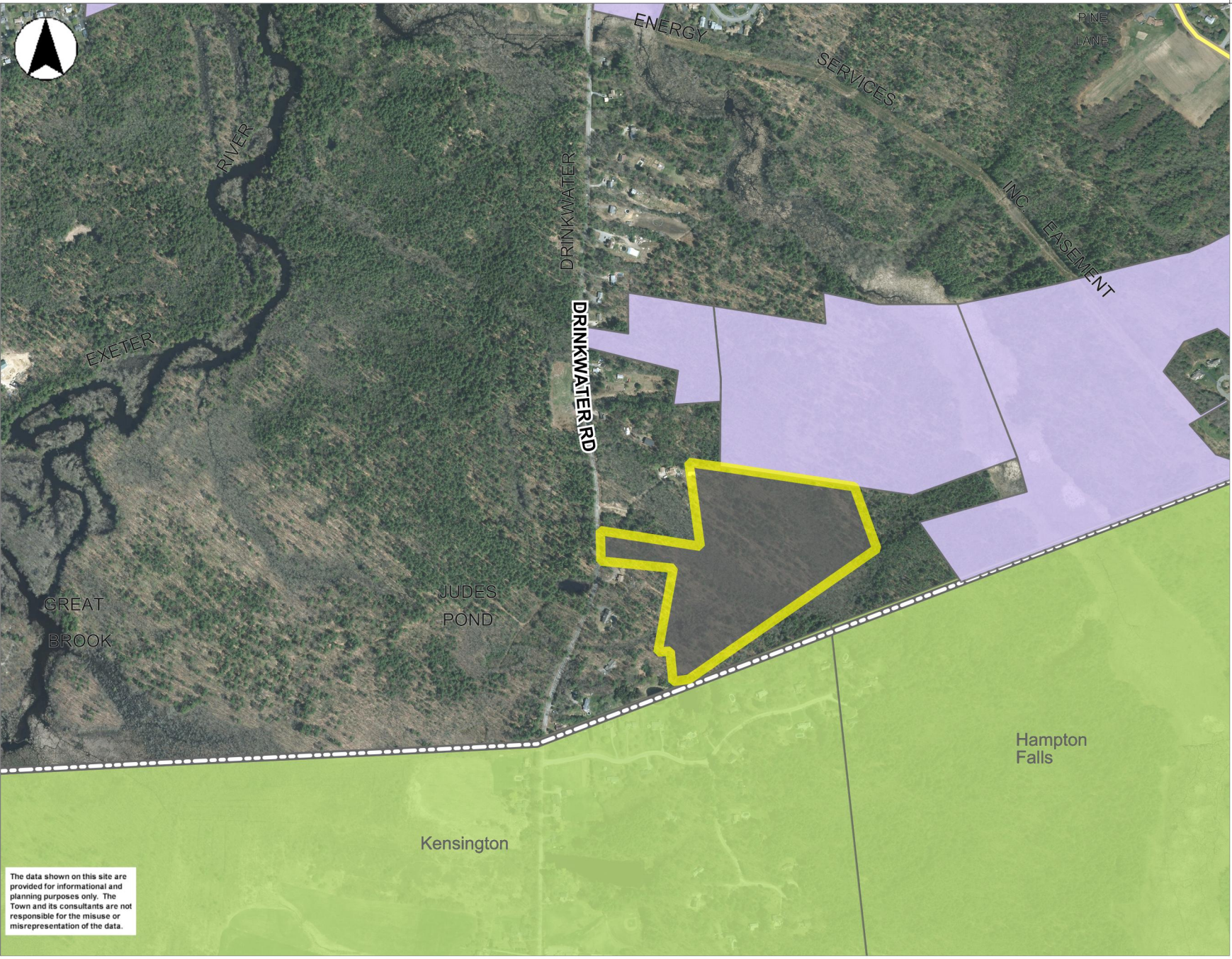
I am pleased to submit a letter of support on behalf of the Exeter Conservation Commission for the subject grant application. This project would protect a highly transmissive ground water aquifer as well as the added benefit of building on over 122 acres of existing conservation lands in that region, which in turn would further increase protection of the Exeter River watershed, our surface water supply source. This project meets conservation goals of several regional conservation planning documents including land identified as a core focus area for land protection in our 2012 Natural Resource Inventory, ranking highest in the biological region with a portion ranking highest in the state by the NH Fish and Game 2015 Wildlife Action Plan, and has been identified as a priority for protection under the Nature Conservancy's 2016 Land Conservation Priorities for Coastal Water Resources. It is for these reasons, the Commission is supportive of this project in the effort toward helping Exeter meet our present and future drinking water supply needs.

Please contact us should you have any further questions about the project.

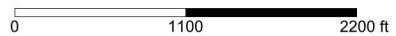
Todd Piskovitz Chairperson
Exeter Conservation Commission



- Parcels w/Orthos
- Conservation Areas
- NH Highways
 - Interstate
 - US Highway
 - State Highway
- Town Boundary
- Abutting Towns



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



Printed on 09/03/2019 at 12:51 PM

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

Call To Order

1. Introduction of Members Present

Present at tonight's meeting were Ginny Raub, Todd Piskovitz, Alyson Eberhardt, Dave Short, Trevor Mattera, Julie Gilman, and Kristen Murphy. Bill Campbell, Carlos Guindon, Andrew Koff, Sally Ward, Lindsey White, Andy Weeks, and Lucretia Ganley were not present. 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 assessment.

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

Exeter Conservation Commission
August 13, 2019
Town Offices Nowak Room
Draft Minutes

Call To Order

1. Introduction of Members Present

Present at tonight's meeting were Bill Campbell, Carlos Guindon, Andrew Koff, Sally Ward, Lucretia Ganley, Trevor Mattera, Julie Gilman, and Kristen Murphy.

Todd Piskovitz, Ginny Raub, Lindsey White, Andy Weeks, Alyson Eberhardt, and Dave Short, were not present.

Vice-Chair Koff called the meeting to order at 7:03 PM.

2. Public Comment

- a. There was no public comment at this meeting.

Action items

1. In accordance with NH RSA 41:14-a, the Selectboard is seeking your recommendation on the proposed sale of a town-owned parcel (Map 65 Lot 147) to the Exeter Hospital for \$50,000. (Phil Chaput, Exeter Hospital; Darren Winham, Town of Exeter)

Darren Winham, the Town Economic Development Director, spoke about this proposed sale. This parcel is unique because it's in the hospital zone, and the hospital approached them about purchasing it for \$50,000. The land was originally sold to the Waterworks, and there is a deed restriction that says they could only build a water tower there. The Town took over the Waterworks and the land has no value to the Town. Mr. Winham said that the Commission can't negotiate price, that's for the Select Board. Ms. Murphy added that it's a requirement of RSA that when land is sold they obtain the recommendation of the Conservation Commission.

Mr. Koff asked why the hospital is interested in this land. Phil Shaput, the Hospital Facilities Director, said for a potential extension to the facilities building.

Mr. Campbell said he doesn't see much value conservationwise, since this land is between a parking lot and a driveway, and he has no objections. Mr. Koff asked if the town does anything to maintain the land, and Mr. Winham said no. Ms. Gilman said there was actually a water tower there at one time, the first one in the town.

Mr. Koff opened the discussion to public comment.

Brian Griset of 26 Cullen Way said he'd tracked the history of the parcel. When the hospital had a lot of land, it gave the parcel to the town for \$1. Returning it to the hospital which serves our community is the right thing to do, and he suggested they sell it back for \$1.

MOTION: Mr. Campbell that they have reviewed this proposal and have no objection to the sale of Tax Map Parcel 65-Lot 147 as proposed. Mr. Mattera seconded. Ms. Ward recused herself as a member of the Hospital Board. The motion passed 5-0-1.

2. Expedited Wetland application for 2,265 square feet of wetland fill associated with shoulder widening and sidewalk installation for improved pedestrian and bike access along Kingston Rd between the Little River and Pickpocket Road (Bill Straub, CMA and Jen Mates, DPW)

Mr. Koff said that the Town is proposing to improve pedestrian and bike access along Kingston Road. Jen Mates, the Assistant Town Engineer, explained that they are proposing about a mile of shoulder widening, increasing the shoulder width to five feet on either side from one to two feet now. This project would add 3,000 linear feet of sidewalk, extending from the bridge at Little River to Tamarind Lane. The wetlands impacts are minor, since the development is along the shoulders of the road. There is a total of 2,200 square feet of disturbance.

Bill Straub of CMA Engineers said that the Town has a state grant to do a Transportation Alternative Project, which includes extending public sidewalks and cyclable areas. The sidewalk will be separate from the road on the South side. It's 1.1 miles in total. They are looking for an expedited minimum impact mitigation due to the timing with DES. There are no serious impacts; these are not prime wetlands, they are in the ditch line.

Ms. Ganley asked if the shoulders will be paved. Mr. Straub said yes, enough to hit the threshold for an AOT permit. However, the treatment of stormwater is a separate issue from wetlands impact.

Mr. Koff asked if they had plans for invasive management. Mr. Straub said there are no known invasives now. Mr. Koff countered that there are bittersweet, multiflora rose, and purple loosestrife in this area, but it's not clear if that's the wetlands being impacted. Mr. Straub said he will make sure that if invasives are present they will follow AOT guidelines to address them. Mr. Koff asked if there would be any landscaping or planting, but Mr. Straub said no, the strips are too narrow to enhance.

Ms. Ward said she would advocate for minimizing impact to trees. Mr. Straub responded that the tree removal would be limited to just what is required to get the sidewalk in. Ms. Ward said that from a conservation perspective, the wetland impact is less than the advantage of biking and pedestrian traffic.

Mr. Guindon said he was concerned about wetlands, and asked that they minimize impact from the project. Mr. Straub said there would be very good erosion control at the borders, and the impact should be minimal.

Ms. Gilman asked if historical resources such as stone walls would be impacted. Mr. Straub said no. All work will be done within the town right-of-way.

Mr. Koff opened the discussion to the public

Patrick Flaherty of 8 Tamarind Lane was concerned about the wetness of his and adjoining properties near the project area. Mr. Straub said there would be small culvert to the east and west of this area. Bioretention between the sidewalk and the road will slow down the water and promote infiltration. The project doesn't make the situation worse, and should get the drainage under better control.

Brian Griset of 26 Cullen Way, who is also a property owner in this area, said he supports the project of building sidewalks but also has concerns about drainage. 80% of the runoff on both sides of the road is going to flow across his property, as he owns everything South of Tamarind to Little River. He is listed as a concerned addressee but never received

notices. He was told that three bioretention swales have been incorporated, which will improve water quality and provide infiltration for smaller storm events, but in major events he believes they're going to have surging.

Mr. Straub said that it's a transportation project, and was not intended to solve drainage problems on Kingston Road. The water issues are inherent characteristics of the land. For AOT, the project went through a review process. Stormwater won't go to the outlets, because the culverts will replace the infiltration behavior. They've compensated for every square foot that they've added and there will be no increased runoff.

Mr. Koff pointed out that the wetland impacts are mostly to the west of this site, not the area they're talking about. Mr. Mattera said he appreciates the discussion of the runoff system, but it's not within the scope of the discussion. He sees no problem with the small amount of wetlands impact in light of the benefits of this project. Ms. Ward asked whose responsibility is this larger issue of drainage, as she wanted to add comments for them to the recommendation. Mr. Straub said the State, since it's a DOT road.

Ms. Murphy said the discussion should be whether the Commission is supportive of expedited review. Adding comments slows the expedition down, and it would have to go through standard review. Mr. Mattera said the standard review is through Wetlands DES, not anyone who would address the larger issue of runoff. Mr. Straub added that the AOT permit is in place and the DOT has reviewed this project extensively.

Mr. Koff said this project has a huge value to the community, and better pedestrian access is part of the Master Plan. Mr. Mattera said he would like to approach overall stormwater and runoff issues, but this is not the project to do it on.

Ms. Ganley recused herself from the vote because of a familial relationship with Mr. Griset.

MOTION: Ms. Ward moved that they have reviewed the proposal and vote to authorize the Chair to sign the wetland application indicating support for expedited review and no objection to permitting the proposed work. Mr. Mattera seconded. The motion passed 5-0-1.

3. Walleryczyk Easement Issue

Ms. Murphy said that they had a report of stockpiled logs on the property, which is located on Court Street adjacent to Exeter River. They had the same issue on this property in 2013. At that time, they issued a notice of violation to Dana Anderson, the owner of that property. By allowing him to cut the logs and move them offsite, he interpreted that as condoning that use of the property, and was surprised to hear this was an issue again. Stockpiling logs is not in compliance with the conservation easement. The violator has 30 days to remedy from notice, but he needs more time. She told him to come speak to the Commission, but he did not come tonight. She recommends continuing with the easement terms. The number of logs is double what was in 2013, about 100 cords of wood. It impairs the scenic quality of the property. She sent a certified letter August 6th, and the 30 days starts with receipt of the certified letter, but she hasn't received the receipt back. She asked how the Commission would like to proceed.

Ms. Ward thought changing the terms of the easement would set a bad precedent. Mr. Guindon said the situation was way beyond what was intended with allowing him to store some wood. It's visible from the river and the road. Mr. Campbell asked about the next steps

according to the easement terms. Ms. Murphy said if he takes no action in 30 days, it becomes a legal issue. Mr. Koff agreed that the impact violated the easement, and suggested they revisit the issue at next month's meeting when they're nearer to the deadline.

4. 2020 CIP and Town Budget Planning Discussion

Ms. Murphy said that last Thursday she presented CIP items to the Planning Board. Raynes Farm and the Conservation Fund proposal will have to be addressed separately. Raynes Barn is not in the CIP until 2021. For the Conservation fund, the Commission did not specify an amount, so she put \$50,000, which was the previous level. When she presented to the Planning Board, they were supportive of the concept, but suggested this number be quadrupled so it would be a more effective match for grant dollars. She asked if the Commission was supportive of increasing the amount. If the Planning Board recommends the request, it goes to the Budget Recommendations Committee, then to the Select Board, then on the Town Warrant in 2020.

Mr. Campbell said he's concerned with getting ready for LCHIP in 2021, and wondered if they should ask for \$50,000 now and \$70,000 next year. Ms. Murphy clarified that there's a separate CIP for Raynes in 2021.

Mr. Campbell said he would like to have the funding request on the warrant to see if the Town is supportive of conservation.

Ms. Murphy said they should do it this year because of the potential for an ARM grant to be opened up to the Seacoast region. They have several projects on which they might be able to move forward with a grant application.

Mr. Koff suggested going higher for the first few years to build the fund, so they won't miss opportunities. Mr. Guindon agreed. Ms. Murphy said at the CIP, you can say \$150,000 and note your plan going forward. They should discuss it at the Planning Board meeting on the 22nd.

Mr. Mattera said that land conservation is very opportunistic. If they're not ready to jump on a project for four or five years, the fund is not meeting their needs. He's inclined to frontload the money and adjust further funds. Ms. Ward said that \$50,000 is not very much money. Mr. Koff suggested \$100,000 now and then \$50,000 in future years.

Ms. Murphy said they will also need to submit the Town budget request. The items they'd talked about were increasing the training budget for NHACC and workshops, as well as doubling the mowing budget to support field clearing around Raynes Farm.

Mr. Campbell asked if their contract services were lined up for the rest of the year. Ms. Murphy said yes, but there is money in the budget that would have covered supplemental engineering work for Raynes Barn, and they could use \$1,000 of that towards field clearing this year. Last year, any leftover amount was put toward wood so people could get trail projects done. She added that David O'Hearn offered to now half or all of the property for Morrissette, and she suggests doing the whole property. Half would be \$250, whole \$475. Last time they did half. Mr. Guindon suggested staying consistent with half to provide a consistent habitat, but this time mowing the other half.

MOTION: Mr. Campbell moved to expend \$1,575 to hire Dave O'Hearn to do the mowing, with only the half of Morrissette on the Court Street side mowed. Ms. Ward seconded. Mr. Koff

suggested asking for Mr. O'Hearn's recommendations on where to mow. Mr. Guindon said he can also go out and see what it looks like. All were in favor.

Ms. Ward said she and Mr. Campbell met with the DPW to talk about creating additional parking at Raynes closer to the barn, as it's difficult to carry stuff there from the parking lot. It wouldn't have a budget impact, since the DPW would do it. Mr. Koff said parking has historically been an issue, so it's good to consider improvements.

Mr. Koff asked if Dave O'Hearn could also do clearing at Raynes. Ms. Murphy said they could look into having someone clear brush around the perimeter of the Raynes field this year. Mr. Guindon said it's mostly invasives and the scenic value has been lost due to vegetation. Ms. Ward said a local landscaper did some work for free in the gravesite at Raynes, and made it accessible. She would like to send him a letter of thanks from the Commission. Mr. Campbell said this landscaper also cleared some poison ivy near the entrance. It would be nice to have Mr. O'Hearn continue that clearing. Ms. Murphy cautioned that the roadside is in DOT right of way.

MOTION: Mr. Campbell moved to approve \$1,350, \$1,000 from Contract Services and \$350 from mowing, to have a contractor clear the perimeter of Raynes Farm. Mr. Mattera seconded. All were in favor.

Mr. Koff said they're typically advised not to increase their budget, but \$170 for education and training doesn't seem like enough. He wondered if they could adjust things between categories rather than raising it. Ms. Murphy said in August, she will submit their budget to the Town Manager. Mr. Koff said they should table this discussion until the next meeting. Ms. Murphy said she will present what they have now at the preliminary budget meeting.

5. UNH Extension/Sea Grant Climate Change Outreach

Ms. Murphy said that she successfully applied for an opportunity through UNH to have some outreach support. The organization offered dates for an initial group meeting. This work meets the Master Plan goals of educating the public on climate impacts and resiliency actions landowners can do. Mr. Mattera volunteered to attend and the group felt that Ms. Eberhardt may also be interested.

6. Committee Reports

a. Property Management

- i. Updates: Community Garden, Raynes Farm, Property Monitoring, VRAP (equipment purchase), Emerald Ash Borer Monitoring, Exeter Country Club

Ms. Murphy said that the Attorney General was not supportive of the Community Garden. Public parks fall under a different set of restrictions, and they can't exclude public access, so the project was not in compliance. Their only potential for recourse would be to go back to probate court and file an amendment. The Attorney General offered to speak with them further if they're interested, but Ms. Murphy didn't see the point. She said she was very disappointed and Mr. Koff said it was back to the drawing board.

Ms. Ward attended the Raynes Farm Stewardship meeting July 30, where they discussed parking and the Eversource project. Eversource is putting out mats for construction, and it's unclear how that will impinge access to the barn; they likely won't know until the mats are in place. They have events scheduled in the Fall that may not go forward, such as story time, kite flying, and stargazing. They also discussed the long-term strategies to increase use of the barn. The major issues are parking and weather. They talked about having a volunteer day and tidying up the barn.

Ms. Murphy said the interns have finished their internship, and did a wonderful job. They were able to monitor all of the properties, with the exception of a small handful that were overgrown or too wet. Commission members should not monitor their usual properties, but can contact her if they want one of the remaining properties assigned to them.

Ms. Murphy said there's confusion about Henderson Swasey where all the trails meet, as there are lots of shortcuts between trails. She said the Commission should schedule a sitewalk this Fall to determine areas for closure. Mr. Koff suggested tabling that issue for the next meeting.

Ms. Murphy said the VRAP was successful this year, but the PH probe broke. She asked if the Commission would support the purchase of a new PH probe for \$125 out of Community Services.

MOTION: Mr. Campbell moved to support the expenditure of \$125 for the purchase of a PH probe. Ms. Ward seconded. All were in favor.

Ms. Murphy said they partnered with UNH forestry to put up Emerald Ash Borer traps. It was unclear if the insects had made it into local areas, as the reported sightings have been to the southwest. Unfortunately, they were able to detect them in the traps. The insects will devastate the ash trees, and treating the trees is incredibly expensive. Jay Perkins is working with Urban Tree Services to find a way to save the Winter Street Cemetery Ash trees in particular.

Mr. Mattera said that Ocean Engineering students at the US Naval Academy are looking for design project ideas on shorelines in NH. He suggested this could tie in with the potential living shoreline project at the Country Club. They were looking for a project with a short time period, and the folks at the Country Club were on board, so he submitted the project for consideration. This could be free design work and set them up better for an ARM grant application.

ii. McDonnell Conservation Area Misuse

Ms. Murphy said that there has been misuse of the McDonnell conservation property north of the Exeter River. The owner Dianne has been a good steward of that property, but stuff is ramping up there, and there have been drug transactions and verbal threats to the owner. Ms. Murphy set up a meeting with the Police Department, Bruce Page, and the owner tomorrow to talk about process. They may be better served to close the property at night and/or gate it if this continues.

iii. Bunker/Barker Easement (Beech Hill Road): Gate Request

Ms. Murphy said that this is an easement with agricultural use. They have a good relationship with the owners, who have expressed concerns about people driving down the road onto private land. Signs were ineffective. The owners proposed a gate that sits on the surface of the ground. It could be opened by anyone, so it falls within the terms of allowing public access, but people will read the sign and know they're not supposed to drive down there. The owners are willing to pay for the gate.

MOTION: Mr. Koff moved to approve their use of a gate as described in the memo. Mr. Campbell seconded. All were in favor.

iv. Field/Jones Easement (Dogtown Rd): Fencing Notice

This property also has agricultural uses in their easement. The owners informed her that they want to add cows and install fencing. Ms. Murphy believes that's in compliance with conservation easement, and no action is required.

b. Trails

i. Eagle Project Update - funding request (\$10)

Ms. Murphy said Mr. Short met with Eagle Scout Luke Tyner recently, and he's made great progress, but he did fundraising and was short \$10.

MOTION: Ms. Ganley moved to expend \$10 from Conservation Land Administration for the Eagle Scout Project. Ms. Ward seconded. All were in favor.

ii. Trail Blazing - Paint Supply funding request (\$110.98)

Ms. Murphy said she expended personal money to fund the paint supply, and she's looking for approval to reimburse her.

MOTION: Mr. Campbell moved to expend \$110.98 from Conservation Land Administration for paint. Mr. Guindon seconded. All were in favor.

Ms. Murphy said she neglected to count the Watson Road kiosk in the budget for this project, and needs \$100 from Conservation Land Administration to purchase a kiosk for the Watson Road sign.

MOTION: Ms. Ward moved to expend \$100 from Conservation Land Administration for the Watson Road kiosk, Mr. Campbell seconded. All were in favor.

Mr. Campbell said he's not sure where the sign should go at the Commerce Way entrance. They need money to do installation of the mini kiosks. Ms. Murphy suggested reaching out to Ray Fahnstock re installation.

Ms. Murphy said that trail brochures and trail maps have been updated. They're in the process of moving the junction markers, and the public should be aware that the Open Street Map site is the best resource to use to orient for now.

c. Outreach Events

i. Update: Exploring Exeter - Little River

Mr. Koff said he led the Exeter River adventure. 13 people signed up and eight attended. They advertised in the Carriagetown News and got attendees from outside Exeter. They walked on Pete's path and talked about the trail blazing process and the wetlands.

ii. Upcoming: 9/21, Possible Kayak Trip

Ms. Murphy said she talked with Parks and Rec about another kayak trip, and asked if Mr. Campbell and Mr. Guindon were interested in leading it again. Mr. Guindon said yes. Mr. Campbell said that SELT is having their Trailfest that weekend so he can't attend. Ms. Murphy will go forward with the proposal to Parks and Rec.

7. Approval of Minutes: July 9th meeting

MOTION: Mr. Campbell moved to approve the minutes as submitted. Mr. Koff seconded. Mr. Campbell, Mr. Guindon, Mr. Koff and Ms. Ward abstained because they weren't at the meeting, and the motion passed ~~failed for lack of quorum~~ 3-0-3.

8. Correspondence

The Commission received a letter about 7 Nelson Drive and whether it is possible for a house to be constructed on lot 83/56. Ms. Murphy said there is no application is before the Commission, so no action is required. Ms. Ward asked if the property would come before the Commission if it were sold and someone wanted to build a house. Ms. Murphy said yes, unless the parcel is an existing lot of record, which would require that a deed was recorded prior to the adoption of that zoning ordinance.

Catherine McDonald, a resident of Nelson Drive, said that she has concerns about flooding and the wetlands in this area. Ms. Murphy said that she doesn't know what determination has been made as far as this being a buildable lot or lot of record. If the church which owns the property was able to document it as an existing lot of record, they would only need a building permit, and the Town doesn't notify abutters of building permits. There's no evidence of that but it's still to be determined.

9. Other Business

Ms. Ward said that the group walked the Water Trail, and it was very interesting. Mr. Koff said there were well-designed signs. He mentioned that they saw an issue with maintenance on a stormwater structure managed by the SAU, and would like Ms. Murphy to follow up.

10. Next Meeting

- a. Date Scheduled September 10th.

Adjournment

MOTION: Mr. Campbell moved to adjourn. Ms. Ward seconded. All were in favor and the meeting was adjourned at 9:50 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary