



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 **Art Gallery of the Exeter Town Hall** at 11 Front Street, Exeter on **Tuesday, November 12th, 2019 at 7:00 P.M.**

Note: Entrance on the Left Side of the Building

Call to Order:

1. Introduction of Members Present
2. Public Comment

Action Items

- NHDES Major Impact Wetland Dredge and Fill Application and Wetland Waiver application for a proposed Mixed Use Development for Gateway at Exeter LLC on Epping Road (Tax Map 47 Lots 6 and 7). Planning Board Case #19-12. (*Jim Petropulos, Brendan Quigley*)
- Applicant is seeking Commission input on design layout and utilization of adjacent open space for a conceptual single family open space development off Tamerind lane (Tax Map 96-15 and 81-53). Planning Board Case #19-11. (*Brian Griset, Jim Gove*)
- Subcommittee Consideration: Tree Committee (*Eileen Flockhart, Sally Ward*)
- Proposed Zoning Amendment: 9.1 Wetlands Conservation District
- Committee Reports
 - a. Property Management
 - i. McDonnell Easement Gate Consideration
 - b. Trails
 - c. Outreach Events
 - i. Full Moon snowshoe date selection. Proposed start time: 6:30
1/10 (4:26 pm moon rise)-actual full date is 1/10 (sunset 4:28 pm)
2/8 (4:23 moon rise) actual full date is 2/9 (sunset 5:07 pm)
3/7 (3:30 moon rise) actual full date is 3/9 (sunset 5:41 pm)
- Discussion for March 2020 meeting date change
- Approval of Minutes: October 8, 2019
- Correspondence
- Other Business
- Next Meeting: Date Scheduled (12/10/19), Submission Deadline (*11/27/19)
**Submission date modified due to holiday*

Non-public Session

Non-public session pursuant to RSA 91-A:3, II (1) for the consideration of legal advice.

Todd Piskovitz, Chair

Exeter Conservation Commission

Posted November 8th, 2019 Exeter Town Office, Exeter Public Library, and Town Departments.

**TOWN OF EXETER
PLANNING DEPARTMENT MEMORANDUM**

Date: November 8, 2019
To: Conservation Commission Board Members
From: Kristen Murphy, Natural Resource Planner
Subject: November 12th Conservation Commission Meeting

1. Gateway Project

Several of you may have walked this property under a application so the site may be familiar. We conducted a [site walk on 10/30](#) specific to this proposal. This project was before the Zoning Board on 5/21 ([minutes](#)) and the Planning Board under conceptual review on 10/10 ([minutes](#), [video](#)). They are before you seeking input on the wetland fill application, which includes both onsite mitigation and an in lieu fee, and have also included wetland waiver application. The applicant anticipates submitting a formal application to the Planning Board in the next month or so. There has not yet been a TRC meeting for this application.

The wetland application has some hits for species in the NHB report. I did not see comments from NHFG. I encourage you to review the minutes from the Planning Board as some comments are relevant to resources you could advise on, including wildlife connectivity, request for an environmental impact assessment, parking and open space access to the Little River Conservation region. In addition, if you are supportive of accepting conservation land, I have listed typical points you have addressed on past projects for your discussion tonight: a surveyed plan, baseline documentation, use limitations, stewardship fee and requirements for on-site boundary marker review/confirmation by Commission and Grantor. Though these can be worked out later, it may be worth discussing early with the applicant.

Suggested Motions:

In consideration of onsite fee simple mitigation, the Commission:

_____ *is supportive in concept of the Town holding conservation interest in this land as proposed with details on deed terms to be developed prior to acceptance.*

_____ *is supportive in concept of the Town holding conservation interest in this land with details on deed terms to be developed at a later date prior to acceptance with the following modifications:*

_____ *is NOT supportive of the Town holding conservation interest in this land for the following reasons:*

Send memo to NHDES indicating that the Conservation Commission

_____ *We have reviewed this application and have **no objection** to the project as proposed.*

_____ *We have reviewed this application and recommend (**approval with conditions**) (**denial**) as noted below:*

Suggested Motion for Wetland Waiver:

_____ *We vote to **table the application to a date certain** due to insufficient information on criteria necessary for the Commission to make a recommendation to the planning board as noted below: We recommend the required information be submitted by the next meeting submission deadline of _____ to be heard at the _____ conservation commission meeting date.*

_____ *We have reviewed this application and have **no objection** to the approval of the wetland waiver as proposed.*

_____ *We have reviewed this application and recommend that the wetland waiver request be (**approved with conditions**) (**denied**) as noted below:*

2. Tamarind Ln Conceptual Open Space Development

This application was before the Planning Board for design review on 9/26 ([minutes](#), [video](#)). The applicant is scheduled to go before the [ZBA on November 19th](#) and has not yet been to TRC. They are before you seeking your input on the design and layout of the conceptual site plan, and the utilization of open space. As with the former application, should you feel you have adequate information I have included a motion with regard to consideration of conservation land. If you are supportive of accepting the land with details to be worked out

later, it may be helpful to discuss the requirements of a surveyed plan, baseline documentation, on-site boundary marker placement confirmation by Commission and Grantor, stewardship fee and/or other method to ensure long term management.

In consideration of the proposed conservation land, the Commission:

_____ *is supportive in concept of the Town holding conservation interest in this land as proposed with details on deed/easement terms to be developed prior to acceptance.*

_____ *is supportive in concept of the Town holding conservation interest in this land with details on deed/easement terms to be developed at a later date prior to acceptance with the following modifications:*

_____ *is NOT supportive of the Town holding conservation interest in this land for the following reasons:*

3. *Tree Committee*

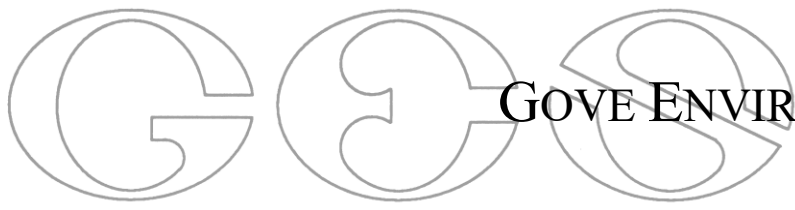
Eileen Flockhart has been working with a group of volunteers, including Sally, toward establishing Exeter as a Tree City. They presented their proposal to the Select Board on October 28 ([minutes](#), [video](#)) and to the Sustainability Committee on November 5th ([video](#)). Based on recommendation of the SB, they are before you requesting consideration of a tree committee to be a subcommittee under the Conservation Commission.

4. *Wetlands Zoning Amendment*

Dave Sharples and I are proposing to eliminate the “duplicative” process of site and sub wetland waiver and zoning conditional use permit and refine language to clarify the regulations. We have prepared a zoning amendment that the conditions from the two applications into a single zoning ordinance. It is not the intention of this revision to make the criteria more or less restrictive. Please see attached document. We are seeking your review, input and support for moving this amendment to the Planning Board through the zoning amendment process.

5. *McDonnell Easement Gate Consideration*

As we have discussed, the property owner of the McDonnell Conservation Easement has expressed concerns over continued misuse of the property. A subset of the Commission and I have met with Bruce Page of the PD, Jay Perkins of DPW and the property owner to discuss a solution. We have tried many approaches including better signage and increased patrol by the PD but misuse continues. We have concluded that a night time physical closure with a gate may be the best option but do not have the staff or the funding for an automated gate. DPW is able to purchase and install a simple gate for closure until we find a long term solution. We are seeking your support for this approach.



GOVE ENVIRONMENTAL SERVICES, INC.

NH DES WETLANDS BUREAU
MAJOR IMPACT
DREDGE & FILL APPLICATION
For

GATEWAY AT EXETER, LLC

Map 47 Lots 6&7

Epping Road

Exeter, NH

October 30, 2019

Prepared By

Gove Environmental Services, Inc.
8 Continental Dr Bldg 2 Unit H, Exeter, NH 03833-7526
Ph (603) 778 0644 / *Fax* (603) 778 0654
info@gesinc.biz / www.gesinc.biz

Table of Contents

NH DES Dredge and Fill Application Form.....	i
1.0 Introduction.....	1
2.0 Wetland Resources.....	1
2.1 Vernal Pools.....	2
2.2 Wetland Function and Value	3
3.0 Project Description and Impacts	5
3.1 Wt 302.01 Statement of Purpose	5
3.2 Wt 302.03 Avoidance & Minimization	5
4.0 Mitigation.....	6
4.1 Preservation Area Description	6
4.2 Documentation of the Impacted Wetland	6
4.3 Mitigation Goals	7

List of Figures (located before the Appendices)

Figure 1—USGS Locus Map

Figure 2—Vernal Pools

Figure 3—Proposed Preservation Context

List of Appendices

Appendix A Impact Area Photos

Appendix B Abutter Information

Appendix C New Hampshire Natural Heritage Inquiry

Appendix D State Historic Preservation Office Inquiry

Appendix E ACOE Supplemental Information

Appendix F Function and Value Form

Appendix G Site Plans (under separate cover)

NH DES Dredge & Fill Application Form





WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management



Check the status of your application: www.des.nh.gov/onestop

RSA/Rule: [RSA 482-A](#) / [Env-Wt 100-900](#)

Administrative Use Only	Administrative Use Only	Administrative Use Only	File No.:
			Check No.:
			Amount:
			Initials:

1. REVIEW TIME: Indicate your Review Time below. To determine review time, refer to [Guidance Document A](#) for instructions.

Standard Review (Minimum, Minor or Major Impact)
 Expedited Review (Minimum Impact only)

2. MITIGATION REQUIREMENT:

If mitigation is required, a Mitigation-Pre Application meeting must occur prior to submitting this Wetlands Permit Application. To determine if mitigation is required, please refer to the [Determine if Mitigation is Required Frequently Asked Questions](#).

Mitigation Pre-Application Meeting Date: Month: 11 Day: 15 Year: 2017

N/A - Mitigation is not required

3. PROJECT LOCATION:

Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.

ADDRESS:		TOWN/CITY:	
TAX MAP: 47	BLOCK:	LOT: 46 & 47	UNIT:
USGS TOPO MAP WATERBODY NAME:	<input checked="" type="checkbox"/> NA	STREAM WATERSHED SIZE:	<input checked="" type="checkbox"/> NA
LOCATION COORDINATES (If known): E: 1168017 N:182224	<input type="checkbox"/> Latitude/Longitude <input type="checkbox"/> UTM <input checked="" type="checkbox"/> State Plane		

4. PROJECT DESCRIPTION:

Provide a brief description of the project outlining the scope of work. Attach additional sheets as needed to provide a detailed explanation of your project. DO NOT reply "See Attached" in the space provided below.

The proposed project involves the construction of a mixed use commercial/residential development on approximately 16 acres of land with frontage on Epping Road in Exeter, NH. A total of 2.9 acres of direct wetland impact is proposed. Compensatory mitigation is proposed in the form of preservation of the rear 43 acres of the lot and a contribution to the Aquatic Resource Mitigation Fund.

5. SHORELINE FRONTAGE:

N/A This does not have shoreline frontage. SHORELINE FRONTAGE: _____

Shoreline Frontage is calculated by determining the average of the distances of the actual natural navigable shoreline frontage and a straight line drawn between the property lines, both of which are measured at the normal high water line ([Env-Wt 101.89](#)).

6. RELATED NHDES LAND RESOURCES MANAGEMENT PERMIT APPLICATIONS ASSOCIATED WITH THIS PROJECT:

Please indicate if any of the following permit applications are required and, if required, the status of the application. To determine if other Land Resources Management Permits are required, refer to the [Land Resources Management Webpage](#).

Permit Type	Permit Required	File Number	Permit Application Status
Alteration of Terrain Permit Per RSA 485-A:17	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Individual Sewerage Disposal per RSA 485-A:2	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Subdivision Approval Per RSA 485-A	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Shoreland Permit Per RSA 483-B	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED

7. NATURAL HERITAGE BUREAU & DESIGNATED RIVERS:

See the [Instructions & Required Attachments](#) document for instructions to complete a & b below.

a. Natural Heritage Bureau File ID: NHB 19 - 3277.

b. This project is within a [Designated River](#) corridor. The project is within ¼ mile of: _____; and date a copy of the application was sent to the [Local River Management Advisory Committee](#): Month: ___ Day: ___ Year: ___

N/A – This project is not within a Designated River corridor.

lrn@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

8. APPLICANT INFORMATION (Desired permit holder)			
LAST NAME, FIRST NAME, M.I.: Monahan, Thomas			
TRUST / COMPANY NAME: Gateway at Exeter, LLC		MAILING ADDRESS: 20 Trafalger Square, Suite 610	
TOWN/CITY: Nashua		STATE: NH	ZIP CODE: 03063
EMAIL or FAX: Thomasfmonahan@hotmail.com		PHONE: 603-880-0502	
ELECTRONIC COMMUNICATION: By initialing here: <u>TFM</u> , I hereby authorize NHDES to communicate all matters relative to this application electronically.			
9. PROPERTY OWNER INFORMATION (If different than applicant)			
LAST NAME, FIRST NAME, M.I.:			
TRUST / COMPANY NAME:		MAILING ADDRESS:	
TOWN/CITY:		STATE:	ZIP CODE:
EMAIL or FAX:		PHONE:	
ELECTRONIC COMMUNICATION: By initialing here _____, I hereby authorize NHDES to communicate all matters relative to this application electronically.			
10. AUTHORIZED AGENT INFORMATION			
LAST NAME, FIRST NAME, M.I.: Quigley, Brendan		COMPANY NAME: Gove Environmental Services, Inc.	
MAILING ADDRESS: 8 Continental Drive Bldg 2 Unit H			
TOWN/CITY: Exeter		STATE: NH	ZIP CODE: 03833
EMAIL or FAX: bquigley@gesinc.biz		PHONE: 603-778-0644	
ELECTRONIC COMMUNICATION: By initialing here <u>BQ</u> , I hereby authorize NHDES to communicate all matters relative to this application electronically.			
11. PROPERTY OWNER SIGNATURE:			
See the Instructions & Required Attachments document for clarification of the below statements			
By signing the application, I am certifying that:			
<ol style="list-style-type: none"> I authorize the applicant and/or agent indicated on this form to act in my behalf in the processing of this application, and to furnish upon request, supplemental information in support of this permit application. I have reviewed and submitted information & attachments outlined in the Instructions and Required Attachment document. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative. Any structure that I am proposing to repair/replace was either previously permitted by the Wetlands Bureau or would be considered grandfathered per Env-Wt 101.47. I have submitted a Request for Project Review (RPR) Form (www.nh.gov/nhdhr/review) to the NH State Historic Preservation Officer (SHPO) at the NH Division of Historical Resources to identify the presence of historical/ archeological resources while coordinating with the lead federal agency for National Historic Preservation Act (NHPA) 106 compliance. I authorize NHDES and the municipal conservation commission to inspect the site of the proposed project. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate. I understand that the willful submission of falsified or misrepresented information to the NHDES is a criminal act, which may result in legal action. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining. The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not forward returned 			
 Property Owner Signature		THOMAS F MONAHAN MANAGER Print name legibly	10/30/2014 Date

lrn@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095


www.des.nh.gov

MUNICIPAL SIGNATURES

12. CONSERVATION COMMISSION SIGNATURE

The signature below certifies that the municipal conservation commission has reviewed this application, and:

1. Waives its right to intervene per RSA 482-A:11;
2. Believes that the application and submitted plans accurately represent the proposed project; and
3. Has no objection to permitting the proposed work.


	Print name legibly	Date
--	--------------------	------

DIRECTIONS FOR CONSERVATION COMMISSION

1. Expedited review ONLY requires that the conservation commission’s signature is obtained in the space above.
2. Expedited review requires the Conservation Commission signature be obtained **prior** to the submittal of the original application to the Town/City Clerk for signature.
3. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, the application is not eligible for expedited review and the application will be reviewed in the standard review time frame.

13. TOWN / CITY CLERK SIGNATURE

As required by Chapter 482-A:3 (amended 2014), I hereby certify that the applicant has filed four application forms, four detailed plans, and four USGS location maps with the town/city indicated below.

	Print name legibly	Town/City	Date
--	--------------------	-----------	------

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,I

1. For applications where "Expedited Review" is checked on page 1, if the Conservation Commission signature is not present, NHDES will accept the permit application, but it will NOT receive the expedited review time.
2. IMMEDIATELY sign the original application form and four copies in the signature space provided above;
3. Return the signed original application form and attachments to the applicant so that the applicant may submit the application form and attachments to NHDES by mail or hand delivery.
4. IMMEDIATELY distribute a copy of the application with one complete set of attachments to each of the following bodies: the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board; and
5. Retain one copy of the application form and one complete set of attachments and make them reasonably accessible for public review.

DIRECTIONS FOR APPLICANT:

1. Submit the single, original permit application form bearing the signature of the Town/ City Clerk, additional materials, and the application fee to NHDES by mail or hand delivery.

irm@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

14. IMPACT AREA:

For each jurisdictional area that will be/has been impacted, provide square feet and, if applicable, linear feet of impact.

Permanent: impacts that will remain after the project is complete.

Temporary: impacts not intended to remain (and will be restored to pre-construction conditions) after the project is completed.

Intermittent Streams: linear footage distance of disturbance is measured along the thread of the channel.

Perennial Streams/ Rivers: the total linear footage distance is calculated by summing the lengths of disturbance to the channel and each bank.

JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	ATF	TEMPORARY Sq. Ft. / Lin. Ft.	ATF
Forested wetland	127,045	<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Scrub-shrub wetland		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Emergent wetland		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Wet meadow		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Intermittent stream channel	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Perennial Stream / River channel	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Lake / Pond	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Bank - Intermittent stream	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Bank - Perennial stream / River	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Bank - Lake / Pond	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Tidal water	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Salt marsh		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Sand dune		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Prime wetland		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Prime wetland buffer		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Undeveloped Tidal Buffer Zone (TBZ)		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Previously-developed upland in TBZ		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Docking - Lake / Pond		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Docking - River		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Docking - Tidal Water		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Vernal Pool		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
TOTAL	127,045 /		/	

15. APPLICATION FEE: See the [Instructions & Required Attachments](#) document for further instruction

Minimum Impact Fee: Flat fee of \$ 200

Minor or Major Impact Fee: Calculate using the below table below

Permanent and Temporary (non-docking) 127,045 sq. ft. X \$0.20 = \$ 25,409

Temporary (seasonal) docking structure: _____ sq. ft. X \$1.00 = \$

Permanent docking structure: _____ sq. ft. X \$2.00 = \$

Projects proposing shoreline structures (including docks) add \$200 = \$

Total = \$ 25,409

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 25,409

irm@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov



**WETLANDS PERMIT APPLICATION – ATTACHMENT A
MINOR AND MAJOR - 20 QUESTIONS
Land Resources Management
Wetlands Bureau**



Check the Status of your application: www.des.nh.gov/onestop

RSA/ Rule: RSA 482-A, Env-Wt 100-900

Env-Wt 302.04 Requirements for Application Evaluation - For any major or minor project, the applicant shall demonstrate by plan and example that the following factors have been considered in the project’s design in assessing the impact of the proposed project to areas and environments under the department’s jurisdiction. Respond with statements demonstrating:

1. The need for the proposed impact.

The purpose of the proposed project is to construct a mixed use development at a gateway location that lies within the Exeter Tax Increment Financing (TIF) district, includes a commitment to providing workforce housing, and leaves the majority of the property to the west undeveloped.

2. That the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.

Mixed use development of this type requires a contiguous block of land on which to situate the larger buildings and provide adequate access and parking. This does not allow for significant layout adjustment to avoid wetland impacts, particularly on this site where the wetlands form a network of narrow fingers and pockets. Several concepts were developed during the planning phases of this project which involved use of the entire site. These involved a similar level of wetland impact but also involved impacts to wetlands closer to the existing Little River Conservation Land and near vernal pools. The current proposal, while extensive in terms of its direct impacts, utilizes only 16 acres closest to Epping Road and avoids impacts to the more valuable western portion of the property. This avoids impacts to vernal pool resources and maintains an undeveloped wetland system contiguous to the Little River Conservation Land. This represents the least impacting alternative in terms of total area and functional value.

3. The type and classification of the wetlands involved.

All the wetland areas are seasonally saturated forested wetlands (PFO1E) dominated by Red Maple

4. The relationship of the proposed wetlands to be impacted relative to nearby wetlands and surface waters.

The wetland associated with the project is loosely associated with Bloody Brook which lies approximately 2,500 feet to west of the site and is tributary to Little River. The wetlands on site are seasonally saturated, forested wetland with largely mineral soils. They are distinctly different from the very poorly drained marshes, shrub thickets, and swamps that directly border the Bloody Brook-Little River wetland complex.

5. The rarity of the wetland, surface water, sand dunes, or tidal buffer zone area.

The wetland on this site is forested red maple forested wetland which is common in New Hampshire.

6. The surface area of the wetlands that will be impacted.

A total direct wetland impact of 127,045 square feet is proposed

7. The impact on plants, fish and wildlife including, but not limited to:
- a. Rare, special concern species;
 - b. State and federally listed threatened and endangered species;
 - c. Species at the extremities of their ranges;
 - d. Migratory fish and wildlife;
 - e. Exemplary natural communities identified by the DRED-NHB; and
 - f. Vernal pools.

The New Hampshire Natural Heritage Bureau (NHB18-2843) has indicated there are several vertebrate species of concern, a state listed plant, and an Exemplary Natural Community in the project vicinity. We will coordinate with NHF&G and NHB on the listed species and community. We expect to incorporate certain preventative measures relative to the possible presence of the listed animal species. We also expect that habitat characterization of the impact areas will rule out the presence of the state listed plant species and exemplary community.

The USFWS was also contacted via the IPaC project review portal which indicated the project was within the range of the threatened Northern Long Eared Bat (*Myotis septentrionalis*) and potentially habitat for Small Whorled Pogonia (*Isotria medeoloides*). Review of the project by USFWS relative to these species will be coordinated through ACOE

The entire property was surveyed for vernal pool activity by Gove Environmental Services in the spring of 2015. Ten (10) separate areas of vernal pool breeding were documented at that time. In the spring of 2018, the current 16 acre development area was re-surveyed with greater attention to the area of semi-permanent ponding in the north east corner of the current development area. Traps placed in this area documented the presence of numerous predatory frogs and the likely reason no vernal pool breeding species had been observed in this pool. A single fairy shrimp was also observed within the excavated area laying partially off site directly adjacent to Epping Road. No other vernal pools were documented in the development area.

8. The impact of the proposed project on public commerce, navigation and recreation.

The project will have a net positive impact on public commerce through, housing, job creation, and tax base. The property is currently private and offers no public recreation. The proposed project will advance this interest by way of preserving the western 43 acres and allowing for a public access. This also provides the opportunity for greater access to the adjoining conservation lands. The property has no connectivity for waterway navigation

9. The extent to which a project interferes with the aesthetic interests of the general public. For example, where an applicant proposes the construction of a retaining wall on the bank of a lake, the applicant shall be required to indicate the type of material to be used and the effect of the construction of the wall on the view of other users of the lake.

The site of the proposed project is a gateway property located directly off the highway interchange. It also lies within the Exeter TIF District and has been targeted for development. The proposed project is entirely consistent with the existing uses and zoning and should have no impact on the aesthetic interests of the public.

10. The extent to which a project interferes with or obstructs public rights of passage or access. For example, where the applicant proposes to construct a dock in a narrow channel, the applicant shall be required to document the extent to which the dock would block or interfere with the passage through this area.

The site is currently private property with no right of public passage. The proposed project will include an access to the proposed preservation land and the opportunity for access to the adjacent Little River Conservation Area. The project will therefore advance the interest of public right of passage and access.

11. The impact upon abutting owners pursuant to RSA 482-A:11, II. For example, if an applicant is proposing to rip-rap a stream, the applicant shall be required to document the effect of such work on upstream and downstream abutting properties.

Proposed impacts are completely contained on the site and will not affect abutters in any way. Drainage from the proposed development will be handled on-site in accordance with AOT requirements, therefore ensuring there will be no impact to abutting properties upstream or downstream from the site.

12. The benefit of a project to the health, safety, and well being of the general public.

The project involves the construction of housing and a childcare facility. These uses will have a direct positive affect on the public health.

13. The impact of a proposed project on quantity or quality of surface and ground water. For example, where an applicant proposes to fill wetlands the applicant shall be required to document the impact of the proposed fill on the amount of drainage entering the site versus the amount of drainage exiting the site and the difference in the quality of water entering and exiting the site.

The comprehensive stormwater management proposed for the development will fully comply with AOT requirements, therefore ensuring no changes to the quantity or quality of stormwater post development

14. The potential of a proposed project to cause or increase flooding, erosion, or sedimentation.

These interests will be protected during the construction term through best management practices as specified in the plans and the AOT permit. Post development, the stormwater management system will ensure that flooding, erosion, and sedimentation do not occur.

15. The extent to which a project that is located in surface waters reflects or redirects current or wave energy which might cause damage or hazards.

The project is not directly associated with a waterbody or waterway and does not involve elements of wave action or current.

16. The cumulative impact that would result if all parties owning or abutting a portion of the affected wetland or wetland complex were also permitted alterations to the wetland proportional to the extent of their property rights. For example, an applicant who owns only a portion of a wetland shall document the applicant's percentage of ownership of that wetland and the percentage of that ownership that would be impacted.

The size of the wetland on site is small in relation to the thousands of acres of wetland within the Little River/Bloody Brook Wetland Complex. The proposed impacts are an even smaller portion of the wetland. If similar impacts were allowed to other owners net effects would be commensurately small.

17. The impact of the proposed project on the values and functions of the total wetland or wetland complex.

The function of the wetlands on the site is limited to modest wildlife habitat and water quality. The wildlife habitat function of the wetlands close to Epping road is diminished by their proximity to development and by the fact that the majority of the wetlands are only seasonally saturated and are not significantly different from the surrounding uplands. The exception is a small area of semi-permanent ponding in the northeastern portion of the site. Impacts to this small area of semi-permanent standing water have been largely avoided and the area remains connected to other natural habitat off -site to the north. The greater habitat function is supported within the wetlands on the western portion of the lot which is directly adjacent to the Little River Conservation Area. Ten (10) separate vernal pools have been documented in this area and the wetlands are more closely associated with the Bloody Brook and Little River. This portion of the lot, encompassing approximately 43 acres, will be preserved under the current proposal, therefore preserving the bulk of the wildlife habitat function on the property. Similarly, the water quality function supported in the wetlands is largely contained in in this proposed preservation area. Small losses in water quality function due to the proposed wetland impacts will be compensated for by the storm water management systems. These will be designed to treat the quality and peak flow of runoff from the development in accordance with state standards. The proposed wetland impacts will therefore have negligible effects on the overall function and value of the larger wetland system which will remain intact to the west of the project.

18. The impact upon the value of the sites included in the latest published edition of the National Register of Natural Landmarks, or sites eligible for such publication.

No such areas have been identified

19. The impact upon the value of areas named in acts of congress or presidential proclamations as national rivers, national wilderness areas, national lakeshores, and such areas as may be established under federal, state, or municipal laws for similar and related purposes such as estuarine and marine sanctuaries.

No such areas have been identified

20. The degree to which a project redirects water from one watershed to another.

This project will not redirect water to another watershed

Additional comments

Please see the attached text and materials for additional detail

irm@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov



PRE-APPLICATION MEETING REPORT

Water Division/Wetlands Bureau
Land Resources Management



RSA/ RULE: RSA 482-A/ Env-Wt

1. PRE-APPLICATION MEETING DATE, TIME AND LOCATION		
11-15-17, Meeting held on site, entire property was walked		
2. PROJECT INFORMATION		
OWNER: Gateway at Exeter LLC	TOWN/CITY: Exeter	SITE LOCATION: lot 47-7 Epping Rd
3. APPLICANT/PROJECT CONSULTANT		
CONTACT PERSON(S): Brendan Quigley, Gove Environmental Services Inc.		
EMAIL: bquigley@gesinc.biz		
4. DES CONTACT:		
NHDES PERMIT REVIEWER: Eben Lewis		
Assess whether project proposal meets regulations/permit requirements, based on current information available		
<ul style="list-style-type: none"> ➤ Any aspects of concern or question? ➤ What additional information is required to make a final determination? 		
Are any special requirements applicable (e.g., variance/waiver requests, permit conditions)?		
NOTES: project extending to back of site is problematic for vernal pools, more mitigation would be needed for secondary impacts		
Project design (specific technical discussion on approaches to avoid/minimize impacts to natural resources or improve environmental performance)		
<ul style="list-style-type: none"> ➤ Review and discuss alternative designs, evaluate, and identify preferred option ➤ Any changes to eliminate permits required or meet permit conditions? ➤ Any issues regarding constructability or construction sequencing? ➤ Other suggestions to avoid/minimize impacts to wildlife habitat, improve stormwater management, and incorporate best management practices? 		
NOTES: Project limited to front of property (approx. 15 acres) would avoid impacts to VP's Preservation of back land (approx. 45 acres) would be acceptable as mitigation with balance of ARM		
Additional studies or information required for permit/project review		
<ul style="list-style-type: none"> ➤ Local or state/federal: Wildlife, vernal pools, traffic, historic, etc. ➤ Sources of information or assistance or additional recommended actions 		
Other comments, questions, discussion		

lori.sommer@des.nh.gov or (603) 271-4059
 NHDES Wetlands Bureau, Concord, NH 03303-0095
www.des.nh.gov

NOTES: Discuss preservation with Town of Exeter

PRE-APPLICATION PACKAGE CHECKLIST

Note this is a brief list. More information was provided to the applicant about specific information to include.

- Site location information and map (preferably the NH Fish & Game Wildlife Action Plan)
- Aerial imagery of the area with the project site identified;
- Property map and site inventory
- Wetlands delineation and classification;
- Natural Heritage Bureau report;
- Proposed project description and any additional pertinent information;
- Conceptual plan for the proposed development;
- Photos of the resource areas proposed to be impacted;
- Description of proposed mitigation approach (if wetlands mitigation is expected to be required);
- NA* Evidence that the proposed project is consistent with the local Master Plan and/or zoning (for state/federal pre-application only); and
- A description of how the applicant will pursue improved energy efficiency, water conservation and stormwater management per the NHDES best management practices.

MEETING SIGN IN SHEET

Name	Agency	Email
Mark Kern		
Lori Sommer		
Eben Lewis		
Lindsey Lefebvre		
Project Team: Brendan Quigley, Jim Petropulos, Paul Roy		

NOTE: The applicant agrees to provide all meeting participants with a summary of the discussion and recommendations.

lori.sommer@des.nh.gov or (603) 271-4059
NHDES Wetlands Bureau, Concord, NH 03303-0095
www.des.nh.gov

1.0 Introduction

This Major Impact Dredge and Fill Application is being submitted by Gove Environmental Services, Inc. on behalf of Gateway at Exeter, LLC for a mixed use development on Epping Road in Exeter, NH. The 16.7 project site is comprised of two lots; a small residential lot (lot 47-6) the easternmost area of lot 47-7. The site is situated roughly between Continental Drive to the south, Epping Road to the east, and Route 101 to the north. This is a gateway location for the Town of Exeter and the right kind of development at this location has been a goal for many years. The current mixed use project will provide services that balance the larger commercial and industrial development in this part of the Epping Road corridor. This will likely include a YMCA childcare facility, restaurant space, small retail, or medical office space. The proposed residential portion of the development includes a commitment to providing 25% workforce housing.

The development is entirely limited to the area close to Epping road, and leaves approximately 43 acres in the western part of lot 47-7 undeveloped. The following sections and appendices provide details on the proposed project, the proposed impacts, and the requirements outlined in Env-Wt 300.

2.0 Wetland Resources

A site-wide wetland delineation was conducted by Gove Environmental Services in late 2014 and subsequently surveyed by Jones & Beach Engineers. In the spring of 2018 the wetlands within the current development area were updated and subsequently located by Hayner/Swanson, Inc, the current engineer for the project. Delineation was conducted utilizing the criteria and methods outlined in The Corps of Engineers *Wetlands Delineation Manual*¹, NH DES Wetlands Bureau *Code of Administrative Rules*², and *Field Indicators for Identifying Hydric Soils in New England*³. Wetlands were classified by GES utilizing the *Classification of Wetlands and Deepwater Habitats of the United States*⁴.

¹ US Army Corps of Engineers Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, Technical Report ERDC/EL TR-12-1, January 2012, Version 2.0

² NH Code Admin. R. [Wt] Ch. 100-800.

³ New England Hydric Soils Technical Committee. 2018 Version 4, Field Indicators for Identifying Hydric Soils in New England. New England Interstate Water Pollution Control Commission, Lowell, MA.

⁴ Cowardin, L. M., 1979. Classification of Wetlands and Deepwater Habitats in the United States. Washington, D.C.: U.S. Department of the Interior, Fish and Wildlife Service.

The 16 acre project area is undeveloped woodland in a state of early succession resulting from logging that was completed in 2014. Uplands are dominated by oak-pine-beech forest which is among the most common type of forest in New Hampshire and also present in the surrounding areas. Wetlands on the site are predominantly seasonally saturated forested wetlands dominated by red maple (PFO1E) with an understory of highbush blueberry, maleberry, and winterberry. Other than a single area in the northeast corner which has been observed with standing water during most site visits, the wetlands lack significant surface hydrology except in the spring. The wetlands exist as a complex pattern of small fingers and pockets between ledge, small topographical variations, and larger areas of upland. No streams are present in the development area and no clearly identifiable drainage pattern is evident when viewing the wetlands from the ground. Overall, though, drainage is to the west towards Bloody Brook and Little River.

The wetlands appear natural and relatively undisturbed other than the logging disturbance. The one exception is the small pocket directly adjacent to Epping Road and partially off the property. This is clearly an excavated area which has developed wetland characteristics.

2.1 Vernal Pools

Vernal Pool investigations were conducted on the entire property in 2015. Ten areas of vernal pool breeding activity were documented in the western portion of the property which is proposed as preservation land. These are shown on the project plans and on Figure 2 with notes on the number of egg masses counted in each pool.

No vernal pool areas were identified in the current 16 acre project area. The wetlands on this portion of the property are very shallow and are apparently not able to pond sufficient water to support vernal pool breeding habitat. The exception is the small area of semi-permanent standing water in the northeast corner of the site nearest Epping Road. Despite what appears to be adequate ponding no egg masses were observed in this pool. In the spring of 2018, the current 16 acre development area was re-surveyed with greater attention to this area. Again no egg masses were identified. Since the presence of catfish had been documented in a similar (though larger) area on a nearby site, minnow traps were deployed in this pool. No fish were documented but an extensive population of predatory green frogs and bull frog tadpoles was documented. The semi-permanent hydrology and the resulting population of predatory frogs is the likely the reason this area is not a viable vernal pool. A single fairy shrimp was also observed within the excavated area laying partially off site directly adjacent to Epping Road. Neither of these areas has been considered a viable vernal pool. No other vernal pools were documented in the development area.

2.2 Wetland Function and Value

A wetland function and value assessment was conducted using the US Army Corps Highway Methodology guidelines. The data form is included in Appendix F. Functions are self-sustaining properties of wetlands, which exist in the absence of human involvement. Values refers to the benefits gained by human society from a given wetland or ecosystem and their inherit functions. Functions and values identified as “primary” have been determined to be significant features of the wetland being evaluated, not necessarily indicating the wetland performs these functions or values at a significant level in comparison to other wetlands in the region or even near the site.

The Highway Methodology considers 13 functions and values:

1. **Groundwater recharge/discharge:** This function considers the potential for a wetland to serve as a groundwater recharge and/or discharge area. Recharge should relate to the potential for the wetland to contribute water to an aquifer. Discharge should relate to the potential for the wetland to serve as an area where ground water can be discharged to the surface.
2. **Floodflow Alteration:** This function considers the effectiveness of the wetland in reducing flood damage by attenuation of floodwaters for prolonged periods following precipitation events.
3. **Fish and Shellfish Habitat:** This function considers the effectiveness of seasonal or permanent water bodies associated with the wetland in question for fish and shell fish habitat.
4. **Sediment/Toxicant/Pathogen Retention:** This function reduces or prevents degradation of water quality. It relates to the effectiveness of the wetland as a trap for sediments, toxicants or pathogens.
5. **Nutrient Removal/Retention/Transformation:** This function relates to the effectiveness of the wetland to prevent adverse effects of excess nutrients entering aquifers or surface waters such as ponds, lakes, streams, rivers or estuaries.
6. **Production Export:** This function relates to the effectiveness of the wetland to produce food or usable products for human, or other living organisms.
7. **Sediment/Shoreline Stabilization:** This function relates to the effectiveness of a wetland to stabilize stream banks and shorelines against erosion.
8. **Wildlife Habitat:** This function considers the effectiveness of the wetland to provide habitat for various types and populations of animals typically associated with wetlands and the wetland edge. Both resident and or migrating species must be considered.
9. **Recreation:** This value considers the effectiveness of the wetland and associated watercourses to provide recreational opportunities such as canoeing, boating, fishing, hunting and other active or passive recreational activities. Consumptive opportunities consume or diminish the plants, animals or other resources that are intrinsic to the wetland, whereas non-consumptive opportunities do not.
10. **Educational/Scientific Value:** This value considers the effectiveness of the wetland as a site for an “outdoor classroom” or as a location for scientific study or research.
11. **Uniqueness/Heritage:** This value relates to the effectiveness of the wetland or its associated water bodies to produce certain special values. Special values may include such things as archeological sites, unusual aesthetic quality, historical events, or unique plants, animals, or geological features.

12. Visual Quality/Aesthetics: This value relates to the visual and aesthetic qualities of the wetland.

13. Threatened or Endangered Species Habitat: This value relates to the effectiveness of the wetland or associated water bodies to support threatened or endangered species

The wetlands in the development area were evaluated together since they are nearly identical and, if not connected, lie in close proximity to each other. The wetlands in the evaluation area are forested wetlands formed in poorly drained mineral soil and are not directly associated with surface water. This limits or precludes many of the functions and values listed above. The wetlands do not support Flood-flow Alteration, Fish and Shellfish Habitat, or Sediment/Shoreline Stabilization as these are derived from a close interaction between the wetland and a waterbody. The wetlands also lack or nearly lack value for Recreation, Uniqueness/Heritage, or Educational/Scientific pursuits. They consist of a uniform and very common forested wetland type and don't contain the wetland types that are typically associated with wetland supported recreation activities and traditional aesthetic qualities. The low permeability of the glacial till derived soils on the site have allowed wetland conditions to develop on the surface but do not allow significant interaction with the groundwater and are not characteristic of groundwater discharge or recharge areas.

Three functions were identified as being supported by the wetlands evaluation area. These are Wildlife Habitat, Production-Export, and Sediment/Toxicant Retention & Nutrient Removal. These are described in greater detail in the following sections.

Production Export – This the primary value identified in these wetland areas. The most prominent feature of the evaluation area and the wetlands is their post logging condition. This is of course temporary but significant, especially when considering habitat. Though not exemplary in the region, this value does stand out as the most significant function of the wetlands in the evaluation area. The early successional species currently present in the wetland areas combined with the remaining mast producing trees produce an abundant source of berries, nuts, seeds, and pollen bearing flowers. This likely provides a substantial source of food for wildlife. Export is limited, however, by its small size and lack of a well-defined waterway or other significant avenue of export. This value is also equally supported in in the upland areas of the site.

Wildlife Habitat— A moderate level of wildlife habitat is present in these wetlands. The current habitat value of the wetlands in this area is suitable for small mammals, insects, and songbirds which may use the wetlands for foraging. Other larger mammals such as deer that are able to tolerate the close proximity of the road also clearly use this area. In a fully forested condition the wildlife habitat value may be different but would still be degraded by the proximity to the road and adjacent development. Except in the small aforementioned ponded area, which supports amphibian species, the habitat value is in not much different than that of the adjacent uplands.

Sediment/Toxicant Retention & Nutrient Removal – Due to its proximity to the roadway these wetlands may serve some moderate water quality function. These wetlands are likely to receive development runoff destined for Bloody Brook and Little River. The convoluted drainage pattern would provide opportunity for treatment long before reaching more defined flow paths. The lack of obvious drainage inputs and the lack of densely vegetated emergent wetland components mitigate the importance of these wetlands for these functions.

3.0 Project Description and Impacts

The proposed mixed use development includes three, 4-story, multi-family residential buildings containing a total of 224-units of which 25% will be workforce housing. The commercial element consists of a 2-story, 40,000 square foot mixed-use building, half of which is likely to be occupied by a YMCA day care facility. Other tenants may include office, retail, or restaurant uses. The development will be served by two entrances from Epping Road. Other site improvements include parking, sidewalks, utilities, and storm water management features. A small parking lot is also proposed in the rear of the development for public access to the undeveloped land to the west. A total of 127,045 SF (2.9 ac) of wetland impact is proposed in five areas labeled Impact Areas a through E on the plans.

3.1 Wt 302.01 Statement of Purpose

The purpose of the proposed project is to construct a mixed use development at a gateway location that lies within the Exeter Tax Increment Financing (TIF) district, includes a commitment to providing workforce housing, and leaves the majority of the more sensitive property to the west undeveloped.

3.2 Wt 302.03 Avoidance & Minimization

Mixed use development of this type requires a contiguous block of land on which to situate the larger buildings and provide adequate access and parking. This does not allow for significant layout adjustment to avoid wetland impacts, particularly on this site where the wetlands form a network of unavoidable narrow fingers and pockets. Several concepts were developed during the planning phases of this project and during previous proposed projects. Most of these alternate proposals made use of the entire site and all involved wetland impacts of a similar magnitude. They also, however, involved impacts to vernal pools and to the wetlands closer to the Little River Conservation Land. In general, an alternate development proposal which seeks to minimize wetland impacts by using the entire site ends up creating a network of roads and buildings scattered across the property. This ultimately results in a larger overall impact to the wetlands through proximity and fragmentation of the habitat.

The current proposal, while extensive in terms of its direct impacts, utilizes only 16 acres closest to Epping Road and entirely avoids impacts to the more valuable western portion of the property. This avoids impacts to vernal pool resources and maintains an undeveloped wetland system contiguous to the Little River Conservation Land. This represents the least impacting alternative in terms of functional value while utilizing this important site.

4.0 Mitigation

To compensate for the unavoidable wetland loss proposed by the project, compensatory mitigation is proposed in accordance with Env-Wt 302.03(b). This section is intended to provide the information necessary to meet the requirements of a Preliminary Mitigation Package. The mitigation proposal is the same as what was discussed at the pre application meeting held at the site on 11/15/17. It consists of preservation of the western 43.6 acres of lot 47-7 and a contribution to the Aquatic Resource Mitigation (ARM) Fund to achieve an overall 20:1 mitigation ratio per federal guidelines. This results in an ARM contribution of **\$176,578.41** in addition to the preservation.

The proposed method of preservation is fee simple ownership by the Exeter Conservation Commission which owns and manages the adjacent Little River Conservation Area. This was discussed with commission members during a site walk on 10/30/19 and was well received. The mitigation and the project in general will be discussed with the full conservation commission at their regular meeting in November.

4.1 Preservation Area Description

The proposed 43 acre preservation parcel is situated directly adjacent to the Little River Conservation Area, the Conner Farm Wildlife Management Area, and other land owned by New Hampshire Fish and Game. Together with other existing preservation lands these properties make up a nearly 650 acre contiguous block of preserved land extending between Route 101 and Brentwood Road. The proposed preservation area and the existing preserved land is depicted on Figure 3 located before the appendices.

The preservation area is substantially similar to the development site in terms of forest cover and wetland type. The forest is predominantly oak-pine-beech with a complex network of wetland fingers and pockets occupying approximately 32% of the 43 acres. These wetlands are also predominantly forested and dominated by red maple, highbush blueberry, winterberry, and maleberry. They differ from the wetlands on the eastern part of the site in that they are further down along the drainage path towards Bloody Brook and their connection to this waterway is clearer. This is particularly the case along the southwest property line where an intermittent stream begins to form within the wetland. The most significant difference in these resource areas, however, is the occurrence of ten (10) vernal pools.

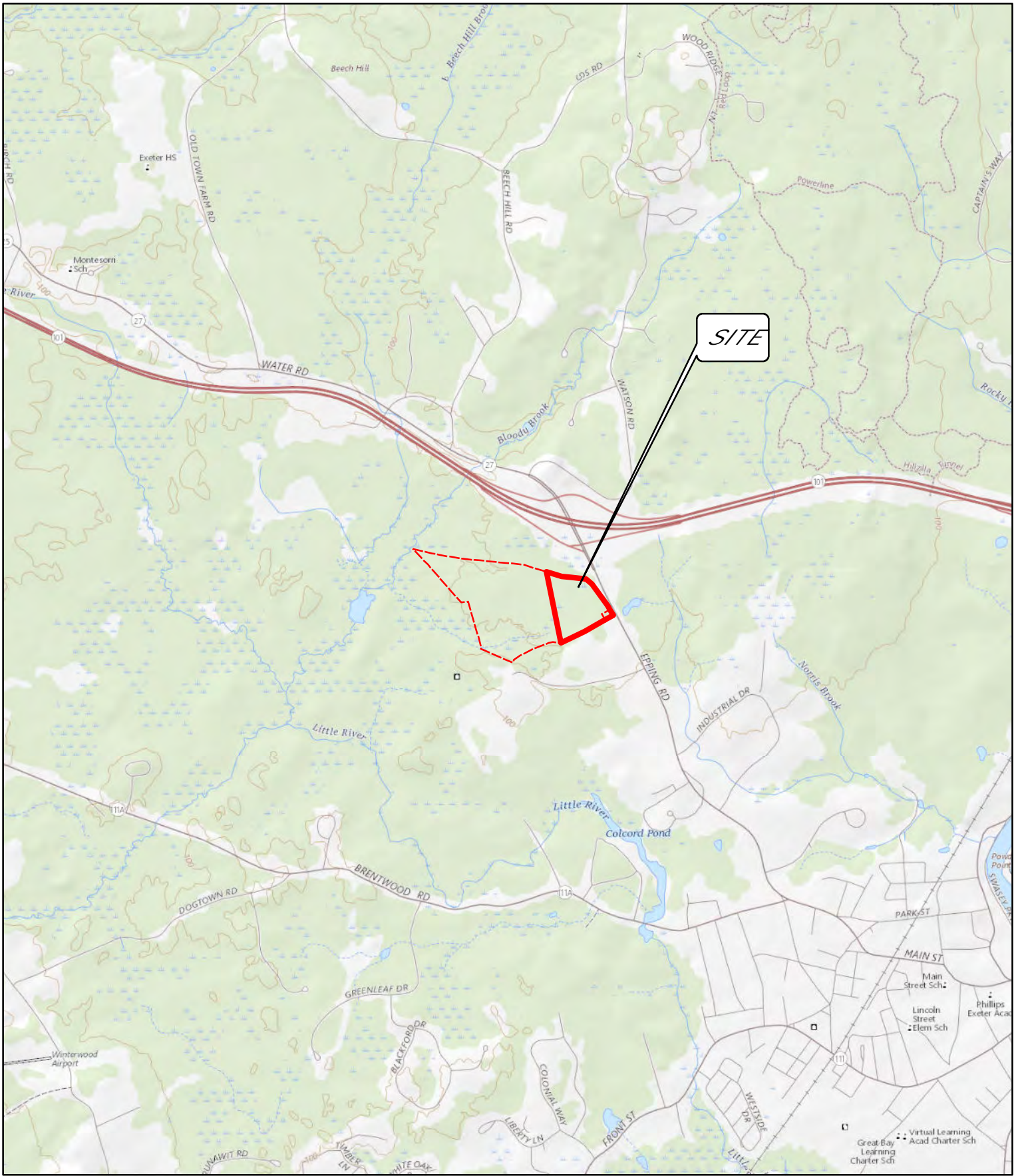
4.2 Documentation of the Impacted Wetland

The function and value assessment indicated that the impact areas support a modest level of water quality and habitat function, with production of wildlife food sources perhaps being the most significant function.

4.3 Mitigation Goals

The primary preservation goals are the protection of the vernal pools in the preservation areas and supplementing the contiguous wetland and upland habitat within the adjacent existing conservation land. This will mitigate for the loss of wildlife habitat and water quality function in the impact areas and advance other important conservation goals. These include the creation of public open space for aesthetics and enjoyment of natural areas.

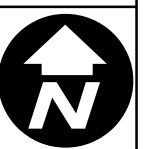
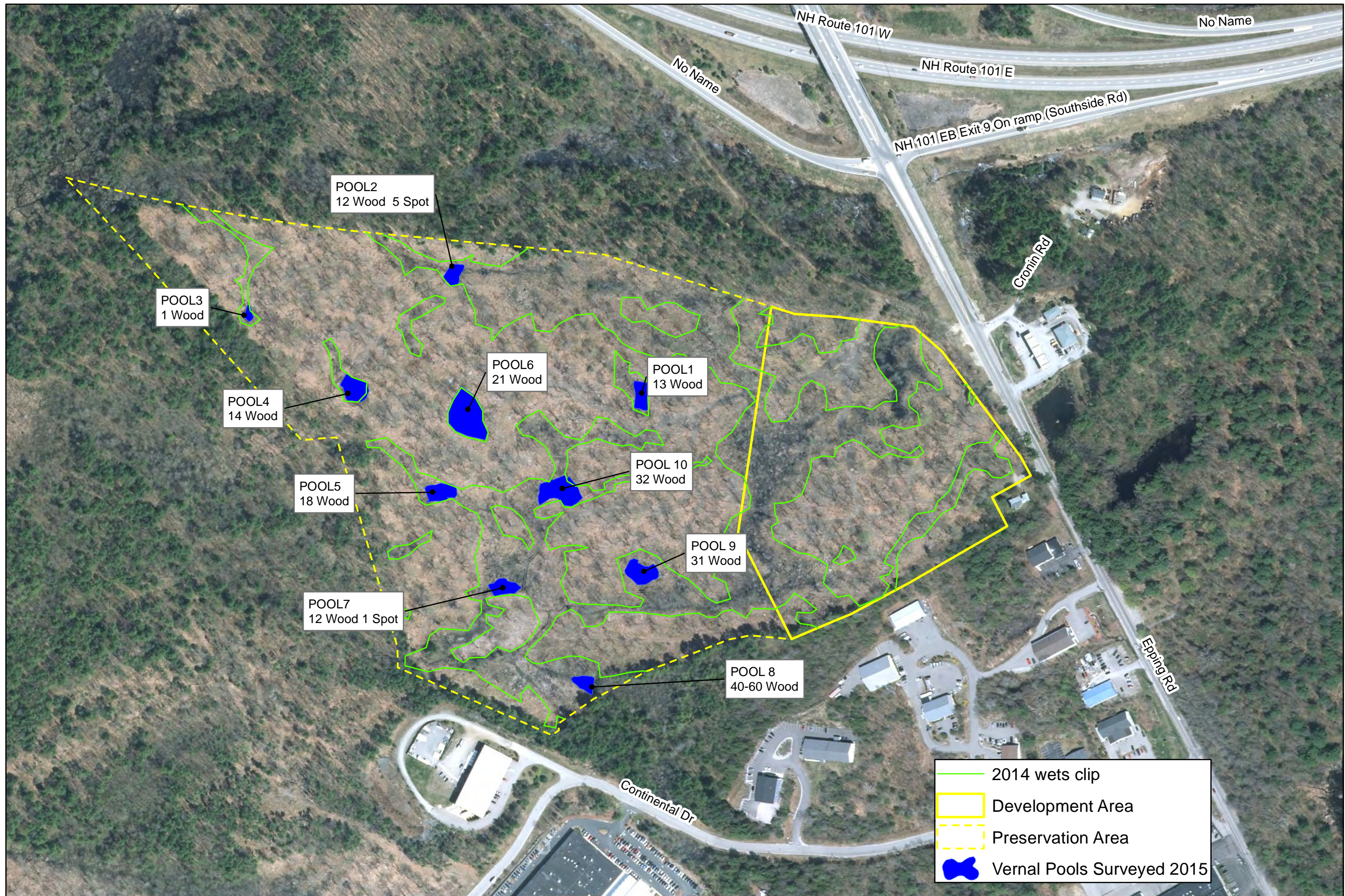
Figures



1 inch = 2,000 feet

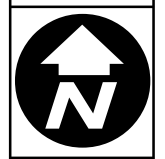
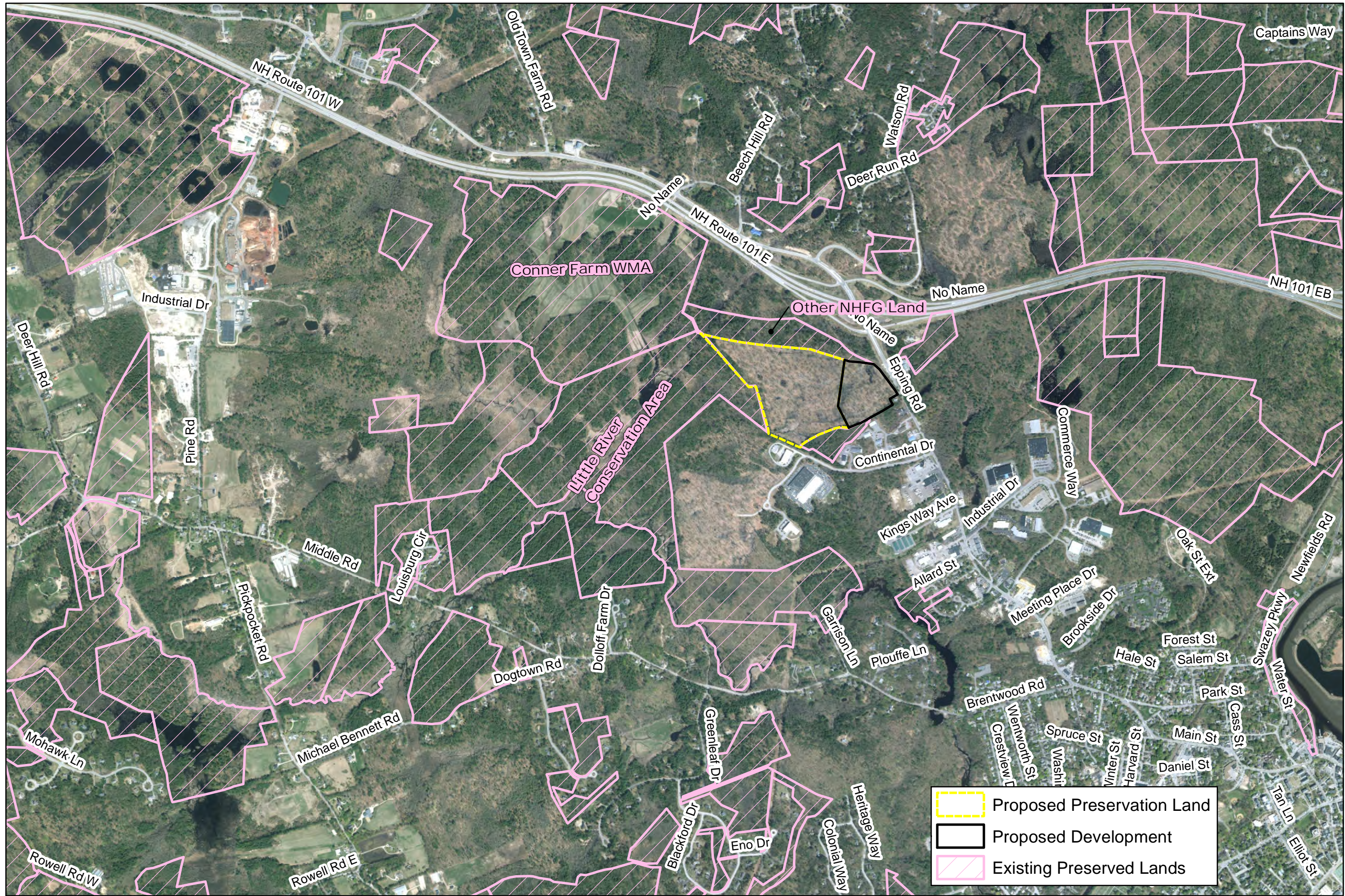
Figure 1--Locus Map

**Gateway at Exeter
Epping Road
Exeter, NH**



Gateway at Exeter
 Epping Road
 Exeter, NH

2015 Aerial Photo
 Wetlands/Vernal Pools

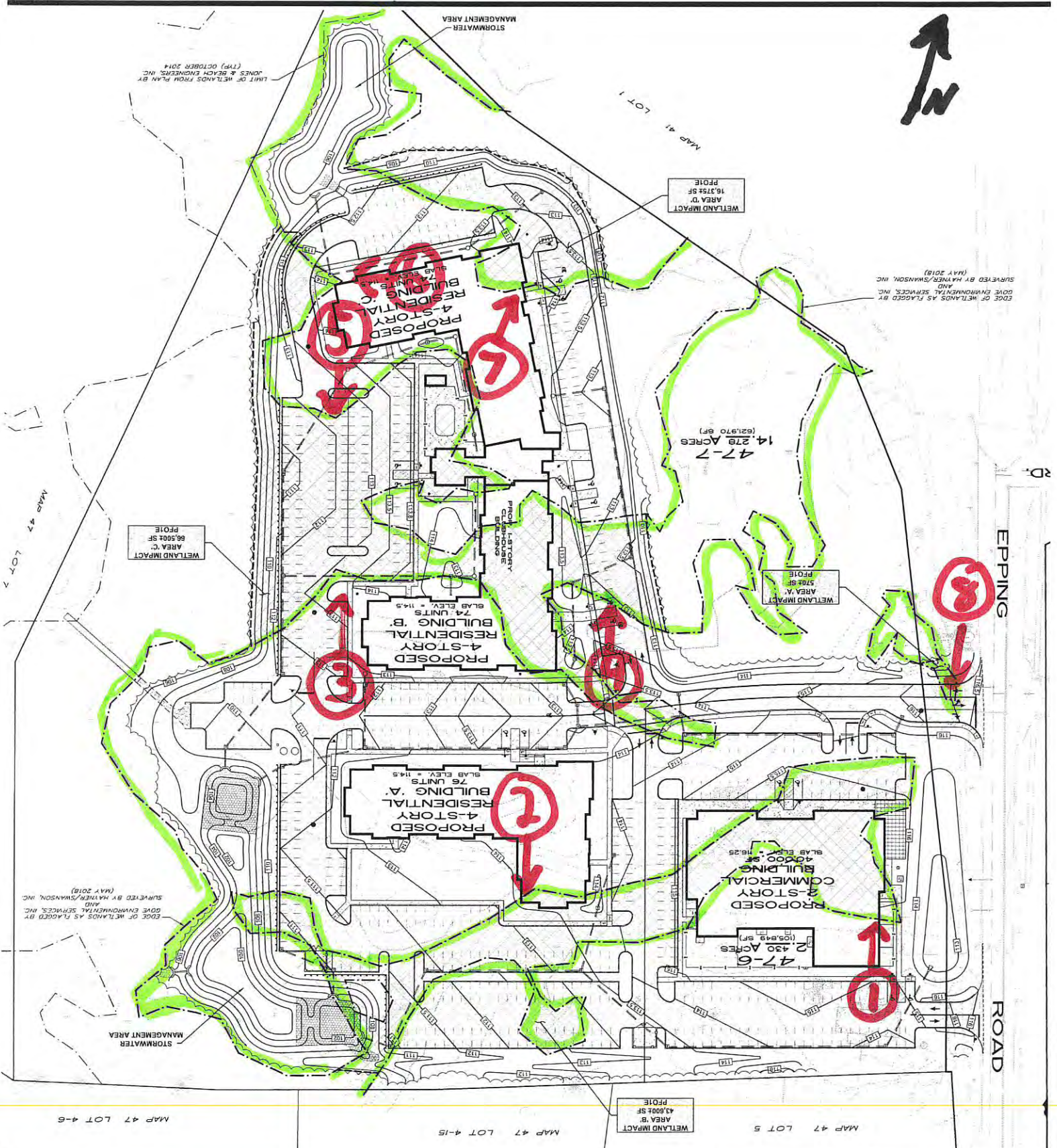


**Gateway at Exeter
 Epping Road
 Exeter, NH**

**Proposed Preservation Land
 Context**

**Figure
 3**

Appendix A
Impact Area Photos



Impact Area Photo Key

**Impact Area Photos
Gateway at Exeter
Epping Road
Exeter, NH**



Photo 1



Photo 2

**Impact Area Photos
Gateway at Exeter
Epping Road
Exeter, NH**



Photo 3



Photo 4

**Impact Area Photos
Gateway at Exeter
Epping Road
Exeter, NH**



Photo 5



Photo 6

**Impact Area Photos
Gateway at Exeter
Epping Road
Exeter, NH**



Photo 7



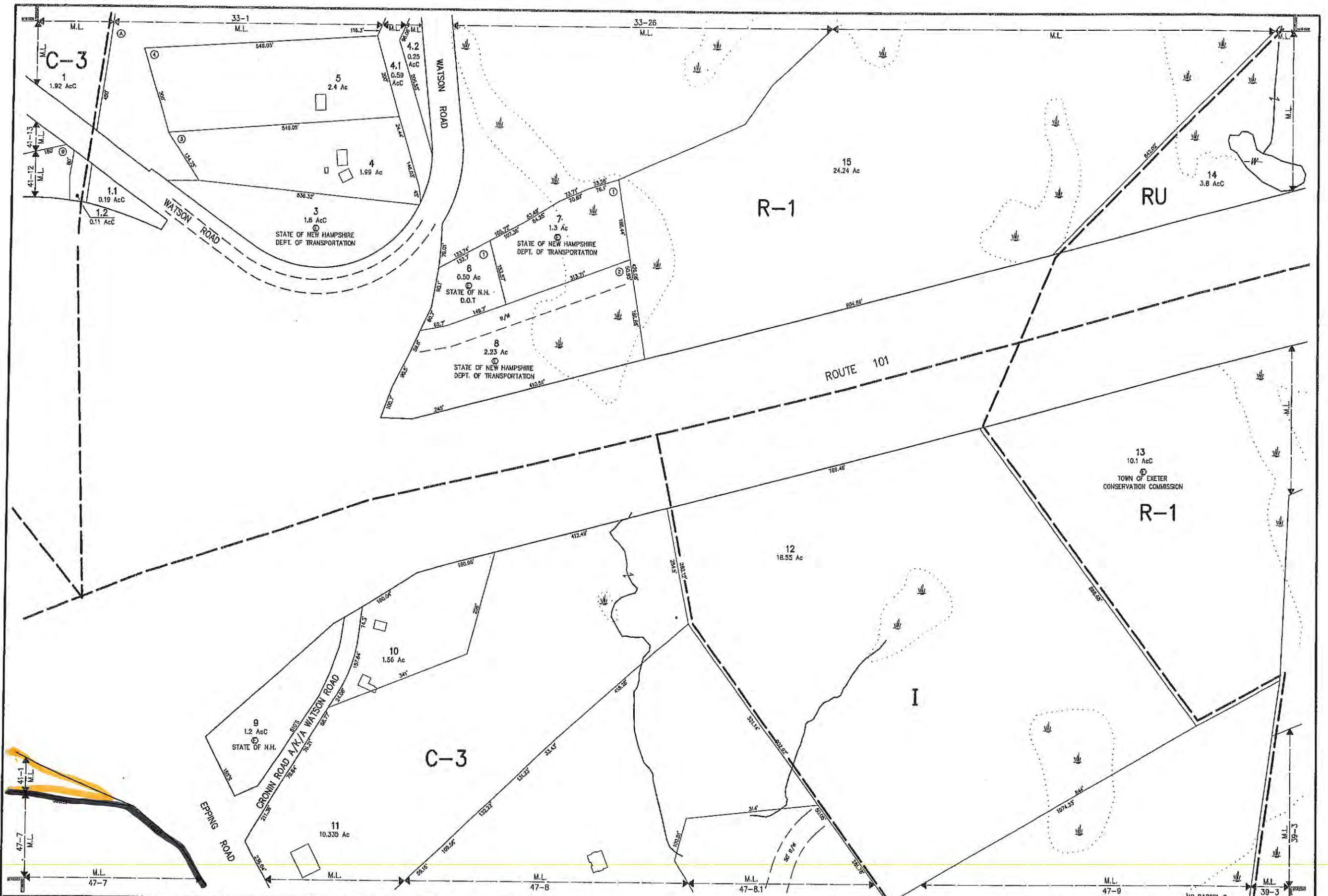
Photo 8

Appendix B
Abutter Information



ABUTTER LIST

Map	Lot No.	Name & Address
<i>OWNER(S):</i>		
47	6 & 7	Gateway at Exeter, LLC 20 Trafalgar Square, Suite #610 Nashua, NH 03063
<i>DIRECT ABUTTERS:</i>		
41	1	State of New Hampshire Fish and Game Department 2 Hazen Drive Concord, NH 03302
46	1	12 Continental Drive, LLC 20 Trafalgar Square, Suite #610 Nashua, NH 03063
47	4-6	Executive Business Park Condominium c/o Sherrill Holdings, LLC Attn: John Sherrill, President 8E Continental Drive Exeter, NH 03833
47	4-15	164 Epping Rd, LLC 3 Brookhaven Road Kingston, NH 03848
47	5	Gladstone Realty, LLC 12 Bills Way Bedford, NH 03110
56	2	Town of Exeter 10 Front Street Exeter, NH 03833



THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.

THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM.

PHOTOGRAPHY DATE: APRIL 25, 1995

COMPLETION DATE: MARCH 29, 1998

PRODUCED IN 1998 BY

CA Technologies

11 PLEASANT STREET, LITTLETON, NH 03581
800.332.4545 • WWW.CATTECH.COM

AREA SURVEYED Ac
 AREA CALCULATED Ac
 RECORD DIMENSION 100'
 SCALED DIMENSION 100'
 MATCH LINE M.L.
 WATER

LEGEND

EXEMPT PROPERTY (E)
 SUBDIVISION LOT NO. (S)
 ZONE LIMIT (Z)
 RIGHT OF WAY (R/W)
 COMMON OWNERSHIP (C/O)
 BUILDING (B)
 WETLANDS (W)

SCALE 1" = 100'

FEET 0 50 100 200 300

METERS 0 25 50 75

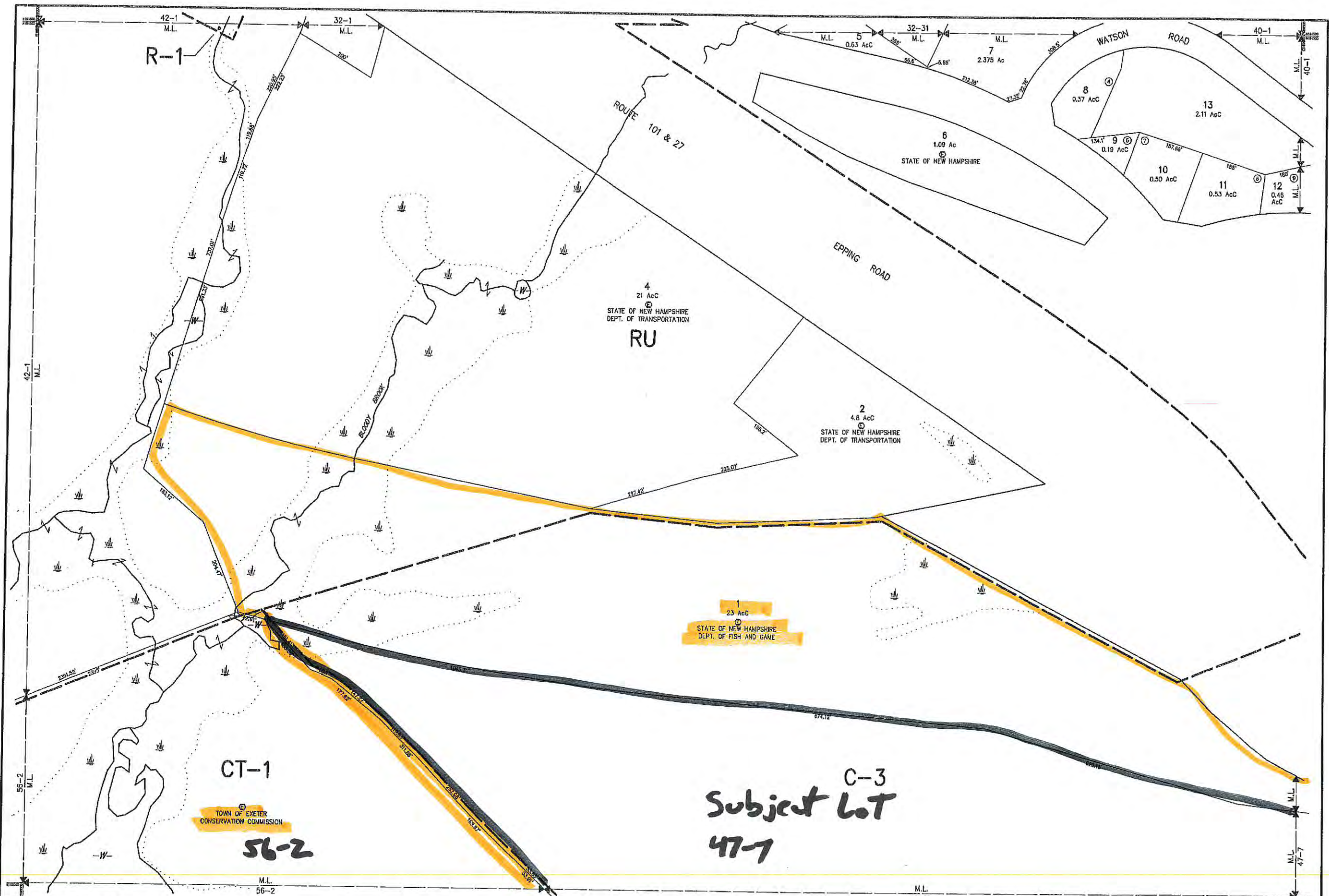
REVISED TO: APRIL 1, 2019

PROPERTY MAPS
EXETER
 NEW HAMPSHIRE

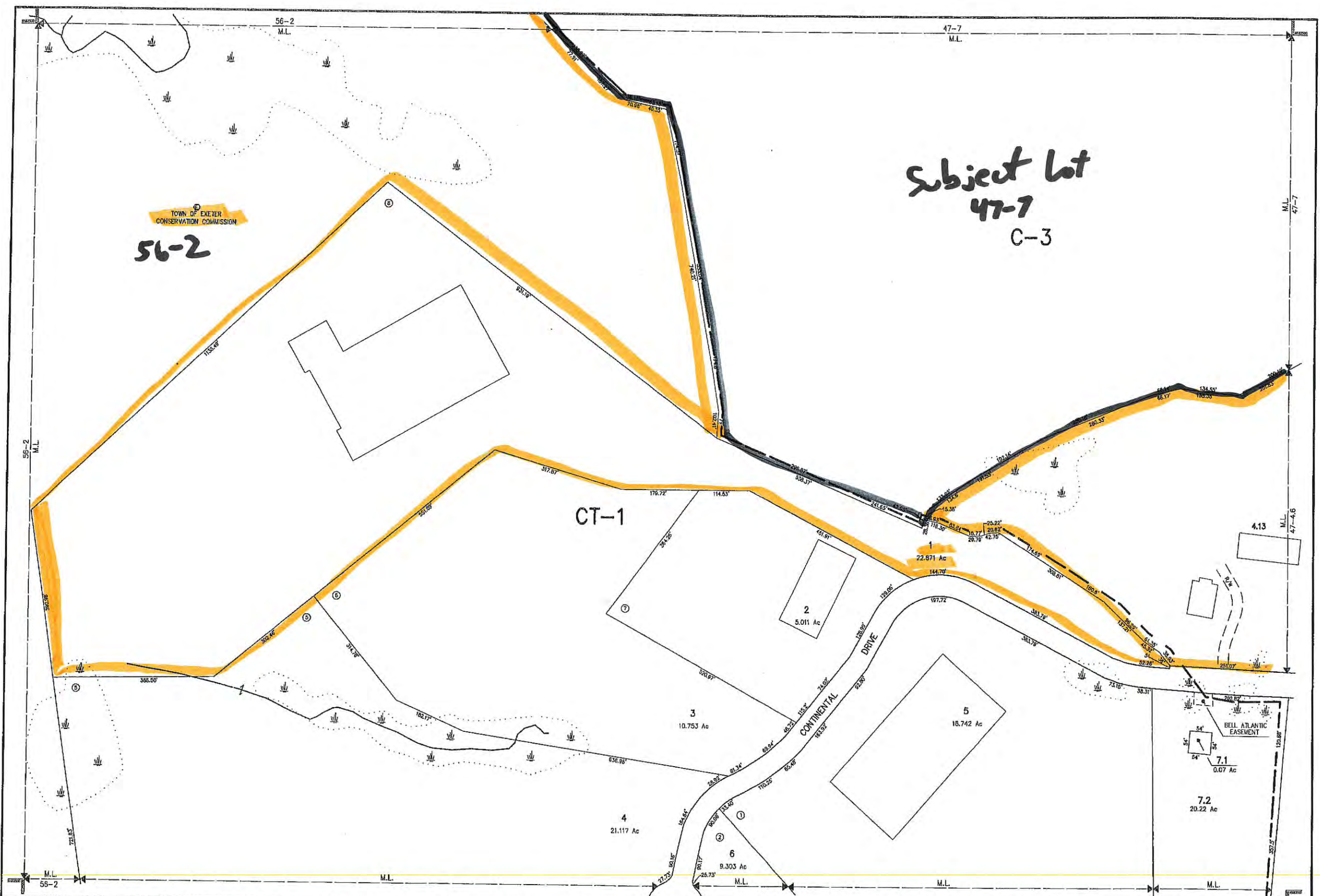
INDEX DIAGRAM

32	33	34
41	47	39
46	47	48

MAP NO.
40



<p>THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.</p> <p>THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM.</p> <p>PHOTOGRAPHY DATE: APRIL 25, 1985</p> <p>COMPLETION DATE: MARCH 29, 1995</p>	<p>PRODUCED IN 1996 BY</p> <p>CAI Technologies</p> <p>11 PLEASANT STREET, LITTLETON, NH 03601 800.332.4566 • WWW.CAI-TECH.COM</p>	<p>AREA SURVEYED Ac</p> <p>AREA CALCULATED Ac</p> <p>RECORD DIMENSION 100'</p> <p>SCALED DIMENSION 100'S</p> <p>MATCH LINE M.L.</p> <p>WATER W</p>	<p>LEGEND</p> <p>EXEMPT PROPERTY (circle with X)</p> <p>SUBDIVISION LOT NO. (circle with number)</p> <p>ZONE LIMIT (dashed line)</p> <p>RIGHT OF WAY (dashed line with arrows)</p> <p>COMMON OWNERSHIP (dotted line)</p> <p>BUILDING (rectangle)</p> <p>WETLANDS (wavy line)</p>	<p>SCALE 1" = 100'</p> <p>FEET 0 50 100 200 300</p> <p>METERS 0 25 50 75</p> <p>REVISED TO: APRIL 1, 2019</p>	<p>PROPERTY MAPS</p> <p>EXETER</p> <p>NEW HAMPSHIRE</p>	<p>NO PARCEL 3</p> <table border="1"> <tr> <td>31</td> <td>32</td> <td>33</td> </tr> <tr> <td>42</td> <td>40</td> <td></td> </tr> <tr> <td>45</td> <td>46</td> <td>47</td> </tr> </table>	31	32	33	42	40		45	46	47	<p>MAP NO.</p> <p>41</p>
31	32	33														
42	40															
45	46	47														



Subject Lot
47-7
C-3

TOWN OF EXETER
CONSERVATION COMMISSION
56-2

CT-1

THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.
THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM.
PHOTOGRAPHY DATE: APRIL 25, 1995
COMPLETION DATE: MARCH 29, 1996

PRODUCED IN 1996 BY
CAI Technologies
11 PLEASANT STREET, LITTLETON, 01055-1111
800.322.4518 • WWW.CAITECH.COM

AREA SURVEYED	Ac
AREA CALCULATED	Ac
RECORD DIMENSION	100'
SCALED DIMENSION	100'S
MATCH LINE	M.L.
WATER	W

LEGEND
EXEMPT PROPERTY
SUBDIVISION LOT NO.
ZONE LIMIT
RIGHT OF WAY
COMMON OWNERSHIP
BUILDING
WETLANDS

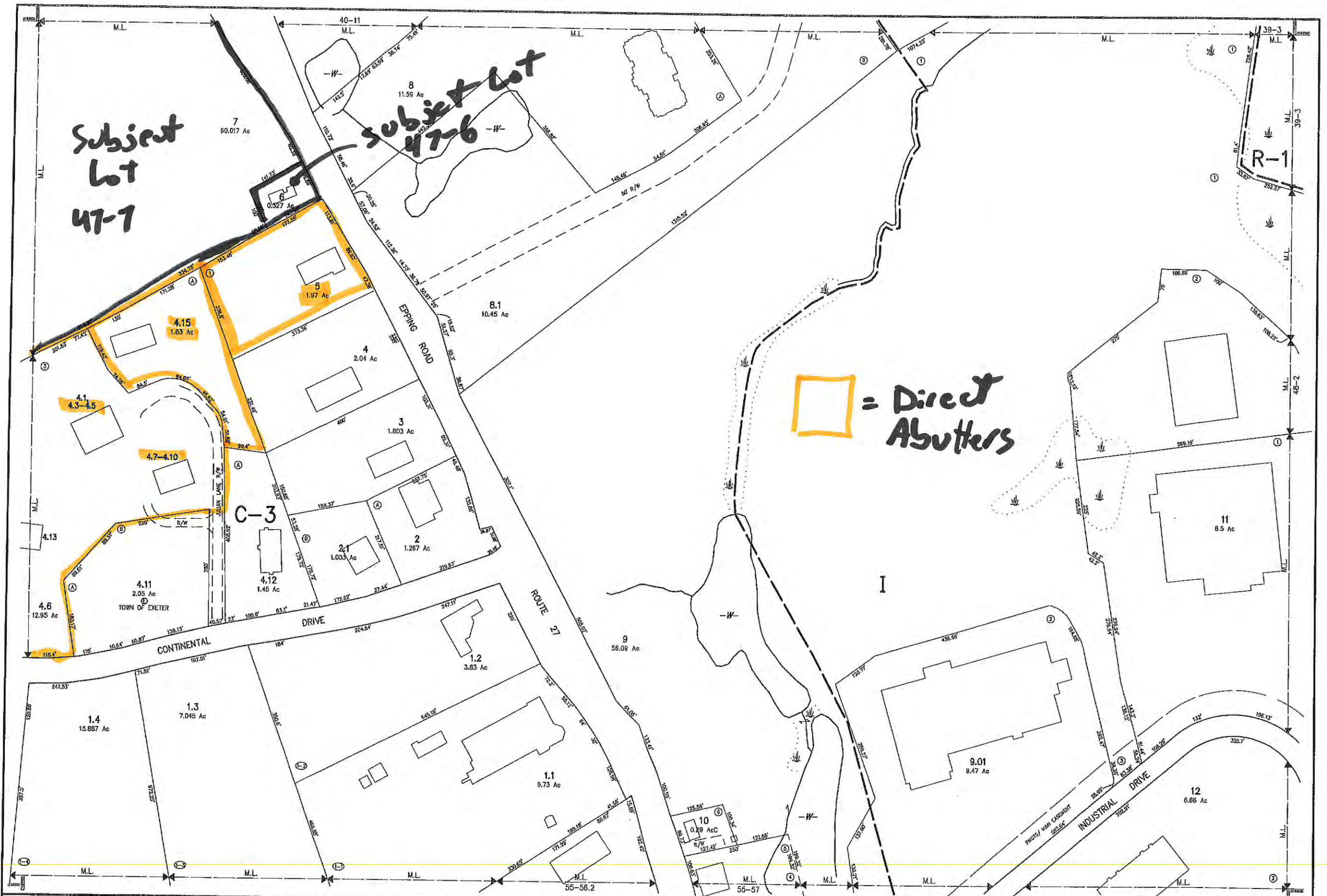
SCALE 1" = 100'
FEET 0 100 200 300
METERS 0 25 50 75
REVISED TO: APRIL 1, 2010

PROPERTY MAPS
EXETER
NEW HAMPSHIRE

INDEX DIAGRAM

42	41	40
45	47	
57	56	55

MAP NO.
46



THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.
 THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM.
 PHOTOGRAPHY DATE: APRIL 25, 1995
 COMPLETION DATE: MARCH 29, 1998

PRODUCED IN 1000 BY
CA Technologies
 11 PLEASANT STREET, LITTLETON, CO 80120
 303.522.4540 - WWW.CA-TECH.COM

LEGEND
 AREA SURVEYED Ac
 AREA CALCULATED Ac
 RECORD DIMENSION 100'
 SCALED DIMENSION 1/64"
 MATCH LINE M.L.
 WATER W
 EXEMPT PROPERTY (E)
 SUBDIVISION LOT NO. (S)
 ZONE LIMIT (Z)
 RIGHT OF WAY (R/W)
 COMMON OWNERSHIP (C/O)
 BUILDING (B)
 WETLANDS (W)

SCALE 1" = 100'
 FEET 0 50 100 200 300
 METERS 0 25 50 75
 REVISED TO: APRIL 1, 2019

PROPERTY MAPS
EXETER
 NEW HAMPSHIRE

INDEX DIAGRAM

41	40	39
46	48	
56	55	54

 MAP NO.
47

October 30, 2019

«Name»

«Street»

«TownStateZip»

Re: Map 47 Lots 6 & 7
Epping Road
Exeter, NH

Dear Abutter:

The purpose of this letter is to inform you that Gateway at Exeter, LLC has submitted a Dredge and Fill Application to the NH Department of Environmental Services for a development project located on Epping Road in Exeter, NH, Tax Map 47 Lots 6 & 7. DES requires this notice for work within a wetland area. After filing, a copy of the final Application, including plans, will be made available for your review at the Exeter Town Hall and at the NH Department of Environmental Services Wetlands Bureau, 29 Hazen Drive, in Concord.

If you have any questions that we might be able to answer, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Brendan Quigley". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Brendan Quigley, CWS
Gove Environmental Services, Inc.

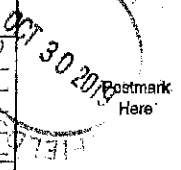
7016 2070 0000 2100 4240

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com™.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postmark Here

Town of Exeter
10 Front Street
Exeter, NH 03833

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7016 1130 0000 7735 9600

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com™.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage

Total Postage

State of New Hampshire
Fish and Game Department
2 Hazen Drive
Concord, NH 03302

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7016 2070 0000 2100 4233

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com™.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage

164 Epping Rd, LLC
3 Brookhaven Road
Kingston, NH 03848

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7016 2070 0000 2100 4233

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com™.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage

Gladstone Realty, LLC
12 Bills Way
Bedford, NH 03110

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

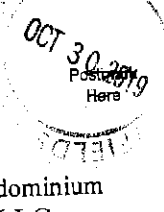
7016 1130 0000 7735 9587

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com™.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Executive Business Park Condominium
c/o Sherrill Holdings, LLC
Attn: John Sherrill, President
8E Continental Drive
Exeter, NH 03833

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

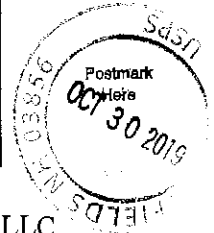
7016 1130 0000 7735 9594

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com™.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage

12 Continental Drive, LLC
20 Trafalgar Square, Suite #610
Nashua, NH 03063

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Appendix C

New Hampshire Natural Heritage Inquiry



CONFIDENTIAL – NH Dept. of Environmental Services review

Memo



NH NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Luke Hurley, Gove Environmental Services, Inc.
8 Continental Drive
Exeter, NH 03833

From: Amy Lamb, NH Natural Heritage Bureau

Date: 10/15/2019 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau

NHB File ID: NHB19-3277

Town: Exeter

Location: Tax Maps: 47-7

Description: The proposed project will include mixed use commercial/residential development, which will occur on the front 12 acres of the site (along Rt. 27). The remainder of the site is proposed to go into preservation.

cc: Kim Tuttle

As requested, I have searched our database for records of rare species and exemplary natural communities, with the following results.

Comments: Slender blue beardless-iris was documented in a nearby wetland; please provide information about the types and locations of wetlands to be impacted. Site photos would be particularly helpful. Please send the requested information to me at Amy.Lamb@dncr.nh.gov. Contact the NH Fish & Game Department to address wildlife concerns.

Natural Community

Swamp white oak basin swamp

State ¹	Federal	Notes
--	--	Threats to this community include changes to the wetland's hydrology either through damming or increasing drainage. Significant increases in nutrients and pollutants from stormwater runoff could also have a deleterious effect on the wetland.

Plant species

slender blue beardless-iris (*Limniris prismatica*)*

State ¹	Federal	Notes
E	--	Since this plant grows at wetland edges (marshes, wet meadows, seashore), it would be threatened by changes in local water levels or development in wetlands.

Vertebrate species

Northern Black Racer (*Coluber constrictor constrictor*)

State ¹	Federal	Notes
T	--	Contact the NH Fish & Game Dept (see below).

Wood Turtle (*Glyptemys insculpta*)

State ¹	Federal	Notes
SC	--	Contact the NH Fish & Game Dept (see below).

¹Codes: "E" = Endangered, "T" = Threatened, "SC" = Special Concern, "--" = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official state list. An asterisk (*) indicates that the most recent report for that occurrence was more than 20 years ago.

Contact for all animal reviews: Kim Tuttle, NH F&G, (603) 271-6544.

Department of Natural and Cultural Resources
Division of Forests and Lands
(603) 271-2214 fax: 271-6488

DNCR/NHB
172 Pembroke Rd.
Concord, NH 03301

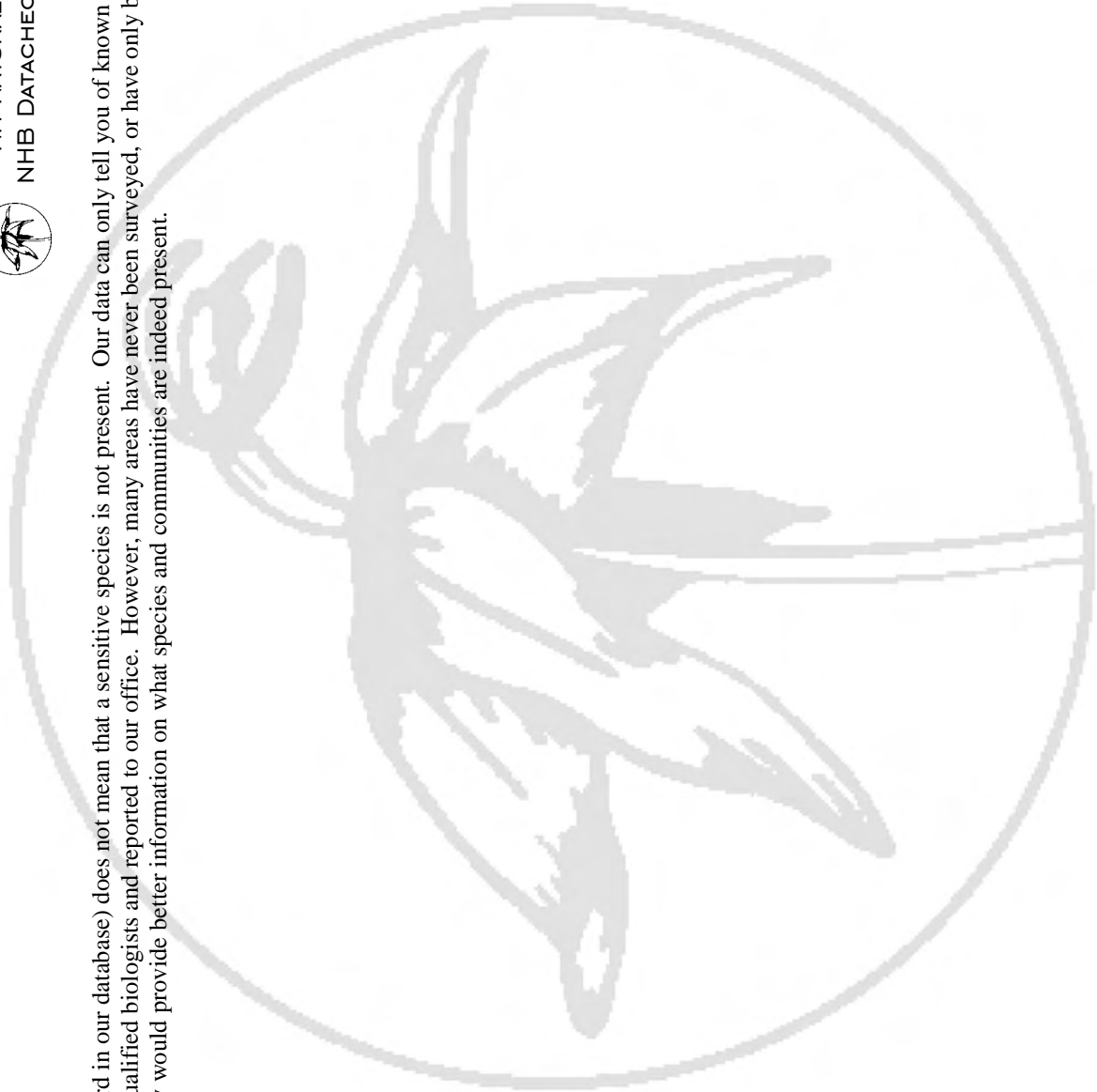
CONFIDENTIAL – NH Dept. of Environmental Services review

Memo



NH NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

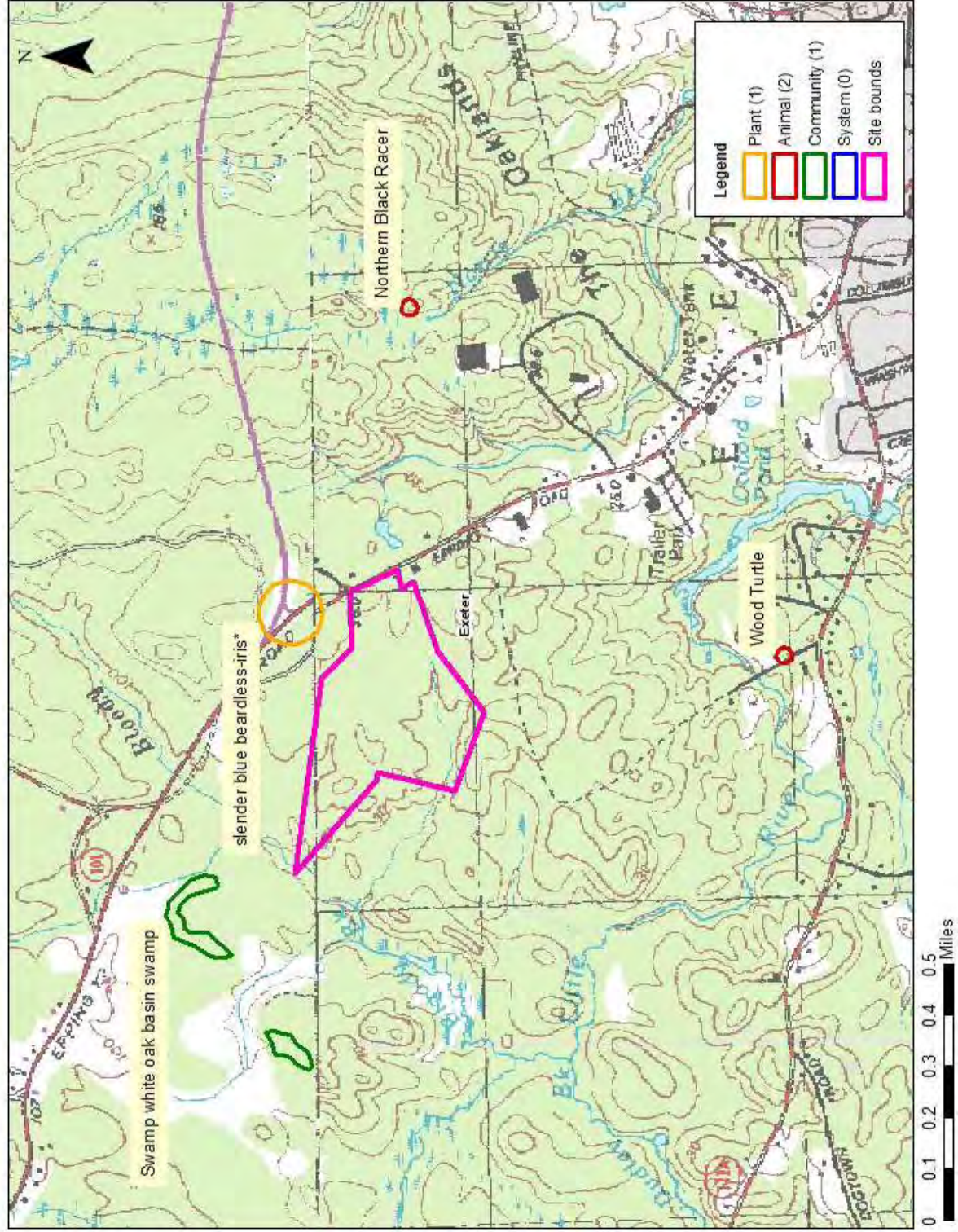


Department of Natural and Cultural Resources
Division of Forests and Lands
(603) 271-2214 fax: 271-6488

DNCR/NHB
172 Pembroke Rd.
Concord, NH 03301

CONFIDENTIAL – NH Dept. of Environmental Services review

NHB19-3277



Appendix D
State Historic Preservation Office Inquiry

Please mail the completed form and required material to:

New Hampshire Division of Historical Resources
State Historic Preservation Office
Attention: Review & Compliance
19 Pillsbury Street, Concord, NH 03301-3570

RECEIVED
NOV 30 2017

DHR Use Only	9188
R&C #	
Log In Date	11/30/17
Response Date	12/7/17
Sent Date	12/7/17

Request for Project Review by the New Hampshire Division of Historical Resources

This is [redacted]
 This is [redacted] to DHR Review & Compliance (R&C) #:

GENERAL INFORMATION

Commercial Develop.

Project Title Gateway at Exeter

Project Location Epping Road

City/Town Exeter Tax Map 47 Lot # 7

NH State Plane - Feet Geographic Coordinates: Easting 1168017 Northing 182224
(See RPR Instructions and R&C FAQs for guidance.)

Lead Federal Agency and Contact (if applicable) US Army Corps of Engineers
(Agency providing funds, licenses, or permits)
Permit Type and Permit or Job Reference # 404-PGP

State Agency and Contact (if applicable) NHDES
Permit Type and Permit or Job Reference # Dredge & Fill

APPLICANT INFORMATION

Applicant Name Garrison Glenn LLC C/O Thomas Monahan

Mailing Address 141 Maine Street Phone Number

City Nashua State NH Zip 03060 Email thomasfmonahan@hotmail.com

CONTACT PERSON TO RECEIVE RESPONSE

Name/Company Brendan Quigley- Gove Environmental Services

Mailing Address 8 Continental Drive Bldg 2 Unit H Phone Number 6035804112

City Exeter State NH Zip 03833 Email bquigley@gesinc.biz

This form is updated periodically. Please download the current form at www.nh.gov/nhdhr/review. Please refer to the Request for Project Review Instructions for direction on completing this form. Submit one copy of this project review form for each project for which review is requested. Include a self-addressed stamped envelope to expedite review response. Project submissions will not be accepted via facsimile or e-mail. This form is required. Review request form must be complete for review to begin. Incomplete forms will be sent back to the applicant without comment. Please be aware that this form may only initiate consultation. For some projects, additional information will be needed to complete the Section 106 review. All items and supporting documentation submitted with a review request, including photographs and publications, will be retained by the DHR as part of its review records. Items to be kept confidential should be clearly identified. For questions regarding the DHR review process and the DHR's role in it, please visit our website at: www.nh.gov/nhdhr/review or contact the R&C Specialist at christina.st.louis@dcr.nh.gov or 603.271.3558.

RECEIVED
NOV 30 2017

BY:

Project Boundaries and Description

- Attach the relevant portion of a 7.5' USGS Map (photocopied or computer-generated) **indicating the defined project**
- Attach a detailed narrative description of the proposed project.
- Attach a site plan. The site plan should include the project boundaries and areas of proposed excavation.
- Attach photos of the project area (overview of project location and area adjacent to project location, and specific areas).
- A DHR file review must be conducted to identify properties within or adjacent to the project area. Provide file review results in **Table 1**. (Blank table forms are available on the DHR website.)
File review conducted on 7/13/2017.

Architecture

Are there any buildings, structures (bridges, walls, culverts, etc.) objects, districts or landscapes within the project area? If no, skip to Archaeology section. If yes, submit all of the following information:

Approximate age(s): n/a

- Photographs of **each** resource or streetscape located within the project area, with captions, along with a mapped plan.
- If the project involves rehabilitation, demolition, additions, or alterations to existing buildings or structures, provide details.

Archaeology

Does the proposed undertaking involve ground-disturbing activity? Yes No
If yes, submit all of the following information:

- Description of current and previous land use and disturbances.
- Available information concerning known or suspected archaeological resources within the project area (such as census data).

Please note that for many projects

DHR Comment/Finding Recommendation *This Space for Division of Historical Resources Use Only*

- Insufficient information to initiate review.** Additional information is needed in order to complete review.
- No Potential to cause Effects No Historic Properties Affected No Adverse Effect Adverse Effect

Comments: *concur with results of surveys of adjacent parcels on same land from which concluded no sensitivity.*

please delete this old, 2014, RPR form. For future submissions use the RPR available on our Web Site. Thank you

If plans change or resources are discovered in the course of this project, you must contact the Division of Historical Resources

Authorized Signature: *Michael Borneo DSHPO* Date: *12-7-17*

Appendix E

ACOE Supplemental Information Form





**US Army Corps
of Engineers**®
New England District

**New Hampshire General Permits (GPs)
Appendix B - Corps Secondary Impacts Checklist
(for inland wetland/waterway fill projects in New Hampshire)**

1. Attach any explanations to this checklist. Lack of information could delay a Corps permit determination.
2. All references to "work" include all work associated with the project construction and operation. Work includes filling, clearing, flooding, draining, excavation, dozing, stumping, etc.
3. See GC 5, regarding single and complete projects.
4. Contact the Corps at (978) 318-8832 with any questions.

1. Impaired Waters	Yes	No
1.1 Will any work occur within 1 mile upstream in the watershed of an impaired water? See http://des.nh.gov/organization/divisions/water/wmb/section401/impaired_waters.htm to determine if there is an impaired water in the vicinity of your work area.*	X	
2. Wetlands	Yes	No
2.1 Are there are streams, brooks, rivers, ponds, or lakes within 200 feet of any proposed work?		X
2.2 Are there proposed impacts to SAS, special wetlands. Applicants may obtain information from the NH Department of Resources and Economic Development Natural Heritage Bureau (NHB) DataCheck Tool for information about resources located on the property at https://www2.des.state.nh.us/nhb_datacheck/ . The book <u>Natural Community Systems of New Hampshire</u> also contains specific information about the natural communities found in NH.		X
2.3 If wetland crossings are proposed, are they adequately designed to maintain hydrology, sediment transport & wildlife passage?		NA, No Crossings
2.4 Would the project remove part or all of a riparian buffer? (Riparian buffers are lands adjacent to streams where vegetation is strongly influenced by the presence of water. They are often thin lines of vegetation containing native grasses, flowers, shrubs and/or trees that line the stream banks. They are also called vegetated buffer zones.)		X
2.5 The overall project site is more than 40 acres?		X
2.6 What is the area of the previously filled wetlands?	0	
2.7 What is the area of the proposed fill in wetlands?	2.9 ac.	
2.8 What is the % of previously and proposed fill in wetlands to the overall project site?	17.3%	
3. Wildlife	Yes	No
3.1 Has the NHB & USFWS determined that there are known occurrences of rare species, exemplary natural communities, Federal and State threatened and endangered species and habitat, in the vicinity of the proposed project? (All projects require an NHB ID number & a USFWS IPAC determination.) NHB DataCheck Tool: https://www2.des.state.nh.us/nhb_datacheck/ USFWS IPAC website: https://ecos.fws.gov/ipac/location/index	X	

IPAC: NLEB, SWP
NHB: See Appendix C

3.2 Would work occur in any area identified as either "Highest Ranked Habitat in N.H." or "Highest Ranked Habitat in Ecological Region"? (These areas are colored magenta and green, respectively, on NH Fish and Game's map, "2010 Highest Ranked Wildlife Habitat by Ecological Condition.") Map information can be found at: <ul style="list-style-type: none"> • PDF: www.wildlife.state.nh.us/Wildlife/Wildlife_Plan/highest_ranking_habitat.htm. • Data Mapper: www.granit.unh.edu. • GIS: www.granit.unh.edu/data/downloadfreedata/category/databycategory.html. 			X
3.3 Would the project impact more than 20 acres of an undeveloped land block (upland, wetland/waterway) on the entire project site and/or on an adjoining property(s)?			X
3.4 Does the project propose more than a 10-lot residential subdivision, or a commercial or industrial development?	X		
3.5 Are stream crossings designed in accordance with the GC 21?			NA, NO CROSSINGS
4. Flooding/Floodplain Values	Yes	No	
4.1 Is the proposed project within the 100-year floodplain of an adjacent river or stream?			X
4.2 If 4.1 is yes, will compensatory flood storage be provided if the project results in a loss of flood storage?			
5. Historic/Archaeological Resources			
For a minimum, minor or major impact project - a copy of the Request for Project Review (RPR) Form (www.nh.gov/nhdhr/review) with your DES file number shall be sent to the NH Division of Historical Resources as required on Page 11 GC 8(d) of the GP document**	X		

*Although this checklist utilizes state information, its submittal to the Corps is a Federal requirement.

** If your project is not within Federal jurisdiction, coordination with NH DHR is not required under Federal law.

Appendix F
Function & Value Form

Wetland Function-Value Evaluation Form

Wetland ID: 15 ac. Part OF 47-7
 Latitude: _____ Longitude: _____
 Prepared by: B5Q Date: _____
 Wetland Impact: ? Area: _____
 Type: _____
 Evaluation based on:
 Office Field
 Corps manual wetland delineation completed? Y N

Total area of wetland: 15 ac. Human made? NO Is wetland part of a wildlife corridor? NO or a 'habitat island'? NO
 Adjacent land use: Woodlot / Road / Commercial Distance to nearest roadway or other development: 30'-150'
 Dominant wetland systems present: PFO1 Contiguous undeveloped buffer zone present: NO
 Is the wetland a separate hydraulic system? NO If not, where does the wetland lie in the drainage basin? high
 How many tributaries contribute to the wetland? 0 Wildlife & vegetation diversity/abundance (see attached list)

Function/Value Occurrence Y/N Rationale (Reference #)* Principal Function/Value(s) Comments

Function/Value	Occurrence Y/N	Rationale (Reference #)*	Principal Function/Value(s)	Comments
Groundwater Recharge/Discharge	N			dense till soil
Floodflow Alteration	N			little storage, NO significant input
Fish and Shellfish Habitat	N			NO suitable water body or structure
Sediment/Toxicant Retention	Y	7, 5, 4, 3, 1		Moderate function for Bloody Brook-Little River
Nutrient Removal	Y	3, 4, 5, 7, 8, 9		same
Production Export	Y	1, 3, 4	*	Most, berries, seeds, flowers, limited by depth
Sediment/Shoreline Stabilization	N			NO waterbody
Wildlife Habitat	Y	7, 8		current logged state and proximity to Rd.
Recreation	N			Private, common woodland
Educational/Scientific Value	N			common forest type
Uniqueness/Heritage	N			common forest type
Visual Quality/Aesthetics	N			common forest type, not dense
Endangered Species Habitat	N			none ident: listed
Other				

Notes: *Refer to backup list of numbered considerations.

Appendix G
Site Plans
(under separate cover)

To: Ms. Kristen Murphy, Natural Resource Planner
 Exeter Planning Department
 10 Front Street - Town Hall
 Exeter, NH 03833
 773-6112

Date: November 4, 2019	#5532-SPP
Re:	
Proposed Site Plan – Gateway at Exeter	
Epping Road	
Exeter, NH	

WE ARE SENDING YOU

Attached Under separate cover via _____ the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order Permit Application _____

Scope:

COPIES	DATE	NO.	DESCRIPTION
1			Cover Letter from Hayner/Swanson, Inc.
1			Project Narrative w/ Wetland Waiver Criteria
1		1-2	11 x 17 Plan
1		1-2	Wetland/Buffer Impact Plan Set
1			Locus Maps
			EXETER CONSERVATION COMMISSION SUBMITTAL FOR THE
			NOVEMBER 12, 2019 MEETING
			NHDES WETLANDS BUREAU PERMIT APPLICATION SUBMITTED
			UNDER SEPARATE COVER BY GOVE ENVIRONMENTAL SERVICES



James N. Petropulos, P.E.
 President/Principal Engineer



October 31, 2019
Revised: November 4, 2019
Job #5532-SPP

Ms. Kristen Murphy, Natural Resource Planner
EXETER PLANNING DEPARTMENT
10 Front Street
Exeter, NH 03833

**RE: PROPOSED MIXED-USE DEVELOPMENT
GATEWAY at EXETER
EPPING ROAD
EXETER, NEW HAMPSHIRE**

Dear Kristen:

As you are aware in the next month or so we will be submitting a formal Site Plan and Conditional Use Permit applications to the Exeter Planning Board for the above referenced project. Enclosed please find a copy of the Wetland/Buffer Impact Plan, a Project Narrative, which includes our Wetland Waiver Criteria, and supporting submittal material for this development. Furthermore, a copy of our New Hampshire Department of Environmental Services (NHDES) – Wetlands Bureau permit application will be submitted to the Town/Exeter Conservation Commission by Gove Environmental Services under separate cover.

On behalf of our client, Gateway at Exeter, LLC, we respectfully request to be placed on the November 12, 2019 Exeter Conservation Commission agenda to discuss this project and request their recommendation to the Exeter Planning Board and to the NHDES (Wetlands Bureau Permit).

In advance we thank you for your cooperation in processing this request. As always please do not hesitate to contact me if you have any questions or comments.

Respectfully,

James N. Petropulos, P.E.
Principal Engineer/ President
HAYNER/SWANSON, INC.

cc: Brendan Quigley – GES
Thomas Monahan – Gateway at Exeter, LLC

GATEWAY AT EXETER MIXED USE DEVELOPMENT

PROJECT NARRATIVE

The project area under consideration for this application is known to the Exeter Assessors Department as Map 47, Lots 6 and 7 and both are currently owned by Gateway at Exeter, LLC of Nashua, NH. The parcel is located in Exeter's C-3 Epping Road Highway Commercial zoning district which allows a mix of permitted uses. The Epping Road corridor contains a number of commercial and industrial businesses. Developed commercial land abuts the property to the south and east. New Hampshire Route 101 immediately abuts the site to the north and, to the west, the property that is immediately adjacent is conservation land owned by the Town of Exeter.

The subject property contains one undeveloped, sparsely wooded lot of 62 acres and one single family residential lot of 0.34 acres. These two parcels will be consolidated and ultimately divided into three different lots. The two future lots, with frontage on Epping Road, will be developed. The remaining back land will remain in its natural state. As can be seen on the preliminary site plans the two lots to be developed contain mild topographical relief. The high point near the center of the lots is at elevation 120.0 +/- and the land slopes off in several directions to the mapped wetlands which range in elevation from 106.0 to 112.0. Wetlands on the property were flagged in 2018 by Gove Environmental Services and field located by Hayner/Swanson, Inc. All of the wetlands identified on the property are forested wetlands with poorly drained mineral soils, typical in New England and within the area. Though ultimately associated with the Little River, these wetland areas lie up gradient and distinctly separate from the river and its contiguous wetlands as defined by the Exeter Shoreland Protection District. The utilities needed to service this site (sewer, water, telephone, electric and gas) are located in Epping Road.

A mixed-use development is being proposed for the two proposed lots located along Epping Road. On May 22, 2019 the Exeter Zoning Board of Adjustment granted a variance, with conditions, to permit a multi-family residential complex as part of a mixed-use development plan. Proposed Lot 7 will include three, 4-story, multi-family residential buildings that contain a total of 224-units. The buildings will be surrounded by parking on the north, east and west and an entrance road along the new property line to the south. Proposed Lot 6 will contain a 2-story, 40,000 square foot mixed-use building that may include a 20,000 YMCA day care facility, office/retail space and possibly a restaurant. These buildings will have a shared entrance road to Epping Road. Other site improvements include underground utilities to service the building, sidewalks, landscaping and site lighting. Stormwater management basins will accommodate the new runoff created by the proposed impervious areas of the roof, parking areas and entrance driveway. A small parking lot is proposed in the rear of the development for public access to the undeveloped land to the west.

As can be seen on the site plans, the development has been concentrated on the east side of the property in order to avoid vernal pool impacts and to create a larger undeveloped lot to the west. As a result, portions of four wetland areas (totaling 127,045 square feet) are being impacted as a result of this project. In addition, 208,500 square feet of wetland buffer (40-foot setback) is also being disturbed.

With regard to mitigation of these impacts it is the intent of the developer to convey Lot 47-7-1 (43.6 acres) to the Town of Exeter subject to reaching an agreement with the New Hampshire Department of Environmental Services and U.S. Army Corps of Engineers.

WETLAND WAIVER CRITERIA

It is being requested to allow the construction of a portion of the building, driveways, parking areas, utilities and other site improvements as shown on the attached plan within the wetland buffers (40-foot no cut/no disturb) and setbacks (75-foot parking and building).

Town of Exeter Site Plan Review and Subdivision Regulations

Section 9.9.3 Wetland Waiver Guidelines:

1. Relative value of the wetland including its ecological sensitivity and function with the greater landscape.

Wetlands on the site are predominantly seasonally saturated forested wetlands dominated by red maple (PFO1E) with an understory of highbush blueberry, maleberry, and winterberry. These exist as a complex pattern of small fingers and pockets between ledge, small topographical variations, and larger areas of upland. Other than a single area in the northeast corner which has been observed with standing water during most site visits, they lack significant surface hydrology except seasonally and after significant rain. No streams are present in the development area and no clearly identifiable drainage pattern is evident when viewing the wetlands from the ground. Overall, though, drainage is to the west towards Bloody Brook and Little River.

Generally, these type of wetlands function as buffers for the associated waterways and wetland complexes that lie lower in the drainage basin, Bloody Brook and Little river in this case. Water quality buffering function is derived from the complex drainage path water must take before reaching these waterways. Habitat function is generally not wetland specific and is related primarily to the area being undeveloped woodland.

This is in contrast to the wetlands on the western portion of the property where preservation is proposed. While substantially similar, these wetlands contain a number of vernal pools which likely function together and support significant habitat. Drainage is also better defined with several more direct routes to the waterways. For these reasons, these wetlands in this area and their associated buffers are more important to the protection of downstream resource areas.

2. Functions and Values Assessment

A wetland function and value assessment was conducted using the US Army Corps Highway Methodology guidelines. Functions are self-sustaining properties of wetlands, which exist in the absence of human involvement. Values refers to the benefits gained by human society from a given wetland or ecosystem and

their inherent functions. Functions and values identified as "primary" have been determined to be significant features of the wetland being evaluated; not necessarily indicating the wetland performs these functions or values at a significant level in comparison to other wetlands in the region or even near the site. The Highway Methodology considers 13 functions and values:

Groundwater recharge/discharge: This function considers the potential for a wetland to serve as a groundwater recharge and/or discharge area. Recharge should relate to the potential for the wetland to contribute water to an aquifer. Discharge should relate to the potential for the wetland to serve as an area where ground water can be discharged to the surface.

Flood flow Alteration: This function considers the effectiveness of the wetland in reducing flood damage by attenuation of floodwaters for prolonged periods following precipitation events.

Fish and Shellfish Habitat: This function considers the effectiveness of seasonal or permanent water bodies associated with the wetland in question for fish and shell fish habitat.

Sediment/Toxicant/Pathogen Retention: This function reduces or prevents degradation of water quality. It relates to the effectiveness of the wetland as a trap for sediments, toxicants or pathogens.

Nutrient Removal/Retention/Transformation: This function relates to the effectiveness of the wetland to prevent adverse effects of excess nutrients entering aquifers or surface waters such as ponds, lakes, streams, rivers or estuaries.

Production Export: This function relates to the effectiveness of the wetland to produce food or usable products for human, or other living organisms.

Sediment/Shoreline Stabilization: This function relates to the effectiveness of a wetland to stabilize stream banks and shorelines against erosion.

Wildlife Habitat: This function considers the effectiveness of the wetland to provide habitat for various types and populations of animals typically associated with wetlands and the wetland edge. Both resident and or migrating species must be considered.

Recreation: This value considers the effectiveness of the wetland and associated watercourses to provide recreational opportunities such as canoeing, boating, fishing, hunting and other active or passive recreational activities. Consumptive opportunities consume or diminish the plants, animals or other resources that are intrinsic to the wetland, whereas non-consumptive opportunities do not.

Educational/Scientific Value: This value considers the effectiveness of the wetland as a site for an "outdoor classroom" or as a location for scientific study or research.

Uniqueness/Heritage: This value relates to the effectiveness of the wetland or its associated water bodies to produce certain special values. Special values may include such things as archeological sites, unusual aesthetic quality, historical events, or unique plants, animals, or geological features.

Visual Quality/Aesthetics: This value relates to the visual and aesthetic qualities of the wetland.

Threatened or Endangered Species Habitat: This value relates to the effectiveness of the wetland or associated water bodies to support threatened or endangered species

The wetlands in the development area were evaluated together since they are nearly identical and, if not connected, lie in close proximity to each other. The fact that the wetlands are forested, formed in poorly drained mineral soil, and not directly associated with surface water, limits or precludes many of the functions and values listed above. The wetlands do not support Flood-flow Alteration, Fish and Shellfish Habitat, or Sediment/Shoreline Stabilization as these are derived from a close interaction between the wetland and a waterbody. The wetlands also lack or nearly lack value for Recreation, Uniqueness/Heritage, or Educational/Scientific pursuits. They consist of a uniform and very common forested wetland type and don't contain the wetland types that are typically associated with wetland supported recreation activities and traditional aesthetic qualities. The low permeability of the glacial till derived soils on the site have allowed wetland conditions to develop on the surface but do not allow significant interaction with the groundwater and are not characteristic of groundwater discharge or recharge areas.

Three functions were identified as being supported by the wetlands in the evaluation area. These are Wildlife Habitat, Production-Export, and Sediment/Toxicant Retention & Nutrient Removal. These are described in greater detail in the following sections.

Production Export – This the primary value identified in these wetland areas. The most prominent feature of the evaluation area and the wetlands is their post logging condition. This is of course temporary but significant, especially when considering habitat. Though not exemplary in the region, this does stand out as the most significant function. The early successional species currently present in the wetland areas combined with the remaining mast producing trees produce an abundant source of berries, nuts, seeds, and pollen bearing flowers. This likely provides a substantial source of food for wildlife. Export is limited, however, by its small size and lack of a well-defined waterway or other significant avenue of export. This value is also equally supported in in the upland areas of the site.

Wildlife Habitat— A moderate level of wildlife habitat is present in these wetlands. The current habitat value of the wetlands in this area is suitable for small mammals, insects, and songbirds which may use the wetlands for foraging. Other larger mammals such as deer that are able to tolerate the close proximity of the road also clearly use this area. In a fully forested condition the wildlife habitat value may be different but would still be degraded by the proximity to the road and adjacent development. Except in the small aforementioned ponded area, which supports amphibian species, the habitat value is in not much different than that of the adjacent uplands.

Sediment/Toxicant Retention & Nutrient Removal – Due to its proximity to the roadway these wetlands may serve some moderate water quality function. These wetlands are likely to receive development runoff destined for Bloody Brook and Little River. The convoluted drainage pattern would provide opportunity for treatment long before reaching more defined flow paths. The lack of obvious drainage inputs and the lack of densely vegetated emergent wetland components mitigate the importance of these wetlands for these functions.

3. *Use cannot be reasonably carried out outside of the buffers*

Given the network of wetlands on the site, the proposed use cannot be reasonably carried out outside wetlands and their respective buffers.

4. *Effort to minimize impacts to the buffer*

Several development proposals and concepts have been advanced for this property over the years. Most of these made use of the entire site and all of them involved wetland and buffer impacts of a similar magnitude. They also, however, involved impacts to vernal pools and to the wetlands closer to the Little River Conservation Land. In general, an alternate development proposal which may appear to minimize wetland and buffer impacts by using a larger portion of the property ends up creating a network of roads and buildings. This ultimately results in a larger overall impact to the wetlands through proximity impacts and fragmentation.

The current proposal seeks to minimize impacts by avoiding this type of development. While extensive in terms of its direct impacts, the current proposal utilizes only 16 acres closest to Epping Road and entirely avoids impacts to the more valuable western portion of the property. This avoids impacts to vernal pool resources and maintains an unfragmented wetland system and habitat block contiguous to the Little River Conservation Land. Within the development area buffer impacts have been minimized with the use of steep grading and the restoration slopes, where appropriate, using native restoration seed mixes.

5. *Drainage facilities within the buffer*

The proposed stormwater management intent is to provide quantitative and qualitative attenuation of stormwater runoff produced by this development. It is being proposed to include a number of features designed to improve water quality of the stormwater runoff. Deep sump catch basins and sediment fore-bays are used to reduce velocities and settle out suspended solids. The surface-type detention and "wet pond" basin areas will provide for added residence time so that additional settling of suspended solids can occur. Furthermore, by using a

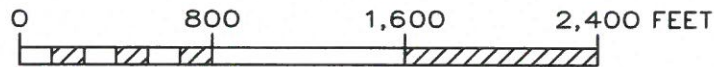
multi-stage outlet control structure at each treatment area, peak flow rates can be reduced to the pre-development rates.

6. *Recommendations from the Exeter Conservation Commission*

Pending, based on the November 12, 2019 meeting.

7. *Mitigation Proposal*

Proposed mitigation consists of preservation of the western 43.6 acres of lot 47-7 and a contribution to the Aquatic Resource Mitigation (ARM) Fund to achieve an overall 20:1 mitigation ratio per federal guidelines. This results in an ARM contribution of \$176,578.41 in addition to the preservation. The proposed method of preservation is fee simple ownership by the Town of Exeter.



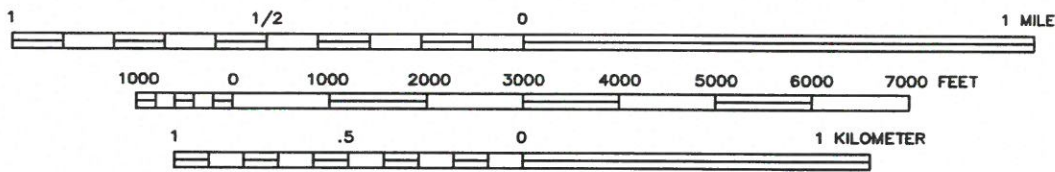
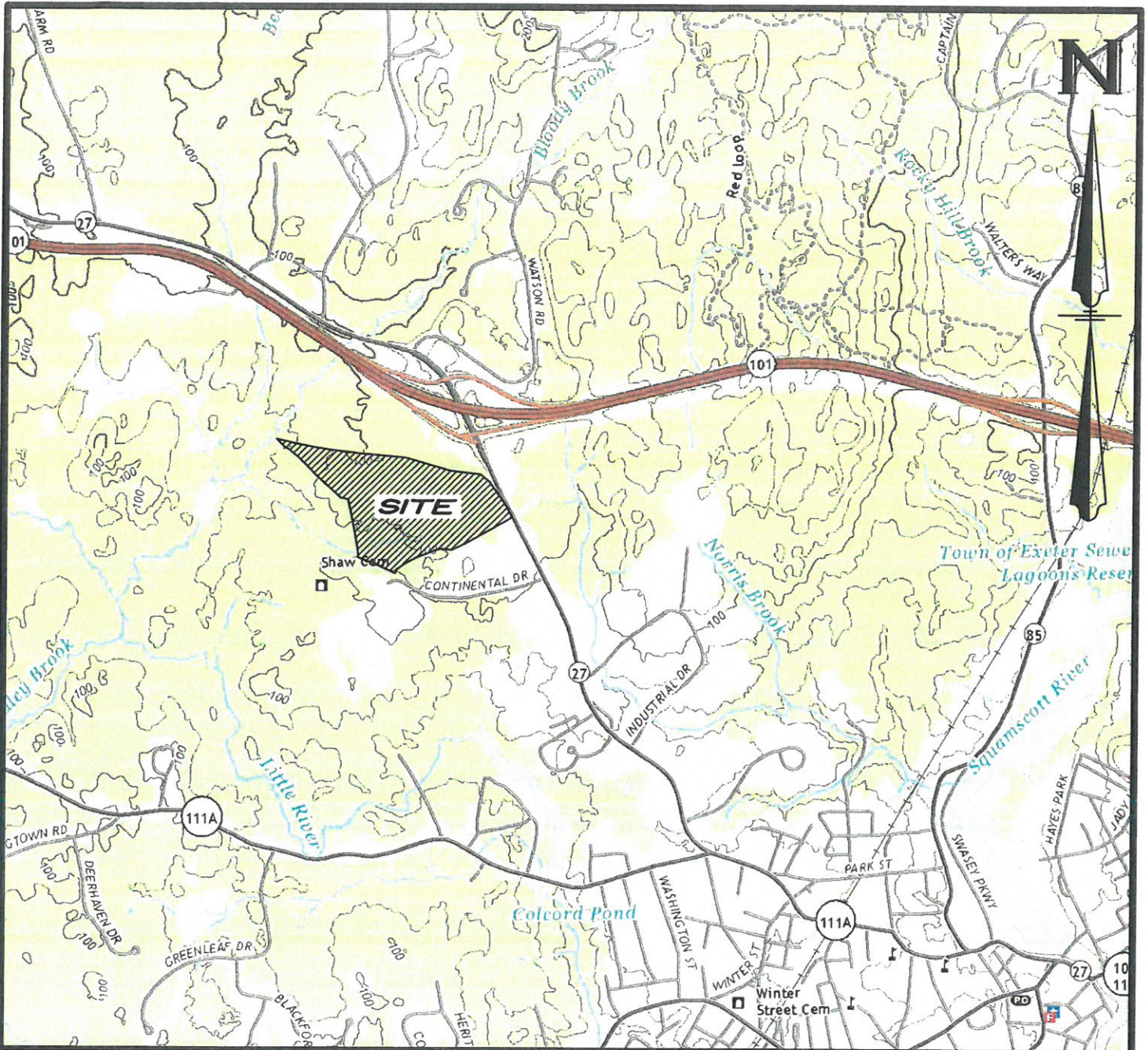
AERIAL MAP
PROPOSED MIXED USE DEVELOPMENT
EPPING ROAD
EXETER. N.H.

PREPARED FOR: FIG. 3
GATEWAY AT EXETER, LLC
 20 TRAFALGAR SQUARE, NASHUA, NH 03063
OCTOBER 2019

HSI Hayner/Swanson, Inc.
 3 Congress Street Nashua, NH 03062 (603) 883-2057
 131 Middlesex Turnpike Burlington, MA 01803 (781) 203-1501
 www.hayner-swanson.com

DRAWING: 5532SPP 19 USGS
 LOCATION: J:\5000\5532\DWG\5532 SPP19

5532
 File Number



CONTOUR INTERVAL 20 FEET
 NORTH AMERICAN VERTICAL DATUM OF 1988



NEWMARKET, NH
 EXETER, NH, MA
 QUAD MAP (2018)

VICINITY PLAN
PROPOSED MIXED USE DEVELOPMENT
EPPING ROAD
EXETER, N.H.

PREPARED FOR:
GATEWAY AT EXETER, LLC
 20 TRAFALGAR SQUARE, NASHUA, NH 03063
OCTOBER 2019

FIG. 1

 **Hayner/Swanson, Inc.**
 3 Congress Street Nashua, NH 03062 (603) 883-2057
 131 Middlesex Turnpike Burlington, MA 01803 (781) 203-1501
 www.hayner-swanson.com

DRAWING: 5532SPP 19 USGS
 LOCATION: J:\5000\5532\DWG\5532 SPP19

5532

File Number



103

103

103

41-1

STATE OF NEW HAMPSHIRE
DEPT. OF REVENUE

40-11

40-10

40-9

19

47-6

166

47-4

164

47-3

162

160

47-2

47-1

8

8

8

10

18

30

46-2

18

46-3

60

46-1

47-7

47-4-12

47-4-11

47-4-6

CRONIN RD

EPPING RD

EPPING RD

CONTINENTAL DR

STATE OF NEW HAMPSHIRE
DEPT. OF REVENUE

STATE OF NEW HAMPSHIRE
DEPT. OF REVENUE



NOTES

- THE LIMITS OF JURISDICTIONAL WETLANDS AS SHOWN ON THIS PLAN WERE DELINEATED BY GOVE ENVIRONMENTAL SERVICES, INC. IN MAY OF 2018 AND OCTOBER OF 2014 IN ACCORDANCE WITH:
1. US ARMY CORPS OF ENGINEERS REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTH-CENTRAL AND NORTHEAST REGION, TECHNICAL REPORT ERDC/EL TR-12-1, JANUARY 2012, VERSION 2.0
 2. NEW ENGLAND HYDRIC SOILS TECHNICAL COMMITTEE, 2018 VERSION 4, FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND. NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION, LOWELL, MA
 3. NORTH AMERICAN DIGITAL FLORA: NATIONAL WETLAND PLANT LIST, CURRENT VERSION.

IMPACT INFORMATION		
AREA	WETLAND IMPACT (SF)	40 FT WETLAND BUFFER IMPACT (SF)
A	570	8,660
B	43,600	94,935
C	66,500	78,250
D	16,375	26,655
TOTAL	127,045	208,500

PRELIMINARY DESIGN REVIEW

DATE: _____ NO. _____ REVISION _____ BY _____

PREPARED FOR/RECORD OWNER:
GATEWAY AT EXETER, LLC
 20 TRAFALGAR SQUARE, STE 610 NASHUA, NH 03063 (603) 860-0502

WETLAND/BUFFER IMPACT PLAN
 (MAP 47 LOTS 5, 6 & 7)
PROPOSED MIXED-USE DEVELOPMENT
 EPPING ROAD
 EXETER, NEW HAMPSHIRE

HSI Hayner/Swanson, Inc.
 Civil Engineers/Land Surveyors
 3 Coombs Road, Middleton, NH 03045
 Nashua, NH 03063
 (603) 863-2057
 www.haynerswanson.com

FIELD BOOK: 121141234 | DWG. LOC.: 5532PP19-W51 | Scale 1" = 50'
 DWG: 5532PP19-W51 | Date: 11 OCTOBER 2019
 2 OF 2 | Sheet: 11



CELEBRATING OVER 30 YEARS OF SERVICE TO OUR CLIENTS

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

1 November 2019

Via Email & U.S. Mail

Todd Piskovitz, Chair
Exeter Conservation Commission
10 Front Street
Exeter, NH 03833

Re: Conceptual Open Space Development

Dear Chair Piskovitz and Commission Members:

Following on several meetings with the Planning Department Staff and a design review with the Planning Board, Brian and Adela Griset and the Mendez Revocable Real Estate Trust, of which Adela Griset is the sole beneficiary (the "Applicant"), owners of the 23.6 acre parcel identified as Town Tax Map 96, Lot 15 (the "Development Property") and the 30.76 acre abutting parcel identified as Map 81, Lot 53 (the "Conservation Property"), located in proximity to Tamarind Lane and Kingston Road, hereby submit a conceptual yield plan and a conceptual site plan for a proposed open space development for the Commission's preliminary review and comment. The Applicant further requests, in light of the pending winter weather, to conduct a public site-walk before the 12 November Commission meeting, or as shortly thereafter as possible, and, invites participation from the Planning Board.

As we will describe in greater detail when we appear before the Commission, the Applicant is proposing a single-family open

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

Todd Piskovitz, Chair
Exeter Conservation Commission
1 November 2019
Page 2

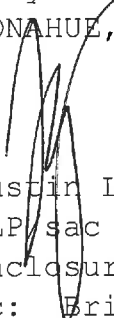
space development to be constructed on the Development Property and is proposing further to convey the entirety of the Conservation Property to the Town in a manner that minimizes any wetland or wetland buffer impact, preserves approximately 40 acres of land for ecologically-friendly conservation purposes, and is consistent with the Town's 2018 amendments to the Master Plan.

The Applicant seeks the Commission's input on the design and layout of the conceptual site plan, and the utilization of the adjacent open space, before going to full engineering. After consideration of the input from the Commission, together with that of the Planning Board and Zoning Board of Adjustment, we anticipate moving ahead with final design and formal submissions. The Applicant anticipates submitting applications for appropriate waivers under Section 9.9 of the Site Review and Subdivision Regulations for very limited wetland buffer impacts.

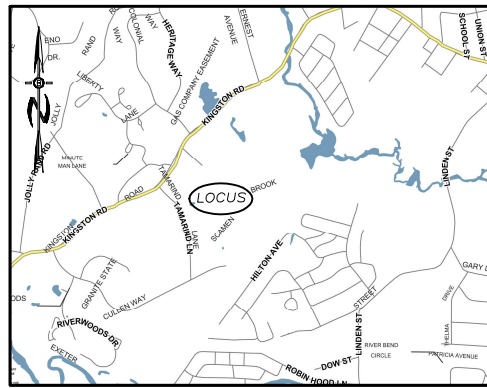
As noted above, we have included the conceptual yield and site plan herewith and respectfully request that this matter be placed on the Commission's 12 November 2019 agenda.

In the meantime, if you have any questions, do not hesitate to contact me.

Very truly yours,
DONAHUE, TUCKER & CIANDELLA, PLLC


Justin L. Pasay
JLP/sac
Enclosures

cc: Brian and Adela Griset
Kristen Murphy, Natural Resource Planner
David Sharples, Planner
James Gove
Christian Smith



LOCATION MAP
1" = 2000'

PREPARED FOR:

BRIAN GRISET
26 CULLEN WAY
EXETER, NH 03833

BEALS ASSOCIATES PLLC

70 PORTSMOUTH AVE, STRATHAM, N.H. 03885
PHONE: 603-583-4860, FAX: 603-583-4863

ZONING REQUIREMENTS

ZONE:	R1	NP
LDT SIZE =	40,000 SF	20,000 SF
MIN. FRONTAGE	150'	150'
MIN. DEPTH	150'	100'
MAX. HEIGHT	35'	35'
BUILD. SETBACKS:		
FRONT	25'	50'
SIDE	15'	20'
REAR	25'	50'
WETLANDS PD & VPD		50'

WETLANDS BUFFER:
40' POORLY DRAINED NO-CUT, NO DISTURBANCE BUFFER
50' VERY POORLY DRAINED NO-CUT, NO DISTURBANCE BUFFER
WETLANDS CONSERVATION OVERLAY DISTRICT
SHORELAND PROTECTION OVERLAY DISTRICT

LEGEND

	UTILITY POLE
	TEST PIT W/ NO.
	STONE WALL
	TREE LINE
	SHORELAND ZONE LINE
	150' SHORELAND SETBACK
	WETLAND BOUNDARY
	PRIME WETLAND BOUNDARY
	FLOOD ZONE BOUNDARY
	40' WETLAND SETBACK
	BUILDING SETBACK LINE
	ABUTTING PROPERTY LINE
	EXISTING PROPERTY LINE
	PROPOSED PROPERTY LINE
	ZONE LINE

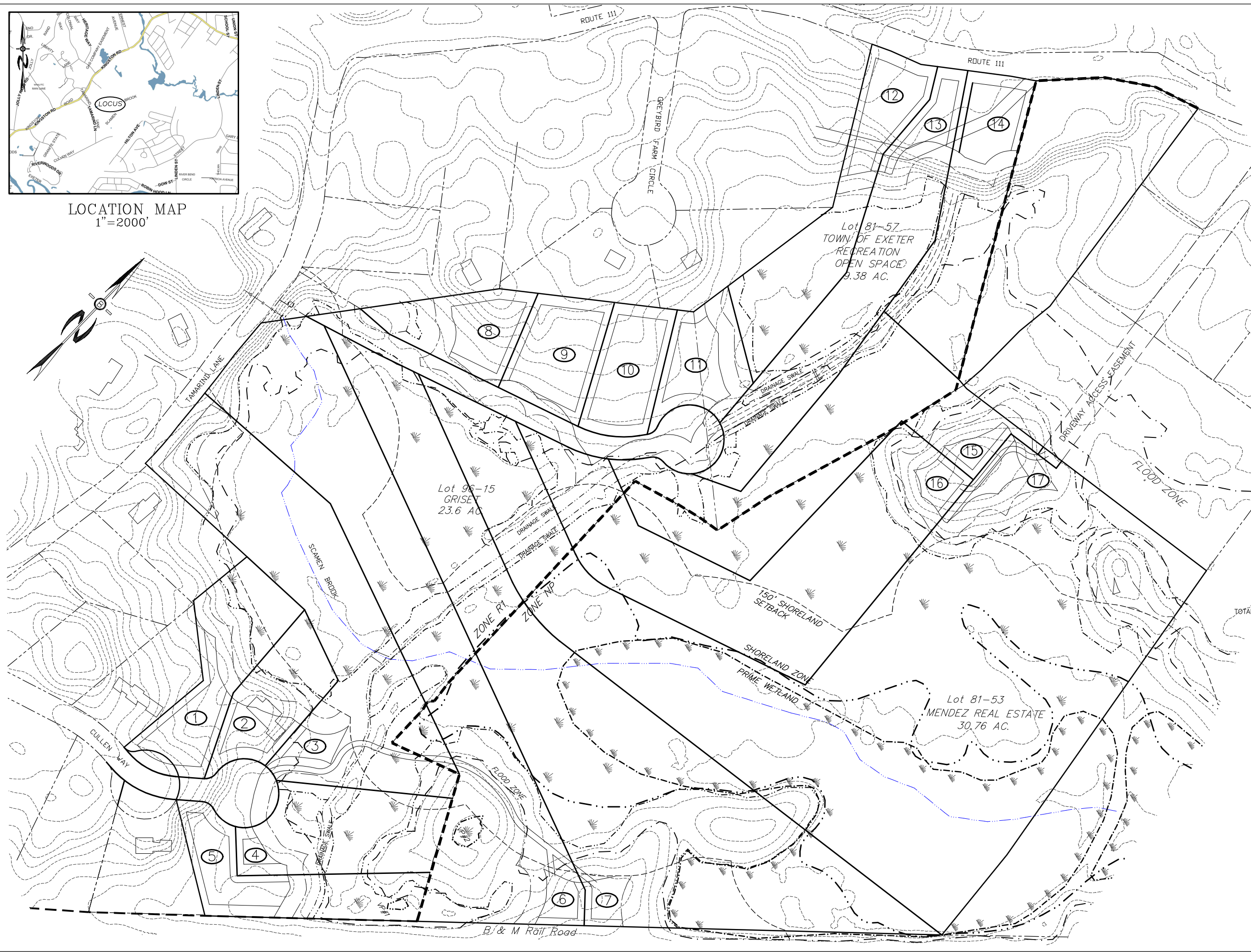
TOTAL ACREAGE NOTES:
YIELD PLAN -
PARCEL 81-57 INCLUDED PER AGREEMENT DATED AUG. 14, 1991
17 LOTS COMPLYING WITH ALL R-1 ZONING REQUIREMENTS
10% DENSITY BONUS FOR DEEDING TO TOWN OVER 50% OF
PARCEL FOR CONSERVATION OPEN SPACE 41+/- AC.

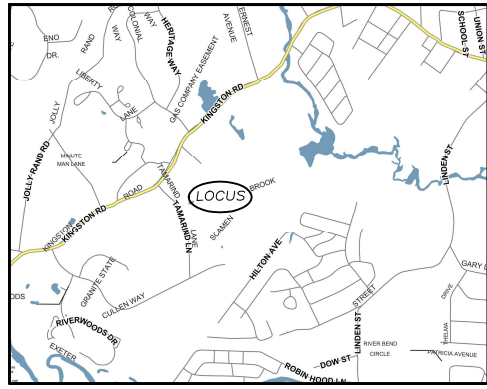
TOTAL YIELD = 19 LOTS

R-1 RESIDENTIAL USE ALLOWED IN NP ZONE BY
SPECIAL EXCEPTION



REVISIONS:	DATE:
PRELIMINARY YIELD	
PLAN FOR: RESIDENTIAL DEVELOPMENT TAMARIND LANE EXETER, NH	
DATE: AUG. 21, 2019	SCALE: 1" = 100'
PROJ. NO: NH-1154.1	SHEET NO. 1 OF 1





LOCATION MAP
1"=500'

PREPARED FOR:
BRIAN GRISET
26 CULLEN WAY
EXETER, NH 03833

BEALS ASSOCIATES PLLC
70 PORTSMOUTH AVE, STRATHAM, N.H. 03885
PHONE: 603-583-4860, FAX: 603-583-4863

ZONING REQUIREMENTS

ZONE	R1	NP
LOT SIZE =	40,000 SF	20,000 SF
MIN. FRONTAGE	150'	150'
MIN. DEPTH	150'	100'
MAX. HEIGHT	35'	35'
BUILD. SETBACKS:		
FRONT	25'	50'
SIDE	15'	20'
REAR	25'	50'
WETLANDS PB & VPD		50'

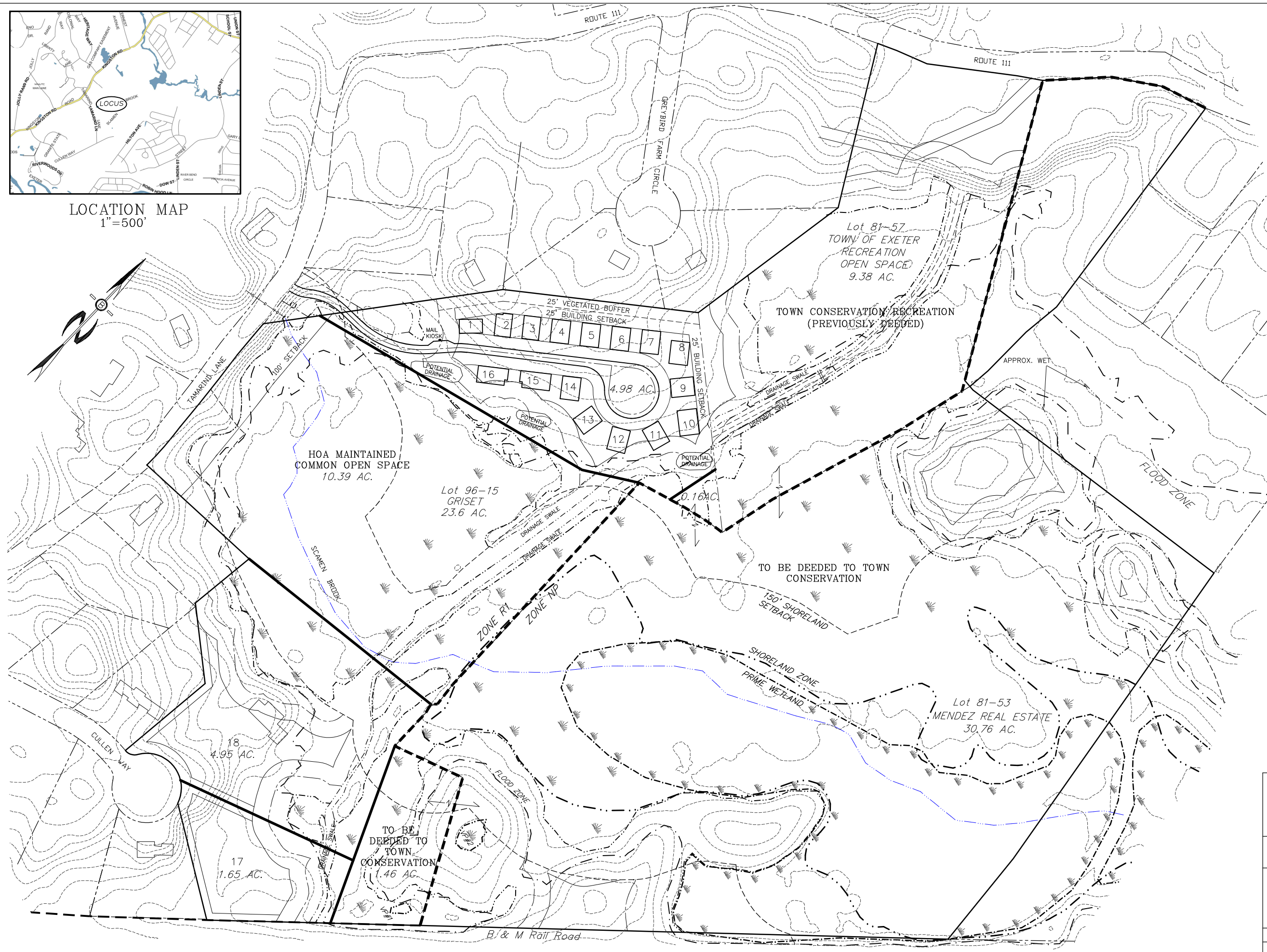
WETLANDS BUFFER
40' POORLY DRAINED NO-CUT, NO DISTURBANCE BUFFER
50' VERY POORLY DRAINED NO-CUT, NO DISTURBANCE BUFFER
WETLANDS CONSERVATION OVERLAY DISTRICT
SHORELAND PROTECTION OVERLAY DISTRICT

SPECIAL EXCEPTION REQUESTED TO APPLY RESIDENTIAL R1 ZONE REGULATIONS IN THE NP ZONE

LEGEND

	UTILITY POLE
	TEST PIT W/ NO.
	STONE WALL
	TREE LINE
	SHORELAND ZONE LINE
	150' SHORELAND SETBACK
	WETLAND BOUNDARY
	PRIME WETLAND BOUNDARY
	FLOOD ZONE BOUNDARY
	40' WETLAND SETBACK
	BUILDING SETBACK LINE
	ABUTTING PROPERTY LINE
	EXISTING PROPERTY LINE
	PROPOSED PROPERTY LINE
	ZONE LINE

NOTES:
DEEDED TO THE TOWN ADDITIONAL 32.4 +/- AC.
TOTAL 41.8 +/- AC. OPEN SPACE
HOA COMMON OPEN SPACE 10.4 AC.



REVISIONS:	DATE:
CONCEPT SITE PLAN	
PLAN FOR: RESIDENTIAL DEVELOPMENT TAMARIND LANE EXETER, NH	
DATE: AUG. 21, 2019	SCALE: 1"=100'
PROJ. NO: NH-1154.1	SHEET NO. 1 OF 1



GOVE ENVIRONMENTAL SERVICES, INC.

WILDLIFE HABITAT ASSESSMENT
BRIAN GRISET
26 CULLEN WAY- EXETER, NH

The site consists of approximately 66 acres of woodland, wetland, open fields, and one pond. The site is surrounded by residential development. It is abutted by Rt. 111 to the north, the railway to the east, Cullen Way to the south, and Tamarind Lane to the west. A survey was conducted for notable habitat and wildlife usage. The survey was conducted October 2019.

Upland Areas

The main upland area on site is primarily open field with a gentle slope. This open field is where development is proposed. The forested upland area is comprised of white pine (*Pinus strobus*), sugar maple (*Acer sacharum*), American beech (*Fagus grandifolia*), poplar (*Populus*), and mixed oak (*Quercus*). Species in the canopy range in size from pole-size to mature trees.

The shrub layer includes low bush blueberry (*Vaccinium angustifolium*), buckthorn (*Rhamnus cathartica*), witch hazel (*Hamamelis virginiana*), as well as regenerating canopy species. Analysis of herbaceous species reveals the presence of wintergreen (*Gaultheria procumbens*), mapleleaf viburnum (*Viburnum acerifolium*), partridgeberry (*Mitchella repens*), clubmoss (*Lycopodium spp.*), and bracken fern (*Pteridium aquilinum*). The large field area that makes up a majority of the upland on site is comprised of a variety of grasses, sedges, and rushes. This field is mowed seasonally ever year. During the time of the assessment the field was mowed and species identification was not possible.

These natural communities are common in southern New Hampshire.

Wetland Areas

There are two large wetland systems and one small ponded area on site. A majority of the wetland systems on site are forested and scrub shrub. The large wetland system to the east consists of red maple (*Acer rubrum*), paper birch (*Betula papyrifera*), and musclewood (*Carpinus caroliniana*) in the tree layer, autumn olive (*Elaeagnus umbellate*), buckthorn, Japanese barberry (*Berberis thunbergii*), and sweet pepperbush (*Clethra alnifolia*) in the shrub layer, and sensitive fern (*Onoclea sensibilis*), lady fern (*Athyrium filix-femina*), swamp dewberry (*Rubus hispidus*), and mixed grasses and sedge in the herbaceous layer.

Another large portion of the wetland is a wet meadow. This field is also mowed every year in the fall to maintain habitat as well as several bryophytes, grasses, and cattail (*Typha*).

8 Continental Dr Unit H, Exeter, NH 03833-7507
Ph (603) 778 0644 / Fax (603) 778 0654
www.gesinc.biz
info@gesinc.biz

Wildlife Observations

A prime wetland exists on the northeast portion of the 65 acres contained within a 30 plus acre section which is proposed to be deeded to the town for preservation and mitigation. Results from the New Hampshire Natural Heritage Bureau indicates no known occurrences of rare, threatened, or endangered species, or natural communities on site.

A vernal pool check was conducted in April 2019, two pools were identified. Vernal pool one is about 30x30 feet in dimension and has an average depth of about 2 feet. Forty wood frog egg masses were observed. Pool two is about 50x40 feet approximately 52 wood frog egg masses were observed.

As part of the assessment several hours were spent surveying the site for signs and calls of wildlife that might be present or have recently used this site for travel purposes. Those noted on site are listed below. Overall, this site has notable wildlife usage. There was noted deer activity sporadically throughout the site. Old and fresh scat was observed throughout and was often found near one of the many deer travel corridors. It is assumed that large mammal such as deer and coyote are using this site to travel to and from open field areas located east and west of the subject parcels. Additionally, the railway abuts the site to the east, these are often used by wildlife for travel. Mammals are likely attracted to the site to forage the large field areas during the growing season. Coyote scat was also observed on site. This depicts a healthy ecosystem as both predators and prey signs were present.

The large wet meadow on site (located to the west) which connects to a scrub shrub wetland is ideal habitat for large predatory birds such as hawks and is well suited for Neotropical migrant birds, and many grassland dwelling birds. Neotropical migrants consist of small perching birds that annually migrate to warmer weather, such as chickadees, tufted titmouse, goldfinch, and various sparrows and warblers. Cavity trees were also observed on site, meaning woodpeckers are present.

Stone walls were observed on site. These can often be great habitat for small mammals (such as chipmunks, mice, and squirrels) to den and retreat from predators.

Although the proposed development is in an active field area, the remainder of the site is heavily used as a corridor and suitable habitat for present wildlife. The proposed development will not disturb many of the active corridors on site and travel will still be easily accessible. Many of the species using the corridors proposed to be disturbed will continue to have easy access to many of the other existing corridors on site. Although active corridors will be disturbed it will not disrupt wildlife passage as a whole. The wet meadow is good bird habitat and will remain intact. As a contingency of the future development the wet meadow will be maintained and mowed seasonally in the fall, as it is currently being conserved.



Observed Species:

Birds

Crow
Eastern phoebe
Black capped chickadee
Blue jay
Robins
Coopers Hawk
Bluebird
Titmouse
Neotropical migrants (examples listed in report)

Mammal

White-tailed deer
Chipmunk
Coyote
Squirrels

Attachments

Photolog
Wildlife Observation Map
Wildlife Travel Corridor Map



Photolog





View of wildlife corridors. (Most likely used primarily by deer.)



Cavity nesting tree.



Observed deer scat.



View of field area that serves as bird habitat.



Previously created road that is likely used by wildlife for travel.



Observed deer track near stream (photographed below).



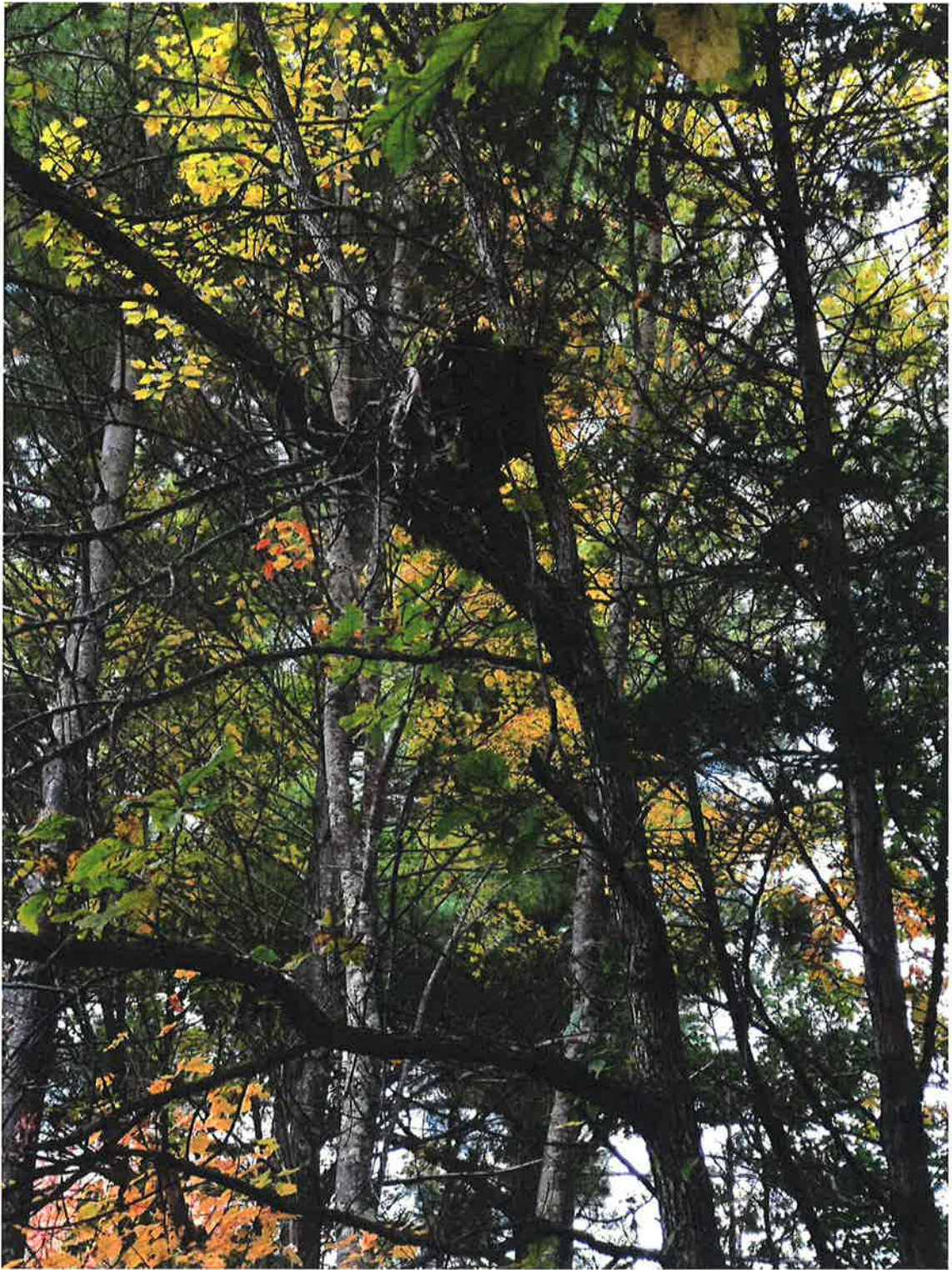
Stream near travel corridor.



Observed coyote scat in fielded area.



Predicted wildlife corridor.



Observed squirrel nest.

Wildlife Observation Map



Wildlife Travel Corridor Map





Predicted Approximate Wildlife Corridors and Usage
Assessment done: October 2019

Predicted wildlife corridors
Vernal pools

Rockingham

Article 9. NATURAL RESOURCE PROTECTION

9.1 WETLANDS CONSERVATION DISTRICT

9.1.1 Purpose and Intent: The purpose of the Wetlands Conservation District is to protect the public health, safety and general welfare of the community by promoting the most appropriate use of land and the protection of wetland ecosystems and water quality in accordance with the goals and objectives of the most recent Exeter Master Plan. It is intended that this article shall:

- A.** Prevent the development of structures and land uses on wetlands and wetland areas of very poorly drained soils and poorly drained soils and /or their buffers which will contribute to pollution of surface and groundwater by sewage or toxic substances, excess nutrients or sedimentation;
- B.** Prevent the destruction of, or significant changes to, those wetland areas, related water bodies, and adjoining land which provide flood protection;
- C.** Protect wetland systems that provide filtration of water flowing into ponds and streams, augment stream flow during dry periods and which connect to the ground or surface water supply;
- D.** Protect wildlife habitats, maintain ecological function and support other public purposes such as those cited in NH RSA §482-A:1 and as amended from time to time;
- E.** Protect potential water supplies and existing aquifers (water bearing stratum) and aquifer recharge areas;
- F.** Prevent unnecessary or excessive expense to the Town for the purpose of providing and/or maintaining essential services and utilities which might be required as a result of development in wetlands.
- G.** Prevent damage to structures and properties caused by inappropriate development in wetlands.

9.1.2 Applicability: All proposed development, removal of vegetation, and alteration/disturbance of the land including but not limited

to drainage, wastewater disposal system, wells and other utilities within the wetlands conservation overlay district is subject to this ordinance.

9.1.3 Boundaries and Setbacks: The Wetlands Conservation Overlay District includes:

- A.** Surface waters of the State.
- B.** Wetlands of any size including but not limited to swamps, bogs, marshes, ponds, lakes, and vernal pools.
- C.** Inland streams shown on USGS 7.5x15 minute 1:24,000-scale topographic quadrangle maps, including intermittent streams. Note: Additional restrictions and setbacks apply if within Exeter Shoreland Protection District, Article 9.3.
- D.** Man-made drainage structures including but not limited to detention ponds, retention ponds, and drainage swales shall not be considered part of the Wetlands Protection Overlay District.
- E.** A wetland buffer area comprised of all land parallel to and measured from the edge of the wetland boundary on a horizontal plane to a width defined below:

<u>Wetland Category</u>	<u>Limited Use Buffer</u>	<u>Parking, Structure and Waste Water Systems Setback*</u>
<u>Prime Wetland</u> <i>As identified in the 2005 Prime Wetland Report and registered with the NH Wetlands Bureau</i>	<u>100'</u>	<u>125'</u>
<u>Vernal Pool</u>	<u>75'</u>	<u>100'</u>
<u>Exemplary Wetlands</u> <i>A natural community as designated by the NH Natural Heritage Bureau</i>	<u>50'</u>	<u>75'</u>
<u>Wetlands with Very Poorly Drained (VPD) Soils</u>	<u>50'</u>	<u>75'</u>

Formatted Table

<u>Wetlands with Poorly Drained</u>	<u>40'</u>	<u>75'</u>
<u>Inland Streams</u> <u>(incl. intermittent)</u>	<u>25'</u>	<u>75'</u>

- 1.—~~Prime Wetland Buffers:~~ Includes all areas extending 100' from the boundary of areas identified in the 2005 Prime Wetland Report and registered with the NH Wetlands Bureau.—This 100-foot buffer is a "No-Cut-No-Disturbance" buffer.
- 2.—~~Exemplary Wetland Buffers:~~ Includes all areas extending 50 feet from the boundary of wetlands designated as an exemplary natural community by the NH Natural Heritage Bureau.—This 50-foot buffer is a "No-Cut-No-Disturbance" buffer.
- 3.—~~Very Poorly Drained Soils (Hydric A) Buffer:~~ Includes all areas extending 50 feet from the boundary of such wetlands.—This 50-foot buffer is a No-Cut-No-Disturbance buffer. No subsurface wastewater disposal system shall be constructed within seventy-five feet (75') of the edge of any Type A Hydric Soil.
- 4.—~~Poorly Drained Soils (Hydric B) Buffer:~~ Includes all areas extending 40 feet from the boundary of such wetlands.—This 40-foot buffer is a No-Cut-No-Disturbance buffer. No subsurface wastewater disposal system shall be constructed within fifty feet (50') of any Type B Hydric Soil.
- 5.—~~Inland streams Buffer (including intermittent streams):~~ Includes all areas extending 25 feet from the top of the bank.—This 25-foot buffer is a No-Cut-No-Disturbance buffer.
- 6.—~~Vernal Pool Buffer (200 square feet or greater):~~ This includes all areas extending 75 feet from the boundary of vernal pools.—This 75-foot buffer is a "No-Cut-No-Disturbance" buffer.

E.F. Boundary Appeals: In the event that the Building Inspector, the Planning Board, or the Conservation Commission questions the validity of the boundaries of a wetland area on a specific parcel of land, or upon written petition of the owner or any abutter of the said property to the Planning Board, the Board may call upon the services of a scientist qualified to delineate wetlands in accordance with the standards and criteria specified in 9.1.4.J Wetlands Delineation in order to examine said area and report the findings to the Planning Board for their determination of the boundary. Expenses incurred in retaining these services shall be paid by the landowner.

9.1.4 Definitions:

- A. Buffer:** The protected upland areas adjacent to all systems described within the Wetlands Conservation Overlay District. This area acts as essential maintenance and protection of wetland value and function.
- B. Certified Wetlands Scientist:** A person qualified to delineate wetland boundaries and prepare wetland maps who is certified by the State of New Hampshire Board of Natural Scientists, as defined by RSA 310-A:76, II-A and as amended from time to time.

Formatted: Indent: Left: 1.25", Hanging: 0.38", Tab stops: 1.63", Left + Not at 1.88"

- C. Development: Any human-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading excavation or drilling activities.
- D. Exemplary Wetlands: The NH Natural Heritage Bureau tracks "exemplary" natural communities including wetlands. To qualify as exemplary, the wetland in a given place must be of a rare type, or must be a very old occurrence of a common community in good condition.
- E. No cut / No disturb: Prohibit activities which involve the cutting or clearing of native vegetation, compaction, re-contouring or grading the natural surface of the land or alteration of water flow.
- F. Prime Wetlands: Those areas designated Prime Wetlands in accordance with RSA 482-A:15, and the NH Code of Administrative Rules Env-Wt 700, and as amended from time to time.
- G. Vernal Pool: A body of water, typically seasonal, that provides essential breeding habitat for certain amphibians and invertebrates, does not support viable fish population, and meets the criteria established by the New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program, *Identification and Documentation of Vernal Pools in New Hampshire*, rev 2004 and as defined in. ~~In accordance with the NH Code of Administrative Rules Env Wt-101.108.99, this does not include areas that contain these characteristics but are the result of on-going anthropogenic activities that are not intended to provide compensatory mitigation, including but not limited to: (1) Gravel pit operations in a pit that has been mined at least every other year; and (2) Logging and agricultural operations conducted in accordance with all applicable New Hampshire statutes and rules.~~
- H. Surface Waters of the State: Pursuant to RSA 485-A:2.XIV and as amended from time to time, perennial and seasonal streams, lakes, ponds, and tidal waters within the jurisdiction of the state, including all streams, lakes, or ponds bordering on state, marshes,

water courses, and other bodies of water, natural or artificial.

- I. Wetland: Pursuant to RSA 482-A:2.X and as amended from time to time, an area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. They include, but are not limited to, swamps, bogs, marshes, ponds, lakes, and all such areas as included in the jurisdictional definition of the New Hampshire Wetlands Board Administrative Rules, Chapter Wt 100 as subsequently amended.
- J. Wetland Delineation: Wetlands shall be delineated on the basis of hydrophytic vegetation, hydric soils, and wetlands hydrology, ~~in accordance with the techniques outlined in the~~ delineated in accordance with Env-Wt 301.01 and as amended from time to time, and whether any wetlands are designated as prime wetlands in accordance with RSA 482-A:15 and as amended from time to time ~~Federal Manual for Identifying and Delineating Jurisdictional Wetlands (January 10, 1989).~~

9.1.5 Permitted Uses: The following uses, to the extent permitted in the underlying zoning district, shall be permitted in the Wetlands Conservation Overlay District as specified, provided that the proposed use will not cause increases in surface or groundwater contamination, contribute to soil erosion, or cause a degradation of the wetland.

~~K.A.~~ Agriculture, including grazing, hay production, truck gardening and silage production provided ~~that such use is shown not to cause significant increases in surface or groundwater contamination by pesticides or other toxic or hazardous substance and that such use will not cause or contribute to soil erosion provided that~~ the activity does not impact ~~the a~~ prime wetland's 100' buffer.

~~L.B.~~ Forestry and tree farming to include the construction of access roads for said purpose provided that the activity does not impact ~~the a~~ prime wetland's 100-foot buffer.

Formatted: Outline numbered + Level: 3 +
Numbering Style: 1, 2, 3, ... + Start at: 1 +
Alignment: Left + Aligned at: 0.5" + Tab after:
0.8" + Indent at: 1.25"

~~M.C.~~ _____ Wildlife habitat development and management.

~~N.D.~~ _____ Recreational uses consistent with the purpose and intent of this article.

~~O.E.~~ Conservation area and nature trails.

~~P.F.~~ ~~Water impoundment and t~~he construction of well water supplies.

~~Q.G.~~ _____ Elevated, uncovered decks attached to an existing structure, free-standing gazebo or garden-type structures, and storage sheds (not exceeding 120 s.f. in size ~~when~~ ~~may be placed within the buffer. All structures must be~~ elevated on blocks, sonatubes or similar footing. ~~All structures must~~ ~~provided they~~ maintain a minimum ten foot (10') setback from the edge of wetland. ~~The intent of these allowances is to permit a homeowner with some flexibility for reasonable use of their property, while ensuring that the buffer will maintain its ability to absorb storm water runoff.~~

~~R.H.~~ _____ Native, non-invasive plantings such as trees and shrubs.

~~S.I.~~ Projects ~~within an already disturbed wetland buffer provided the existing buffer or buffer function is not further reduced~~ that reduce impervious surfaces while ensuring the protection of the wetland buffer through erosion and sediment control best management practices as reviewed and approved by the Planning Department.

~~T.J.~~ Projects that re-vegetate or re-vitalize in some way an already disturbed buffer zone as reviewed and approved by the Planning Department

9-1.59.1.6 Conditional Uses:

- A.** Conditional Use Permit: Under the enabling authority granted by NH RSA §674:21 II ~~and as amended from time to time~~, the following uses are only permitted in the Wetlands Conservation Overlay District pursuant to the issuance of a conditional use permit by the Planning Board. ~~Before the Planning Board undertakes a conditional~~

use review, the applicant shall make application, on forms provided in the Planning Department, to the Conservation Commission for review and comment. The application shall document the degree of permanent and temporary impact and detail how the conditions listed in article 9.1.6.B below are met. The Planning Board shall consider the comments or recommendations from the Conservation Commission prior to acting upon a Conditiona Use Permit. provided that all of the conditions listed in article 9.1.6.B below are met.

1. Construction of roads and other access ways, parking areas, utilities, structures, drainage systems, wells water impoundment and other site improvements that impact the Wetlands Conservation Overlay District, provided that the proposed construction is essential to the productive use of land not within the Wetlands Conservation Overlay District.
 2. If prime wetlands are involved then the following: Agriculture activities within the 100' prime wetland buffer including grazing, hay production, truck gardening and silage production in accordance with best management practices provided that such use is shown not to cause increases in surface or groundwater contamination by pesticides or other toxic or hazardous substance and that such use will not cause or contribute to soil erosion.
 3. Within the 100 ft. buffer around prime wetlands, Fforestry and tree farming within the 100' prime wetland buffer when conducted consistent with the best management practices as published by the NH Department of Resources and Economic Development and NH Cooperative Extension. As specified, in Logging Operations (Env-Wt 304.05), all skid trails, truck roads and log landings shall be located 50 feet from streams or ponds and designed using appropriate erosion control devices. Stream and wetlands crossings shall be kept to a minimum in size and number.
- B.** Conditions: Prior to issuance of a conditional use permit, the Planning Board shall conclude and make a part of the record, compliance with the following criteria:

1. That the proposed use is permitted in 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~~No alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer is feasible;
3. ~~A wetland scientist has provided an impact evaluation that includes the "functions and values" of the wetland(s), an assessment of the potential project-related impacts and The proposed impact has been evaluated in the context of the relative "value" of the wetland, including its ecological sensitivity, as well as its function within the greater hydrologic system. Tconcluded to the extent feasible, the proposed impact is not detrimental to the value and function of the wetland(s)~~or the greater hydrologic system.
4. That the design, construction and maintenance of the proposed use will, to the extent feasible, minimize detrimental impact on the wetland or wetland buffer ~~and that no alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer is feasible;~~
5. ~~In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use, that the landowner agrees to restore the site as nearly as possible to its original grade and condition following construction;~~
5. That the proposed use will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater, or other reasons;

Comment [KM1]: Added to #2

Comment [KM2]: Moved to #8.

6. For temporary impacts, the applicant has included a mitigation proposal revegetating any disturbed area within the buffer. The applicant may also propose an increase in wetland buffers elsewhere on the site that surround a wetland of equal or greater size, and of equal or greater functional value than the impacted wetland
7. That all required permits shall be obtained from the New Hampshire Department of Environmental Services Water Supply and Pollution Control Division under NH RSA §485-A: 17, the New Hampshire Wetlands Board under NH RSA §483-A, and the United States Army Corps of Engineers under Section 404 of the Clean Water Act.
8. In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use, that the landowner agrees to restore the site as nearly as possible to its original grade and condition following construction;

~~C. Alternate Procedure for Subdivision and Site Plan Applications~~

~~In those cases where the proposed disturbance, activity, or development is associated with a project requiring Planning Board Subdivision or Site Plan approval, the CUP process as outlined in Zoning Ordinance Article 9.1.6.A and the waiver process as outlined in Section 9.9 of Exeter's Site Plan Review and Subdivision Regulations are duplicative. To ensure an efficient and effective review, the Applicant shall follow Section 9.9 of the Site Plan Review and Subdivision Regulations and request a waiver(s) from wetland regulations and may obtain a waiver from Article 9.1.6.A CUP process.~~

9.1.6 Environmental Impact Assessment: ~~The Planning Board may require the applicant to submit an environmental impact assessment when necessary to evaluate the effects of proposed development on existing wetland natural resources. The cost of this assessment shall be borne by the applicant. The Planning Board may retain its own consultant to review the impact~~

Comment [KM3]: This is already afforded for in SS 7.14.3

~~assessment and other materials submitted by the applicant, such expenses to be paid by the applicant.~~

9.1.7 Prohibited Uses: In reviewing an application for a variance from the provisions of this subsection, the Zoning Board of Adjustment may request that the Conservation Commission and/or the Planning Board review the application and provide written comment as to the potential impacts the proposed use may have on wetlands and wetland buffers. The following uses are not permitted in the Wetlands Conservation Overlay District, notwithstanding that they may be permitted in the underlying zoning district:

A. Salt storage

~~**B.** Wastewater Disposal Systems (including a 4,000-square foot reserve area)~~

~~**C.** Automobile junkyards~~

~~**D.** Solid or hazardous waste facilities~~

~~**E.** Use of fertilizer on lawns, except lime or wood ash~~

~~**F.** Bulk storage or handling of chemicals, petroleum products, underground tanks, hazardous materials, or toxic substances as defined under NH RSA 147-A2, VII and as amended from time to time.~~

~~**G.** Snow storage, unless in accordance with NH Department of Environmental Services Snow Disposal Guidelines (Document WMB-3, 2007)~~

~~**H.** Sand and gravel excavations~~

~~**I.** Processing of excavated material~~

~~**J.** Any use not specifically listed as a permitted or conditional use.~~

9.1.8 Lot Size Determination:

A. Areas defined as jurisdictional wetlands in this article may be used to satisfy up to twenty-five percent (25%) of the

minimum lot size required by the zoning ordinance, provided that the remaining lot area is sufficient in size and configuration to accommodate adequately all required utilities such as sewage disposal and water supply, and will accommodate permitted structures and lot access.

- B. No open bodies of water may be used to satisfy minimum lot sizes.
- C. The twenty-five percent (25 %) limitation of this article may be increased up to fifty percent (50%) for minimum sized lots in the RU or R-1 districts that are served by municipal water and sewer, provided all setbacks are adhered to.

9.1.9 Wetland Boundary Markers: The Planning Board or Conservation Commission may require wetland boundaries or WCOD, to be marked with an identifiable permanent marking system when adjacent to proposed developed areas.

9.1.99.1.10 Non-Local Permits: Notwithstanding the provisions of this article or local approval of proposed uses, any permits required by the New Hampshire Department of Environmental Services Water Supply and Pollution Control Division under NH RSA §485-A:17, the New Hampshire Wetlands Board under NH RSA §482-A, or the United States Army Corps of Engineers under Section 404 of the Clean Water Act shall be obtained prior to the use or alteration of wetlands. Separate local approval of regulated uses in wetlands shall be required irrespective of obtaining non-local permits.

- ~~A.—No subsurface wastewater disposal system shall be constructed within seventy five feet (75') of the edge of any Type A Hydric Soil (very poorly drained) or fifty feet (50') of any Type B Hydric Soil (poorly drained).~~
- ~~B.—The Planning Board shall require the designation of buffer areas adjacent to wetlands to protect such wetlands from adverse impacts due to proposed site development in accordance with Site Plan Review and Subdivision Regulations, Section 9.9.2 Wetland Setbacks.—All construction, forestry and agricultural activities within one hundred feet (100') feet of any wetlands shall be undertaken with special care to avoid soil erosion and siltation of wetlands.~~

~~C. The area extending one hundred feet (100') from the boundary lines of Exeter's prime wetlands as registered with the NH Wetlands Bureau shall be a no-cut, no-disturbance buffer. (See Nov. 2005 Exeter Prime Wetland Mapping Report) If the prime wetlands is also a wetland contiguous to a protected river, stream, or brook, the required setback shall be that which yields the greatest protection. The permitted use as described in Article 9.3.4.I.2 is allowed within the wetland "no-cut, no-disturbance" buffer area.~~

9.1.109.1.11 Remedy for Violations Enforcement: Any wetlands altered in violation of this article shall be restored at the expense of the violator(s) as provided by NH RSA §482-A. The Code Enforcement Officer shall be responsible for the enforcement of the provisions of this ordinance.

Exeter Conservation Commission
October 8th, 2019 7 PM
Town Offices Nowak Room
Draft Minutes

Call To Order

1. Introduction of Members Present

Present at tonight's meeting were Bill Campbell, Carlos Guindon, Ginny Raub, Andrew Koff, Sally Ward, Todd Piskovitz, Dave Short, Trevor Mattera, Kristen Murphy, and Julie Gilman.

Lindsey White, Andy Weeks, and Alyson Eberhardt were not present.

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

2. Public Comment

Action items

1. McDonnell Conservation Easement issue

Ms. Murphy discussed the ongoing issues at the McDonnell conservation easement. The property owner has lived there for 8 or 9 years, and there has been an increase in dumping, drug exchanges, littering, and other unwanted activities. In August, Ms. Murphy met with the police department and the property owner to discuss enforcement. Bruce Page of the PD offered to coordinate with the department on more evening patrols. That has happened, and there was a recent dumping where the police department investigated, found the person, and cleaned up the majority of the trash. However, on Monday Ms. Murphy received an email from the property owner expressing concerns about continuing issues. Ms. Murphy looked into a gate for the parking lot to physically close the property from dusk until dawn, but it would be too burdensome to open and close it manually, and the cost of an automated gate is too high.

According to the easement, the owner has the right to post the property closed to vehicles without town approval. Should these unwanted uses continue, they could impair the conservation value, so legally there is the ability to close the property if the owner and the town agree. Jay Perkins of Public Works said that dropping two jersey barriers in front would close the property. If they decide to pursue this, the Conservation Commission would make a recommendation to the Select Board, and the Board would come to terms with the property owner. It should probably be part of a public discussion and/or an article in the paper. She asked how the Commission felt about the proposal.

Ms. Ward said closing the parking lot wouldn't be a real solution, because people can still get in without a car. Ms. Murphy said the parking lot closure would be one step closer to getting a handle on these activities. Mr. Campbell said people aren't going to walk all the way in from Court Street. Ms. Murphy said the intent is not to stop people fishing or other legitimate uses, but to limit dumping and other activities in the parking lot. Mr. Campbell said a lot of people use it, but if they think it will limit the unwanted activities they should put up the barriers.

Dave Short asked if a police patrol has any enforcement powers here. Ms. Murphy said it sounds like they have removed people from the property. Mr. Short suggested putting an enforcement mechanism in place, such as improving the signage about the park being closed from dusk until dawn, so that the police could cite any violators. Mr. Campbell said years ago, the police found someone who dumped there and reprimanded them, but did not apply the \$100 fine as the signage states. Mr. Short suggested they use enforcement first, then make a decision to close if necessary. Ms. Murphy said the dumping is the thing that has the monetary amount associated with it; she doesn't know what the police would be able to do to those simply there after hours. Mr. Koff said he'd like to hear from the police, since adding a barrier might actually make enforcement more difficult, as a police car could no longer get in there.

Mr. Piskovitz asked if the Commission would be willing to close the parking lot. Ms. Murphy clarified that the request was to close until a more permanent solution was found. Mr. Campbell said he would be ok with that temporarily. Ms. Ward asked what a more permanent solution would look like. Ms. Murphy suggested a gate that doesn't open from dusk until dawn.

Ms. Gilman suggested that she and Ms. Murphy speak to the Police Chief on this issue.

2. Update on Riverwoods Conservation Easement

Ms. Murphy said that she, Mr. Campbell, and Mr. Guindon went through the draft conservation easement and sent it to RiverWoods, whose counsel is reviewing the changes. Unofficially, there are no major issues, but RiverWoods wants to talk in more detail. One change was to require RiverWoods to create a forest management plan to be reviewed and approved by the Conservation Commission. RiverWoods has a Forestry Committee, so counsel suggested talking with them. Ms. Murphy will come back with more information on this soon.

Mr. Koff asked about the specifics of the changes. Ms. Murphy said draft includes provisions to not permit cell towers or development within the conservation easement. She didn't feel the need to bring the back to the Commission if they weren't sure RiverWoods was on board. Mr. Guindon said if anyone's interested he could provide a copy.

3. Upcoming Workshops

a. NHDES Wetland Rule training dates 10/10 Coastal, 10/16 Project Specific

Mr. Piskovitz said the wetland rules were amended recently, and this will be a training on what those rules mean. Ms. Murphy said the amended rules go live in December. The two trainings are different: October 10th is coastal projects and permitting, and October 16th is project-specific, about residential development types of projects. It seems like both would be important to attend.

4. Committee Reports

a. Property Management

i. Waleryszak Estate

Ms. Murphy said the next step in the easement violation process is to reissue the letter with a shorter response timeframe, and getting legal counsel to review it. She went to look at the property, and it did not appear there's been any change. Ms. Ward asked about the new deadline, and Ms. Murphy said it will be 15 days from receipt of the letter, which has not yet been sent.

ii. Invasive Update

Mr. Guindon said that a map of the invasive work in Henderson-Swasey is in process. He pulled everything north of the gasline on the logging trails, all the way back to the first landing, and it has been mapped. There are lines around the higher density of invasives and noting where he's flagged, mostly on the south side of the gasline, part of which was harvested. He's pulled mostly oriental bittersweet, burning bush, and buckthorn. He pulled them and left them to dry, and found later that 100% were dead, so that seems effective where the growth is not as dense. Where it's heavily infested, we'll have to make a decision. He's cut big plants and they often resprout. Pulling them entirely would be a lot of work.

The other place he did work was at the Irving piece, near the golf course and country club. He's working on removing the bittersweet there. Last time Dave O'Hearn did the mowing, he cut back a lot, so it's more accessible now. Ms. Murphy said she would like to understand more about the history of that property. Mr. Campbell said there used to be a wooden sign there that should be replaced.

b. Trails

i. Eagle Project Update

Mr. Short said that the Eagle Scout had done a little more work, but it's unclear if it will be done this season. Ms. Murphy said it sounded like he was ready to come talk to the Commission, but they haven't heard further from him. Mr. Short said there's a pile of wood chips, but other than that there's nothing detracting from the area.

ii. Trail Signage and Blazing Update

Ms. Murphy said she had finished the blue and green loops in Henderson-Swasey as of the last meeting; she has now finished the yellow loop, and she and Mr. Campbell got most of the junction markers put in. They plan to go out Friday to put up the interior signs and two more junction markers. Mr. Campbell said there has been some trail confusion around the mini kiosk junction; he suggested Mr. Short take a look and see how it could be improved. Some of the trails are also getting rough. Mr. Short said the trails were pretty much status quo. Sometimes if a tree goes down or an area is wet they will get trail creep. Ms. Murphy said at the Camel Hump section there's a new way to come down to the yellow trail. Mr. Short said it had been that way for a long time, but it's more noticeable now. Ms. Murphy said habitat-wise that seemed like a poor location for a trail, and suggested they take a walk to assess it. Mr. Campbell said he would take a look.

c. Outreach Events

i. Upcoming: 10/25 Sky Watch

Ms. Ward said that the events subgroup of the Raynes Farm Stewardship Committee decided not to do Storywalk and Scavenger Hunt because of the structures that Eversource put up. They're still doing the Sky Watch and a solstice event. Brush was cleared from the path to the stone wall, so people can walk up to the barn, but it's rough and would be difficult for children or those with mobility issues. The Sky Watch will have a presentation and time for observations. Parks and Rec provide a shuttle; people will park at Public Works and take the shuttle to Raynes. A telescope may be set up in the parking lot or at the barn. It must be a clear

night. Ms. Murphy said the person from the NH Astronomical Society who's putting it on said they may see Jupiter, Saturn, and two star clusters. Ms. Ward said they're encouraging people to bring flashlights, and hoping they will have a way to illuminate the path like solar lights. Ms. Murphy will put a notice on Facebook and town website. It's free but they're doing tickets so they have a headcount.

Ms. Ward said that Eversource is now looking at a 12 week work schedule, not 6 weeks. They're looking forward to next year when that work is over. The group also talked about a volunteer day to have the farm implements in the barn labelled and displayed.

Mr. Koff asked if they could still park in the parking lot. Ms. Ward said the timber mats start at the barn and follow the line of the electrical towers. The timber mats are rough; there is space to walk on the right, but still some brush and debris there. Ms. Murphy added that on a day to day basis Eversource has snow fencing up along the timber matting, so visitors need to stay north of the electrical line and not head up to the barn.

ii. UNH Extension/Sea Grant Climate Change Outreach Update

Mr. Mattera said last month he talked about Amanda Stone and Lisa Wise saying they'd be willing to put together an education initiative. Since then, they've been brainstorming the event, and had decided that multiple boards should participate. There are a flood of resources and reports, which are usually not interpreted for the community. They want to go through, synthesize, and develop a workshop about the information. They need to decide who will start synthesizing, since the funding didn't support the RPC doing it. The event is targeted for next spring. Ms. Murphy said there will be a meeting in November to discuss it further.

5. Approval of Minutes: Sept 10, 2019 meeting

Ms. Murphy said that Sharon Sommers is spelled "Somers," and "Donohue Tucker" should be "Donahue Tucker." The last sentence on page two should say "The Town Planner said that Riverwoods has done their due diligence and *if they can't find an easement holder* the conservation restriction would satisfy the Planning Board." Also, the resident's name is "Gwen English," not "Lynn English." Mr. Mattera said that in the update about the Cooperative Extension, Ms. Stone's name is "Amanda", not "Mandy," and they are part of the UNH Cooperative Extension *and* the NH Sea Grant, which are two different programs.

MOTION: Mr. Campbell moved to approve the minutes for September 10th as amended. Ms. Ward seconded. All were in favor. Ms. Raub abstained and the motion passed 6-0-1.

6. Treasurers Report and Expenditure Requests; Purchase Requests:

- a. Community Services: \$360 folding chairs for Raynes, \$38 for Sky Watch and Winter Solstice events

Ms. Murphy said that \$360 will buy 12 folding chairs from Walmart. The maximum participants in the barn is 50 so this will get them part of the way. Ms. Ward said there are some chairs out there already but they aren't in the greatest shape.

Ms. Ward said the \$38 is for refreshments for the two events.

MOTION: Mr. Campbell moved to authorize the expenditure of up to \$360 for folding chairs at Raynes and the remainder of the amount for Sky Watch and Winter Solstice, under the Community Services budget. Ms. Ward seconded. All were in favor.

b. Conservation Land Admin: \$300 Easement Boundary Markers, \$119 Trail Supplies

Ms. Murphy said that right now we have boundary markers that say "Town of Exeter conservation land," but that doesn't make sense for easements that are privately owned, and she suggested getting new ones. Voss Signs has a cheaper boundary marker than the ones we have now. The remainder would go to trail supplies such as lumber and hardware.

MOTION: Mr. Campbell moved to authorize up to \$300 for easement boundary markers, and up to \$119 for trail supplies. Mr. Guindon seconded. All were in favor.

c. Education/Training: \$170 avail - \$60 NHACC 2-3 attendees incl. Carlos

Ms. Murphy said that Mr. Guindon is interested in attending NHACC, but there are still funds available for 2-3 other members to attend. This year, they're requesting an increase in the Training and Education budget, so she thinks they should expend the line item on this or another workshop as they go into budget season.

MOTION: Mr. Campbell moved to authorize up to \$170 for attending the NHACC meeting or another meeting. Ms. Ward seconded. All were in favor.

7. Correspondence

There was no correspondence discussed.

8. Other Business

There was no other business discussed.

9. Next Meeting

- a. Date Scheduled 11/12/19, Submission Deadline 11/1/19. Ms. Murphy said the location of this meeting will be at the Town Hall.

Adjournment

MOTION: Mr. Campbell moved to adjourn. Mr. Guindon seconded. All were in favor. And the meeting was adjourned at 8:10 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary