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 in the Nowak Room, Exeter Town Offices at 10 Front Street, Exeter on **Tuesday, November 9th, 2021 at 7:00 P.M.**

Call to Order:

1. Introduction of Members Present
2. Public Comment

Action Items:

1. Continued review of the Standard Dredge and Fill Application for wetland impacts associated with the construction of a proposed 41-lot residential subdivision and associated infrastructure at Tax Map 54, Lots 5, 6 & 7 and Map 63, Lot 205). Wetland and shoreland buffer impacts were previously addressed in July 2018, through issuance of a shoreland conditional use permit and wetland waiver. *Agent: Marc Jacobs, CWS*
2. Research Request: Julia Brazo Geological Research at Henderson Swasey
3. Committee Reports
    - *a.* Property Management
        - i. McDonnell Gate Closure Notice: November 1 – March 31
        - *ii.* Raynes Farm Update
        - *iii.* Pin Inspection Mendez property
    - b. Trails
        - i. Flooding of Oaklands Bog Bridge, Beaver pipe plan. Total project: $1700.
    - c. Outreach Events
        - i. Raynes Wreath Workshop November 20th 10-12 (approval of funds)
4. Approval of Minutes: October12th, 2021 Meeting
5. Other Business
6. Next Meeting: Date Scheduled (12/14/21), Submission Deadline (12/3/21)

Andrew Koff
Exeter Conservation Commission
Posted September 3, 2021 Exeter Town Website www.exeternh.gov and Town Office kiosk.

ZOOM Public Access Information:

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/82685714277

To participate via telephone, call: +1 646 558 8656 and enter the Webinar ID: 826 8571 4277

Please join the meeting with your full name if you want to speak.

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 us at extvg@exeternh.gov or 603-418-6425 with any technical issues.

TOWN OF EXETER
PLANNING DEPARTMENT MEMORANDUM

Date: November 2nd, 2021
To: Conservation Commission Board Members
From: Kristen Murphy, Natural Resource Planner
Subject: November 9th Conservation Commission Meeting

1. **Rose Farm Wetland Application**
The applicant was before you on 7/10/18 for consideration of the town holding interest in 6.31 acres proposed as conservation area, and for shoreland CUP and wetland waiver, and again at your last meeting for the wetland application. The Commission did not recommend approval of the CUP or the wetland waiver because the board did not feel they had enough information at the time and offered a list of recommendations (See the 7/12/18 memo to the PB in the October packet). The applicant received conditional approval from the Planning Board on January 14, 2019. The wetland application and associated materials can be found at the October 29, 2021 meeting link. At your last meeting, you expressed a desire to have more information regarding the Planning Boards alternatives analysis and independent wetland scientist review. On Wednesday Oct 27th, I emailed a set of information provided by Dave Sharples regarding the Planning Board's review materials. These documents are also included on the meeting page as a separate attachment. Your packet includes an overview by Marc Jacobs, an evaluation by TF Moran, and a letter from the abutter group Exeter Area Conservancy.

The applicant is before you in association with the State wetland application for the infrastructure associated with the development. The wetland impacts for this project triggers the need for compensatory mitigation. As you recommended in a prior meeting, I have worked with DPW to develop a list of culverts that are identified on the ARM mapper that are also on DPW's priority list for repair. Of the culverts in our area under the Town's jurisdiction that show up on the ARM mapper, the culvert on Tamarind Lane (SADES ID# 6,459) is their highest priority with a goal to repair within a month. I would recommend you offer this as a form of local mitigation in order to determine if the State deems this qualified.

Suggested Motion for State Wetland Application:

*I would recommend your motion **include exploring Tamarind Ln culvert replacement (SADES ID 6,459) as a local option for mitigation**, subject to NHDES approval.*

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

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

3. Henderson Swasey Research Request: See your packet for correspondence from UNH student, Julia Brazo.

Suggested Motion for request:
____ *We have reviewed this proposal and feel the activity is **in compliance** with the terms of the deeds as proposed.*
____ *We have reviewed this proposal and recommend that the activity is (**in compliance with conditions) (not in compliance**) with the terms of the deeds as noted below:*

4. Committee Reports
    a. Property Management
        - Seasonal closure of the McDonnell Conservation Area gate (Nov 1-March 31). You can still fit two cars in front of the gate when it is closed. The daily gate opening/closing throughout the past the season has been handled by the following volunteers: *Brian and Laura Mcsweeney, David Kovar, Cheyne Venturini, and property owner Dianne Arnheim.*

b. Trails

- Beaver activity in the powerline corridor has again flooded the low bog bridge in Oaklands. Dave Short reached out to a contractor for a beaver pipe (aka beaver deceiver) design and cost estimate for the wetland on town property east of Stonewall Way. These devices keep water levels at a particular level while allowing the beaver dam to remain in place. See packet for design. The project would cost $1700. Dave paid $150 out of pocket for the design. I was able to obtain a $750 grant from NH Animal Rights League, Inc. who supports co-existence with beavers over trapping or dam removal. See you packet for design and estimate.

  Suggested Motion:
  ____ Approve the expenditure of $950 from the conservation fund for the installation of a beaver deceiver within the Oaklands Town Forest.

c. Outreach – Wreath

- The Raynes Farm Stewardship Committee is planning to host a wreath workshop at Raynes on Nov 20th from 10a-12p, $30pp. Registration is required by emailing me at kmurphy@exeternh.gov If you can help with any part (parking, finding supplies, refreshments, etc), please Nick or I know.

Rose Farm Applicant Submittal

1. See Separate File: ApplicantSubmittal_1_RoseFarm-Steckler-Rebuttal-102921
2. Enclosed: ApplicantSubmittal_2_RTC_Rosseen-Memo-4-19-21_2021-10-19

Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Scientists

NEW HAMPSHIRE 200

October 19, 2021

Bethann McCarthy, P.E.
New Hampshire Department of Environmental Services
Alteration of Terrain Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095
via email: bethann.mccarthy@des.nh.gov.

Re: Technical Memorandum from Robert Roseen, Re: Observations and Concerns Regarding AoT Application #210218-20, Rose Farm Development, Exeter, NH and 4/9/21 RFMI
TFMoran Project: 47175.00

Dear Bethann:

On behalf of our client, Exeter Rose Farm, LLC, TFMoran, Inc. respectfully submits the following responses to Robert Roseen's Memo (Observations and Concerns Regarding AoT Application #210218-20, Rose Farm Development, Exeter, NH and 4/9/21 RFM, dated April 19, 2019). Most of these issues have been addressed in the Response to the Request for More Information – AoT Permit Application #210218-020, however, we are providing additional information for clarification.

To facilitate your review, we have provided Mr. Roseen's comments along with our responses, which are shown in ***bold blue italics***.

1. Channel Protection and Wetland Impacts

   As noted in my prior review letter 1 (attached for reference), these areas include high quality wetlands that are, with one exception, unfragmented and the lack of channel protection raises concern for aquatic habitat. The lack of infiltration and biofiltration at the source raises concerns for a reduced groundwater recharge and increased runoff. In my review of the recent submission it appears that the 2/8/21 revised Drainage Analysis has (again) incorrectly stated the channel protection results and analysis.

   NOTE: These wetlands are actually fragmented in three places; Oak Street Extension, the pond outlet structure, and the railroad tracks.

Specifically, the bankfull discharge (channel protection volume) does not meet the standards for channel protection. The applicant's drainage analyses report incorrectly states the numbers/results of the Hydrocad report (again). These numbers were incorrectly presented in the application to the town as well. The current drainage analysis claims the requirements are met whereas review of the Hydrocad analysis shows otherwise as noted below.

It is our understanding that AOT will only allow a waiver if the change in volume is less than 0.1 ac-ft whereas the applicant's own data shows an increase.

The lack of channel protection, infiltration, or filtration will unquestionably result in wetland erosion and subsequent impacts to aquatic habitat and water quality. The 2-year storm, aka channel protection event is an exceptionally important metric for aquatic habitat impacts. AOT states "The purpose of this section is to protect channels, downstream receiving waters, and wetlands from erosion and associated sedimentation resulting from urbanization within a watershed".

Increases in runoff volume are well established to have negative impacts to aquatic habitat and water quality. The increases in runoff volume will also contribute to reduced climate resiliency and make this area more prone to flooding.

Env-Wq 1507.05 (b)(1)(a) states "The 2 year, 24-hour post-development storm volume, directed to the nearest water body has not increased over the pre-development volume by more than 0.1 acre-feet;" A waiver is only required if the volume exceeds 0.1 acre-feet and in addition, Env-Wq 1507.05 (c) states 'When determining "equal to or less than", allowances shall be made for scientific uncertainty and mathematical rounding." This was met in the initial submittal. The 4,762 cf volume as stated on page 178 of the initial drainage analysis is equal to 0.1093 acre-ft. Following the allowances or rounding this is 0.1 acres, falling within the Env-Wq 1507.05 rule.

As Mr. Roseen has been made aware when he presented these same concerns to the Planning Board, for the developable areas of this site, the majority of the test pits showed the ground water is within 24" of the ground surface, between 8"-20" deep. Two observations that were 36" deep were in the yards of existing houses that are remaining. One pit revealed an ESHWT of 27" on the side of a hill, in an inaccessible and unbuildable area. The other 27" observation was on the bank of a river and was not an accessible area for drainage. Additional test pits in the 5-unit area were feasible for infiltration, but AoT has requested the utilization of an anaerobic system. The soil scientist who logged the test pits has stated that the dominant soil on the site contains a lot of silts and clay size soil particles, therefore not conducive to infiltration.

Since this site is in a nitrogen impaired area, AoT has informed us that their recommended treatment in these areas include Subsurface Gravel Wetlands and Bioretention Areas with Internal Storage Reservoirs (ISR). We had proposed a porous pavement infiltration BMP that met the Groundwater Recharge Volume (GRV) but were instructed by AoT staff that

the nitrogen removal was more important than the GRV. This BMP was converted to a Porous Pavement with an Internal Storage Reservoir. The Reservoir creates the needed anaerobic zone that helps break down the nitrogen.

With the updated drainage analysis, there is a 2-year volume increase of greater than 0.1 acre-feet and a waiver from AoT has been requested. The increase in stormwater volume to the stream is insignificant when compared to the stream volume. At the Railroad Crossing, the increase is 0.24 acre feet. Stream flows from the HydroCad calculations take into effect site flows and offsite runoff that flows into the BMP's, however they do not account for offsite stream flows. In order to determine the standard stream flows, StreamStats (a USGS program used for water resource planning and management, and for engineering and design purposes) was used. The standard behavior of a storm event's flow follows a bell curve (flow as a product of time) and the volume can be calculated by determining the area beneath the bell curve. To calculate the average flow of a 24-hour storm event, a conservative value of ½ the flow derived from StreamStats was used for the Pre-Development flow. StreamStats shows the 2-year 24-hour storm event for the RR-Crossing at 49.4 cfs, half of this being 24.7 cfs. Expanding this over a 24-hour period yields 2,134,080 cf. This shows that the increase is only 0.5%.

In the winter of 2019, a tidal action of 1'-6" was observed at the outlet end of the RR-Crossing culvert. Documentation of this is included in the RFMI submitted October 6, 2021. Since this is flowing directly into a tidal water it should be considered as meeting criteria 1507.05(b)(1)(c).

We also note that the peak flow (volume/time) for this area is decreased by 0.2 cfs. The stormwater volume is spread across a larger time frame meaning the height of the water should be less at the peak of the storm flow.

There will be no negative effects to the channel downstream of this project due to the minor increase in 2-year 24-hour storm volumes.

2. Concerns Regarding Lack of Infiltration/Biofiltration and Groundwater Recharge

While we applaud the use of gravel wetlands and porous pavements, the current application does not provide sufficient groundwater recharge, there should be more source controls or infiltration that will result in additional groundwater recharge. Specifically, the Shared Driveway B and the 400'+ of access road to the multifamily dwelling receives no treatment and will drain directly to a perennial stream. We agree wholeheartedly with the applicant's preference to not disturb any of the surrounding wetland and habitat areas for stormwater management as no expansion to Oak Street Extension is proposed, however there are plenty of remaining options for treatment. Notably there should be roadway infiltration or some other form of infiltration or filtration that can be constructed within the existing roadway footprint. Options exist for subsurface infiltration and treatment that will provide treatment and groundwater recharge.

We understand that AOTs position in general is "if topography allows for filter media with berming of basins,… then groundwater recharge (infiltration) needs to be considered more closely, even with high SHWT".

We believe there is ample opportunity for in/filtration from regrading that will occur from 1) building foundations that typically results in raising of grade around a building an average of 2-4' to balance cut and fill for the housing, and 2) within the roadway to the multi-family dwelling.

The applicant is of the position that the management of stormwater runoff for this area would require additional wetland impacts in the road right of way for BMPs. We believe this is avoidable though good engineering design. For example, the UNHSC has demonstrated in the City of Dover a subsurface infiltration system within a roadway. AOT recently permitted a project that similarly had subsurface roadway infiltration and pretreatment (AOT#1455). These types of projects, and others, can minimize impacts outside of the roadway footprint. The existing raised roadway along Oak Street Extension could be redesigned to allow for sufficient separation from SHWT, or alternatively the system could be lined to prevent infiltration if it were found to be untenable. A lined system, while not providing recharge, would provide treatment prior to discharge, and could be designed such that the runoff peak flow would be reduced.

Raising the houses to accommodate infiltration systems between the homes is not a practical solution. First, this is a Planned Unit Development, meaning the developed or disturbed area is minimized by allowing the houses to be built closer together, limiting the yard space or area needed to create infiltration basins. More important, the majority of the soils where the houses are located are on Boxford soils. Looking at the Society of Soil Scientist of Northern New England (SSSNNE) special publication No. 5, the infiltration rates for these soils are 0 to 0.2 inches per hour, meaning any water infiltrated into the fill would be trapped in the fill. As previously mentioned, the soil scientist has noted that the soils here are not conducive to infiltration. This would create saturated soils in the yards of the development.

In regards to Oak Street Extension, a 175' driveway will be added to this roadway while 600 feet of the existing road will be gated for emergency traffic only, decreasing the amount of traffic driven on this gravel roadway. The section that is being used to access the 5-unit multi-family house will not see an increase in pollution loads since historically there were 5 houses that used this road (at the time of the existing conditions survey).

The idea of an underground system on the roadway was considered, however, it would not be appropriate for several reasons. First, the water table is close to the ground surface preventing an underground detention system in this area which allows for adequate separation between the bottom of the system and the Estimated Seasonal High Water Table. With an infiltrated system, there is the required separation from the water table (3 feet) plus the chamber system's height (2.25-4.67') plus the needed cover over the system (1'-2') plus the pavement or gravel surface (0.25'). This would necessitate raising the roadway 6.5-9.5' to fit a system under the roadway.

A filtration system with a liner would allow it to be constructed closer to the water table, but it would still need an outlet at the bottom of the system. These systems are designed to outlet underneath a 24" filter layer and 9" of the 12" stone layer (2.75' below the chambers). The surface of the majority of Oak Street Extension is approximately the same elevation as the adjacent ground. Raising the system and roadway to be able to outlet it negates any gains of a filtrated system over an infiltrated system.

Since the roadway exists close to the wetlands and in the wetland buffer, a filtrated or infiltrated system would necessitate significant impacts to the wetlands and wetland buffer to accommodate this. Also, this roadway is in a nitrogen impaired area. The AoT recommended treatment is a BMP that offers anaerobic treatment. These systems recommended by Mr. Roseen would not meet those requirements.

We trust that the above responses satisfy the concerns expressed in Mr. Roseen's comments. Should you wish to further discuss any of the above please contact us so that we may meet and resolve any outstanding concerns.

Sincerely,
TFMoran, Inc.

Jack McTigue, PE, CPESC
Project Manager

cc: Exeter Rose Farm, LLC

Rose Farm Abutter Submittal

November 1, 2021

Dear Conservation Commission,

The Exeter Area Conservancy (EAC), which is comprised of concerned Exeter residents and abutters to the proposed Rose Farm project, respectfully submit the following information regarding a proposed alternate route for accessing the buildable portion of the property for discussion when considering the Applicant's State Wetlands Permit Application.

During the January 10, 2019 Planning Board meeting – the same night that the Planning Board approved the project and all eight waivers, including the Wetland waiver and the CUP—there was lengthy discussion comparing the merits of using and upgrading the existing access (referred to below as "the alternate/alternative route") and wetlands crossing on Oak St. Extension versus the impacts associated with the new crossing further down Norris Brook that is shown on the final plans. Video of that Planning Board meeting is available here:

https://videoplayer.telvue.com/player/LyAOBTaTsnn_CnwjwcB5-VoxQtyoKR1P/media/678621?autostart=false&showtabssearch=true.

We encourage you to watch the discussion of the alternate route in the video, in particular the two NH Certified Wetlands Scientist who provided testimony that they believe the alternative crossing would be less impactful. The testimonies we refer to are from Peter Steckler (at 1:18:42 – 1:29:49) and Mark West (at 1:59:00 – 2:06:13).

The reason the discussion is so important is that NH Administrative Rules Env-Wt 311.07 requires "*the Applicant to submit with the application a written narrative that explains how all impacts to functions and values of all jurisdictional areas have been avoided and minimized to the maximum extent practicable. The explanation shall include:*

(b)(3) Whether alternative designs or techniques, such as different layouts, different construction sequencing, or alternative technologies could be used to avoid impacts to jurisdictional areas or their functions and values on the subject property or on other property that is reasonably available to the applicant as described in the A/M BMPs."

While the Application included a narrative summary, that summary did not mention the alternative route or a discussion of how the route presented would be less impactful than the alternative.

With regard to the proposed alternative route, the Applicant's Wetland Scientist stated at the October 12, 2021 Conservation Commission meeting: "There is already a lot of fragmentation to the end of the [Norris Brook] corridor, so the alternative proposal was a bit of a reach." However, he did not go so far as to say definitively that either route would be more impactful than the other.

You also likely have a copy of a report provide to the Planning Board in 2018 by Mr. Patrick Seekamp, CWS. It's important to note that during his testimony on January 10, 2019, Mr. Seekamp stated several times "it wasn't clear," "we really don't know," and "it's hard to compare" in reference to the benefits of using the proposed alternate route.

In our opinion, most of the concerns raised by Mr. West and Mr. Steckler were never properly answered during the January 10, 2019 Planning Board meeting. Nevertheless, as the clock approached midnight, the Planning Board, voted to approve the project and eight waivers, including the Wetland waiver and the CUP that same night.

Based on the January 10, 2019 testimony of two NH Certified Wetland Scientist that, in their professional opinions, there is likely an alternative route of accessing the buildable portions of the property that could be less impactful from a Wetlands perspective; the EAC believes it is imperative that the Commission recommend that the NHDES reject the Wetlands Permit Application because the Applicant, given the information provided to date, cannot show how they have met the requirements of Env-Wt 311.07.

We are not asking you to evaluate which route is more impactful or which route makes more sense. We are simply urging you to present this question to the NHDES, as it is unlikely that the reviewer will have knowledge of a proposed alternative, and ask them make the determination of which crossing would be least impactful to the fragile Norris Brook corridor.

Thank you for considering this matter carefully.

Respectfully submitted,

The Exeter Area Conservancy

Town of Exeter

Kristen Murphy <kmurphy@exeternh.gov>

Re: Request to conduct research in Henderson-Swasey Town Forest

1 message

Julia Brazo <Julia.Brazo@unh.edu> Mon, Oct 4, 2021 at 7:27 PM
To: Kristen Murphy <kmurphy@exeternh.gov>

Hi Kristen,

I am happy to provide additional information. I will be using a method called surface exposure dating to determine when glacial erratics/boulders and/or glacially scoured bedrock were exposed to the elements (i.e. no longer covered by water or ice). Collecting samples from the seacoast of NH will allow me to understand and interpret the glacial history of the area such as the mechanisms of glacial retreat and associated sea-level fluctuations which has implications to glacial systems that exist today in Alaska, the Arctic, and Greenland Following the last glacial maximum the sea level was much higher, so the seacoast was covered with water. This sea-level maximum of 70 meters above present-day is what we call the marine limit. Samples from Hendersen-Swasey Town Forest would be key members of my sample collection below the marine limit. These samples will help determine the rate of marine regression associated with the last deglaciation.

As for how samples are taken we use a simple rock hammer and chisel to chip off rock pieces from the surface (which are usually less than a few cm in depth). If the rock is really tough we use a small battery-powered rock saw to create cuts that act as an edge for the chisel method. We aim for samples less than 1 kg (no bigger than the size of a fist). And after the sample is taken we use the rock hammer to make the rock appear as if it hasn't been cut or a piece removed (make it look as natural, like erosion, and undisturbed as possible). I have attached before and after photos from a rock sample, my advisor took in Yellowstone National Park. We target sample locations that are off-trail as to not disturb other visitors and aim to have a low impact on the overall area. Please let me know if you have any additional questions or concerns.

Best,

Julia Brazo
UNH Earth Sciences
Geology M.S. Student
ESCI 530 Teaching Assistant

From: Kristen Murphy <kmurphy@exeternh.gov>
Sent: Thursday, September 30, 2021 12:15 PM
To: Julia Brazo <Julia.Brazo@unh.edu>
Subject: Re: Request to conduct research in Henderson-Swasey Town Forest

Julia,

Would you like to present this to the Conservation Commission? If not, perhaps a few more details as you offered on the sampling method, and the overall impact sampling would have would be helpful.

On Mon, Sep 20, 2021 at 11:49 AM Julia Brazo <Julia.Brazo@unh.edu> wrote:

> Perfect, thank you. I look forward to hearing from you in October.
>
> Best,
>
> Julia
>
> ---
>
> **From:** Kristen Murphy <kmurphy@exeternh.gov>
> **Sent:** Monday, September 20, 2021 11:32 AM
> **To:** Julia Brazo <Julia.Brazo@unh.edu>
> **Subject:** Re: Request to conduct research in Henderson-Swasey Town Forest
>
>
>
> Hi Julia,
>
> I can add this request to the next Conservation Commission meeting which is scheduled for Oct 12th at 7:00 pm. If you would like to attend, please let me know. Otherwise I will simply read your request into the record for their consideration.
>
> Kristen
>
> On Sat, Sep 18, 2021 at 1:52 PM Julia Brazo <Julia.Brazo@unh.edu> wrote:
>
> > Hello Kristen,
> >
> > My name is Julia Brazo. I am a M.S. student at UNH and a member of Joe Licciardi's research group in the Earth Sciences department. I am emailing you today seeking permission to sample boulders that are found in Henderson-Swasey Town Forest. I am interested in collecting rock samples for my master's thesis which seeks to understand the glacial history and local sea-level changes of the Seacoast region of NH. Rock samples collected from this location would be a key indicator for the timing of marine regression associated with deglaciation in the seacoast of NH. For the rock sampling, we use a rock hammer and chisel method to chip off some rock flakes (generally less than a couple cm in depth). I would be happy to provide more info via email to describe the sampling method, my project, and the small overall impact sampling would have on the area in more detail.
> >
> > Thank you in advance,
> >
> > Julia
>
> --
> Kristen Murphy

Natural Resource Planner
Town of Exeter
10 Front Street, Exeter, NH 03833
(603) 418-6452

--
Kristen Murphy
Natural Resource Planner
Town of Exeter
10 Front Street, Exeter, NH 03833
(603) 418-6452

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2 attachments

JML_5092_web.jpg
709K

JML_5097_web.jpg
652K

Flooded backyards?
Washed out sections of road?

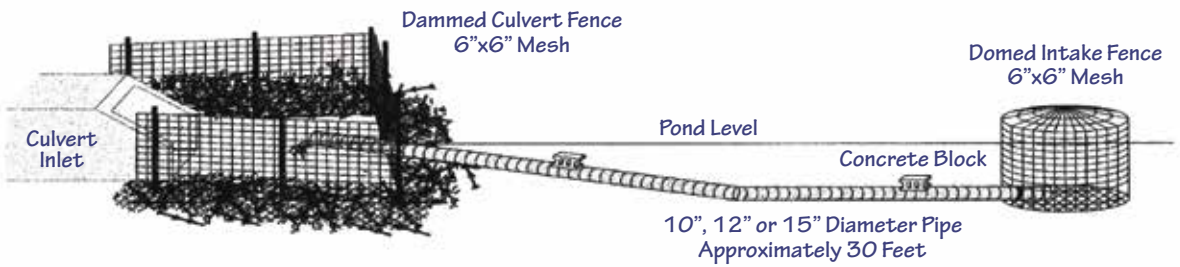
Bestway Wildlife Control is your go-to source for tackling beaver problems!

Bestway Wildlife Control provides long-term, sustainable solutions that work with and not against nature!

Beavers are "nature's engineers"!
Beavers are rightfully known as "nature's engineers" due to their unique ability to change the environment around them. While beaver dams cause a lot of issues, it is often overlooked how beneficial dams are. Not only do they create new wetland habitat for a myriad of creatures such as otters, raccoons, and all kinds of aquatic wildlife, but dams also reduce bank erosion by slowing down the water flow. Wetlands created by beaver dams also act as valuable floodwater storage reservoirs and are therefore considered an important part of any healthy ecosystem.

To trap or not to trap?
While removing beavers by trapping can provide immediate relief, the relief is likely only short-lived. Removing beavers from their habitat creates a void that can be quickly exploited by other beavers who are looking for a new home. The chances of this happening are good based on beaver biology: young beavers typically stay with their family unit until they are two years old, at which point they are forced out by the older adults to "strike out" on their own.

Rest assured. Bestway Wildlife Control will provide you with a thorough evaluation of your current situation to establish the best course of action for you!



FENCE AND PIPE DIAGRAM
(Side View)

Beaver trouble?

Call the experts!

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Email: bestwaywildlife@gmail.com
www.bestwaywildlife.com

BestWay Wildlife Control
PO Box 82
Sandown, NH 03873 US
+1 6034254250
Chuck@bestwaywildlife.com

Estimate

ADDRESS
Dave Short Exeter Consverstion Commission 10 Front Street Exeter, NH 03833

SHIP TO
Dave Short Exeter Consverstion Commission Stone Ridge Lane Bloody Brook Exeter, NH 03833

ESTIMATE #	DATE	
1088	10/25/2021	

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Pond Leveler	install 12" pipe	1	1,700.00	1,700.00
Sales	for inspection	1	-100.00	-100.00

TOTAL **$1,600.00**

Accepted By

Accepted Date


Wreath Making Workshop
SATURDAY
NOVEMBER 20
10AM-12PM
RAYNES FARM
$30 PER PERSON
Space is limited! Register today:
kmurphy@exeternh.gov_
HOLIDAY WREATH MAKING WORKSHOP HOSTED BY RAYNES FARM STEWARDSHIP COMMITTEE
TOWN OF EXETER
FOUNDED
1638
NEW HAMPSHIRE

Exeter Conservation Commission
October 12, 2021
Nowack Room
Draft Minutes

Call to Order

1. Introduction of Members Present (by Roll Call)

Present at tonight's meeting were by roll call, Chair Andrew Koff, Vice-Chair Trevor Mattera, Nick Campion, Julie Gilman Select Board Liaison, Conor Madison, Bill Campbell, Alternate, Donald Clement, (@7:38 PM), and Dave Sharples, Town Planner.

Absent: David Short, Alyson Eberhardt, Kristen Osterwood and Alternate Thomas Patterson

Mr. Mattera called the meeting to order at 7:00 PM.

2. Public Comment (7:00 PM)

Mr. Koff asked if there were any members of the public who wanted to speak to an item not on the agenda and being none closed public comment.

Action Items

1. Wetland and Shoreland Conditional Use Permit applications for 6,090 SF of temporary wetland buffer impact and 10,714 SF of temporary shoreland buffer impact associated with utility maintenance pole replacement on the existing H141 Eversource transmission line (Tax Map 29, Lots 1 and 2, and Tax Map 29, Lots 32 and 32). Direct wetland impacts have been addressed through the State's statutory permit by notification process for utility maintenance. Agent Kristopher Wilkes, VHB

Mr. Koff read out loud the Public Hearing Notice and noted that Alternate Bill Campbell will be voting in place of Connor Madison on this application, as Mr. Madison has recused himself.

Kristopher Wilkes of VHB presented the application on behalf of Eversource. The project is expected to begin in November and run through the winter months of December and January and wrap up in February. The work described was H141 115kv transmission ROW A126 line which is not structural. There are three structure replacements located between Route 101 West, Epping Road NH Route 27. There is a floodplain wetland associated with Little River. A copy of the plan was provided. There are two wood poles being replaced with weathered steel within 10' of the existing footprint with the exception of #171. Another pole north of the wetland floodplain is being repositioned to the small uplands closer to Epping Road 120' from the existing structure. There will be erosion control, staging and timber matting. There will be a 100'x100' work pad with staging. Work and traffic control will be coordinated with DOT. #176 and #175 will be accessed off Epping Road using an existing older access road. Poles will be cut off at the surface and pole butts left in the ground. These will require a

100'x100' work pad. There will be 7,415 SF of direct temporary wetland impact resulting from #176 and 714 SF of temporary impact within the 300' buffer. There will be 6,090 SF of temporary impact to the buffer in W31 and W32. There will be 10,000 SF of temporary impact in the shoreland protection district of Little River. There is direct wetland application with DES which the Conservation Commission is not involved with. There is direct temporary impact permitting by notification for utility maintenance. The Natural Heritage Bureau and Fish and Game are involved. Concerns for identified species are turtles and the black racer but no rare plant species were identified. There would be a preconstruction meeting and training protocol with contractors to identify and report.

Mr. Campbell asked if the height of the replacement poles would be the same and Mr. Wilkes answered that the height would be increased 5' to 20' noting that one area must cross the DOT ROW at Route 101 and be high enough to cross safely.

Mr. Koff asked about an invasive species management plan and Mr. Wilkes noted the Purple Loose Strife and Glossy Buckthorn were identified and the measures to control spread by cleaning off and inspection equipment prior to transport. Working in the winter helps as it is past flowering season and there will likely be snow on the ground.

Mr. Koff reviewed with Mr. Wilkes the eight criteria for review of the application:

It is permitted in the zoning district – yes.

No alternative design that is less detrimental. Getting the structure outside of the wetland is beneficial. The applicant cannot avoid the location of the existing structures. Access impacts are being minimized by coming in off Route 101.

Evaluation of functions and values. Not detrimental to wetlands or the greater hydrological function. Mr. Wilkes discussed sediment and nutrient removal and flood capacity and does not anticipate any negative effect to the functions and values. The impacts are temporary, and work will be during a short duration in the winter with best management practices concerning erosion control and use of timber matting.

Mr. Mattera asked if it was realistic that the work in Exeter would start in November with other communities: Brentwood, Sandown, Fremont and Stratham involved as well, and Mr. Wilkes noted it was possible that Exeter may not begin in November.

Mr. Koff noted the applicant addressed design, construction and maintenance which will have minimal detrimental impacts.

Mr. Koff noted there would be very little ground disturbance during the short winter duration that would result in the project be hazardous to the individual public health, safety, welfare or direct loss of wetlands or contamination of groundwater or other reasons.

Mr. Campbell noted that DES approves restoration and asked if the Commission weighed in on that approval. Mr. Wilkes noted there is a consultant making weekly inspections during construction to be sure it is being done, writing a report with photos. At the end of the project the consultant meets with the contractor as they are removing mats, grading, and to make sure that seeding and straw are not needed for the spring.

Mr. Koff noted #6 was not applicable as they are not increasing buffers outside the site.

Mr. Koff noted the applicant will restore the property within the buffer.

Mr. Koff reviewed the other required permits for condition #8.

Mr. Koff opened the hearing to the public at 7:36 PM and being none closed the hearing to the public for deliberations.

MOTION: Mr. Koff motioned after reviewing the application that the Conservation Commission has no objection to the approval of the conditional use permit for Eversource, Tax Map 29, Lot 32 as presented. Mr. Campbell seconded the motion. A vote was taken, Mr. Madison abstained, the motion passed 5-0-1.

Alternate Mr. Clement arrived at the meeting and was activated as a voting member by the Chair.

Mr. Koff reviewed the criteria for the Shoreland Conditional Use Permit:

1. Not detrimental to storm water or ground water quality. Structure entirely upland. There will be a silt sock on the edge of the workspace downslope of the wetland area with no direct impacts there.

Mr. Koff asked if the shoreland buffer were 150' and Mr. Wilkes noted it was 300.' 100' from the wetland edge. There will be no additional clearing or widening of access. Relocation of #176 is a benefit taking the impact out of the wetland and future maintenance as well.

2. No discharge of wastewater, not disposal of hazardous or toxic waste. Mr. Wilkes reviewed procedures for fueling, spill kits and not leaving equipment overnight.

3. Undue damage to spawning or wildlife habitat. #177 and #176 have no impact. There will be no damage to spawning or habitat loss. They are working with the NH Heritage Bureau & Fish and Game. Work will be done in the winter months so that there will be no impacts.

Mr. Koff noted he believed Article 9.3.4 of the regulations has been met. Design is consistent with the intent of the property set forth in the shoreland district which allows for maintenance of existing structures.

MOTION: Mr. Koff motioned after reviewing the application that the Conservation Commission has no objection to the shoreland conditional use permit for Eversource for Tax Map 29, Lot 32 as presented.

Mr. Mattera seconded the motion. A vote was taken, with Mr. Madison abstaining, the motion passed 6-0-1.

Mr. Koff noted he will follow-up with a memo to the Planning Board later in the week.

2. Standard Dredge and Fill Application for prime wetland impacts resulting from the prime wetland restoration at 32 Charter Street (Map 82, Lot 36). Wetland buffer impacts related to the construction of a private drive and associated utilities/drainage treatment structures to serve 11 proposed townhouse condominium dwelling units onsite were previously addressed through the conditional use permit process. Agent: Brendan Walden, GES Inc.

Mr. Koff read out loud the Public Hearing Notice.

Jim Gove of Gove Environmental Services presented the application on behalf of the applicant. Mr. Gove noted this is their fourth meeting and the project has previously been discussed. The CUP application was presented on July 15, 2021. A planting and restoration plan was forwarded along with the plan for removing invasive species. Debris had been previously dumped in the prime wetland and will be removed. The building project itself is in the uplands outside of the buffer with minor temporary impacts. Mr. Gove noted they will work outside the frost to avoid rutting and try to remove debris by reaching over and lifting it out rather than bringing equipment in. A wetland seed mix would be used for restoration.

Mr. Koff asked about the timeline for the work and Mr. Gove noted that while it would be the best time to go in now, they have to wait for DES approvals and could start once they are received which may not be until the end of December while there is some possibility it will be approved sooner. Work outside the buffer may begin sooner but they prefer to have as little soil disturbance as possible. He noted he would like to see the remnants of the old house removed before work commences because the access area is very narrow otherwise.

Mr. Mattera noted it was nice to see the junk being taken out of there.

The Commission discussed conditions: invasive species control, density for planting any trees and shrubs, planting success and restoration. Mr. Gove noted there would be no shrubs in the prime wetland area only a wetland seed mix.

Mr. Clement noted he had concerns with protecting the area in the future such as nitrogen and salt and recommended placing a sign so that residents would be aware of the prime wetland and its need for protection and value.

Mr. Koff noted some impervious surface in the buffer would also be coming out.

Mr. Koff opened the hearing to the public for comments and questions and being none closed the hearing to the public for deliberations.

MOTION: Mr. Campbell motioned after reviewing the application that the Conservation Commission has no objection to the Standard Dredge & Fill application for 32 Charter Street as proposed with the conditions of signage, restoration, planting success and invasive species control. Mr. Koff amended the motion with Mr. Campbell's consent, and motioned that after reviewing the application that the Conservation Commission recommends approval of the wetland application be approved with the conditions:

1. Sign indicating the prime wetlands;
2. Invasive Species Control and Management be included in the restoration plan;
3. Restoration planting supervision with a minimum of two years to manage adaptive planting success should it fall below 70%.

Mr. Mattera seconded the motion. A vote was taken, all were in favor, the motion passed 7-0-0.

3. Standard Dredge and Fill Application for wetland impacts associated with the construction of a proposed 41-lot residential subdivision and associated infrastructure at Tax Map 54, Lots 5, 6 & 7 and Map 63, Lot 205). Wetland and shoreland buffer impacts were previously addressed in July 2018, through issuance of a shoreland conditional use permit and wetland waiver. Agent: Marc Jacobs, CWS.

Mr. Koff read out loud the Public Hearing Notice and noted the Rose Farm project was previously discussed in July of 2018 concerning CUP and waivers.

Marc Jacobs, certified wetlands scientist presented the application and noted Attorney Baum was also present.

Mr. Jacobs presented the history of the property which was formerly a brickyard and most recently commercial greenhouses with residential use over the years for employees of the greenhouses mostly. Five of the nine homes remain. Portions of the site are contaminated with lead, coal ash and solid waste proposed to be removed. There is a gas main that bisects the west side of the parcel. The parcel is approximately 50 acres abutting urbanized, densely settled residential area. There is not much habitat fragmentation.

Mr. Jacobs showed slides of the 1958 greenhouse and residential dwellings including the smoke stack for the heating plant which is believed to be what left the coal ash behind. Lead caulking around the greenhouses likely were responsible for lead in the soil. Mr. Jacobs showed Oak Street Extension and noted areas where Jailhouse spring and four manmade ponds were located as well as Norris Brook in two places and the B&M railroad tracks. One pond is contaminated with lead and will be dredged for remediation purposes. The parcel abuts Henderson Swasey Town Forest. There is an unnamed perennial stream which enters Norris Brook and three intermittent streams. He noted one area where horses had been kept and the field changed the runoff conditions. Invasives exist throughout including extensive Japanese Knotweed which has been mapped.

Mr. Jacobs showed an aerial view of Oak Street Extension, Norris Brook Condominiums, the Industrial Park, railroad tracks, Forest Street and a GIS overlap of municipal water and sewer and the dense

residential areas. He noted there are numerous bike trails that will stay open for use. There are some 15% slopes or steeper. The project is an open space development with 41 lots and 45 units, one of which is a large five-unit multi-family residential development. Use of existing septic systems are questionable. There will be 6.3 acres of deeded open space and 12 acres of additional open space areas with five neighborhood recreation areas, one adjacent to Jailhouse Spring with improved access. The road is proposed to be 2,372' in length. There will be a crossing of Norris Brook, proposed box culvert which after feedback obtained from the Commission and the Planning Board was changed from 5'x12' to a 5' tall, 9'x24' open bottom culvert. He noted the exposed banks would be 6'x9' on one side and 6' x 16' on the other. He discussed channel width and wildlife passage on either side of the brook. Impacts will be restored upon completion.

Mr. Jacobs discussed the proposal for 3-4 culvert improvements and replacement of the 36' concrete pipe. He noted improper grading upstream made repair of elevations at both ends necessary because it is acting as a dam. Oak Street Extension will be gated between the spring and the driveway structure for the five units.

Mr. Jacobs discussed the 7/12/18 Conservation Memo and HOA Agreement and draft deed, baseline survey and boundary marker requirements. Invasive species will be controlled and monitored with construction. A geologist determined the vast majority or entirety of the spring is from direct neighborhoods not on site. Mr. Jacobs referred to the AoT manual concerning stormwater and nitrogen control with 4-5 gravel wetlands. Impacts are avoided where possible. Retaining walls will be used. The culvert on the watchlist will be replaced with coordination of the Natural Resource Planner as compensatory mitigation with a value of $41,000.

Mr. Campbell asked about Pete Steckler's letter and an alternative design. Mr. Jacobs noted Mr. Steckler's proposal was discussed in 2018 by the Planning Board and dismissed. He noted Oak Street Extension and the two houses. The applicant purchased property for access and cited road design and safety as well as long and steep slopes and the massive road cut and fill and massive wetland alternative to maintain and utilize. Planning Board and Conservation both felt it was not worth the tradeoff. There is already a lot of fragmentation to the end of the corridor, so the alternative proposal was a bit of a reach.

Mr. Koff asked the road width at the culvert and Mr. Jacobs noted the road width is 24' paved with 5' sidewalk and 6" curbing. Retaining walls slope a bit at the base 31-32.'

Mr. Koff asked if the footings would be poured concrete and Mr. Jacobs said yes and added excavation will be restored, replanted and reseeded. There will be a 41-lot subdivision on the 50-acre site with 6,800 SF of impact which is pretty good and compared it to the previous application for maintenance of utility poles which had more impact.

Mr. Koff opened the hearing to the public for comments and questions at 1:56 PM.

Todd Piscovitz of 22 Forest Street expressed concerns with Pete Steckler's letter and the alternative crossing. He noted the 7/10/18 Conservation Commission memo to the Planning Board not to approve

the wetland waiver due to lack of information about fish, shellfish, net-zero nitrogen loading and wetland. The Planning Board approved this application six months later and eight waivers without discussion before the vote for each waiver and it was not returned to the Conservation Commission. He referenced section 9.9.3 of the site plan regulations and the applicant demonstrating an alternate route. The Planning Board heard testimony that an alternate route could be less impactful and allowed the waiver anyway without input from the Conservation Commission. Norris Brook is a vital wetland within a 544-acre watershed above the proposed crossing. He urged the Commission to send a letter to DES that the applicant has not met ENV 311.07 B3 and request they look at this alternative option.

Suzanne Iverson of 5 Walnut Street expressed concerns about the AoT permit which the Conservation Commission is not a part of but feels it is their responsibility to provide stewardship for. She read the memo to Bethany McCarthy and David Price at the AoT and Wetlands Bureau and noted there were two memos on March 19th and on April 19th by Robert Roseen of Waterstone Engineering PLLC who is recognized as an industry leader. She noted a lack of channel protection and non-compliance for AoT treatment, infiltration and groundwater recharge. She read the 3/18 letter (stet). She referenced the differing hydrocad results. The result would be a lack of channel protection, infiltration and wetland erosion and impacts to aquatic habitat and water quality. Gravel wetlands do not provide sufficient stormwater recharge. There should be more improvement, specifically the shared driveway and there being no pretreatment which water would drain directly into a perennial stream. The existing roadway could be redesigned.

June Fabray of Chestnut Street stated that she does not live near Rose Farm but is concerned with wetlands. She walked the property a year and half ago. A large number of waivers were granted by the Planning Board despite Conservation Commission concerns not being addressed and she produced a letter.

Mr. Clement asked if the applicant had seen all these letters prior to tonight and Mr. Jacobs noted he would like to receive a copy.

Mr. Clement noted he would like the opportunity to talk to Dr. Roseen and be able to ask him questions, but he is not here tonight and can't opine without further research, knowledge and understanding. Mr. Jacobs stated his recollection was concerns were dismissed due to infiltration and soil types and stated this was like beating a dead horse. Attorney Baum noted there was a third-party review in 2018 with Seacamp Environmental and Town staff could provide results. Mr. Steckler's proposal was not applicable. Mr. Roseen spoke to the Planning Board.

Mr. Koff noted that it is not the application before the Commission tonight. Mr. Sharples noted that Patrick Seacamp walked the site with Mr. Jacobs and looked at the alternate road and the Planning Board accepted what you're seeing as the preferred way.

Mr. Campbell noted the Commission could not consider the Roseen and Steckler opinions without seeing the other data to compare. There is new information being supplied by people other than the applicant and would not be fair for the applicant not to respond.

Mr. Koff noted he was not sure the hydrocad analysis would change the crossing or wetland impact and stated he is not seeing the full connection between these points.

Susan Iverson read Dr. Roseen's comments noting the lower elevation among other comments was not conducive to infiltration and recharge. There are conflicting hydrocad analysis. Mr. Mattera noted if there were vast differences it should be looked at. The discussion was dismissed, and he is concerning with rehashing old arguments and has not seen all this. There is a whirlwind of new information outside the scope of the Commission's jurisdiction. The AoT Bureau should be allowed to do their job.

Mr. Koff agreed that the Commission did not need to get into stormwater drainage as their scope is wetland impacts.

Mr. Clement asked if there was a clock on this. Mr. Jacobs noted there are 14 days to place on hold and 40 days to submit concerns.

Mr. Piscovitz requested the Commission ask DES to look at the information and least impactful routes. Mr. Jacobs noted that Mr. Steckler's proposal was not mapped out and had no engineering done. Dr. Roseen copied Eben Lewis and Mr. Piscovitz asked that the Commission ask DES to review and revette Dr. Roseen's letter.

Mr. Clement recommended asking for the extension to 40 days and noted he would like more time to review. Mr. Koff noted 14 days is tomorrow and will have Mr. Sharples send an email. The Commission's next meeting is November 9th which is 28 days, within the 40 days.

Mr. Koff closed the hearing to the public for deliberations at 9:43 PM.

MOTION: Mr. Clement motioned that the Conservation Commission ask NH DES for 40 days to provide recommendations on this project and continue the application to November 9, 2021. Mr. Campbell seconded the motion.

Mr. Madison noted he is unclear what the Commission's role is and recommended AoT should be left to AoT.

Mr. Sharples asked if the Commission needed anything and Mr. Clement asked for more information about the Planning Board's alternative road including Patrick Seacamp's report and the minutes of the meeting and if Dr. Roseen could come before the Commission to discuss this.

Mr. Koff noted he was not as inclined to take up stormwater drainage issues and does not see the connection to the wetland application. He would like to see a condensed version of Patrick Seacamp's analysis to review dated 11/11/2018.

A vote was taken, all were in favor, the motion passed 7-0-0.

Mr. Mattera noted AoT is not the Commission's purview and to keep stormwater out of the discussion unless pertaining to entry points of the development. Mr. Clement agreed the Commission would like to know which was least impactful. Mr. Madison noted engineers would be helpful. Mr. Jacobs will reach out to Fish & Game for recommendations but noted they are backlogged.

4. Committee Reports

a. Property Management

i. Research request at Henderson Swasey Town Forest (see correspondence: Julia Brazo, UNH) - Tabled

ii. McDonnell Gate Closure Notification Effective November 1 – March 31. Thank you to this year's volunteer gate tenders Brian McSweeney & Laura McSweeney, David Kovar, Dianne Arnheim, Cheyne Venturini) - Tabled

iii. Phase 1a Arch Review completed. Phase 1b for parking and path south of barn to the east bay entrance.

Mr. Clement departed the meeting at 10:00 PM.

MOTION: Mr. Koff motioned to approve expenditure of $4,855 from the Conservation Fund for the Phase 1b archeological at Raynes Farm. Mr. Mattera seconded the motion. A vote was taken, all were in favor, the motion passed 6-0-0.

b. Trails

i. Flooding of Oaklands Bog Bridge - Tabled

c. Outreach Events

i. Rescheduling of Sky Watch at Raynes Farm to October 16th at 7:30 PM.

Ms. Murphy reported the Sky Watch event was tabled due to COVID. October 16 is the new date pending approval for in-person events. A virtual event is a possibility as a backup option.

5. Approval of Minutes of September 14, 2021 Meeting - Tabled

6 Other Business

Mr. Campion noted there is a subcommittee meeting Thursday at 8:30 PM.

7. Next Meeting: Date Scheduled (11/9/21), Submission Deadline (10/29/21)

Adjournment

MOTION: Mr. Koff moved to adjourn the meeting at 10:02 PM seconded by Mr. Mattera. A vote was taken, all were in favor, the motion passed unanimously.

Respectfully submitted,

Daniel Hoijer, Recording Secretary
Via Exeter TV