



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 virtually on **Tuesday, May 12th, 2020 at 7:00 P.M.**

Call to Order:

1. Introduction of Members Present & New Members Welcome
2. Public Comment

Action Items

1. Election of Officers
2. Deb Humiston – Self Guided Orienteering Event Request
3. Discussion of active/passive recreation allowances on proposed conservation land in association with Gateway at Exeter LLC mixed use development on Epping Road (Tax Map 47 Lots 6 and 7), including draft deed and stewardship plans (Brendan Quigley and Tom Monahan)
4. Discussion of Covid-Related Budget Restrictions And Proposed Reduction
5. Expenditure Request: NHACC Dues
6. Committee Reports
 - a. Property Management
 - i. Morrissette Property Pollinator Project, Monarch Waystation, Pollinator Pathways
 - ii. Expenditure Request: Conservation Landowner Outreach
 - iii. Expenditure Request: Weed wrench
 - iv. McDonnell Property Gate Operation Update
 - b. Trails
 - i. Trail Work Updates and Supply Expenditure Requests: Various wooden trail signs, Industrial Dr. Kiosk, Irvine Property Sign
 - c. Outreach Events
 - i. Spring Tree Program Update
 - ii. Rain Barrel Program Open Through May 25th
 - iii. SkyWatch Star Gazing Event Rescheduled for Friday 10/16, (10/23 back up date)
 - iv. Virtual Hike Programming Suggestion
 - d. Tree City Subcommittee Report
7. Approval of Minutes: Feb 11, 2020
8. Correspondence
9. Other Business
10. Next Meeting: Date Scheduled (6/9/20), Submission Deadline (5/29/20)

Non-public Session

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

Drew Koff, Vice-Chair

Exeter Conservation Commission

Posted May 8th, 2020 Exeter Town Website www.exeternh.gov and Town Hall Kiosk.

PUBLIC MEETING ACCESS:

- *Virtual Meetings can be watched on Channel 22 and on Exeter TV's Facebook and YouTube pages.*
- *To participate in public comment, click this link: <https://exeternh.zoom.us/j/88665709878>*
- *To participate via telephone, call: +1 646 558 8656 and enter the Webinar ID: 886 6570 9878*
- *Use the "Raise Hand" button to alert the chair you wish to speak. On the phone, press *9.*
- *More instructions for how to participate can be found here:*
<https://www.exeternh.gov/townmanager/virtual-town-meetings>
- *Contact Bob Glowacky at rglowacky@exeternh.gov or 603-418-6425 with any technical issues.*

**TOWN OF EXETER
PLANNING DEPARTMENT MEMORANDUM**

Date: May 8th, 2020
To: Conservation Commission Board Members
From: Kristen Murphy, Natural Resource Planner
Subject: May 12th Conservation Commission Meeting

Election of Officers:

Please come prepared to nominate replacements or renewals for the following positions:

Chair - vacancy
Vice Chair - Drew
Treasurer - Dave
Clerk - Sally

Also the Selectboard is looking for an official recommendation from the CC for moving one alternate to the voting member vacancy from Todd's resignation. This typically goes to "next in line" based on appointment but both Ginny and Lindsey are happy remaining as alternates. Trevor was interested in moving to the position.

Suggested motion:

Move to recommend to the Select Board to appoint Trevor Mattera to the voting member vacancy with a term to expire 2023.

Self- Guided Orienteering Event

As you know Deb Humiston and her orienteering organization has held an annual orienteering event for the past few years. She has now reinvented the program to align with our current situation and would like to hold a virtual event. She will be attending to present the proposal.

Gateway Conservation Property

This project was before you on November 12th. You can view the meeting video [HERE](#). The applicant has provided a draft deed, baseline report. I have attached memos submitted to NHDES and the PB. Tonight we hope to address the following remaining steps 1) Address whether you are supportive of passive recreation on the property and what types, 2) accept a baseline documentation report, 3) determination of an appropriate stewardship fee, 4) location of access. The applicant will still be required to walk the boundaries with the CC or their representative, provide Phase I report, final surveyed plan, and final deed. The deed once finalized will require legal counsel review and a recommendation from you to the Select Board for acceptance.

1. Passive Recreation:

There was some concern expressed at that time about providing public access and impacts to sensitive species/habitats. You indicated you wished to address trails/access at a later date. The applicant is scheduled to go before the Planning Board on May 23rd so it would be helpful to have a position on this moving forward.

Suggested Motion:

- _____ *Send a memo to the Planning Board indicating in addition to the prior recommendations, the Conservation Commission is supportive of allowing passive recreation within the proposed conservation area (**with the following conditions**):*
- *Should an entity other than the Commission install a trail, trail alignment would be reviewed and approved by the Conservation Commission prior to installation to ensure sensitive resource impacts are avoided/minimized*
 - *trail use would be limited to (**passive**)(**non-mechanized passive**) recreation*
 - *hunting (**would**)(**would not**) be permitted*

_____ *Send a memo to the Planning Board indicating the Conservation Commission **is not** supportive of allowing passive recreation within the proposed conservation area for the following reason(s):*

2. **Baseline Documentation Report:** As part of the mitigation requirements, NHDES requires adoption of a baseline documentation. Please review the attached document.

Suggested Motion:

_____ *Send a letter to NHDES indicating the Conservation Commission **is** supportive of the baseline documentation report.*

3. Stewardship Fee: You indicated a need to include a stewardship fee. Some properties have paid a one-time fee, others you have required an annual payment. I recommend the former for ease of tracking. You will need to determine what is appropriate/reasonable. There are many references on how to standardize this but a good overview can be found [HERE](#). Given the added protection provided by NHDES (mitigation land) there is perceptibly a lower legal risk than on say a privately owned easement.

Suggested Motion:

_____ *Require a (one time)(annual) stewardship fee of \$_____ to be paid by the applicant and deposited into the Conservation Fund for stewardship.*

4. Access:

Based on comments at the last meeting, they have removed the bridge/access point from the plans. If you are supportive of passive recreation, please consider and recommend where you feel access would be appropriate.

5. Deed Review:

Though I do not anticipate being able to get through the entire deed, if there are any glaring concerns, it is important to bring them up now. I recommend we establish a person or two to work with the applicant and I to review/edit the deed to final draft stage.

_____ *Move to appoint _____ to work with the applicant, NHDES and Kristen Murphy to review/edit the deed with the goal of bringing a recommended final draft to a future meeting. Once accepted by the full board and subject to legal counsel review, the Conservation Commission would make a recommendation to the select board for property acceptance.*

Budget Restrictions:

In preparation for reductions in local and state revenues, the Town manager asked all departments to submit a plan of 10% reduction/savings from FY20. Given the ongoing challenges for physical distancing, I recommend you consider foregoing the hiring of seasonal Conservation Land Stewards for the current year. This will reduce your budget by \$2520 for the FY20.

NHACC Dues:

See attached email and invoice.

Motion to approve \$700 from the Conservation Commission Dues budget line item

Property management:

Morrisette: NH Fish and Game's Tom Brightman arranged to provide \$1000 in pollinator plants for planting at the Morrisette property. On May 4th several CC members helped plant the upwards of 700 plants. We now have the ability to register the site as [a Monarch Waystation](#) for \$15 and NH Fish and Game would donate signs to place onsite. Whites Meadow in the McDonnell Conservation grouping also qualifies so I suggest we consider registering both sites:

Motion to approve \$32 from the Conservation Land Administration budget line item

Landowner Outreach: The Open Space Committee sent postcards out to properties that ranked the highest in for conservation value. This expense reimburses what I spent on printing supplies:

Motion to approve \$37 from the Conservation Land Administration budget line item

Weed Wrench: Carlos has been diligently pulling invasive at Henderson Swasey but could be more effective if he had continued access to a weed wrench and suggests it may be good investment for the CC.

Motion to approve \$_____ for a weed wrench from the Conservation Land Administration

Trails:

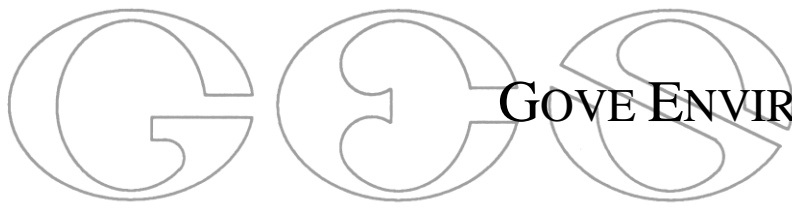
Wood and hardware for signs built by Jon Thurnberg and sign posts: \$_____ (Bill C)

Industrial Drive Kiosk: Please review attached draft: \$130

Irvine Kiosk – Thanks to Everette Evans: \$_____ (Drew)

Planks for Bridging: \$_____ (Dave S)

Motion to approve \$_____ for the above mentioned items from Conservation Land Administration.



GOVE ENVIRONMENTAL SERVICES, INC.
AGENT

BASELINE DOCUMENTATION REPORT
of
PROPOSED PRESERVATION LAND

DRAFT

Lot 47-7-1
Epping Road
Exeter, NH

February 26, 2020

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

BASELINE DOCUMENTATION REPORT_LCHIP

Table of Contents

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Appendix B	USGS Locus Map & Tax Map
Appendix C	Preservation Area Overview
Appendix D	Property Plan
Appendix E	Phase 1 Environmental Investigation (under separate cover)
Appendix F	Recorded Deed (under separate cover)

1.0 Summary Information

The 43.6 acre conservation land documented herein is part of the compensatory mitigation for wetland impact associated with the Gateway at Exeter development located on Epping Road. The land is intended to supplement the existing Little River Conservation Area (managed by the Exeter Conservation Commission) and the Conner Farm WMA managed by NHF&G. An extensive collection of photographs with location map are provided in Appendix A. The proposed mitigation land is depicted on the plans and figures found in Appendices B through D. The following sections provide documentation of the existing conditions within the proposed preservation property.

Property Owner:	Town of Exeter 10 Front Street Exeter, NH 03833	Kristen Murphy, Natural Resource Planner 603-418-6452 kmurphy@exeternh.gov
Executory Interest:	State of New Hampshire c/o Department of Environmental Services 29 Hazen Drive Concord, NH 03301	
Proposed Date of Acquisition:	The property transfer is anticipated to be finalized in the spring of 2020	
Direction to the Property:	The property is located approximately 950 feet west of 170 Epping Road. The property is accessible via a Right of Way located at the rear of the development at 170 Epping Road or through the abutting Little River Conservation Area to the west.	
Property Description:	The property consists of the entirety of Lot 47-7-1 which was created by subdivision of Lot 47-7 as part of the development plan for the eastern portion of the land.	
Conservation Goals:	The primary goals of the proposed preservation are protection of vernal pool resources on the property and the preservation of unfragmented forest in the Little River Bloody/Brook area to protect wildlife habitat and water quality. Secondary goals include preservation of open space in the Town of Exeter for aesthetic value, passive recreation, and enjoyment by the public.	
Report Prepared by:	This report was prepared by Gove Environmental Services, and was compiled from extensive field work conducted at the site	

from 2014 through the spring of 2020.

2.0 Project History

The proposed protection of this property is intended as part of the compensatory mitigation package for the wetland impact associated with Gateway at Exeter development located on approximately 16 acres along Epping Road immediately east of the preservation parcel. The mechanism for protecting the land is fee simple ownership by the Town of Exeter under with conservation restricted deed. This was the result of extensive planning and coordination with the Town of Exeter, the New Hampshire Department of Environmental Services (NHDES), United States Army Corps of Engineers (ACOE), and United States Environmental Protection Agency (EPA). The land preservation will be executed prior to impacts in accordance with the permits from NHDES and ACOE.

3.0 Land Uses and Management

Contemporaneous use the property has been limited to management as woodland. There is evidence that the property has been logged several times, most recently between 2012 and 2014. Given the very rocky landscape and poorly drained soils, it is likely that the property has historically been woodland or possibly pasture.

4.0 Property Improvements and Disturbance

Several skid trails are still evident from the 2014 logging operations but there is no evidence that any of these continue to be used as trails. The logging was accomplished with minimal rutting and ground disturbance. Other than sections of stone wall along the property boundary and several on the interior, there are no other structures or improvements on the property.

5.0 Natural Features

The 43.6 acre property is relatively flat with an overall grade change of less than 20 vertical feet from east to west. Topography is highly variable with prominent small hills, areas of ledge, and depressions scattered throughout the site as are numerous rocks and bounders. Soils on this landscape are primarily derived from dense glacial till and are poorly or very poorly drained in low areas and well drained on the small hills and ridges.

The property is undeveloped woodland which is currently in a state of early recovery from logging operations concluded in 2014. Pioneer species such as gray birch, raspberry, and blackberry are prevalent across the site. The native forest type is predominantly Appalachian oak-pine dominated by red and white oaks (*Quercus alba* and *Quercus rubra*), America beech (*Fagus grandifolia*), and eastern white pine (*Pinus strobus*). Ground cover species include low bush blueberry (*Vaccinium angustifolium*), Sheep Laurel (*Kalmia angustifolia*), wintergreen (*Gaultheria procumbens*), and bracken fern (*Pteridium aquilinum*).

Wetland areas occupy approximately 32% of the land as a network of fingers and pockets situated between areas of ledge and small topographical variations. The wetlands are also forested, and dominated by red maple (*Acer rubrum*), gray birch (*betula populifolia*), highbush blueberry (*Vaccinium corymbosm*), winterberry (*Ilex verticillata*), and male berry (*Lyonia ligustrina*). Ten (10) vernal pools were identified in the wetland areas. Their locations are depicted on the overview figure.

New Hampshire Fish and Game has indicated that Northern Black Racer (*Coluber constrictor*), Wood Turtle (*Glyptemys insculpta*), and Spotted Turtle (*Clemmys guttata*) may be expected to utilize a habitats om this property present.

6.0 Acknowledgment Statement

Property Name: Little River Conservation Area—Gateway Exeter Parcel

Grantor: Gateway at Exeter, LLC
20 Trafalger Square, Suite 610
Nashua, NH
03063

Grantee: Town of Exeter
10 Front Street
Exeter, NH
03833

Property Description: Lot 47-7-1 totaling 43.6 acre portion located 950 feet east of Epping Road in the vicinity of Route 101/Exit 9

In compliance with Section 1.170-14(g)(5)(i)(D) of the Federal Tax Regulations this baseline inventory report is an accurate representation of the property at the time of the donation for conservation.

Grantor

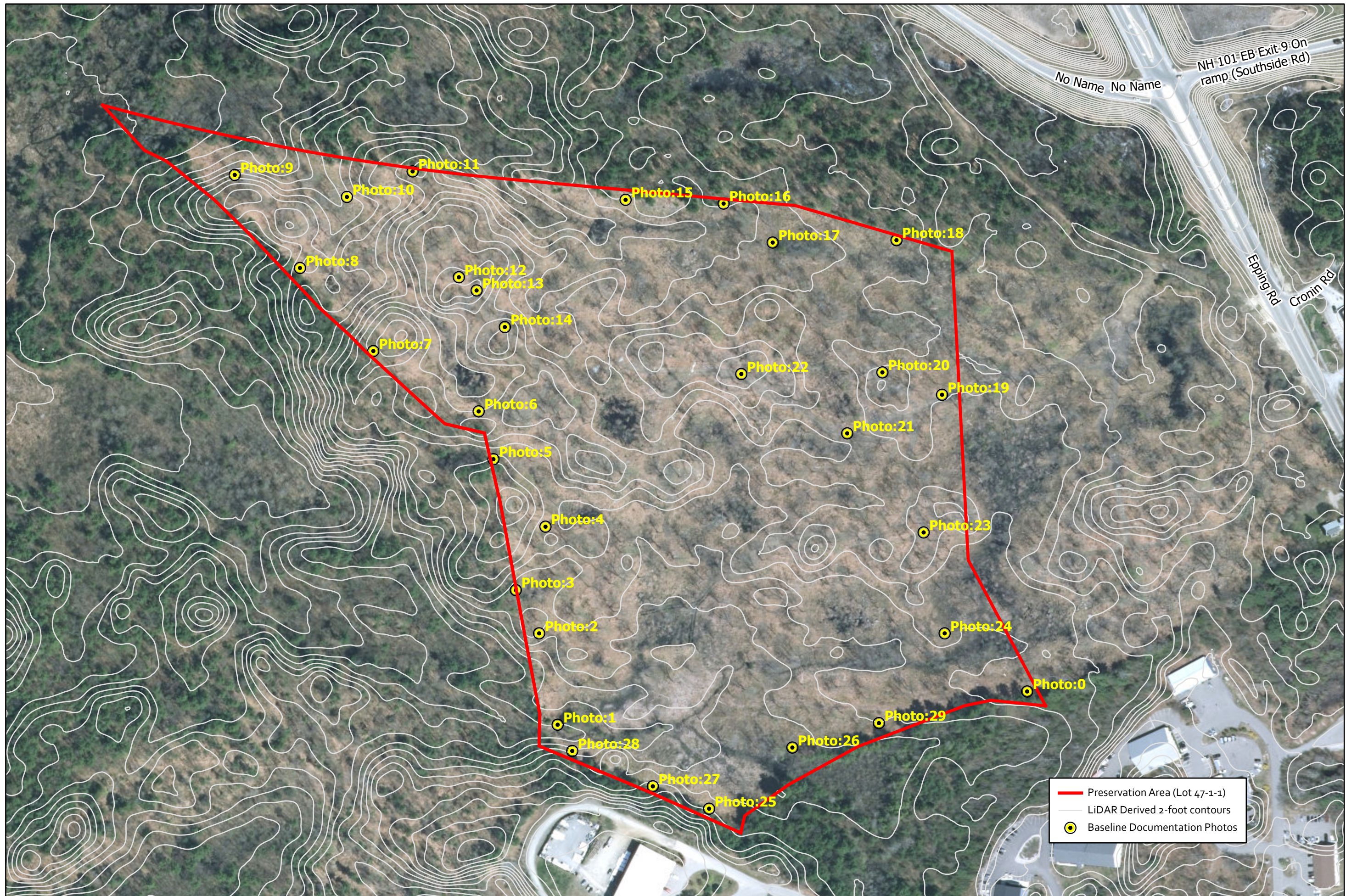
Date

Grantee

Date

Appendix A

Photos



- Preservation Area (Lot 47-1-1)
- LiDAR Derived 2-foot contours
- Baseline Documentation Photos



Photo Locations

**Lot 47-1-1
 Baseline Documentation Report**

Baseline Documentation Report Photos
Lot 47-7-1, Epping Road
Exeter, NH



Photo 1



Photo 2

Baseline Documentation Report Photos
Lot 47-7-1, Epping Road
Exeter, NH



Photo 3



Photo 4

Baseline Documentation Report Photos
Lot 47-7-1, Epping Road
Exeter, NH



Photo 5



Photo 6

Baseline Documentation Report Photos
Lot 47-7-1, Epping Road
Exeter, NH



Photo 7



Photo 8

Baseline Documentation Report Photos
Lot 47-7-1, Epping Road
Exeter, NH



Photo 9



Photo 10



Photo 11



Photo 12

Baseline Documentation Report Photos
Lot 47-7-1, Epping Road
Exeter, NH



Photo 13



Photo 14

Baseline Documentation Report Photos
Lot 47-7-1, Epping Road
Exeter, NH



Photo 15



Photo 16



Photo 17



Photo 18

Baseline Documentation Report Photos
Lot 47-7-1, Epping Road
Exeter, NH



Photo 19



Photo 20

Baseline Documentation Report Photos
Lot 47-7-1, Epping Road
Exeter, NH



Photo 21



Photo 22

Baseline Documentation Report Photos
Lot 47-7-1, Epping Road
Exeter, NH



Photo 23



Photo 24

Baseline Documentation Report Photos
Lot 47-7-1, Epping Road
Exeter, NH



Photo 25



Photo 26

Baseline Documentation Report Photos
Lot 47-7-1, Epping Road
Exeter, NH



Photo 27



Photo 28

Baseline Documentation Report Photos
Lot 47-7-1, Epping Road
Exeter, NH



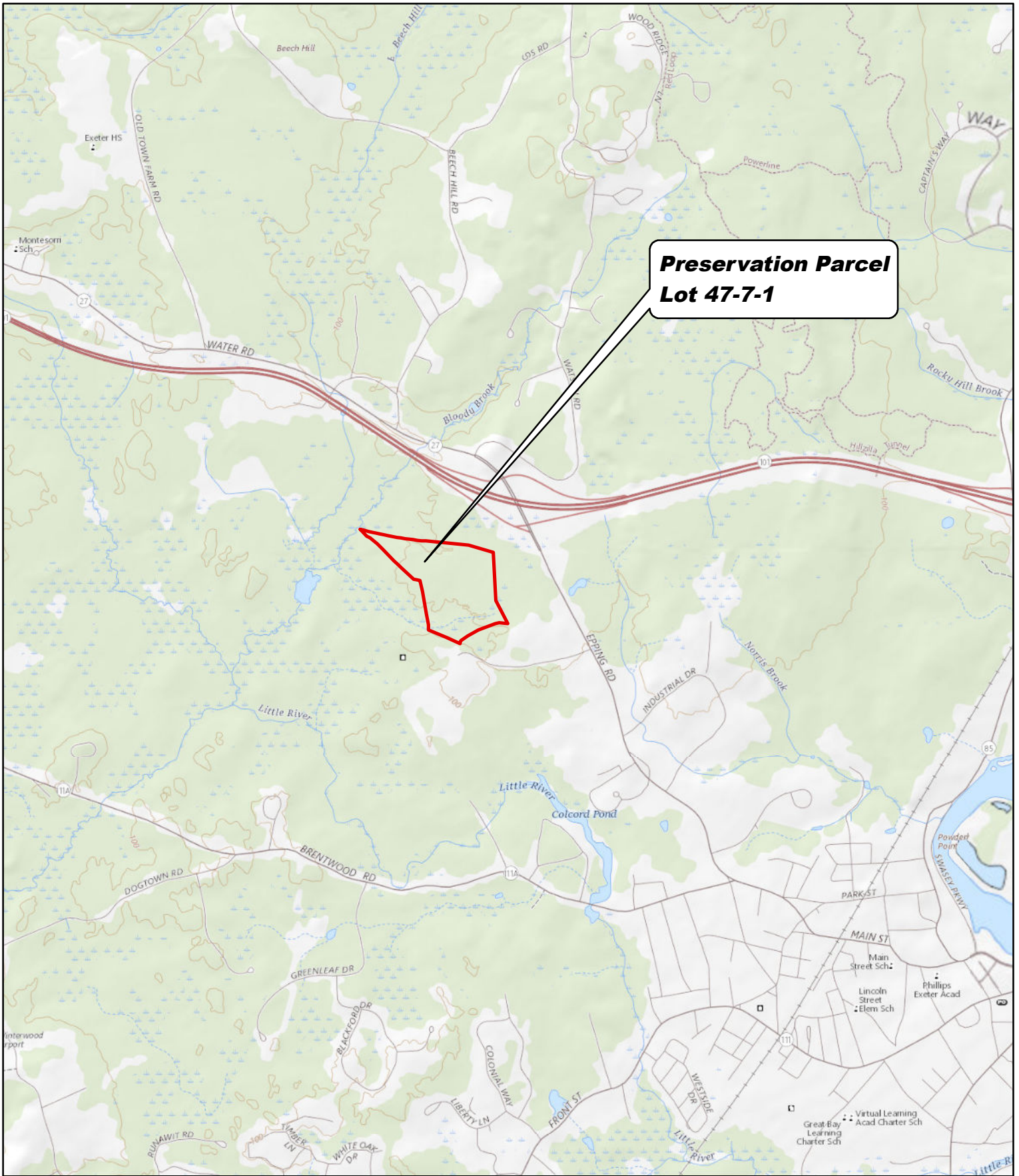
Photo 29



Photo 30

Appendix B

USGS Map



**Preservation Parcel
Lot 47-7-1**



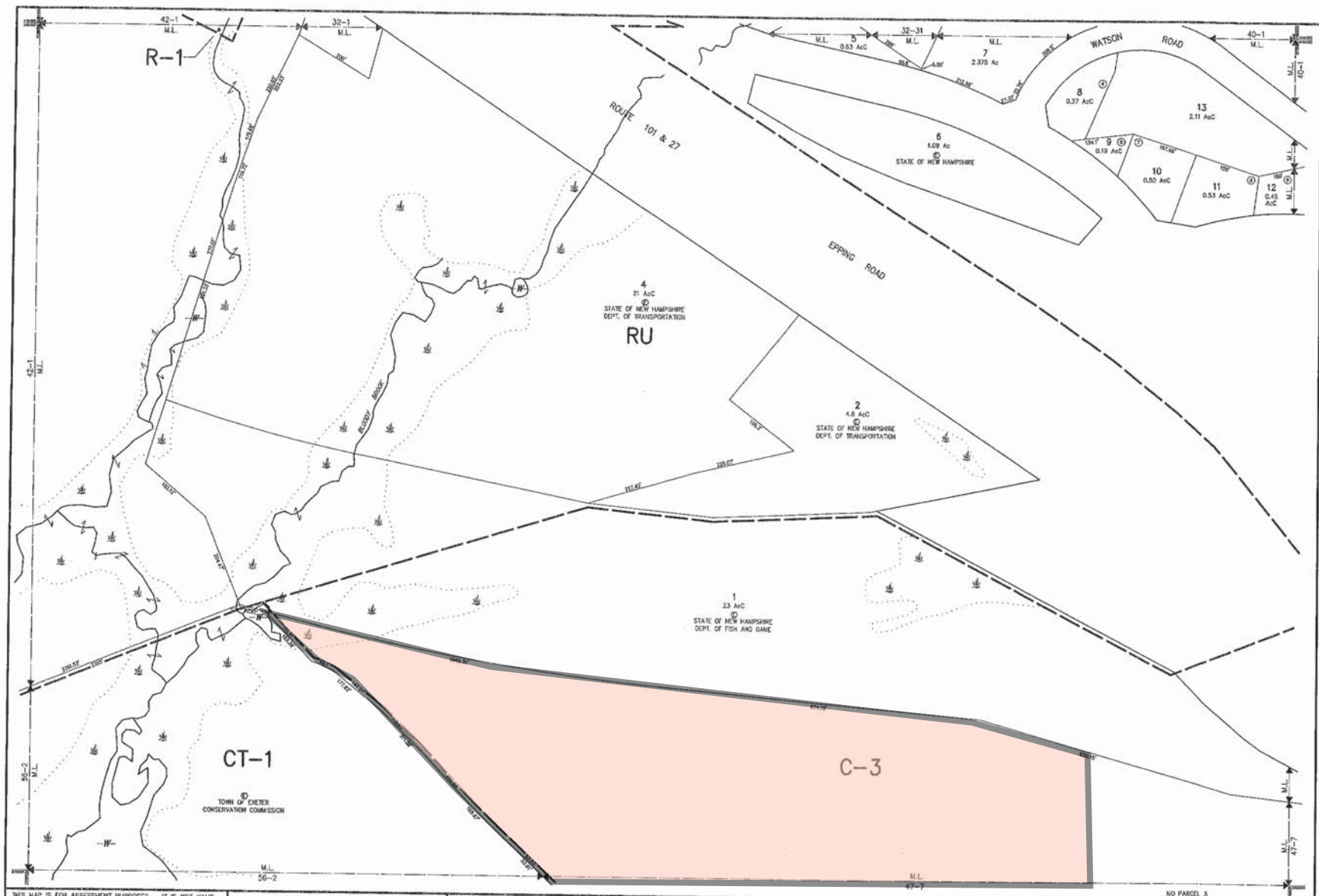
1 inch = 2,000 feet



Gove Environmental Services, Inc.
8 Continental Drive, Bldg 2 Unit H, Exeter NH 03833 603.778.0644

Locus Map

Preservation Parcel
(Lot 47-7-1)
Epping Road
Exeter NH



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, 1999

PRODUCED IN 1999 BY

11 PELHAM AVENUE, LITTLETON, NH 03045
800.528.6888 • WWW.GEO-1.COM

AREA SHOWN	Ac
AREA CALCULATED	Ac
RECORD SHEDDING	100'
SCALE SHEDDING	1000'
MATCH LINE	← M.L. →
WATER	← W →

LEGEND

EXEMPT PROPERTY	⊙
SUBDIVISION LOT NO.	①
ZONE LEFT	← Z →
RIGHT OF WAY	— R.O.W. —
CONCRETE DRIVEWAY	— C.D. —
BUILDING	— B —
WETLANDS	— W —

SCALE 1" = 100'

REVISSED TO: APRIL 1, 2019

PROPERTY MAPS

EXETER

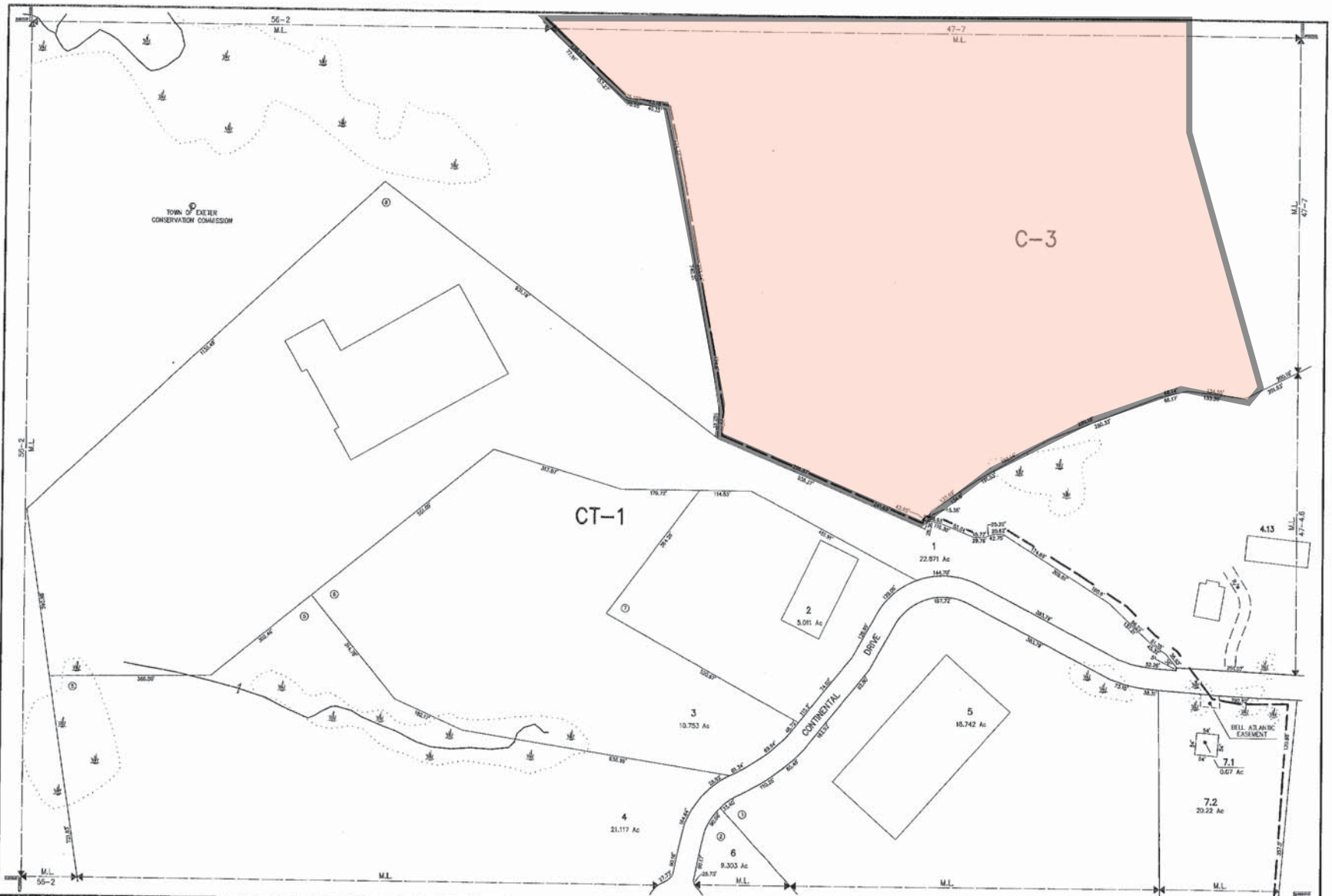
NEW HAMPSHIRE

NO PARCEL 3

INDEX	DIAGRAM
31	33
42	40
45	47

MAP NO.

41



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 26, 1996

PRODUCED IN 1996 BY

ICAT Technologies

11 PLEASANT STREET, LITTLETON, COLORADO 80120-4419 • WWW.ICATTECH.COM

AREA SURVEYED	Ac
AREA CALCULATED	AcC
SECTION DIMENSION	100'
SCALE DIMENSION	1000'
WATER LINE	M.L.
WATER	W

LEGEND

EXEMPT PROPERTY	○
DISPOSITION LOT NO.	①
ZONE LIMIT	---
RIGHT OF WAY	---
COMMON OWNERSHIP	---
ENCLOSURE	---
METALADE	---

SCALE 1" = 100'

FEET 0 50 100 200 300

METERS 0 25 50 75

REVISED TO: APRIL 1, 2010

PROPERTY MAPS

EXETER

NEW HAMPSHIRE

INDEX	DIAGRAM	MAP NO.
42 41 40	57 56 55	46

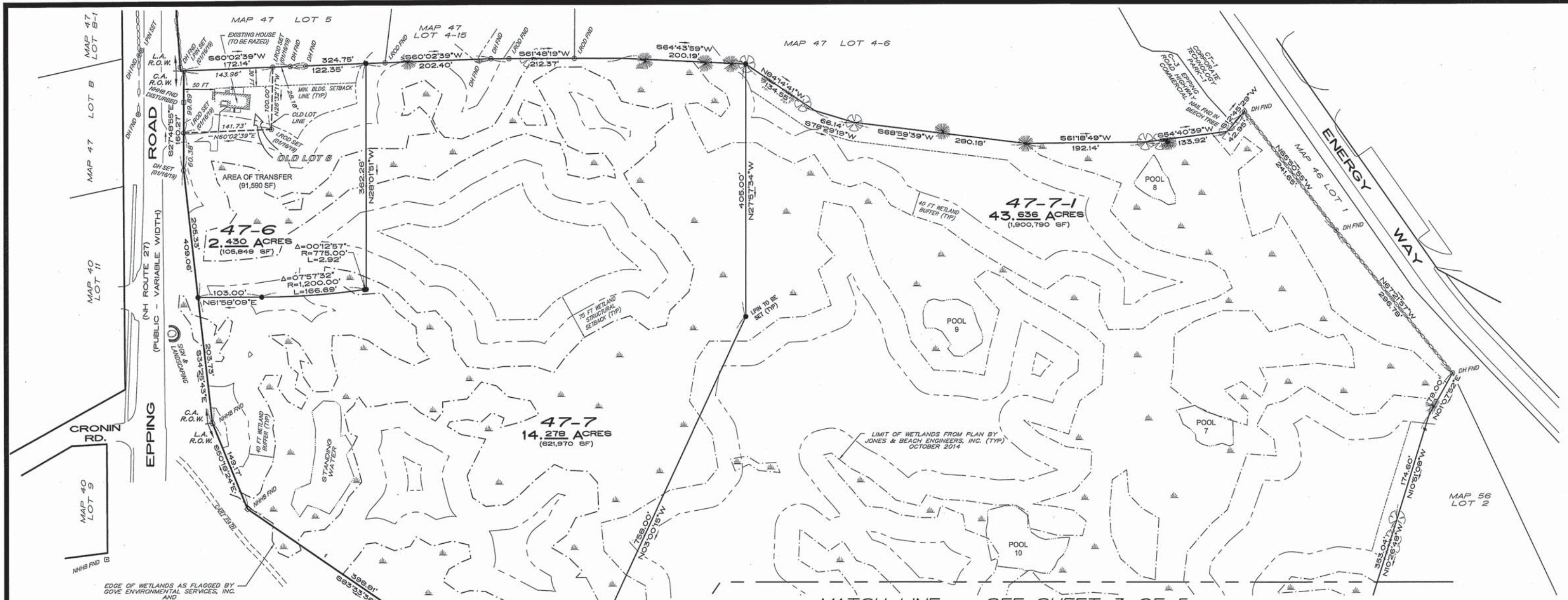
Appendix C
Aerial Photograph Overview



Preservation Area Overview

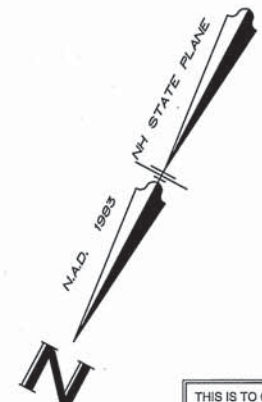
Lot 47-1-1
 Baseline Documentation Report

Appendix D
Property Plan

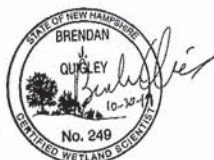


EDGE OF WETLANDS AS FLAGGED BY GOVE ENVIRONMENTAL SERVICES, INC. AND SURVEYED BY HAYNER/SWANSON, INC. (MAY 2018)

MATCH LINE SEE SHEET 3 OF 5



THIS IS TO CERTIFY THAT THE WETLANDS HAVE BEEN DELINEATED IN ACCORDANCE WITH THE WITH THE U.S. ARMY CORPS OF ENGINEERS JANUARY 2012 REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST (REGION 2).
 WETLAND DELINEATION PREPARED BY:
 GOVE ENVIRONMENTAL SERVICES
 BRENDAN J. QUIGLEY
 CERTIFIED WETLAND SCIENTIST (#249)



WETLAND 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: NORTHCENTRAL 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.

CERTIFICATION

I HEREBY CERTIFY, TO MY KNOWLEDGE, INFORMATION AND BELIEF, THAT THIS PLAN SHOWS THE RESULTS OF AN ON THE GROUND "STANDARD PROPERTY SURVEY" AND THAT SAID SURVEY MEETS THE MINIMUM PRECISION AND/OR ACCURACY MEASUREMENTS FOR SURVEY CLASSIFICATION "U" (URBAN) AS SET FORTH IN TABLE 500.1 OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS ADOPTED 08/23/01, EFFECTIVE 01/01/09.

I FURTHER CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN FIFTEEN THOUSAND ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY.

Dennis C. Pollock
DATE

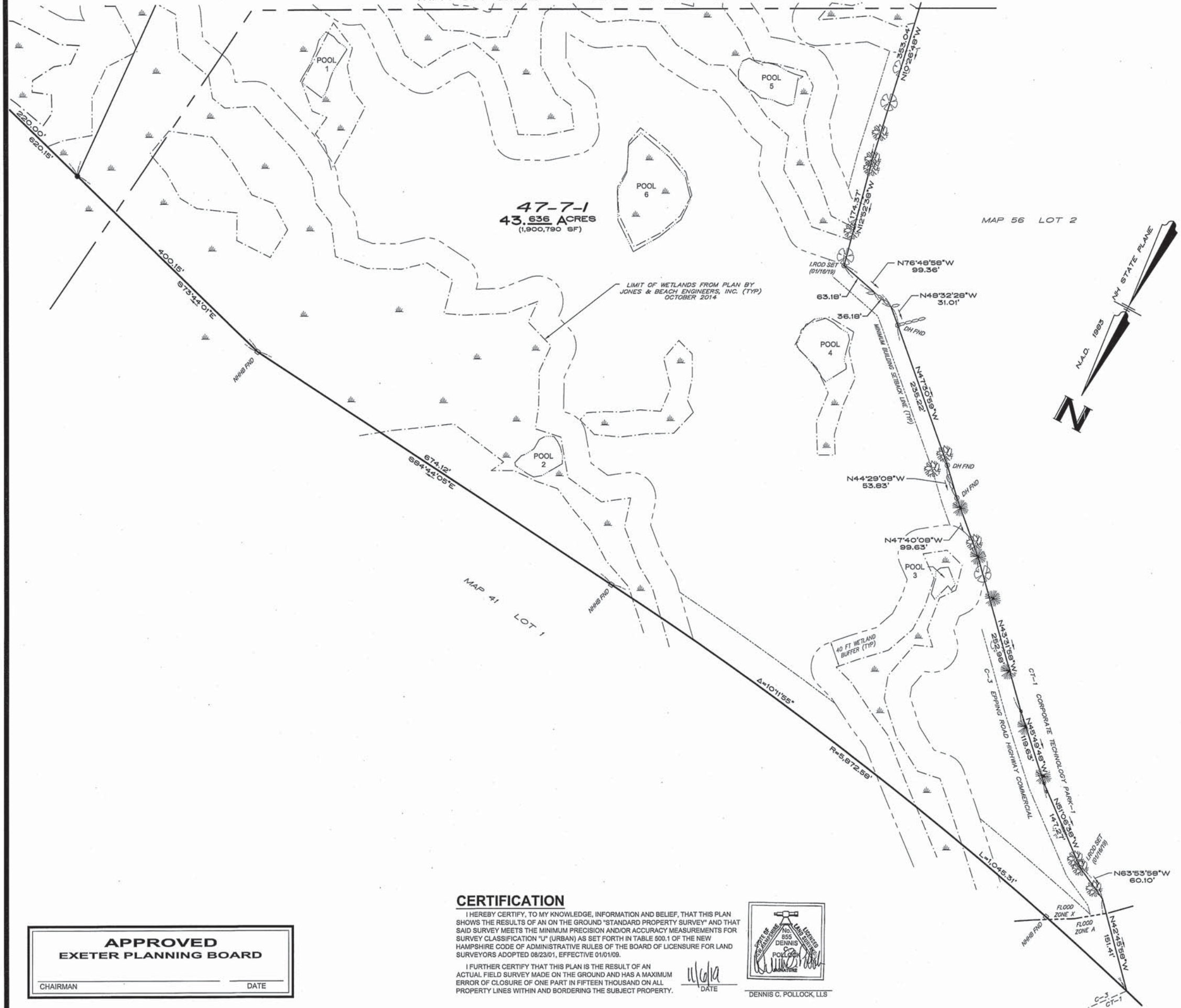


DENNIS C. POLLOCK, LLS

APPROVED
EXETER PLANNING BOARD
 CHAIRMAN _____ DATE _____

No.	DATE	REVISION	BY
CASE No. 19-15			
LOT LINE ADJUSTMENT/ SUBDIVISION PLAN (MAP 47, LOTS 6 & 7)			
170 EPPING ROAD NH ROUTE 27			
EXETER, NEW HAMPSHIRE			
PREPARED FOR/RECORD OWNER:			
GATEWAY AT EXETER, LLC			
20 TRAFALGAR SQUARE, STE 601 NASHUA, NH 03063 (603) 880-0502			
SCALE: 1"=80 Feet 1"=24.384 Meters			
6 NOVEMBER 2019			
Civil Engineers/Land Surveyors 3 Congress Street 131 Middlesex Turnpike Nashua, NH 03062 Burlington, MA 01803 (603) 883-2057 (781) 203-1501 www.hayner-swanson.com			
FIELD BOOK: 1231/1234	DRAWING NAME: 5532SP19 SUB-FS82	5532	2 OF 5
DRAWING LOC: \\5000\5532\DWG\5532_SPP19		File Number	Sheet

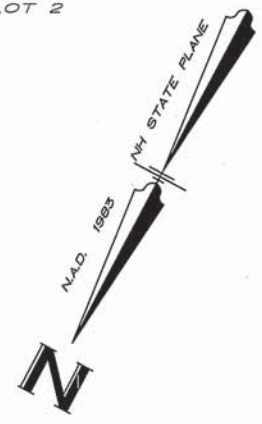
MATCH LINE SEE SHEET 2 OF 5



47-7-1
43,636 ACRES
(1,900,790 SF)

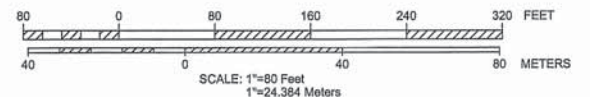
MAP 56 LOT 2

MAP 41 LOT 1



No.	DATE	REVISION	BY

CASE No. 19-15
 LOT LINE ADJUSTMENT/ SUBDIVISION PLAN
 (MAP 47, LOTS 6 & 7)
170 EPPING ROAD NH ROUTE 27
 EXETER, NEW HAMPSHIRE
 PREPARED FOR/RECORD OWNER:
GATEWAY AT EXETER, LLC
 20 TRAFALGAR SQUARE, STE 601 NASHUA, NH 03063 (603) 880-0502

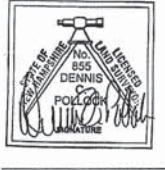


6 NOVEMBER 2019

HISI Hayner/Swanson, Inc.
 Civil Engineers/Land Surveyors
 3 Congress Street Nashua, NH 03062 (603) 883-2057
 131 Middlesex Turnpike Burlington, MA 01803 (781) 203-1501
www.haynerswanson.com

FIELD BOOK: 1231/1234	DRAWING NAME: 5532SP19 SUB-FS82	5532	3 OF 5
DRAWING LOC: \\s000\5532\DWG\5532 SP19		File Number	Sheet

CERTIFICATION
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 I FURTHER CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN FIFTEEN THOUSAND ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY.



Dennis C. Pollock
 DATE

APPROVED
EXETER PLANNING BOARD
 CHAIRMAN _____ DATE _____

Appendix E
Phase 1 Environmental Investigation
(under separate Cover)

Appendix F
Recorded Deed
(under separate cover)

DRAFT

Management/Stewardship Plan
for the
Gateway at Exeter Preservation Land
April 20, 2020

Prepared by Gove Environmental Services, Inc

DRAFT

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- V. Management Vision & Goals**
- VI. Management Actions**
- VII. Funding & Task Prioritization**
- VIII. Appendices**

DRAFT

I. Geographic Information

Site Name: Gateway at Exeter Preservation Land
Township/County: Exeter, NH
Total Site Size: 43.6 acres
Type of Ownership: Fee simple ownership by the Town of Exeter acting through the Conservation Commission
Date Acquired: _____

II. Introduction

A. Purpose of Management plan

Conservation of this property is intended as compensation for unavoidable impacts to resources under the New Hampshire Department of Environmental Services (DES) Wetlands Statute, and Section 404 of the Clean Water Act as administered by the U.S. Army Corps of Engineers (Corps). The purpose of this management/ stewardship plan, hereafter referred to as the “management plan”, is to ensure that the property has a baseline documentation report or property conditions report with written descriptions, maps and photographs, that documents the conservation values protected and the relevant conditions of the property as necessary to monitor and enforce the terms of conservation restrictions in the property deed. In the event there are significant changes to the land or the conservation restrictions in the deed (such as a result of an amendment or the exercise of a permitted right), those changes shall be documented in an appropriate manner, such as through monitoring reports, a baseline supplement or current conditions report.

B. Long-Term Steward and Responsibilities

The Long-Term Steward of the site is Town of Exeter acting through the Conservation Commission. The Town of Exeter, and subsequent Long-Term Stewards if the property is transferred, shall implement this management plan, managing and monitoring the property in perpetuity to preserve its habitat and conservation values.

C. Management Plan Review

The management plan will be reviewed at a minimum once every 10 years by the Long-Term Steward. The plan may be revised or supplemented with additional information and management recommendations. Any revisions other than edits that change the management actions beyond standard maintenance activities will be reviewed with the DES and Corps.

III. Property Description

A. Setting and Location

The 43.6 acre conservation land documented herein is part of the compensatory mitigation for wetland impact associated with the Gateway at Exeter development located on Epping Road. The property consists of the entirety of Lot 47-7-1 which was created by subdivision of Lot 47-7 as part of the development. The land is intended to supplement

the existing Little River Conservation Area (managed by the Exeter Conservation Commission) and the Conner Farm WMA managed by NHF&G. The proposed mitigation land is depicted on the plans and figures found in Appendix A. An extensive collection of photographs with location map are provided in Appendix B. The following sections provide documentation of the existing conditions within the proposed preservation property.

The property is wooded with no structures, roads, or other improvements.

B. Directions and Access

The property is located approximately 950 feet west of 170 Epping Road. The property is accessible via a Right of Way located at the rear of the development at 170 Epping Road or through the abutting Little River Conservation Area to the west.

C. History and Land Use of Property

1. Acquisition History

The proposed protection of this property is intended as part of the compensatory mitigation package for the wetland impact associated with Gateway at Exeter development located on approximately 16 acres along Epping Road immediately east of the preservation parcel. The mechanism for protecting the land is fee simple ownership by the Town of Exeter under a conservation restricted deed that also grants Third Party Right of Enforcement to the State of New Hampshire through the Department of Environmental Services.. The land preservation will be executed prior to impacts in accordance with the permits from NHDES and ACOE. This was the result of extensive planning and coordination with the Town of Exeter, the New Hampshire Department of Environmental Services (NHDES), United States Army Corps of Engineers (ACOE), and United States Environmental Protection Agency (EPA).

2. Land Use

Contemporaneous use the property has been limited to management as woodland. There is evidence that the property has been logged several times, most recently between 2012 and 2014. Given the very rocky landscape and poorly drained soils, it is likely that the property has historically been woodland or pasture.

There are no trails or roads extending into the property that are suitable for motorized vehicles. There are also no formal walking trails or frequent foot traffic. The current recreational use is limited to hunting. A Phase 1 Environmental Study has also been conducted and is included as Appendix D.

3. Cultural Features

Several skid trails are still evident from the 2014 logging operations but there is no evidence that any of these continue to be used as trails. The logging was accomplished with minimal rutting and ground disturbance. Other than sections of

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stone wall along the property boundary and several on the interior, there are no other structures or improvements on the property.

4. Existing Easements or Other Restrictions

There are no other easements or restrictions on the property.

5. Archeological Sites

This area of Exeter is known to be sensitive for Colonial and pre-contact native American archeological resources. The NH Division of Historical Resources reviewed the property in connection with the development. Based on previous studies that had been conducted on adjacent properties they concluded that this property was not sensitive for these resources and issued a “No Historic Properties Affected” determination.

6. Human Use Map

The only existing human use of the property is for seasonal hunting. This use cannot be mapped as it is not fixed and is dispersed throughout the property.

7. Legal Documents Appendix

The conservation deed under which the property will be owned is included in Appendix B.

D. Adjacent Land Uses

The most significant adjacent land use is the Gateway at Exeter mixed use development along the eastern boundary of the property. To the west, the property is bordered by the existing Little River Conservation Area and Conner Farm Wildlife Management Area which are permanent conserved lands. Directly to the north the property is bordered by a strip of land extending between Epping Road and the Conner Farm WMA that is owned by NHDOT and managed by NHF&G. Generally the property is bordered by development along Continental Drive to the south, though much of it is also wooded.

IV. Natural Resources

A. Aquatic Resources

Wetland occupies approximately 32% of the land as a network of fingers and pockets situated between areas of ledge, small topographical variations, and a few larger areas of upland. Due to the logging operations on the site, the wetlands are currently in an early state of recovery, with a thin scattered canopy and dominance of shrubs. The species composition and native wetland type remains clear and was also observed during unrelated field work prior to the logging.

The wetlands are predominantly forested, and dominated by red maple (*Acer rubrum*), gray birch (*Betula populifolia*), highbush blueberry (*Vaccinium corymbosm*), winterberry (*Ilex verticillata*), and male berry (*Lyonia ligustrina*). Hydrology of the wetlands is

saturated and surface water is mostly absent except in the spring. Ten (10) vernal pools were identified in the wetland areas. Their locations are depicted on the overview figure.

The wetlands were delineated and surveyed as part of the permitting for the project. They are depicted on the plans and figures in Appendix A. Baseline Documentation Photolog is included in Appendix C.

B. Baseline Description of Biological Resources

1. Biological Species and Communities

The property is undeveloped woodland which is currently in a state of early recovery from logging operations concluded in 2014. Pioneer species such as gray birch, raspberry, and blackberry are prevalent across the site. The native forest type is predominantly Appalachian oak-pine dominated by red and white oaks (*Quercus alba* and *Quercus rubra*), America beech (*Fagus grandifolia*), and eastern white pine (*Pinus strobus*). Ground cover species include low bush blueberry (*Vaccinium angustifolium*), Sheep Laurel (*Kalmia angustifolia*), wintergreen (*Gaultheria procumbens*), and bracken fern (*Pteridium aquilinum*).

2. Endangered, Threatened and Rare Species, and Species of Special Concern

New Hampshire Fish and Game has indicated that Northern Black Racer (*Coluber constrictor*), Wood Turtle (*Glyptemys insculpta*), and Spotted Turtle (*Clemmys guttata*) may be expected to utilize a habitats on this property but no known occurrences have been documented. Certain aspects of the development have been coordinated with NHF&G to limit the potential impact on these species.

C. Soils & Geology

Soils on the property are derived from glacial till and outwash. The majority of soils on the property have been mapped by the NRCS as poorly drained Pipestone or well drained Chatfield-Hollis-Canton. The more intensive Site Specific Soil Mapping that was prepared for the development and the wetland mapping suggests far complexity. Poorly drained soils generally follow the network of wetlands between the smaller hills of well drained soils and rock outcroppings. A figure depicting the NRCS mapping and important farmland soils is included in Appendix A

D. Hydrology and Topography

The property is relatively flat with an overall grade change of less than 20 vertical feet from east to west. Topography is highly variable with prominent small hills, areas of ledge, and depressions scattered throughout the site as are numerous rocks and boulders. Although overall drainage is east to west, no clearly identifiable drainage pattern is evident when viewing the wetlands from the ground until the western edge of the property. Here, drainage coalesces in the northwest and southwest corners to form two vaguely defined channels which drain into the Bloody Brook and Little River wetland complex further to the west. There are no other stream channels on the site.

Topography of the property is depicted on the plans, USGS map, and other figures included in Appendix A.

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E. Summary of Restored or Enhanced Resources

There is no existing or proposed resource restoration or enhancement on the property.

F. Threats (existing or potential)

1. **Proximity Impacts from the proposed development**—The edge of the property in common with the proposed development will be more susceptible to impacts from trash and impacts from maintenance activities such as landscaping and snow plowing.
2. **Unauthorized Construction or Use of Trails**— Trails may be planned and approved by the Exeter Conservation Commission in accordance with the restrictions of the Conservation Deed and stated conservation goals. Unauthorized trail construction, even for otherwise approved uses, poses a threat to the property. Trail construction or use by unauthorized motorized vehicles poses an even greater risk.

V. Management Vision & Goals

The primary goals of the proposed preservation are protection of vernal pool resources on the property and the preservation of unfragmented forest in the Little River Bloody/Brook area to protect wildlife habitat and water quality. Secondary goals include preservation of open space in the Town of Exeter for aesthetic value for passive recreation.

To reach these goals, the Long-Term Steward or fee owner will:

1. To conserve and protect in perpetuity the natural vegetation, soils, hydrology and habitat on the property
2. Protect, manage, maintain, and enhance the functional values of wetlands, vernal pools, streams, and other lands, for the conservation of natural values, wildlife and their habitat, integrity of water resources, aesthetics, and open space.
3. Facilitate educational opportunities relating to natural resources, natural resource management, and conservation.
4. Regulate uses that will negatively impair or interfere with the conservation values of the Property.

A. Permitted Uses:

1. Passive recreational activities (including hiking, cross country skiing, snowshoeing, bird watching, etc.), if approved, and as regulated by the Exeter Conservation Commission.
2. Mountain Biking, if approved, and as regulated by the Exeter Conservation Commission in accordance with the stated conservation goals.
3. Trails for passive recreation may be planned and in accordance with the restrictions of the Conservation Deed and in accordance with the stated conservation goals.

B. Prohibited Uses:

1. Off-road/motorized vehicles
2. Camping or overnight use
3. Fires
4. Hunting
5. Logging without a forest management plan prepared by a licensed forester in accordance with the conservation goals for the property

C. Public Use Guidelines:

1. Carry in, carry out
2. Day-use only
3. Stay on the trails
4. Avoid wet areas to prevent erosion and damage to the trail
5. Creating or modifying trails without permission in writing from the Exeter Conservation Commission is prohibited.
6. Avoid disturbing plants and wildlife
7. Collection of minerals, plants, animals, or parts thereof, is not allowed except collection for academic research with written permission.
8. Respect abutting private property

VI. Management Actions

A. Natural Resources

1. Management of wetlands, streams and other natural resources

Objectives: Monitor, conserve and maintain the site's natural resources. Limit any impacts to resources from human use, invasive species or other adverse impacts

- Action: At least one annual walk-through survey will be conducted to qualitatively monitor the general condition of these habitats. General topographic conditions, hydrology, general vegetation cover and composition, invasive species, erosion, will be noted. Notes to be made will include observations of species encountered, water quality, general extent of wetlands and streams, and any occurrences of erosion, structure failure, or invasive or non native species establishment. Special attention will be paid to areas adjacent to residential properties and areas draining from off-site lands
- Action: Have a licensed forester prepare a forest management plan that promotes forest health and upholds the conservation goals stated in Section V

B. Infrastructure and Facilities, Security and Public Access

1. Gates, Parking, Fences, Signage, and Property Boundaries

Objective: Monitor and maintain condition of gates, parking areas, fences, signage appropriate to the property, and property boundaries to prevent casual trespass, allow necessary access, and facilitate management.

- Action: During each site visit, record condition of parking areas, gates, fencing, signs, crossings, and property boundaries. Record location and type of any maintenance issues, with recommendations for resolution, if applicable.
- Action: Maintain gates, fences, signs, crossings and property boundary markers as necessary. Repair or replace as necessary, and as funding allows.

2. Parking area, Trails and Structures

Objectives: Create and maintain parking and trails to allow public access in accordance with the Conservation Deed. Monitor and maintain condition of parking areas, trails and other structures to facilitate management, public use, and prevent adverse impacts to wetlands, streams and other resources. Retire deficient or unnecessary sections of trail as necessary.

- Action: During each site visit, record condition of trails, signage, and other structures. Record location and type of any maintenance issues, with recommendations for resolution, if applicable.
- Action: Maintain roads, trails and structures as necessary. Replace as necessary, and as funding allows.

3. Trash and Trespass

Objectives: Monitor sources of trash and trespass. Collect and remove trash, repair vandalized structures, and rectify trespass impacts. Specifically address any ATV issues, existing or potential.

- Action: During each site visit, record occurrences of trash and/or trespass. Record location and type of any trespass issues, with recommendations to avoid, minimize, or rectify trash and/or trespass impacts.
- Action: Take appropriate action to address issues of vandalism or trespass, including but not limited to: Outreach to violators, placement of boulders, gates or other obstructions to prevent access, contacting local law enforcement

VII. Funding and Task Prioritization

A. Funding

The Exeter Conservation Commission, with assistance from stewardship volunteers, will oversee implementation of the management plan, monitoring activities, and long-term stewardship of the property in perpetuity.

Table 1 summarizes the anticipated start-up tasks for the site. A sum of \$##### will be placed into a stewardship fund to be maintained by Exeter Conservation Commission. Distributions from the fund will cover costs associated with stewardship of the property.

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B. Task Prioritization

Table 1: Schedule of Start-up Activities

Goal	Action	Priority	Target Date	Completed By	Notes
Infrastructure	Boundary Line Marking	1	2020	Grantor	Upon closing and prior to construction of the subdivision
Infrastructure	Public Access	3	No Date Set	Contractor	Discretionary, not required
Infrastructure	Trail Planning & Development	3	No Date Set	Steward & volunteers	Discretionary, not required

VIII. Appendices

- A. **Maps, Plans, and Figures**
- B. **Conservation Deed for the property**
- C. **Baseline Documentation Photolog**
- D. **Phase 1 Environmental Study (under Separate cover)**

**CONVEYANCE OF LAND
WITH CONSERVATION RESTRICTIONS
GATEWAY AT EXETER DEVELOPMENT
EXETER, NEW HAMPSHIRE**

KNOW ALL MEN BY THESE PRESENTS, that Gateway at Exeter, LLC, a New Hampshire Limited Liability Company with a principal place of business at 20 Trafalger Square, Suite 610, Nashua New Hampshire 03063 (“Grantor”, and shall, unless the context clearly indicates otherwise, include the Grantor’s executors, legal representatives, devisees, heirs and/or assigns)

for consideration, hereby grants to the Town of Exeter acting by and through its Conservation Commission, a municipal corporation with an address of 10 Front Street Exeter, NH 03833, by and through its (“Grantee”, and shall, unless the context clearly indicates otherwise, include the Grantee’s executors, legal representatives, devisees, heirs and/or assigns) and with a Third Party Right of Enforcement therein granted to the STATE OF NEW HAMPSHIRE acting through its DEPARTMENT OF ENVIRONMENTAL SERVICES, an administrative agency duly organized and existing under the laws of the State of New Hampshire, with a principal place of business at 29 Hazen Drive, City of Concord, County of Merrimack, State of New Hampshire, 03302, (the “NHDES”),

with CONSERVATION RESTRICTIONS, title to a certain tract or parcel of land, with improvements thereon, if any, on the east side of Epping Road, consisting of 43.6 acres in the Town of Exeter, County of Rockingham and State of New Hampshire, shown as Tax Map 47 lot 7-1 on a Plan entitled “Lot line Adjustment/Subdivision Plan– Map 47 Lots 6&7 – as prepared by Dennis C. Pollock , LLS #885, dated November. 6, 2019, and recorded at the Rockingham County Registry of Deeds as Plan #XX, (hereafter “Plan”), and more particularly bounded and described in Exhibit A attached herewith (hereinafter referred to as the “Property”), all

subject to certain perpetual **DEED RESTRICTIONS** hereinafter described, which shall constitute conservation restrictions as described in RSA 477:45-47, and

SUBJECT TO.

1. CONSERVATION RESTRICTIONS

The Grantor declares and the Grantee accepts the Premises as open space, subject to a Conservation Restriction as described in New Hampshire RSA 477:45. The Premises shall be used in a manner consistent with, the following conservation purposes:

A. To conserve and protect in perpetuity the natural vegetation, soils, wetlands, hydrology and habitat as documented in the baseline documentation report dated February 26, 2020 entitled “BASELINE DOCUMENTATION REPORT of PROPOSED PRESERVATION LAND, Lot 47-7-1, Epping Road Exeter, NH (the “Report”), which Report is on file at the office of the Grantee and the Department of

Environmental Services and is incorporated herein in full.

B. To restore, protect, manage, maintain, and enhance the functional values of wetlands, vernal pools, streams, riparian areas and other lands, and for the conservation of natural values including wildlife and their habitat, ecological integrity of the water resources, water quality improvement, flood water retention, groundwater recharge, and open space.

C. To conserve and protect in perpetuity the habitat for rare, threatened and endangered species, specifically Northern Black Racer (*Coluber constrictor*), Spotted Turtle (*Clemmys guttata*), and Wood Turtle (*Glyptemys insculpta*), which have been identified by the NH Natural Heritage Bureau and NH Fish&Game as occurring in the area.

D. To prevent any future development, construction, or use that will negatively impair or interfere with the conservation values of the Property.

All of the purposes set forth herein are consistent and in accordance with the U.S. Internal Revenue Code, Section 170(h).

2. USE LIMITATIONS

Subject to the exceptions specified in Section 3 below:

A. No use shall be made of the Property, and no activity shall be permitted thereon, which is inconsistent with the purposes of the conservation restrictions as stated herein.

B. The Property shall not be subdivided and none of the individual tracts that together comprise the Property shall be conveyed separately from one another.

C. Except as described in Section 3, no structure or improvement, including, but not limited to, a dwelling, any portion of a septic system, tennis court, swimming pool, dock, aircraft landing strip, tower, commercial facility, conduit or utility line, billboard or other means of advertising display, driveway or road, mobile home or other temporary or permanent structure or improvement, shall be constructed, placed, or introduced onto the Property.

D. No advertising signs shall be displayed on the property.

E. Except as described in Section 3, there shall be no mining, quarrying, excavation, or removal of rocks, minerals, gravel, sand, topsoil, or other similar materials on the Property. No rocks, minerals, gravel, sand, topsoil, or other similar materials shall be removed from the Property.

F. There shall be no dumping, injection, burning, or burial of refuse, trash, rubbish, debris, junk, waste, man-made materials or materials then known to be environmentally hazardous, including vehicle bodies or parts, or other similar substances.

G. There shall not be conducted on the Property any industrial or commercial activities.

H. A Stewardship Plan shall be prepared by the Property owner, and provided to the NHDES at its request, prior to any Wildlife Habitat Management or Forest Management activities. The Property owner and the NHDES acknowledge that the Stewardship Plan's purpose is to guide management activities and that the actual activities will determine compliance therewith. The Stewardship Plan shall have been prepared not more than ten (10) years prior to the date of any activity.

3. EXCEPTIONS to Section 2, Use Limitations.

A. New ancillary structures and improvements such as a road, fence or bridge, may be constructed, placed, or introduced onto the Property only as necessary for the accomplishment of conservation, wildlife habitat management, or noncommercial pedestrian outdoor recreational uses of the Property and provided that they are not detrimental to the purposes of the conservation restrictions as stated herein. Such structures and improvements may be allowed only if the impacts to wetland soils, intermittent or perennial streams, vernal pools, or other hydrology is temporary, and subject to Section 5, Discretionary Consent.

B. Certain activities such as the removal, filling, or other disturbances of soil surface, or any changes in topography, or natural habitat shall be allowed if the following applies to the activity:

i. Is commonly necessary in the accomplishment of the conservation, habitat management, or noncommercial pedestrian outdoor recreational uses of the Property; and

ii. Does not harm state or federally recognized threatened, endangered, or species of conservation concern, such determination of harm to be based upon information from the New Hampshire Natural Heritage Bureau and the New Hampshire Fish & Game Department, Non game and Endangered Species Program or the agency then recognized by the State of New Hampshire as having responsibility for identification and/or conservation of such species; and

iii. The activity only temporarily impacts wetland soils, intermittent or perennial streams, vernal pools, or other hydrology unless allowed under this section of this instrument.

C. Outdoor signs may be displayed on the Property, but not in a water, wetland, or Riparian/Wetland Buffer unless they are to identify plants or provide other information related to the ecosystem, if desirable or necessary in the accomplishment of conservation or noncommercial pedestrian outdoor recreational uses of the Property, and provided such signs are not detrimental to the purposes of the conservation restrictions as stated herein.

4. BENEFITS, BURDENS, AND ACCESS

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

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

5. DISCRETIONARY CONSENT

Grantee's consent for an activity otherwise prohibited under Section 2, Use Limitations, may be given only: if, owing to unforeseen or changed circumstances, such an activity is deemed desirable by Grantee and NHDES; and at the Grantee's sole discretion if the activity: (1) is non-commercial and not for economic benefit; (2) does not impair the conservation values of the Property; and (3) is consistent with the Purposes of this instrument as defined in Article 1 above and does not place at risk any rare flora

or fauna, exemplary natural communities, critical wildlife habitat, and unique ecological features. Such requests for permission shall be in writing and shall describe the proposed activity in sufficient detail to allow the Grantee to make the judgments listed above. Notwithstanding the foregoing, the Grantee shall have no right or power to agree to any activity that runs counter to the Purposes of this instrument or that would result in the termination of this instrument, nor to allow commercial recreational or educational activities that could be deemed more than *de minimus*, nor to allow any residential, commercial, or industrial structures or activities other than those specifically permitted under the terms of this instrument.

6. NOTICES

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

7. SEVERABILITY

If any provision of this instrument, or the application thereof to any person or circumstance, is found to be invalid by a court of competent jurisdiction, by confirmation of an arbitration award or otherwise, the remainder of the provisions of this instrument or the application of such provision to persons or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.

8. NHDES RIGHT OF ENFORCEMENT

If the Grantee ceases to enforce the conservation restrictions set forth herein or fails to enforce the same within thirty (30) days after receipt of written notice from NHDES requesting such, then NHDES shall have all the rights heretofore granted to the Grantee to enforce the conservation restrictions set forth herein. All reasonable costs of such enforcement shall be paid by the Grantee.

This is a conveyance to the state, a state agency, a county, a city, a town and/or village district pursuant to NH RSA 78-B:2 and is exempt from the New Hampshire Real Estate Transfer Tax.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, I (We) have hereunto set my (our) hand(s) this _____ day of
, 20__.

Gateway at Exeter, LLC

By: Thomas Monahan
Its: Manager

The State of New Hampshire
County of _____

Personally appeared _____ this _____ day of _____, 20__
and acknowledged the foregoing to be his/her/their voluntary act and deed.

Before me,

Justice of the Peace/Notary Public
My commission expires:

ACCEPTED: Town of Exeter, New Hampshire, acting by and through its Conservation Commission

By:

Title:
Duly Authorized

Date:

The State of New Hampshire
County of _____

Personally appeared _____, as _____ of the Conservation
Commission of the Town of Exeter, this _____ day of _____, 20__ and acknowledged
the foregoing on behalf of the Conservation Commission of the Town of Exeter.

Before me,

Justice of the Peace/Notary Public
My commission expires:

ACCEPTED: New Hampshire Department of Environmental Services

By: _____

Title: Robert R. Scott, Commissioner
Duly Authorized

Date:

The State of New Hampshire
County of _____

Personally appeared _____ of the NH Department of
Environmental Services, this _____ day of _____, [month and year] and acknowledged
the foregoing on behalf of the [Name of Grantee].

Before me,

Justice of the Peace/Notary Public
My commission expires:

**TOWN OF EXETER
CONSERVATION COMMISSION MEMORANDUM**

Date: November 19, 2019
To: Planning Board
From: Kristen Murphy for the Conservation Commission
Subject: Gateway at Exeter LLC, Epping Road Wetland Waiver

Project Info:

Project Location: Epping Road, Exeter, NH
Map/Lot: Map 47, Lots 6 & 7
NHDES File No: Unknown
CC Review Date: Site Walk 10/30/19, Meeting 11/12/19
PB CASE: 19-16

Wetland Waiver

The Exeter Conservation Commission reviewed the proposed project and associated application materials at a site walk and their monthly meeting as noted above. During the November 12th meeting, the commission voted unanimously that they have reviewed the application and have **no objection to the issuance of the wetland waiver as proposed**. They did identify several items they request the Planning Board consider:

Given their review was prior to TRC review of the application, **should designs change such that it causes an increase to wetland buffer impacts, they request the applicant return** so the Commission has an opportunity to review the increased impacts. They were **supportive of excluding the trail parking area if removal would allow a reduction in impacts** to either the wetland or wetland buffer.

They were **supportive in concept of the Town holding conservation interest in the proposed mitigation land with details and deed terms to be developed prior to the Commission officially recommending acceptance**. They further request the following items be completed prior to acceptance: Phase 1 environmental assessment, receipt of a surveyed plan of the conservation land and boundary markers, completion of a baseline documentation report, on-site confirmation that any boundary markers indicated were in place, and payment of a stewardship fee of an amount to be determined in later discussions. They were unsure whether providing public access via trail parking at this location would increase impacts to the sensitive area proposed for conservation and reserve a decision on trails/access to be addressed when deed terms were decided with the applicant at a later date.

Their willingness to hold land interest the rear portion includes consideration of the role this land would provide in providing the long term protection of an important wildlife corridor, protection of the Little River watershed as well as the mapped vernal pools located within this area. They do note that the use of the underpasses beneath Route 27 and Route 101, is fencing currently limited due to existing fencing blocking access for many larger species. The Commission had inquired with the state previously about the ability to modify the fencing to facilitate access through the underpasses but no change has been implemented. Their memo to NHDES highlighted this concern and requested the State's support should they have any ability to provide assistance with

this regard as a slight modification to fencing would further increase the role this property would serve for wildlife corridor preservation.

The Commission noted the wetland application was missing a response from NH Fish and Game and NH Heritage on the state sensitive species highlighted in the Heritage report. **They request the applicant furnish NH Fish and Game and NH Heritage Bureau's recommendation, and the agency's recommendations be incorporated into project design to reduce or eliminate potential impacts.**

The commission also requested to minimize lighting overspill into the conservation area, encouraged landscaping to incorporate native, non-invasive species where possible, and requested the applicant explore pervious pavement where possible to minimize the impact of the large impervious areas proposed.



Todd Piskovitz
Chair, Exeter Conservation Commission

cc: Jim Petropulos, HSI
Brendan Quigley, GES Inc.



TOWN OF EXETER, NEW HAMPSHIRE

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

www.town.exeter.nh.us

TO: Eben Lewis
NH DES Wetlands Bureau
Pease Field Office
222 International Dr., Suite 175
Portsmouth, NH 03801

RE: Review Of Wetland Fill Application, Proposed Mitigation Land, And ARM Mitigation Compensation For A Mixed Use Development From Gateway At Exeter LLC

Project Location: Epping Road, Exeter, NH
Map/Lot: Map 47, Lots 6 & 7
NHDES File No: Unknown
CC Review Date: Site Walk 10/30/19, Meeting 11/12/19

The Exeter Conservation Commission reviewed the proposed project and associated application materials at a site walk and their monthly meeting as noted above. During the November 12th meeting, the commission voted unanimously to the following:

- They were **supportive in concept of the Town holding conservation interest in the proposed mitigation land with details and deed terms to be developed prior to acceptance.** They requested the following items be completed prior to acceptance: Phase 1 environmental assessment of this land, a surveyed plan of the conservation land, baseline documentation report, on-site confirmation that any boundary markers indicated were in place, and payment of a stewardship fee. They were supportive of excluding the trail parking area if it would allow a reduction in impacts to either the wetland or wetland buffer, and expressed some concern about whether providing public access at this location would increase impacts to this sensitive area but felt this decision could be addressed when deed terms were decided at a later date.

This decision of support includes consideration of the role this land would provide in providing the protection of an important wildlife corridor, protection of the Little River watershed as well as the mapped vernal pools located within this area. With respect to the wildlife corridor, it was noted at the site walk that although outside the project area, fencing under the large underpasses below Route 27 and Route 101 currently blocks passage for many larger species. The Commission had inquired with the state previously about the ability to modify the fencing to facilitate access through the underpasses but no change has been implemented. Should NHDES have any ability to provide assistance with this regard, encouraging this modification to fencing would further increase the role this property would serve for wildlife corridor preservation.

- They have reviewed the application and have **no objection to the issuance of the wetland permit.** The Commission did note there was no response from NH Fish and Game and NH Heritage on the state sensitive species indicated as potentially present in the Heritage report. The applicant's representative indicated they would accommodate recommendations from these agencies. The commission also

requested to minimize lighting overspill into the conservation area, encouraged landscaping to be limited to native, non-invasive species where possible, and requested the applicant explore pervious pavement where possible to minimize the impact of the large impervious areas proposed.

A handwritten signature in blue ink, appearing to read "Todd Piskovitz".

Todd Piskovitz, Chair
Exeter Conservation Commission

cc: Brendan Quigley, GES Inc.



Fwd: Invoice 891 ,from NH Association of Conservation Commissions, Exeter Conservation Commission

1 message

Todd Piskovitz <tpisk@comcast.net>
To: Kristen Murphy <kmurphy@exeternh.gov>

Tue, Apr 14, 2020 at 1:30 PM

Hi Kristen,

Did you also get a copy of this email?

Thanks,
Todd

Sent from my iPhone

Begin forwarded message:

From: Linda Admin <admin@nhacc.org>
Date: April 14, 2020 at 11:21:17 AM EDT
To: tpisk@comcast.net
Subject: Invoice 891 ,from NH Association of Conservation Commissions, Exeter Conservation Commission

Dear Todd Piskovitz & the Exeter Conservation Commission,
We hope all of you are well and healthy during this trying time. At NHACC we are working hard to make sure you have updated information to help you continue to protect natural resources in your community. People are visiting town conservation lands more than ever to stay healthy and have a chance to get outside. Thank you for all you do!

In reviewing our membership records, we noticed that your town's dues with NHACC have not yet been paid this year. We understand that commissions operate on a tight budget and we feel it is only fair that NHACC do the same. Being on a tight budget means your money goes a long way at NHACC. Your annual dues provide so much more than access to expert advice. Remember, the benefits of membership include:

- Discounted rate at our Annual Conference to be held on November 7;
- Representation in the state legislature and on state-wide commissions to make sure your voice is heard;
- Access to technical assistance and guidance on conservation funding, natural resource inventory, and many other issues;
- Educational opportunities focused on wetland permit review, conservation planning and wildlife habitat protection;
- Networking opportunities including roundtables, hikes, and potluck gatherings;
- Up-to-date publications from our E-newsletter and Legislative Updates.

Most importantly, your support of NHACC helps build a stronger New Hampshire conservation community.

NHACC's goal is to ensure that all NH commissions remain strong and relevant, making NH a healthy, desirable place to live and work. We cannot accomplish this goal without you; we hope you are planning to renew your membership soon. Your membership invoice is attached for easy payment. Please contact me at Barbara@NHACC.org or call 224-7867 if you have any questions or need assistance, and I would be happy to visit your commission this year at your request.

Regards,
Barbara

NHACC
54 Portsmouth Street
Concord NH 03301
603-224-7867

NH Association of Conservation Commissions

54 Portsmouth Street

Concord, NH 03301

www.nhacc.org

info@nhacc.org

Invoice

Invoice No.

891

Date

10/01/19


Bill To

Exeter Conservation Commission

Exeter Town Office

10 Front St

Exeter, NH 03833

Item	Amount
FY 2020 Membership Dues 	700.00

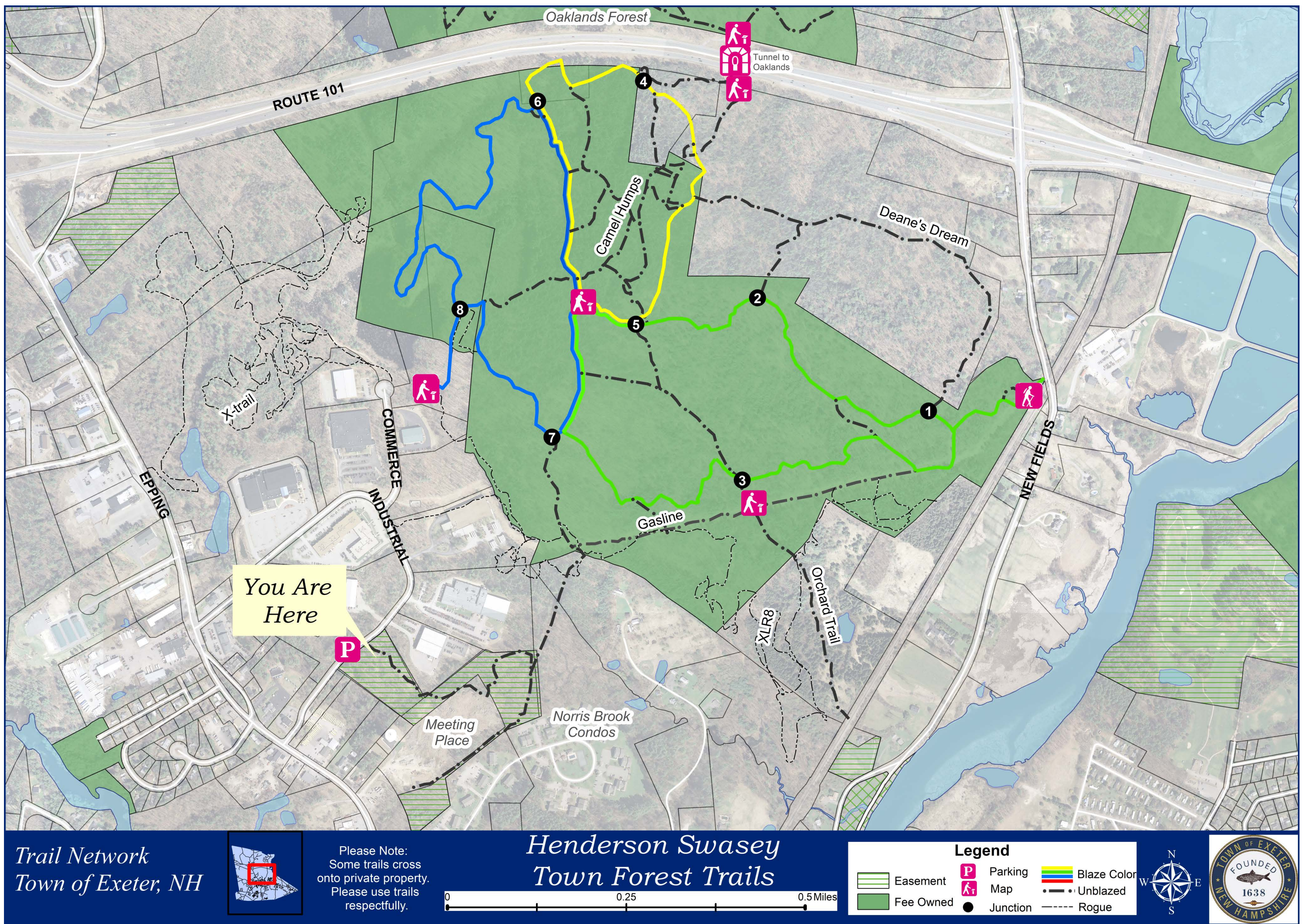
Thank you for your membership!

Total

\$700.00



Henderson Swasey Town Forest Conservation Area



Natural Resources

The Henderson-Swasey Town Forest is a 220-acre area of conservation lands managed by the Exeter Conservation Commission. The property was originally conserved in the 1970s with additional parcels added over the years. In 1991, by vote of the residents of Exeter, the land was officially designated as a Town Forest, giving it special allowances under NH Revised Statutes 31:112. The forest spans the area south of Route 101 between Commerce Drive and Newfields Road (Rte. 85) near the rail-road trestle underpass. Several trails cross onto private property and rely on permission from the landowners.

The large unfragmented block of deciduous and conifer forests is important for wildlife diversity, quality habitat and movement corridors. This makes it an excellent spot for viewing wildlife including beavers, deer, coyote, fox, rodents, reptiles, amphibians and many bird species. The land is characterized by numerous boulder and ledge outcrops, hummocky terrain, and a number of vernal pools and wetlands. Forestry management is guided by a long term forest management plan which includes occasional selective harvesting.

Trail Information

The area has a well-established trail system that provides a number of outdoor opportunities, including cross-country skiing, running and jogging, hiking, orienteering and mountain biking. The trail connects to the Oaklands Town Forest trail network to the north through a large culvert that runs beneath Route 101. Though the main trailhead is west of Newfields Road, several other access points exist on private lands including: via the C3i parking lot off of the Commerce Way cul-de-sac, Industrial Drive, behind the Meeting Place, and Norris Brook Condominiums.

Temporary closures may occur during very muddy or wet conditions. Closures will be posted at entrance kiosks and the Town of Exeter website. Private landowners have the right to limit access. Please respect closures for the benefit of all users.

Compatible Uses

The property is open year round for passive recreation such as hiking, wildlife viewing, biking, and winter snowshoeing and cross-country skiing.

Leashed dogs under their owners control are permitted. As a courtesy to others and out of respect to your trail system, please carry-in-carry out all trash and clean up dog waste.

Hunting is not permitted on this property, but visitors connecting to the Oaklands Town Forest should be aware that hunting is permitted there. Regardless of hunting restrictions, we recommend wearing blaze orange at all times during hunting seasons. For more information about hunting seasons, visit NH Fish and Game Department's website.

First Time to Our Trails?

This is a complex network of trails. Only our colored trails have painted blazes, with double blazes indicating direction changes. Though we attempt to keep blazes maintained, a forest is a dynamic system and markers may or may not always be visible. Always follow safe hiking standards, let others know your hike plan, be adequately dressed and carry food and water, be aware of sunset times, pay attention to your surroundings, weather and trail conditions. Staying safe is YOUR responsibility.

Distances:

- 1.20 mi Industrial Dr. Lot to Commerce Way Cul-de-Sac
- 1.65 mi. Green Loop
- 1.75 mi. Blue Loop
- 0.98 mi. Yellow Loop
- 0.50 mi. Gas Pipeline

Compatible Uses:

- Hiking
- Snowshoeing/XC Skiing
- Wildlife Viewing
- Other passive recreation
- Hunting is NOT permitted

Access real-time location tracking and trail information from your smartphone browser at openstreetmap.org



REMEMBER
Please take only pictures
and leave only footprints.



Exeter Conservation Commission
February 11, 2020
Town Offices Nowak Room
Draft Minutes

Call to Order

1. Introduction of Members Present

Present at tonight's meeting were Chair Todd Piskovitz, Vice-Chair Andrew Koff, Dave Short, Kristen Murphy, Alyson Eberhardt, Ginny Raub, Alternate, and Donald Clement, Alternate

Sally Ward, Clerk, Bill Campbell, Carlos Guindon, Lindsey White, Alternate, Trevor Mattera, Alternate and Julie Gilman, Select Board Liaison were not present.

Mr. Piskovitz called the meeting to order at 7 PM and indicated Alternates Ginny Raub and Donald Clement were both active.

2. Public Comment

Town Planner Dave Sharples indicated that in 2017 the Town applied for the Transportation Alternative Program Grant to connect three sidewalks and make one continual sidewalk with 80% from federal funding. The Town approved this in 2017. There are disconnects along Winter Street, Brentwood Road and no sidewalk by FairPoint. Surveying has to be done and a series of easements obtained which were signed by the landowners. Per RSA 41-14-a if the Selectmen acquire or sell land, they must bring to Conservation Commission first. While Mr. Sharples was not sure if that applied in this situation, Town Counsel recommended going through the process. Need review from Conservation and Planning Board before Select Board.

Mr. Sharples identified the easements and acquisitions. One was a 14' easement acquisition, a permanent of 60' needed to reset curb, a temporary slope easement to grade out driveway, another permanent easement, all three owners onboard. A handicapped tip down, permanent easement; put retaining wall in. The final is to put tip down in and maintain.

Mr. Clement noted the Town was fortunate to have had Mr. Sharples push this through. It will benefit the intersection on Brentwood and Epping and Columbus which have very narrow strips.

Mr. Koff asked about the crosswalk on Epping from Winter Street to the park and Mr. Sharples noted some neighbors did not want it there and the Town worked with the owners to move 75' from intersection so it was still close enough for people to use.

MOTION: Mr. Clement motioned upon review of the easement plan regarding additional sidewalks, Conservation has no objection. Mr. Short seconded the motion. With all in favor, the motion passed unanimously.

Action Items

1. Annual Work Plan Priorities

Chair Piscovitz provided a schedule of activities, management and trails and urged the Commission to choose which events and trail work the Commission wanted to do in 2020. The items could be addressed seasonally or quarterly looking at what is ahead in the coming months.

April/May Activities:

- The Vernal pool Program @ Forest Ridge with ERLAC & Forest Ridge HOA is in late April
- The Earth Day Photo Contest is on April 22nd
- Spring Tree Program in April
- Easter Event
- Geology Walk t/b/d
- The woodcock Walk at Raynes Farm will be in early May
- Climate Outreach Board Workshop in May
- Rain barrel Sale in May

Amendments:

Ms. Raub was unable to do the Geology walk. Mr. Koff will take that on. Mr. Clement noted the Town Forest may be a good place for that.

Easter event – Ms. Murphy talked about doing a story event and possibly an egg hunt at Raynes Farm. Mr. Clement noted Swasey was a better location for that.

Ms. Murphy noted the Tree Committee will participate with the Spring Tree Program.

DES does a photo contest for Earth Day.

Ms. Murphy would like to do the vernal pool program with Forest Ridge HOA.

June Activities:

- Bobolink Bird Watch at Raynes in June

September Activities:

- Kayak Tour in September

October Activities:

- Story Walk

Ms. Raub indicated she can do that. It was originally scheduled for 10/26 but conflicts with parade.

Unscheduled Activities:

- Barn Talk
- Movies at Raynes Farm with Parks & Recreation
- School Groups at Raynes
- Milkweed at Morrissette w/SST
- Film Exeter Open Spaces
- Sustainability/Conservation Fair
- 8th Grade Science Project

Ms. Murphy met with Tom Brightman of NH Fish & Game and Tracy Degan of RCCD about the Morrissette property in late December wanting to collaborate on a pollinator planting study with Exeter and the SST students growing milkweed and planting them at Morrissette and tracking progress rates. Mr. Brightman shared some suggestions on mowing practices such as delineating sections, dividing into three.

Property Management:

Cheney

Ms. Murphy indicated there is a rustic tree structure there. Mr. Clement noted its been there a long time but don't know its purpose. Mr. Clement recommended sending someone in to photograph it in the spring.

Morrissette

Invasive Removal

Ms. Murphy indicated the SCA Invasive Removal would be set up early, have SCA volunteers, deadline in **June**.

VRAP Volunteer Recruit

Ms. Murphy posted on Facebook and the website. Five new people are helping. VRAP supposed to be volunteer run. Ms. Murphy will advertise it. Ms. Eberhardt indicated it didn't necessarily have to be only people from Exeter.

Trails:

Oaklands

Mr. Clement indicated there was a quarry there many years ago. Is in the Henderson Swasey area. Mr. Short added there is one between Norris Brook trail and the industrial park that has beautiful cut granite. Mr. Clement noted one on the South side of 102 as well.

Mr. Koff did not feel Oaklands bridge was safe or necessary. Mr. Short indicated both bridges are needed. Part of the crooked bridge is underwater and now frozen. Chair Piscovitz asked if it could be altered without triggering a permit. Ms. Murphy noted a trail maintenance notification could be sent. There used to be a pipe to regulation water elevation. Mr. Short would prefer to wait and see if it is feasible. A lot of feedback was received that it is cool and iconic.

Vandalism of sign at Trussle Lot

Mr. Short noted someone could do printing on Tyvek and recreate the map and paint the reverse side so it looks good.

H-5 Kiosk

Quarterly Trail Meetings

Ms. Murphy indicated interest in the Trail Committee Meeting.

Irvine Sign

Chair Piscovitz may have a friend who can replace it. Ms. Murphy noted Bill got an estimate for \$475 for a sign.

Skate Park Morrissette Sign

McDonnell Trail Court St. Entrance

Smith Page

Sign for Pete's Path

Sign at Raynes to direct to trail

2. NHDES Wetland Rule Amendment

Ms. Murphy provided a handout from the NH Association of Conservation Commission with links relative to the December, 2019 updates.

3. Committee Reports:

a. Property Management

i. Conservation Planning

Ms. Murphy indicated this started as wetland mitigation. Did ARM grant fund ranking, narrowed list and presented. Reached out to landowners to alert of the ARM grant opportunity. Trying to narrow down landowners who are willing and designate the top five properties. Chair Piscovitz recommended figuring out what can be reasonably obtained. Mr. Clement added weigh the criteria. Ms. Murphy noted if partially in the NRI area look to protect at priority.

ii. Morrissette Property Management

b. Trails

i. Henderson Swasey Kiosk Vandalism

c. Outreach Events

i. Report on Full Moon Snowshoe

Mr. Koff reported the snowshoe event advertised on Facebook was successful with about 20 people, mostly adults. The hike went out to the Irvine property where Ms. Eberhardt gave a talk which was well received.

ii. Upcoming:

1. April 23 Sky Watch Event at Raynes (cloud date 4/27)

Ms. Raub noted the NH Astrological Society presentation will be in the barn at 7:30. Telescopes are provided.

Ms. Murphy will put together a flyer.

d. Tree City Subcommittee

Ms. Murphy indicated the Committee is meeting at 8:30 PM on February 18th. Three Liberty Elms have been donated. Tree stewards will be established for long-term care of the plantings. Reviewing

tree ordinances and looking to update those.

Mr. Short met with the Flockharts. The donation is a multi-year deal. Discussed tree maintenance and areas that need trees such as Town right of ways on several roads.

5. Approval of Minutes: January 14, 2020

MOTION: Mr. Clement motioned to accept the January 14, 2020 minutes as amended. Mr. Koff seconded the motion. A vote was taken. Ms. Raub and Ms. Eberhardt abstained. Approved 5-0-2.

6. Correspondence

Ms. Murphy spoke with Matt Berube about the path to clear the sewer line which needs widening. The sewerage line goes through a prime wetland and may require a wetland application or permit by notification. Willing to talk about areas we want protected.

7. Other Business

8. Next Meeting

a. Date Scheduled: March 17, 2020 at 7 PM, Submission Deadline: February 28, 2020

Adjournment

MOTION: Ms. Eberhardt moved to adjourn. Mr. Short seconded. All were in favor and the meeting was adjourned at 8:28 PM.

Respectfully submitted,

Daniel Hoijer
Recording Secretary