



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

Site Walk

The Exeter Conservation Commission will be holding a site walk to review Action Item #2 below. The group will meet at Ray Farmstead Road, Building C, in Exeter on **Tuesday, June 14th, 2022 at 5:00 P.M.**

Monthly Meeting

The Exeter Conservation Commission will meet in the Nowak Room, Exeter Town Offices at 10 Front Street, Exeter on **Tuesday, June 14th, 2022 at 7:00 P.M.**

Call to Order:

1. Introduction of Members Present
2. Public Comment

Action Items:

1. Election of Officers
2. Wetland and Shoreland Conditional Use Permit applications for the relocation of Building D of the Ray Farmstead 55+ residential development. Tax Map 47-Lot 8.1 (Justin Pasay, Brendan Quigley)
3. Committee Reports
 - a. Property Management
 - b. Trails
 - i. Update to Event Permit – incl police, fire, & DPW sign of before CC review
 - ii. Jolly Rand Trail Sign Replacement (Expenditure request)
 - c. Outreach Events
 - i. Alewife Festival Debrief
 - ii. Geocache Date TBD
4. Approval of Minutes: May 10th, 2022 Meeting
5. Correspondence
6. Other Business
7. Next Meeting: Date Scheduled (7/12/22), Submission Deadline (7/1/22)

Andrew Koff

Exeter Conservation Commission

Posted June 10th, 2022 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/82939374046>

To participate via telephone, call: +1 646 558 8656 and enter the Webinar ID: 829 3937 4046

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: June 10, 2022
To: Conservation Commission Board Members
From: Kristen Murphy, Natural Resource Planner
Subject: June 14th Conservation Commission Meeting

1. Election of Officers:

Current slate of officers is as follows:

- Chair, Drew Koff,
- V. Chair, Trevor Mattera
- Treasurer, Dave Short

2. Wetland and Shoreland Conditional Use Permit applications for the for the relocation of Building D of the Ray Farmstead 55+ residential development. Tax Map 47-Lot 8.1 (Brendan Quigley, CWS)

The applicant was before you in June 2017 ([video starts 1:10sec](#)) for review of the full development. Construction of Buildings A-C has been on-going since. The applicant is before you now for a modified design that includes the relocation of Building D. They attended the 4/20 Technical Review Committee (TRC) meeting and submitted additional materials on June 3rd which includes a slight design alteration by including retaining walls to further minimize buffer impacts, as well as a response to the remaining TRC comments. They are scheduled to go before the Planning Board on July 14th.

Suggested Motion for Wetland Conditional Use Permit:

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

____ We have reviewed this application and have **no objection** to the approval of the conditional use permit as proposed.

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

Suggested Motion for Shoreland Conditional Use Permit:

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

____ We have reviewed this application and have **no objection** to the approval of the conditional use permit as proposed.

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

3. Committee Reports:

- a. Trails – It was recommended that I secure approvals from Fire, Police, and DPW prior to your review of an event applications so I have revised the application. Should you adopt this revision, this would be required for any future events.
- b. The sign at both ends of Jolly Rand Trail installed in 1996 is in need of replacement. I am still waiting an estimate but will have it in time for the meeting.

Suggested Motion for Expenditure:

_____ Move to approve the allocation of _____ from the Conservation Land Administration subcategory for the replacement of the Jolly Rand signs.



CELEBRATING OVER 35 YEARS OF SERVICE TO OUR CLIENTS

LIZABETH M. MACDONALD
JOHN J. RATIGAN
DENISE A. POULOS
ROBERT M. DEROSIER
CHRISTOPHER L. BOLDT
SHARON CUDDY SOMERS
DOUGLAS M. MANSFIELD
KATHERINE B. MILLER
CHRISTOPHER T. HILSON
HEIDI J. BARRETT-KITCHEN
JUSTIN L. PASAY
ERIC A. MAHER
CHRISTOPHER D. HAWKINS
BRENDAN A. O'DONNELL
ELAINA L. HOEPPNER
WILLIAM K. WARREN

RETIRED
MICHAEL J. DONAHUE
CHARLES F. TUCKER
ROBERT D. CIANDELLA
NICHOLAS R. AESCHLIMAN

April 1, 2022

Langdon Plumer, Chair
Exeter Planning Board
10 Front Street
Exeter, NH 03833

Re: Conditional Use Permit Applications - Ray Farm – Building D Relocation
Map 47, Lot 8.1

Dear Chair Plumber and Board Members:

This Firm represents Ray Farm, LLC which is the declarant of the Ray Farm Condominium, a 55+ senior living development in Exeter located on property off of Ray Farmstead Road which is further identified as Town Tax Map 47, Lot 8 (the “Ray Farm Property” or the “Project”), as well as CKT Associates, which is the owner of adjacent land identified as Town Tax Map 47, Lot 8.1 (the “CKT Property”). Enclosed please find two (2) Applications for Conditional Use Permits related to proposed impacts to the Town’s Shoreland Protection District and the Wetlands Conservation District on the Ray Farm Property and CKT Property caused by the proposed relocation of the previously approved fourth building of the Project, together with supporting materials. These applications supplement the Site Plan Review application which was filed on March 29, 2022. Also enclosed is check in the amount of \$100.00 for application filing fees. If you have any questions do not hesitate to contact me.

Very truly yours,
DONAHUE, TUCKER & CIANDELLA, PLLC

Justin L. Pasay
JLP/sac
Enclosures

cc: Jonathan Shafmaster
Denis Hamel, GM2
Brendan Quigley, Gove Environmental
Exeter Conservation Commission w/ 2 copies

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

Town of Exeter



Planning Board Application for Conditional Use Permit: Shoreland Protection District

February 2017



Town of Exeter Planning Board Application

Conditional Use Permit: Shoreland Protection District In accordance with Zoning Ordinance Article: 9.3

SUBMITTAL REQUIREMENTS:

(see Conservation Commission and Planning Board meeting dates and submission deadlines)

1. One (1) electronic copy of full application, including plans (color copy if available)
2. Fifteen (15) copies of the Application
3. Fifteen (15) 11"x17" and three (3) full sized copies of the plan which must include:
 - Existing Conditions
 - a. Property Boundaries
 - b. Edge of Shoreland and associated Buffer (Shoreland Protection District – SPD)
 - c. Structures, roads/access ways, parking, drainage systems, utilities, wells and wastewater disposal systems and other site improvements
 - Proposed Conditions
 - a. Edge of Shoreland and Shoreland Buffers and distances to the following:
 - i. Edge of Disturbance
 - ii. Structures, roads/access ways, parking, drainage systems, utilities, wells and wastewater disposal systems and other site improvements
 - b. Name and phone number of all individuals whose professional seal appears on the plan
4. If applicant and/or agent is not the owner, a letter of authorization must accompany this application
5. Supporting documents i.e. Letters from the Department of Environmental Services, Standard Dredge and Fill Application and Photos of the property
6. A Town of Exeter Assessors list of names and mailing addresses of all abutters

Required Fees:
Planning Board Fee: \$50.00 Abutter Fee: \$10.00 Recording Fee (if applicable): \$25.00

The Planning Office must receive the completed application, plans and fees on the day indicated on the Planning Board Schedule of Deadlines and Public Hearings.

APPLICANT	Name: CKT Associates
	Address: 158 Shattuck Way, Newington, NH 03801
	Email Address:
	Phone: 603-431-3170
PROPOSAL	Address: Ray Farmstead Road
	Tax Map # <u>47</u> Lot# <u>8.1</u> Zoning District: <u>C-3</u>
	Owner of Record: CKT Associates
Person/Business performing work outlined in proposal	Name: <u>TBD</u>
	Address:
	Phone:
Professional that delineated wetlands	Name: Brendan Quigley, Gove Environmental
	Address: 8 Continental Drive, Unit H, Exeter, NH 03833
	Phone: 603-778-0654

Town of Exeter
Planning Board Application
Conditional Use Permit: Shoreland Protection District

Detailed Proposal including intent, project description, and use of property: (Use additional sheet as needed)
 see attached

Shoreland Protection District Impact (in square footage):	
Water Body	Watson Brook
Temporary Impact	<input type="checkbox"/> 300 Foot SPD _____ <input type="checkbox"/> 150 foot SPD _____ <input type="checkbox"/> SPD Building Setback _____ <input type="checkbox"/> 75 Vegetative Buffer _____
Permanent Impact	<input type="checkbox"/> 300 Foot SPD _____ <input checked="" type="checkbox"/> 150 foot SPD <u>16,560 sf</u> <input checked="" type="checkbox"/> SPD Building Setback <u>9,128 sf grading for stormwater management</u> <input type="checkbox"/> 75 Vegetative Buffer _____
Impervious Lot Coverage	SF of Lot within District <u>71,422</u> SF of Impervious within District <u>6,715</u> % of Impervious within District <u>9.4%</u>

List any variances/special exceptions granted by Zoning Board of Adjustment including dates:
 Variance to allow age restricted residential use granted on November 17, 2021.

Describe how your proposal meets the conditions of Article 9.3.4.G.2 of the Zoning Ordinance (attached for reference):
 see attached

ABUTTERS: PLEASE LIST ALL PERSONS WHOSE PROPERTY IS LOCATED IN NEW HAMPSHIRE AND ADJOINS OR IS DIRECTLY ACROSS THE STREET OR STREAM FROM THE LAND UNDER CONSIDERATION BY THE BOARD. THIS LIST SHALL BE COMPILED FROM THE EXETER TAX ASSESSOR'S RECORDS.

TAX MAP see attached
NAME _____
ADDRESS _____

TAXMAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAXMAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

Please attach additional sheets if needed

Conditional Use Permit Criteria
Shoreland Protection District

9.3.4 G Conditional Uses:

2. The Planning Board may grant a Conditional Use Permit for those uses listed above only after written findings of fact are made which have been reviewed by technical experts from the Rockingham Conservation District, if required by the Planning Board, at the cost of the developer, provided that all of the following are true:

- a. The proposed use will not detrimentally affect the surface water quality of the adjacent river or tributary, or otherwise result in unhealthful conditions.
- b. The proposed use will discharge no waste water on site other than that normally discharged by domestic waste water disposal systems and will not involve on-site storage or disposal of hazardous or toxic wastes as herein defined.
- c. The proposed use will not result in undue damage to spawning grounds and other wildlife habitat.
- d. The proposed use complies with the use regulations identified in Article 9.3.4 Exeter Shoreland Protection District Ordinance – Use Regulations and all other applicable sections of this article.
- e. The design and construction of the proposed use will be consistent with the intent of the purposes set forth in Article 9.3.1 Exeter Shoreland Protection District Ordinance – Authority and Purpose.

Town of Exeter



**Planning Board Application
for
Conditional Use Permit:
Wetlands Conservation Overlay
District**

March 2020

**Town of Exeter
 Planning Board Application
 Conditional Use Permit: Wetland Conservation Overlay District**

Detailed Proposal including intent, project description, and use of property: (Use additional sheet as needed)
 see attached

Wetland Conservation Overlay District Impact (in square footage):				
Temporary Impact	Wetland:	(SQ FT.)	Buffer:	(SQ FT.)
	<input type="checkbox"/> Prime Wetlands	_____	<input type="checkbox"/> Prime Wetlands	_____
	<input type="checkbox"/> Exemplary Wetlands	_____	<input type="checkbox"/> Exemplary Wetlands	_____
	<input type="checkbox"/> Vernal Pools (>200SF)	_____	<input type="checkbox"/> Vernal Pools (>200SF)	_____
	<input type="checkbox"/> VPD	_____	<input type="checkbox"/> VPD	_____
	<input type="checkbox"/> PD	_____	<input type="checkbox"/> PD	_____
	<input type="checkbox"/> Inland Stream	_____	<input type="checkbox"/> Inland Stream	_____
Permanent Impact	Wetland:		Buffer:	
	<input type="checkbox"/> Prime Wetlands	_____	<input type="checkbox"/> Prime Wetlands	_____
	<input type="checkbox"/> Exemplary Wetlands	_____	<input type="checkbox"/> Exemplary Wetlands	_____
	<input type="checkbox"/> Vernal Pools (>200SF)	_____	<input type="checkbox"/> Vernal Pools (>200SF)	_____
	<input type="checkbox"/> VPD	_____	<input type="checkbox"/> VPD	_____
	<input checked="" type="checkbox"/> PD	700 sf	<input checked="" type="checkbox"/> PD	9,473 sf
	<input checked="" type="checkbox"/> Inland Stream	inc. above	<input type="checkbox"/> Inland Stream	inc. above

List any variances/special exceptions granted by Zoning Board of Adjustment including dates:

Variance to permit age-restricted residential use granted on November 17, 2021.

Describe how the proposal meets conditions in **Article 9.1.6.B** of the Zoning Ordinance (attached for reference):
 see attached

ABUTTERS: PLEASE LIST ALL PERSONS WHOSE PROPERTY IS LOCATED IN NEW HAMPSHIRE AND ADJOINS OR IS DIRECTLY ACROSS THE STREET OR STREAM FROM THE LAND UNDER CONSIDERATION BY THE BOARD. THIS LIST SHALL BE COMPILED FROM THE EXETER TAX ASSESSOR'S RECORDS.

TAX MAP see attached
NAME _____
ADDRESS _____

TAXMAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAXMAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

9.1.6. B: Conditions: Prior to issuance of a conditional use permit, the Planning Board shall conclude and make a part of the record, compliance with the following criteria:

1. That the proposed use is permitted in the underlying zoning district;
2. No alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer is feasible;
3. A wetland scientist has provided an impact evaluation that includes the “functions and values” of the wetland(s), an assessment of the potential project-related impacts and concluded to the extent feasible, the proposed impact is not detrimental to the value and function of the wetland(s) or the greater hydrologic system.
4. That the design, construction and maintenance of the proposed use will, to the extent feasible, minimize detrimental impact on the wetland or wetland buffer;
5. That the proposed use will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater, or other reasons;
6. The applicant may propose an increase in wetland buffers elsewhere on the site that surround a wetland of equal or greater size, and of equal or greater functional value than the impacted wetland
7. In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use, the applicant has included a restoration proposal revegetating any disturbed area within the buffer with the goal to restore the site as nearly as possible to its original grade and condition following construction.
8. That all required permits shall be obtained from the New Hampshire Department of Environmental Services Water Supply and Pollution Control Division under NH RSA §485-A: 17, the New Hampshire Wetlands Board under NH RSA §483-A, and the United States Army Corps of Engineers under Section 404 of the Clean Water Act.;

Conditional Use Permit Analysis

This Firm represents Ray Farm, LLC which is the declarant of the Ray Farm Condominium, a 55+ senior living development in Exeter located on property off of Ray Farmstead Road which is further identified as Town Tax Map 47, Lot 8 (the “Ray Farm Property” or the “Project”), as well as CKT Associates, which is the owner of adjacent land identified as Town Tax Map 47, Lot 8.1 (the “CKT Property”). This Conditional Use Permit Analysis provides relevant background regarding the Project and the requested Conditional Use Permits, and supplements and incorporates the Wetland Delineation & Function-Value Report conducted by Brendan Quigley, NHCWS, of Gove Environmental Services, Inc. dated 31 March 2022 (the “Wetland Report”) which Wetland Report is incorporated herein by reference and is enclosed herewith as **Enclosure 1**. Also enclosed herewith are the Project’s Wetland Impact Plans produced by GM2, which plans incorporate three (3) sheets. See Enclosure 2.

Below please find a Project Narrative, description of proposed wetland impacts, and supplemented Conditional Use Permit Analysis analyzing both the Wetland Conservation District Conditional Use Permit criteria and the Shoreland Protection District Conditional Use Permit criteria, which analysis supplements and incorporates that which is found in the Wetland Report. See Enclosure 1.

Project Narrative

By way of brief background, the Project, as approved by the Planning Board on 27 July 2017, consists of four distinct residential buildings (Buildings A – D) containing 116 units, a 2,000 sf clubhouse, and corresponding site improvements, all serviced by a private driveway accessed via Ray Farmstead Road. See Enclosure 3.¹ As approved, Buildings A, B and C are identical in design, size and footprint, and each contains 32 dwelling units. Building D, as depicted on **Enclosure 1**, was approved to be located in close proximity to Epping Road and the Mobil Gas Station and has a different design than Buildings A, B and C, containing only 20 dwelling units.

Since the Project’s approval, Ray Farmstead Road was built and accepted by the Town as Town Road, and Buildings A and B, as well as the clubhouse, are finished and completely occupied. Building C is being constructed and will be completed shortly in the spring of 2022. More than 40% of the units in Building C are pre-sold.

As the Applicant considered the completion of the Project via construction of Building D as originally approved, a more attractive alternative emerged. Specifically, the Applicant now proposes the relocation of Building D to the CKT Property. The Applicant proposes to construct the relocated Building D in the identical manner as Buildings A, B and C, inclusive of 32 units instead of the 20 units Building D was approved for in 2017. The proposed relocation of Building D is depicted on the plans provided by GM2 Engineering. See also Enclosure 2. As depicted, the relocated Building D is proposed to be accessed via an extended internal roadway from Building C, which would require minor wetland crossing.

¹ Approved Site Plan

To accomplish its redesign, the Applicant proposes to consolidate approximately 4.29-acres of the upland area of the CKT Property and combine the same with the Ray Farm Property (Town Tax Map 47, Lot 8). The additional 4.29 acres added to the Ray Farm Property would be the site of the relocated Building D.

The net result of the Applicant's proposal would be a Ray Farm Property that is approximately 15.76 acres in size rather than the existing 11.46 acres. Reconfigured as proposed, the Ray Farm Property would continue to comply in all respects with all local Zoning regulations and would have less density than what was approved by the Planning Board in 2017. The area of the Ray Farm Property which was originally approved to accommodate Building D, will remain an open space area of the Ray Farm Project.

In support of its proposal, the Applicant received approval from the Zoning Board of Adjustment on November 17, 2021 to permit an age-restricted use for the proposed relocation of Building D on the Applicant's Abutting Property, which is Zoned in the C-3 Zoning District, and to increase the total number of residential units in the Project from 116 to 128.

The remnant area of the CKT Property post-subdivision and consultation will be approximately 3.16 acres in size, will have ample frontage along Epping Road and Ray Farmstead Road, will remain in the C-3 Zoning District, will comply in all respects with applicable Zoning regulations and could accommodate viable C-3 commercial development in the future.

Proposed Impacts

- **Wetlands Conservation District**

The Project contemplates 700 sf of direct wetland impact and 9,473 sf of buffer impact within the Town's 40-50 ft Limited Use Buffer caused by grading, pavement and gravel relating to two wetland area crossings. **Enclosure 2.** The first, located approximate to existing Building C, will provide internal access to proposed Building D over poorly drained soils and an intermittent stream area. **See Enclosure 1.** The second is a temporary crossing over poorly drained soils to the south and east of proposed Building D on the CKT Property. **Id.**

- **Shoreland Protection District**

The Project also contemplates 9,128 sf of proposed impact to the 100 ft Shoreland Protection District caused by grading and stormwater management infrastructure which will be utilized by Building D, as well as 16,560 sf of impact within the 150 ft Shoreland Protection District caused by grading, drainage infrastructure, and portions of pavement which will serve Building D. **Enclosure 2.**

Wetlands Conservation District Conditional Use Permit Criteria Analysis

The Project satisfies the applicable Wetlands Conservation District Conditional Use Permit criteria found in Section 9.1.6(B) of the Town's Zoning Ordinance for the reasons stated in **Enclosure 1**, as supplemented below.

- **That the proposed use is permitted in the underlying zoning district. Zoning Ordinance, Section 9.6.1(B)(1).**

The underlying use is an age-restricted 55+ multifamily residential use which is permitted in the C-3 district and on the underlying properties pursuant to the Variance relief obtained by the Applicant on 17 November 2021. Further, the actual use within the Limited Use Buffer includes paving, grading and gravel, all to facilitate permanent and temporary access to the Project, which use is expressly permitted by Section 9.6.1(1) of the Zoning Ordinance. As such, this criteria is satisfied.

- **No alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer is feasible. Zoning Ordinance, Section 9.6.1(B)(2).**

See Enclosure 1, pg. 4. Further, the proposed upland area for relocated Building D is best accessed for development via an extension of the existing driveway serving the rest of the Project, and not via extension of the existing Ray Farmstead Road, which would cause significantly more impact to more valuable wetland resource areas. The Project goal of avoiding and minimizing impact, is evidenced by the approach the Applicant has taken with this development proposal to particularly include the use of viable uplands on the CKT Property, the corresponding proposed lot line adjustment, and the Variance the Applicant had to obtain. On these bases, this criteria is satisfied.

- **A wetland scientist has provided an impact evaluation that includes the “functions and values” of the wetland(s), an assessment of the potential project-related impacts and concluded to the extent feasible, the proposed impact is not detrimental to the value and function of the wetland(s) or the greater hydrologic system. Zoning Ordinance, Section 9.6.1(B)(3).**

See Enclosure 1, pgs. 4-5. Further, as evidenced in **Enclosure 1**, due to the Project's design, impacts will be reasonably mitigated and the “overall wetland function and the greater hydrologic system will not be negatively affected.” **Enclosure 1**, pg. 5. On these bases, this criteria is satisfied.

- **That the design, construction and maintenance of the proposed use will, to the extent feasible, minimize detrimental impact on the wetland or wetland buffer. Zoning Ordinance, Section 9.6.1(B)(4).**

See Enclosure 1, pg. 5. Further, the entirety of the relocated Building D is located out of the wetland and all associated buffers and impacts are limited to one permanent wetland crossing

and one temporary crossing to facilitate construction access. The Project also avoids a much larger and more detrimental impact crossing of Watson Brook if Ray Farmstead Road were to be extended. On these bases, this criteria is satisfied.

- **That the proposed use will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater, or other reasons. Zoning Ordinance, Section 9.6.1(B)(5).**

See Enclosure 1, pg. 5. To summarize, the Project causes no hazard to individual or public health, safety or welfare to the loss of wetland, the contamination of groundwater, or any other reasons. On these bases, this criteria is satisfied.

- **The applicant may propose an increase in wetland buffers elsewhere on the site that surround a wetland of equal or greater size, and of equal or greater functional value than the impacted wetland. Zoning Ordinance, Section 9.6.1(B)(6).**

See Enclosure 1, pg. 5. The proposed relocation of Building D avoids approximately 5,000 sf of Limited Use Buffer impact that was approved to occur pursuant to the original location of Building D. The relocation also avoids approximately 1,300 sf of impact within the 75-foot building setback caused by Building D as originally approved. Finally, the proposal avoids larger and more detrimental impact to the Watson Brook area that would be caused by an extension of Ray Farmstead Road. On these bases, this criteria is satisfied.

- **In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use, the applicant has included restoration proposal revegetating any disturbed area within the buffer with the goal to restore the site as nearly as possible to its original grade and condition following construction. Zoning Ordinance, Section 9.6.1(B)(7).**

See Enclosure 1, pg. 5. On these bases, this criteria is satisfied.

- **That all required permits shall be obtained from the New Hampshire Department of Environmental Services Water Supply and Pollution Control Division under NH RSA 485-A:17, the New Hampshire Wetlands Board under NH RSA 483-A, and the United States Army Corps of Engineers under Section 404 of the Clean Water Act. Zoning Ordinance, Section 9.6.1(B)(8).**

The Applicant will obtain all necessary local, State and Federal permits for the Project and welcomes a condition of approval requiring same.

Shoreland Protection District Conditional Use Permit Criteria Analysis

The Project satisfies the applicable Shoreland Protection District Conditional Use Permit criteria found in Section 9.3.4(G)(2) of the Town's Zoning Ordinance for the reasons stated in **Enclosure 1**, as supplemented below.

- **That the proposed use will not detrimentally affect the surface water quality of the adjacent river or tributary, or otherwise result in unhealthful conditions. Zoning Ordinance, Section 9.3.4(G)(2)(a).**

See Enclosure 1, pg. 6. On these bases, this criteria is satisfied.

- **The proposed use will discharge no waste water on site other than that normally discharged by domestic waste water disposal systems and will not involve on-site storage or disposal of hazardous or toxic wastes as herein defined. Zoning Ordinance, Section 9.3.4(G)(2)(b).**

See Enclosure 1, pg. 6. There will be no wastewater discharge on site and no disposal or storage of hazardous or toxic wastes. On these bases, this criteria is satisfied.

- **The proposed use will not result in undue damage to spawning grounds and other wildlife habitat. Zoning Ordinance, Section 9.3.4(G)(2)(c).**

See Enclosure 1, pg. 6. On these bases, this criteria is satisfied.

- **The proposed use complies with the use regulations identified in Article 9.3.4 Exeter Shoreland Protection District Ordinance – Use Regulations and all other applicable sections of this article. Zoning Ordinance, Section 9.3.4(G)(2)(d).**

The Project is compliant with the use regulations contained within Article 9.3.4 of the Exeter Zoning Ordinance and all other applicable sections of the Town’s Shoreland Protection Zoning District Ordinance.

- **The design and construction of the proposed use will be consistent with the intent of the purposes set forth in Article 9.3.1 Exeter Shoreland Protection District Ordinance – Authority and Purpose. Zoning Ordinance, Section 9.3.4(G)(2)(e).**

In relevant part, the purpose of the Exeter Shoreland Protection District Ordinance is to protect, maintain and enhance the water quality of the Squamscott River and its tributaries in Exeter, to conserve and protect aquatic and terrestrial habitat associated with river areas as well as intertidal and riparian areas, to preserve and enhance those recreational and aesthetic values associated with the natural shoreline and river environment, both fresh and salt, and to encourage those uses that can be appropriately located adjacent to shorelines. Zoning Ordinance, Section 9.3.1.

In this case, and as evidenced by **Enclosure 1**, the Project does not threaten the water quality of the Squamscott River or Watson Brook, does not compromise aquatic or terrestrial habitat associated with river areas, and does not affect the recreational or aesthetic values associated with natural shorelines. As a result, the Project is precisely the type of development which is appropriately sited in proximity to the Shoreland Protection District and which should be encouraged.



GOVE ENVIRONMENTAL SERVICES, INC

March 31, 2022

Jonathan Shaftmaster
Ray Farm, LLC
158 Shattuck Way
Newington, NH 03801

Subject: Wetland Delineation & Function-Value Report
Ray Farm Condominiums
Exeter, NH

Dear Mr. Shaftmaster:

This wetland report is being submitted in connection with proposed relocation of Building “D” within the Ray Farm Condominium development on Ray Farmstead Drive. This report documents the delineation and functional assessment of wetland resources in the vicinity of the proposed work as well as an evaluation of the proposed work within the context Section 9.1 and 9.3 of the Zoning Ordinance (Wetland Conservation and Shoreland Protection Districts).

WETLAND DELINEATION

Resource areas on this property were initially delineated in 2014 and 2015 during the early planning stages of the original project. In accordance with state standards which limit the effective lifespan of delineations to five (5) years, the resource areas in proximity to the proposed relocated Building D were re-delineated in the fall of 2021 by Brendan Quigley, NHCWS #249. Wetland boundaries were evaluated utilizing the following standards:

1. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region*, (Version 2.0) January 2012, U.S. Army Corps of Engineers.
2. *Field Indicators of Hydric Soils in the United States, A Guide for Identifying and Delineating Hydric Soils*, Version 8.2. United States Department of Agriculture (2018).
3. *New England Hydric Soils Technical Committee. 2019 Version 4, Field Indicators for Identifying Hydric Soils in New England*. New England Interstate Water Pollution Control Commission, Lowell, MA.
4. *National Wetland Plant List*, Version 3.2 (2016).
5. *Classification of Wetlands and Deepwater Habitats of the United States*. USFW Manual FWS/OBS-79/31 (1979).

The updated wetland boundaries were surveyed by GM2, Inc. and are depicted on the plans submitted for Site Plan Approval and Conditional Use Permits. Boundaries did not exhibit appreciable changes from the previous delineation but do encompass additional areas not detailed in the initial project. The vegetated wetland in the vicinity of the proposed new location of Building D is very similar to the forested wetland within the rest of the project site and the surrounding area in general. The dominant wetland type is saturated and seasonally flooded forested wetland dominated by red maple and highbush blueberry (PFO1E). The main portion of wetland in this area of the property lies southwest of the proposed Building D and is directly associated with Watson Brook. This area was largely flooded in 2015 due to downstream beaver activity but is currently free of standing water except within the Watson Brook stream channel which is clearly visible. The soils in this wetland are very poorly drained. Two narrow fingers of forested wetland located north and east of

the proposed building extend from wetland areas located outside the project area and connect to Watson Brook. The soil in these connecting wetlands is poorly drained and both areas contain intermittent streams. There is also a single vernal pool located within the large wetland northwest of Commerce Way. This area is well outside the project except for a small portion of the existing woods road proposed to be utilized for a temporary construction access, which passes through the outer portion of the associated 100-foot Vernal Pool Buffer.

All the wetland in the project area drain to Watson Brook which flows south to Norris Brook and eventually to the Squamscott River. The section of Watson Brook downstream of the existing trail crossing and easement extending from Ray Farmstead Road is perennial, as depicted on the most recent USGS map. Upstream from this location the stream is depicted as intermittent. Subsequently, the downstream section of the stream falls within the Exeter Shoreland Protection District.

The appropriate buffers for wetlands, vernal pools, and Watson Brook specified in the Wetland Conservation District and Shoreland Protection District ordinances are depicted on the project plans.

FUNCTION & VALUE ASSESSMENT

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

The Highway Methodology considers 13 functions and values:

1. **Groundwater recharge/discharge:** This function considers the potential for a wetland to serve as a groundwater recharge and/or discharge area. Recharge should relate to the potential for the wetland to contribute water to an aquifer. Discharge should relate to the potential for the wetland to serve as an area where ground water can be discharged to the surface.
2. **Floodflow Alteration:** This function considers the effectiveness of the wetland in reducing flood damage by attenuation of floodwaters for prolonged periods following precipitation events.
3. **Fish and Shellfish Habitat:** This function considers the effectiveness of seasonal or permanent water bodies associated with the wetland in question for fish and shellfish habitat.
4. **Sediment/Toxicant/Pathogen Retention:** This function reduces or prevents degradation of water quality. It relates to the effectiveness of the wetland as a trap for sediments, toxicants or pathogens.
5. **Nutrient Removal/Retention/Transformation:** This function relates to the effectiveness of the wetland to prevent adverse effects of excess nutrients entering aquifers or surface waters such as ponds, lakes, streams, rivers or estuaries.
6. **Production Export:** This function relates to the effectiveness of the wetland to produce food or usable products for human, or other living organisms.
7. **Sediment/Shoreline Stabilization:** This function relates to the effectiveness of a wetland to stabilize stream banks and shorelines against erosion.
8. **Wildlife Habitat:** This function considers the effectiveness of the wetland to provide habitat for various types and populations of animals typically associated with wetlands and the wetland edge. Both resident and or migrating species must be considered.



9. **Recreation:** This value considers the effectiveness of the wetland and associated watercourses to provide recreational opportunities such as canoeing, boating, fishing, hunting and other active or passive recreational activities. Consumptive opportunities consume or diminish the plants, animals or other resources that are intrinsic to the wetland, whereas non-consumptive opportunities do not.
10. **Educational/Scientific Value:** This value considers the effectiveness of the wetland as a site for an “outdoor classroom” or as a location for scientific study or research.
11. **Uniqueness/Heritage:** This value relates to the effectiveness of the wetland or its associated water bodies to produce certain special values. Special values may include such things as archeological sites, unusual aesthetic quality, historical events, or unique plants, animals, or geological features.
12. **Visual Quality/Aesthetics:** This value relates to the visual and aesthetic qualities of the wetland.
13. **Threatened or Endangered Species Habitat:** This value relates to the effectiveness of the wetland or associated water bodies to support threatened or endangered species.

Watson Brook and its associated wetland is the predominant resource area associated with the site. The combination of perennial stream flowing through a large wetland area creates conditions which support a number of functions and values, at least at some level. Groundwater discharge and production export for wildlife food sources are functions that are likely supported but not at a level at which they can be considered the wetlands primary functions. Similarly, recreation and aesthetic value can be assigned to these wetlands by virtue of their setting and presence of recreational trails in the vicinity. Support for these values is more general however, and mainly related to the value of open space, in this case mostly upland forest. In the context of wetland values, these are traditionally expressed by wetland specific characteristics such as suitability for boating or fishing, and aesthetically, as more diverse, and observable open wetland area such as a marsh, lake, or river. Although Watson Brook is perennial and may have the potential to support fish habitat, this function is severely limited by downstream crossings that very likely provide a barrier to fish passage.

The most significant functions of the Watson Brook resources are related to water quality, flood attenuation, and wildlife habitat. The wetland and upland buffer adjacent to the stream play an important water quality role for Watson Brook itself and downstream within Norris Brook and the Squamscott River. Though this stream can be characterized as a low energy system, the densely vegetated wetland provides stability to the channel, especially during higher flow events and flooding. The broad wetland area directly adjacent to the stream (the “Contiguous Wetlands”) is able to store water during these events, therefore providing flood attenuation function within the watershed. The stream and wetland also provide wildlife habitat and serve as wildlife corridor within the block of forest generally between Industrial Drive and Route 101. Broader wildlife connectivity is, however, hampered by these roadways, particularly the highway.

The two narrow wetlands and intermittent streams north and east of the proposed building are part of the same interconnected wetland system and therefore support the same set of functions to some degree. Specifically, however, their role is narrower, primarily supporting wetland functions by providing connectivity between the larger wetlands outside the project area and Watson Brook. In this regard connectivity for wildlife is likely the most significant function of these two areas.

RELATION TO THE PROPOSED DEVELOPMENT

Conditional Use Permits (CUP) are being sought for proposed impacts within the Wetlands Conservation and Shoreland Protection Overlay Districts. The proposed wetland and wetland buffer impacts are

associated with construction of a permanent access driveway to access the new location Building D from the existing Building C, and a portion of a temporary construction access. Proposed work within the Vernal Pool Buffer is limited to resurfacing the existing woods road for temporary construction use. Since this does not change the character of the buffer or movement of vernal pool species, it has not been considered as impact. Impacts within the Shoreland Protection District are associated with grading to construct a stormwater management feature and portions of pavement related to parking and circulation around the building. The following sections provide an analysis of these impacts in the context of the CUP criteria contained within Article 9.1.6.B (Wetlands) and Article 9.3.4.G.2 (Shoreland) of Town of Exeter Zoning Ordinance.

Wetland Conservation District CUP Criteria--Article 9.1.6.B

No alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer is feasible;

Building D is situated on a large area of upland surrounded by wetland or the property line on all sides. A single permanent wetland crossing is proposed at the narrowest possible crossing location which is also able to provide access from the existing development in a consistent manner. A temporary construction access is also proposed to allow construction traffic to access the site from Commerce Way rather than through the existing residential development. This road will utilize an existing woods road with minor improvements and utilize a temporary bridge, at an existing wetland crossing, to provide suitable width. Aside from these impacts, the building and all other areas of disturbance are located outside the 40 or 50-foot wetland buffer. In light of these considerations, no alternative design which does not impact a wetland or wetland buffer, or which has less detrimental impact on the wetland or wetland buffer is feasible.

A wetland scientist has provided an impact evaluation that includes the “functions and values” of the wetland(s), an assessment of the potential project-related impacts and concluded to the extent feasible, the proposed impact is not detrimental to the value and function of the wetland(s) or the greater hydrologic system.

A functional evaluation of the wetlands is provided in the previous sections of this letter. The primary functions of the resource areas were determined to be related to water quality, flood attenuation, and wildlife habitat. By limiting wetland impact to a single location for access and locating the remainder of project outside the buffer, the majority of the potential impact to these functions have been avoided. An intact vegetated buffer will continue to provide water quality benefits adjacent to wetland areas while the proposed stormwater management system will ensure that no greater pressure is placed on the wetlands to perform this function. Flood attenuation function should be unaffected as this function is largely associated with Watson Brook and its contiguous wetlands which will not be impacted. Some modest impact to wildlife habitat can be expected as a result of the proposed access driveway which will present an obstacle for wildlife moving along the wetland in that location. The potential impacts of this will be offset, however, by respecting wetland buffers in all other areas of the project and utilizing a pipe that is larger than what is strictly required to allow passage of some species. The proposed project should therefore only result in minor impacts to wetland function by way of restricting wildlife movement at this



particular location but overall wetland function and the greater hydrologic system will not be negatively affected.

That the design, construction and maintenance of the proposed use will, to the extent feasible, minimize detrimental impact on the wetland or wetland buffer;

The design of the project minimizes impacts in several ways. Permanent elements of the proposed work have been limited to a single wetland crossing with wetland buffer impacts at either end. The remainder of the project has been located outside wetland buffers. Crossing this narrow wetland and intermittent stream channel to access the proposed building location also avoids a much larger and more impactful crossing of Watson Brook if access followed the easement extending from the end of Ray Farmstead Road. The proposed temporary construction entrance will make use of an existing woods road and utilize a temporary bridge structure to be laid over an existing wetland and stream crossing. Use of the temporary bridge at this location avoids additional impacts that would be otherwise necessary to improve the crossing for construction equipment. The

That the proposed use will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater, or other reasons;

At this location the most relevant example of a use that could negatively impact public health, safety or welfare would likely involve direct or extensive impacts to Watson Brook. Such impacts could increase flooding or impact water quality downstream. The project avoids any impact to Watson Brook and will manage and treat runoff with comprehensive stormwater management. The project does not involve wetland impacts or any other uses that would be expected to negatively affect these public interests.

In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use, the applicant has included a restoration proposal revegetating any disturbed area within the buffer with the goal to restore the site as nearly as possible to its original grade and condition following construction.

Following construction, the bridge used on the temporary construction access will be removed and disturbed buffer areas, exclusive of the existing woods road, be stabilized and restored using a conservation seed mix appropriate for wooded locations. The side slope grading at the permanent access crossing will be treated similarly to achieve a naturally vegetated buffer to each side the access driveway

The applicant may propose an increase in wetland buffers elsewhere on the site that surround a wetland of equal or greater size, and of equal or greater functional value than the impacted wetland.

The project only involves buffer impacts in the immediate vicinity of the wetland crossing and maintains intact wetland buffers in all other areas. The proposed new location of Building D will, however, avoid approximately 5,000 SF of wetland buffer impact originally approved for the construction of the building in its previous location. This includes approximately 1,300 SF of the building within the 75-foot building

setback. The wetland in that location contains a unique semi-permanent pond which supports wetland specific wildlife habitat. The habitat supported in this wetland will benefit from an intact buffer.

Shoreland Protection District CUP Criteria--Article 9.3.4.G.2

The proposed use will not detrimentally affect the surface water quality of the adjacent river or tributary, or otherwise result in unhealthy conditions.

The proposed impacts within 150 feet of Watson Brook are necessary for the construction of a stormwater management system and a portion of pavement. The water quality in Watson Brook will be protected by adherence to the 100 foot building setback, the comprehensive treatment of all stormwater runoff in a state of the art stormwater management system, and the restoration of graded slopes with native seed mix where feasible. Construction term impacts will be mitigated through best management practices and erosion control as specified on the plans.

The proposed use will discharge no waste water on site other than that normally discharged by domestic waste water disposal systems and will not involve on-site storage or disposal of hazardous or toxic wastes as herein defined.

The proposed project will be serviced by sanitary sewer and will not discharge wastewater on site. The proposed residential condominium use will not involve the storage or onsite disposal of hazardous or toxic waste as defined in the Ordinance.

The proposed use will not result in undue damage to spawning grounds and other wildlife habitat.

The wildlife habitat associated with Watson Brook concentrated in the stream and the associated wetland areas. This habitat will be preserved intact by avoiding any impacts to the stream, associated wetlands, or 50-foot wetland buffer, therefore maintaining an intact corridor along the stream. Spawning habitat, to the extent it exists, will not be affected. The proposed impacts within the SPD for grading will be vegetated by using a native seed mix. This will create a largely natural condition while also allowing for future access to the basin for maintenance. For these reasons, and considering the minimal nature of the proposed disturbance, the proposed use will not result in undue damage to spawning grounds and other wildlife habitat

This concludes the wetland delineation and wetland functional assessment report. If I can be of further assistance, please feel free to contact me at (603) 778-0644.

Sincerely,



Brendan Quigley, NHCWS
Gove Environmental Services, Inc.





6 CHESTNUT STREET, AMESBURY, MA.
 Phone: (978) 388-2157
 CONSULTING ENGINEERS &
 LAND SURVEYORS SINCE 1988
 www.gm2inc.com

Sheet Title:

WETLAND IMPACT PLAN

Project Title:

Ray Farm Condominium

Ray Farmstead Road
 Exeter, NH 03833
 Rockingham County

Applicant/Owner:

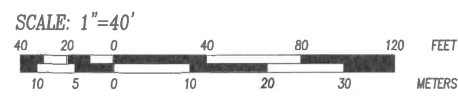
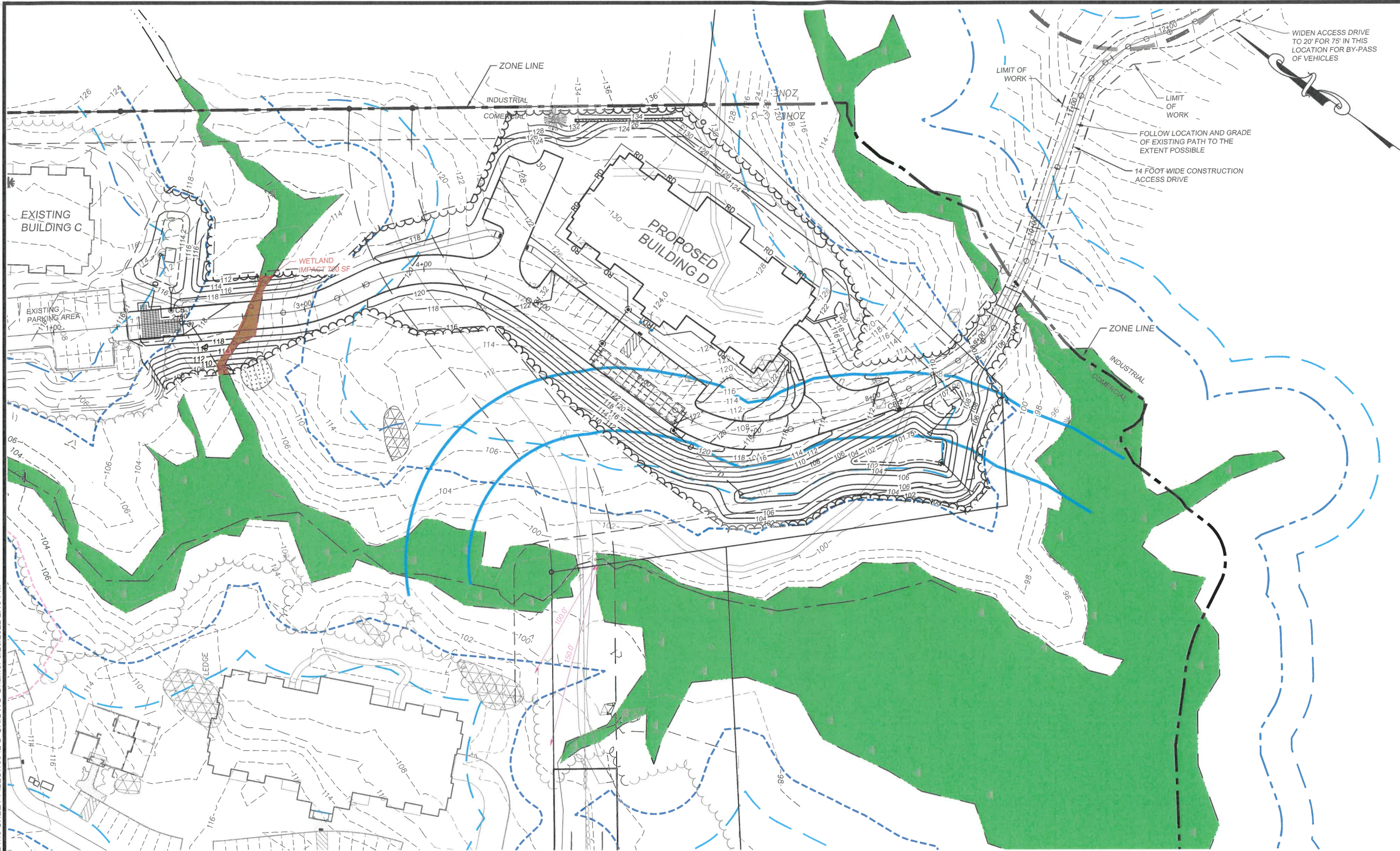
Ray Farm, LLC
 158 Shattuck Way
 Newington, NH 03801

REVISION BLOCK

NO.	DATE	DESC	BY

PROJ. MGR.: D. HAMEL
 FIELD: J. SALVAGGIO / R. SMITH
 DESIGN: D. HAMEL
 DRAWN: D. HAMEL
 CHECKED: D. GIANGRANDE
 DATE: 01-11-2022
 FILE: 16042 D GR.DWG
 FBK:
 JOB #: 16042 D

SHEET C1.24



DIRECT WETLAND IMPACTS

	WETLAND IMPACT - AREA 1	700 SF
TOTAL WETLAND IMPACT		700 SF

- NOTES:**
- REFER TO G1.20 FOR LEGEND, ABBREVIATIONS, AND GENERAL NOTES.
 - ACCESS ROAD SHOWN DEPICTS DESIGN INTENT ONLY. FINAL DESIGN TO BE COORDINATED WITH RESULTS OF THE TIF PROGRAM DESIGN.

TOWN OF EXETER PLANNING BOARD

CHAIRMAN _____ DATE _____

K:\PROJ\CIVIL_3D\2016\16042 BLDG D\1.0 SHEET FILES\16042 D GR.DWG D:\hamel 3/25/2022 2:13 PM



6 CHESTNUT STREET, AMESBURY, MA.
 Phone: (978) 388-2157
 CONSULTING ENGINEERS &
 LAND SURVEYORS SINCE 1988
 www.gm2inc.com

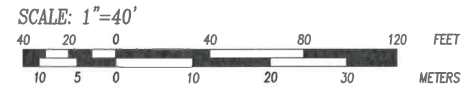
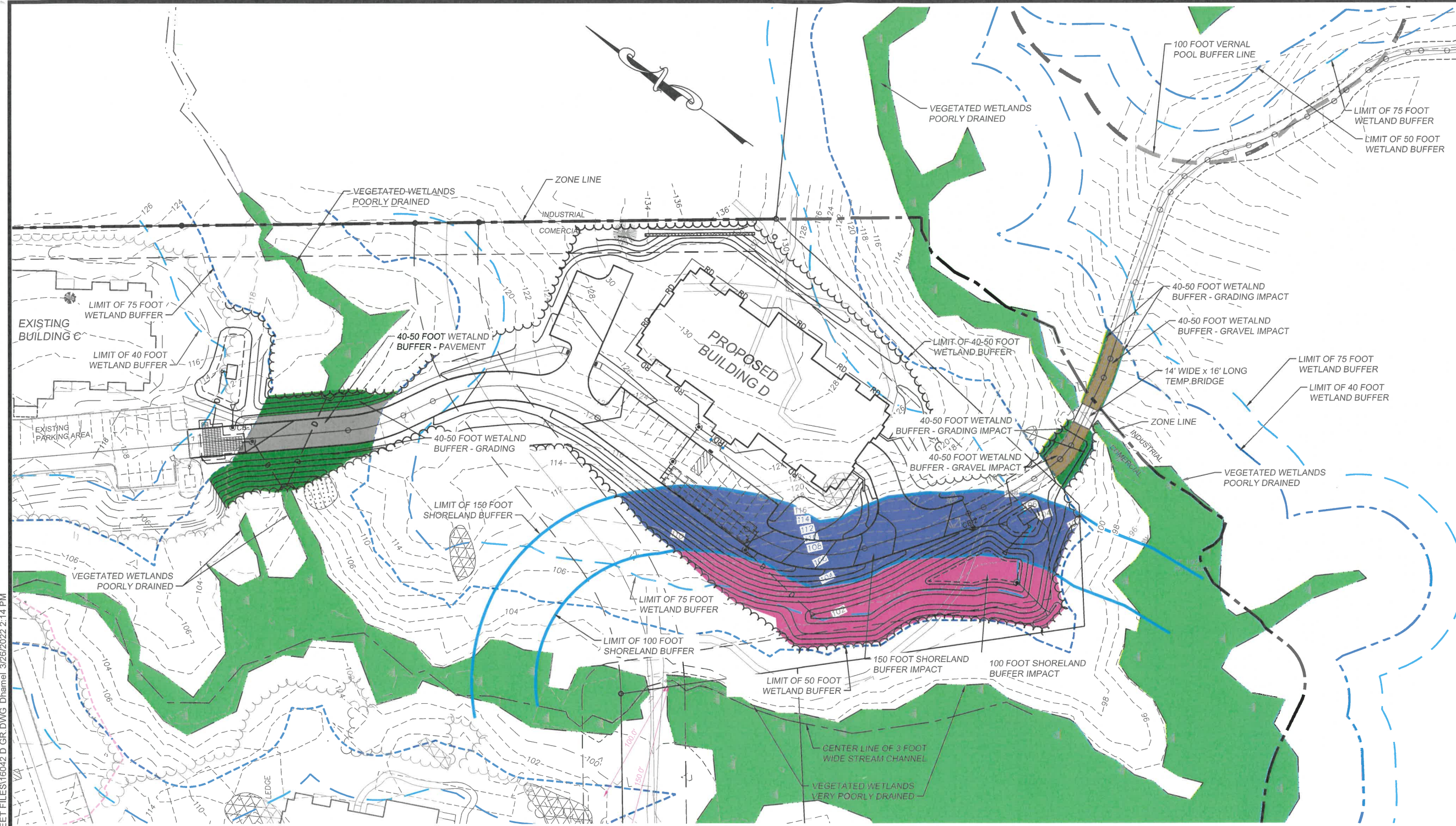
Sheet Title:
WETLAND AND SHORELAND BUFFER IMPACT PLAN

Project Title:
Ray Farm Condominium
 Ray Farmstead Road
 Exeter, NH 03833
 Rockingham County

Applicant/Owner:
Ray Farm, LLC
 158 Shattuck Way
 Newington, NH 03801

REVISION BLOCK			
NO.	DATE	DESC	BY

PROJ. MGR.: D. HAMEL
 FIELD: J. SALVAGGIO / R. SMITH
 DESIGN: D. HAMEL
 DRAWN: D. HAMEL
 CHECKED: D. GIANGRANDE
 DATE: 01-11-2022
 FILE: 16042 D GR.DWG
 FBK:
 JOB #: 16042 D



WETLAND BUFFER IMPACTS

	40-50 FOOT WETLAND BUFFER IMPACT - PAVEMENT	2858 SF
	40-50 FOOT WETLAND BUFFER IMPACT - GRAVEL	1436 SF
	40-50 FOOT WETLAND BUFFER IMPACT - GRADING	5179 SF
	75 FOOT WETLAND BUFFER IMPACT	0 SF
TOTAL WETLAND BUFFER IMPACTS		9,473 SF

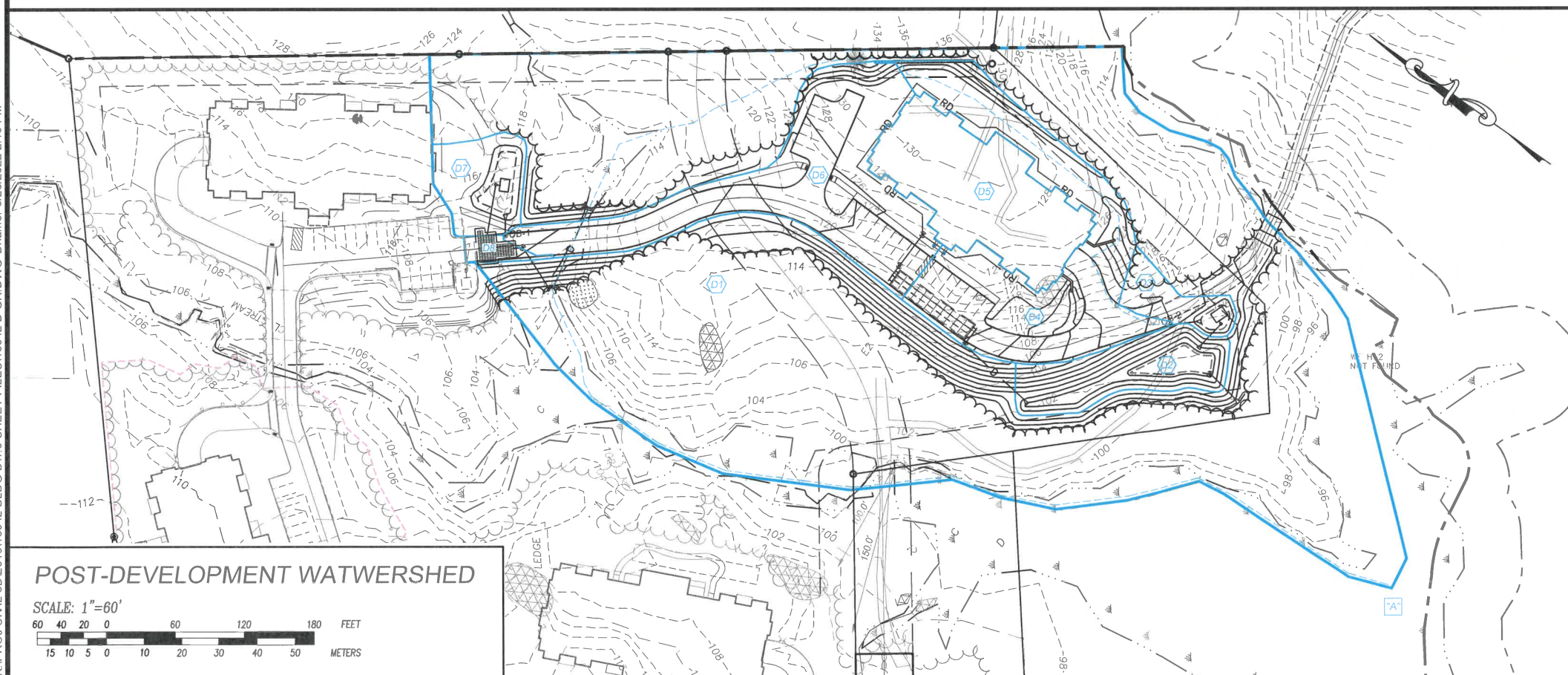
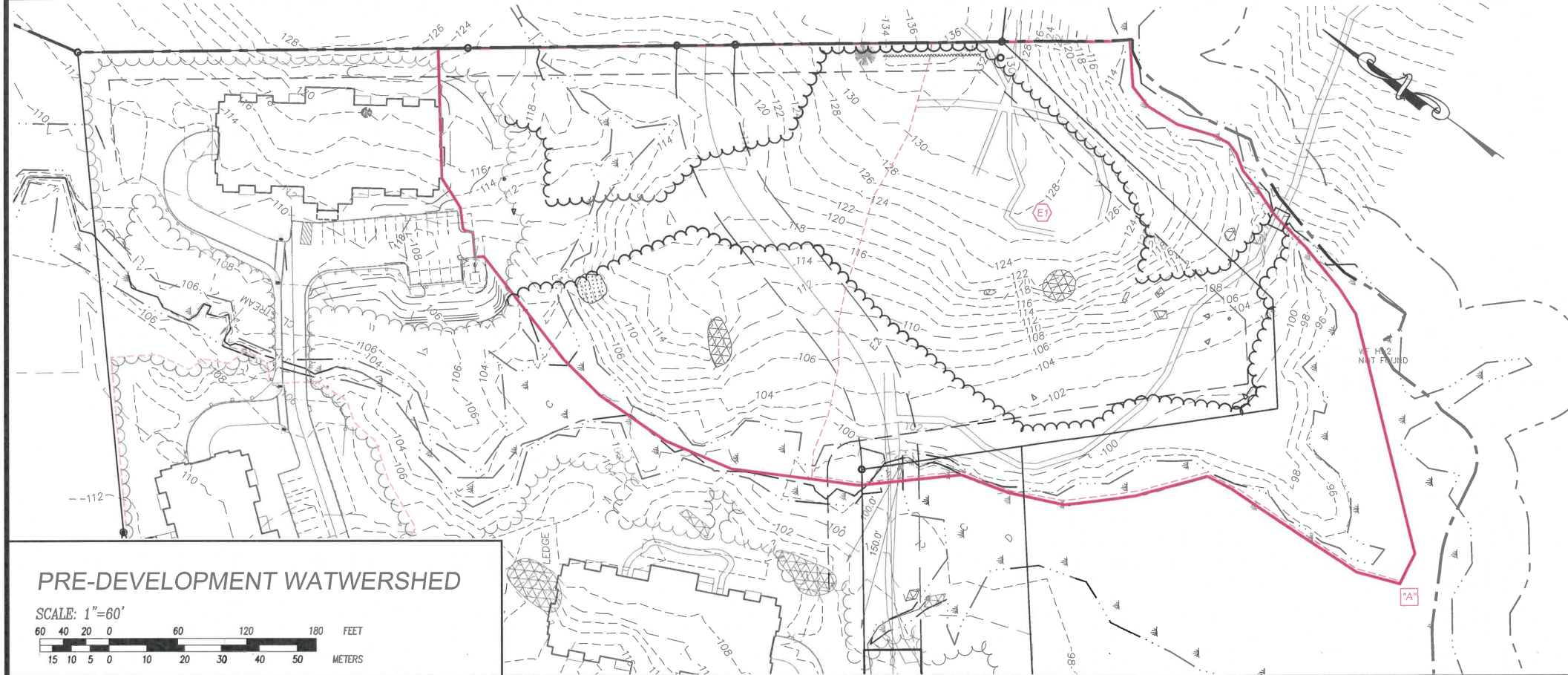
SHORELAND BUFFER IMPACTS

	100 FOOT SHORELAND BUFFER IMPACT	9128 SF
	150 FOOT SHORELAND BUFFER IMPACT	16,560 SF
TOTAL SHORELAND BUFFER IMPACT		25,688 SF SF

NOTES:
 1. REFER TO G1.20 FOR LEGEND, ABBREVIATIONS, AND GENERAL NOTES.
 2. ACCESS ROAD SHOWN DEPICTS DESIGN INTENT ONLY. FINAL DESIGN TO BE COORDINATED WITH RESULTS OF THE TIF PROGRAM DESIGN.

TOWN OF EXETER PLANNING BOARD
 CHAIRMAN _____ DATE _____

K:\PROJ\CIVIL_3D\2016\16042 BLDG D\1.0 SHEET FILES\16042 D GR.DWG D:\hame\ 3/26/2022 2:14 PM



K:\PROJ\CIVIL\3D\2016\16042 BLDG DIV.0 SHEET FILES\16042 D GR.DWG Dhamel 3/26/2022 2:15 PM

GMP2
 6 CHESTNUT STREET, AMESBURY, MA.
 Phone: (978) 388-2157
 CONSULTING ENGINEERS &
 LAND SURVEYORS SINCE 1988
 www.gm2inc.com

Sheet Title:
**WATERSHED
 PLANS**

Project Title:
**Ray Farm
 Condominium**
 Ray Farmstead Road
 Exeter, NH 03833
 Rockingham County

Applicant/Owner:
Ray Farm, LLC
 158 Shattuck Way
 Newington, NH 03801

REVISION BLOCK			
NO.	DATE	DESC	BY

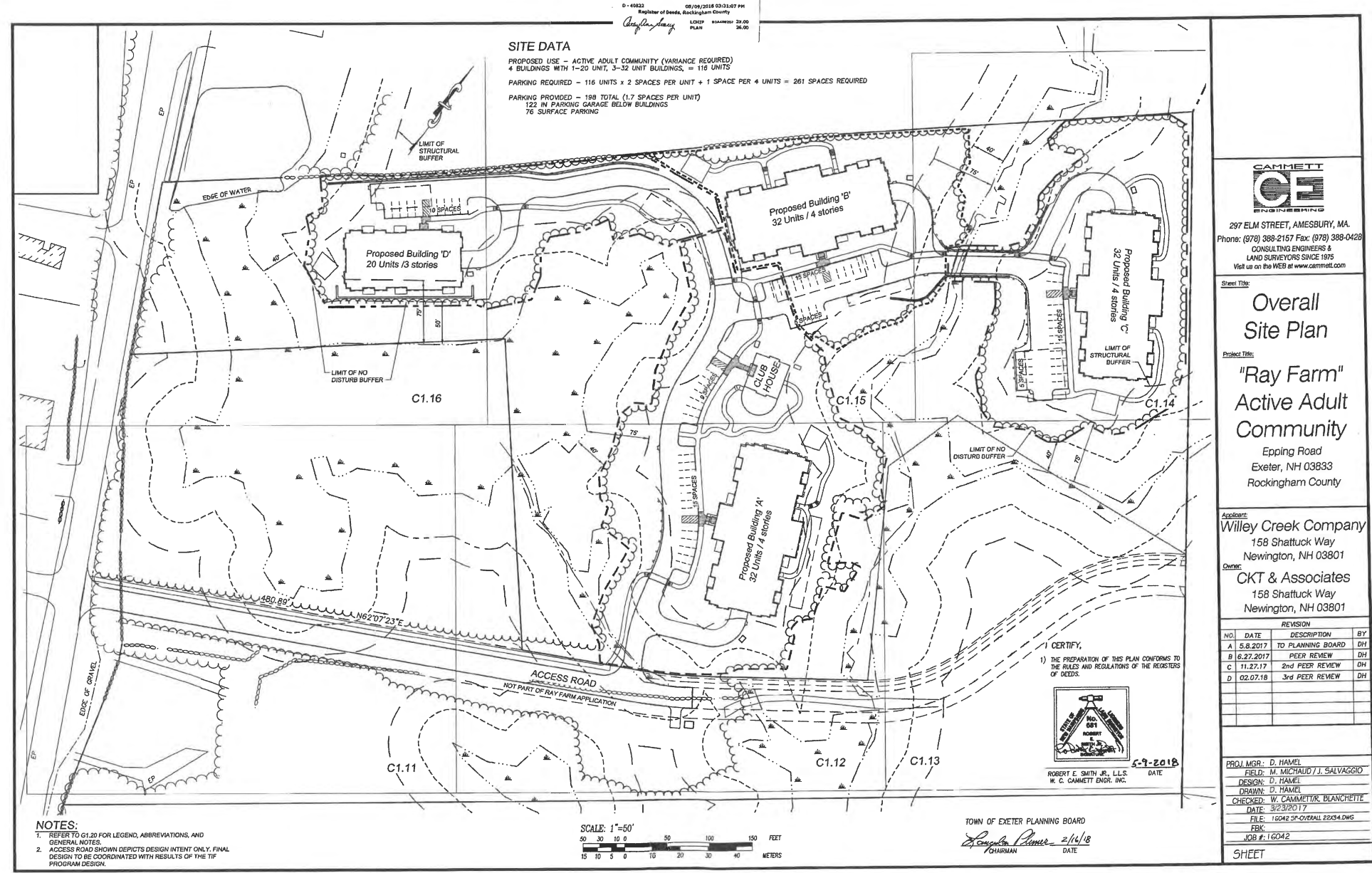
NOTES:
 1. REFER TO G1.20 FOR LEGEND, ABBREVIATIONS, AND GENERAL NOTES.
 2. ACCESS ROAD SHOWN DEPICTS DESIGN INTENT ONLY. FINAL DESIGN TO BE COORDINATED WITH RESULTS OF THE TIF PROGRAM DESIGN.

TOWN OF EXETER PLANNING BOARD
 _____ CHAIRMAN _____ DATE

PROJ. MGR.: D. HAMEL
 FIELD: J. SALVAGGIO / R. SMITH
 DESIGN: D. HAMEL
 DRAWN: D. HAMEL
 CHECKED: D. GIANGRANDE
 DATE: 01-11-2022
 FILE: 16042 D GR.DWG
 FBK:
 JOB #: 16042 D

SHEET **C1.26**

Enclosure 3



SITE DATA
 PROPOSED USE - ACTIVE ADULT COMMUNITY (VARIANCE REQUIRED)
 4 BUILDINGS WITH 1-20 UNIT, 3-32 UNIT BUILDINGS, = 116 UNITS
 PARKING REQUIRED - 116 UNITS x 2 SPACES PER UNIT + 1 SPACE PER 4 UNITS = 261 SPACES REQUIRED
 PARKING PROVIDED - 198 TOTAL (1.7 SPACES PER UNIT)
 123 IN PARKING GARAGE BELOW BUILDINGS
 76 SURFACE PARKING

CAMMETT ENGINEERING
 297 ELM STREET, AMESBURY, MA.
 Phone: (978) 388-2157 Fax: (978) 388-0428
 CONSULTING ENGINEERS &
 LAND SURVEYORS SINCE 1975
 Visit us on the WEB at www.cammett.com

Overall Site Plan
 "Ray Farm" Active Adult Community
 Epping Road
 Exeter, NH 03833
 Rockingham County

Applicant: Willey Creek Company
 158 Shattuck Way
 Newington, NH 03801
 Owner: CKT & Associates
 158 Shattuck Way
 Newington, NH 03801

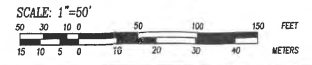
NO.	DATE	DESCRIPTION	BY
A	5.8.2017	TO PLANNING BOARD	DH
B	6.27.2017	PEER REVIEW	DH
C	11.27.17	2nd PEER REVIEW	DH
D	02.07.18	3rd PEER REVIEW	DH

CERTIFY,
 1) THE PREPARATION OF THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.



ROBERT E. SMITZ, JR., L.L.S. DATE 5-9-2018
 W. C. CAMMETT ENGR. INC.

NOTES:
 1. REFER TO G1.20 FOR LEGEND, ABBREVIATIONS, AND GENERAL NOTES.
 2. ACCESS ROAD SHOWN DEPICTS DESIGN INTENT ONLY. FINAL DESIGN TO BE COORDINATED WITH RESULTS OF THE TIF PROGRAM DESIGN.



TOWN OF EXETER PLANNING BOARD
 Chairman: Robert E. Smitz, Jr. DATE 2/14/18

PROJ MGR: D. HAMEL
 FIELD: M. MICHAUD / J. SALVAGRO
 DESIGN: D. TRAUKE
 DRAWING: D. HAMEL
 CHECKED: W. CAMMETT / R. BLANCHETTE
 DATE: 3/23/2017
 FILE: 16042 3P-OVERALL 22X34.DWG
 JOB #: 16042
 SHEET

D-40822



CELEBRATING OVER 35 YEARS OF SERVICE TO OUR CLIENTS

LIZABETH M. MACDONALD
JOHN J. RATIGAN
DENISE A. POULOS
ROBERT M. DEROSIER
CHRISTOPHER L. BOLDT
SHARON CUDDY SOMERS
DOUGLAS M. MANSFIELD
KATHERINE B. MILLER
CHRISTOPHER T. HILSON
HEIDI J. BARRETT-KITCHEN
JUSTIN L. PASAY
ERIC A. MAHER
CHRISTOPHER D. HAWKINS
VASILIOS "VAS" MANTHOS
ELAINA L. HOEPPNER
WILLIAM K. WARREN

RETIRED
MICHAEL J. DONAHUE
CHARLES F. TUCKER
ROBERT D. CIANDELLA
NICHOLAS R. AESCHLIMAN

3 June 2022

Kristen Murphy
Exeter Natural Resource Planner
10 Front Street
Exeter, NH 03833

Re: Revised Conditional Use Permit Applications
Ray Farm – Building D Relocation (the "Project")
Map 47, Lot 8.1

Dear Kristen:

Enclosed please find a revised Wetlands Conservation Overlay District Conditional Use Permit Application and a revised Conditional Use Permit Analysis which supplement our existing Conditional Use Permit filing on this Project dated 1 April 2022. The revised Conditional Use Permit Analysis incorporates responses to written comments you made during the Technical Review Committee's review of the Applicant's Project filings. We respectfully request to be placed on the Conservation Commission's agenda for its 14 June 2022 meeting. Also, we respectfully request a site walk with the Planning Board and Conservation Commission be held at 5:00 PM on 14 June 2022, the same evening we hope to appear before the Conservation Commission, consistent with your TRC comment. If you have any questions do not hesitate to contact me.

Very truly yours,
DONAHUE, TUCKER & CIANDELLA, PLLC

Justin L. Pasay
JLP/sac
Enclosures

cc: Exeter Planning Board
Jonathon Shafmaster
Denis Hamel, GM2
Brendan Quigley, Gove Environmental

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

Town of Exeter



Planning Board Application for Conditional Use Permit: Wetlands Conservation Overlay District

March 2020



Town of Exeter Planning Board Application

Conditional Use Permit: Wetland Conservation Overlay District In accordance with Zoning Ordinance Article: 9.1

SUBMITTAL REQUIREMENTS: (Note: See Application Deadlines and Submission Requirements for Conservation Commission Requirements)

1. Fifteen (15) copies of the Application
2. Fifteen (15) 11"x17" and three (3) full sized copies of the plan which must include:

Existing Conditions

- a. Property Boundaries
- b. Edge of Wetland and associated Buffer (Wetlands Conservation Overlay District – WCOD)
 - Prime wetland: 100' --Very Poorly Drained: 50'
 - Vernal Pool (>200 SF): 75' --Poorly Drained: 40'
 - Exemplary Wetland: 50' --Inland Stream: 25'
- c. Structures, roads/access ways, parking, drainage systems, utilities, wells and wastewater disposal systems and other site improvements

Proposed Conditions

- a. Edge of Wetlands and Wetland Buffers and distances to the following:
 - i. Edge of Disturbance
 - ii. Structures, roads/access ways, parking, drainage systems, utilities, wells and wastewater disposal systems and other site improvements
- b. Name and phone number of all individuals whose professional seal appears on the plan
3. If applicant and/or agent is not the owner, a letter of authorization must accompany this application
4. Supporting documents i.e. Letters from the Department of Environmental Services, Standard Dredge and Fill Application and Photos of the property
5. A Town of Exeter Assessors list of names and mailing addresses of all abutters

Required Fees:		
Planning Board Fee:	\$50.00	Abutter Fee: \$10.00
		Recording Fee (if applicable): \$25.00

The Planning Office must receive the completed application, plans and fees on the day indicated on the Planning Board Schedule of Deadlines and Public Hearings.

APPLICANT	Name: CKT Associates
	Address: 158 Shattuck Way, Newington, NH 03801
	Email Address:
	Phone: 603-431-3170
PROPOSAL	Address: Ray Farmstead Road
	Tax Map # <u>47</u> Lot# <u>8.1</u> Zoning District: <u>C-3</u>
	Owner of Record: CKT Associates
Person/Business performing work outlined in proposal	Name: TBD
	Address:
	Phone:
Professional that delineated wetlands	Name: Brendan Quigley, Gove Environmental
	Address: 8 Continental Drive, Unit H, Exeter, NH 03833
	Phone: 603-778-0654

Revised 03/2020-CUP

**Town of Exeter
 Planning Board Application
 Conditional Use Permit: Wetland Conservation Overlay District**

Detailed Proposal including intent, project description, and use of property: (Use additional sheet as needed)
 see attached

Wetland Conservation Overlay District Impact (in square footage):

Temporary Impact	Wetland:	(SQ FT.)	Buffer:	(SQ FT.)
	<input type="checkbox"/> Prime Wetlands	_____	<input type="checkbox"/> Prime Wetlands	_____
	<input type="checkbox"/> Exemplary Wetlands	_____	<input type="checkbox"/> Exemplary Wetlands	_____
	<input type="checkbox"/> Vernal Pools (>200SF)	_____	<input type="checkbox"/> Vernal Pools (>200SF)	_____
	<input type="checkbox"/> VPD	_____	<input type="checkbox"/> VPD	_____
	<input type="checkbox"/> PD	_____	<input type="checkbox"/> PD	_____
	<input type="checkbox"/> Inland Stream	_____	<input type="checkbox"/> Inland Stream	_____
Permanent Impact	Wetland:	(SQ FT.)	Buffer:	(SQ FT.)
	<input type="checkbox"/> Prime Wetlands	_____	<input type="checkbox"/> Prime Wetlands	_____
	<input type="checkbox"/> Exemplary Wetlands	_____	<input type="checkbox"/> Exemplary Wetlands	_____
	<input type="checkbox"/> Vernal Pools (>200SF)	_____	<input type="checkbox"/> Vernal Pools (>200SF)	_____
	<input type="checkbox"/> VPD	_____	<input type="checkbox"/> VPD	_____
	<input checked="" type="checkbox"/> PD	<u>485 sf</u>	<input checked="" type="checkbox"/> PD	<u>5,347 sf</u>
	<input checked="" type="checkbox"/> Inland Stream	<u>inc. above</u>	<input type="checkbox"/> Inland Stream	<u>inc. above</u>

List any variances/special exceptions granted by Zoning Board of Adjustment including dates:

Variance to permit age-restricted residential use granted on November 17, 2021.

Describe how the proposal meets conditions in **Article 9.1.6.B** of the Zoning Ordinance (attached for reference):

see attached

ABUTTERS: PLEASE LIST ALL PERSONS WHOSE PROPERTY IS LOCATED IN NEW HAMPSHIRE AND ADJOINS OR IS DIRECTLY ACROSS THE STREET OR STREAM FROM THE LAND UNDER CONSIDERATION BY THE BOARD. THIS LIST SHALL BE COMPILED FROM THE EXETER TAX ASSESSOR'S RECORDS.

TAX MAP see attached
NAME _____
ADDRESS _____

TAXMAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAXMAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

9.1.6. B: Conditions: Prior to issuance of a conditional use permit, the Planning Board shall conclude and make a part of the record, compliance with the following criteria:

1. That the proposed use is permitted in the underlying zoning district;
2. No alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer is feasible;
3. A wetland scientist has provided an impact evaluation that includes the “functions and values” of the wetland(s), an assessment of the potential project-related impacts and concluded to the extent feasible, the proposed impact is not detrimental to the value and function of the wetland(s) or the greater hydrologic system.
4. That the design, construction and maintenance of the proposed use will, to the extent feasible, minimize detrimental impact on the wetland or wetland buffer;
5. That the proposed use will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater, or other reasons;
6. The applicant may propose an increase in wetland buffers elsewhere on the site that surround a wetland of equal or greater size, and of equal or greater functional value than the impacted wetland
7. In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use, the applicant has included a restoration proposal revegetating any disturbed area within the buffer with the goal to restore the site as nearly as possible to its original grade and condition following construction.
8. That all required permits shall be obtained from the New Hampshire Department of Environmental Services Water Supply and Pollution Control Division under NH RSA §485-A: 17, the New Hampshire Wetlands Board under NH RSA §483-A, and the United States Army Corps of Engineers under Section 404 of the Clean Water Act.;

Revised Conditional Use Permit Analysis

As the Planning Board and Conservation Commission is aware, this Firm represents Ray Farm, LLC which is the declarant of the Ray Farm Condominium, a 55+ senior living development in Exeter located on property off of Ray Farmstead Road which is further identified as Town Tax Map 47, Lot 8 (the “Ray Farm Property” or the “Project”), as well as CKT Associates, which is the owner of adjacent land identified as Town Tax Map 47, Lot 8.1 (the “CKT Property”). This revised Conditional Use Permit Analysis supplements our original Analysis filed on 1 April 2022, which included, among other things, the Wetland Delineation & Function-Value Report conducted by Brendan Quigley, NHCWS, of Gove Environmental Services, Inc. dated 31 March 2022 (the “Wetland Report”), which is incorporated herein by reference, and highlights the Project design improvements which have led to reductions in proposed impacts within the Town’s Wetlands Conservation Overlay District. Further, this revised Analysis responds to comments made by the Town’s Natural Resource Planner during the Technical Review Committee’s review. Much of this revised Analysis relies on and incorporates work product and analysis from Brendan Quigley, NHCWS, of Gove Environmental Services.

Enclosed herewith are several plans from GM2 Engineering which were also filed with the Applicant’s supplemental filing to the Planning Board dated 17 May 2022. Said plans are provided again herewith for the Town’s convenience and include:

- 1) Revised Wetland Impact Plan (“**Enclosure 1**”)
- 2) Revised Wetland and Shoreland Buffer Impact Plan (“**Enclosure 2**”)
- 3) Wetland and Buffer Impact Plan for New Building D at Old Location Plan (“**Enclosure 3**”)
- 4) Wetland and Buffer Impact Plan for potential extension of Ray Farmstead Road Plan (“**Enclosure 4**”)
- 5) Wetland and Buffer Impact Plan for Conceptual ROW from Commerce Way (“**Enclosure 5**”)

Proposed Impacts

- **Revised Wetlands Conservation Overlay District Impacts**

The Project, as revised, contemplates 485 sf of direct wetland impact and 5,347 sf of buffer impact within the Town’s 40-50 ft Limited Use Buffer caused by the driveway crossing between Building C and proposed Building D. See Enclosure 1. These revisions constitute a 215 sf (31%) reduction in proposed direct wetland impacts and a 4,126 sf (44%) reduction in proposed buffer impacts over the original plans filed on this Application. See Enclosure 2. These significant reductions were accomplished by removing the temporary construction access extending from Commerce Way and by revising the subject wetland crossing via utilization of retaining walls in lieu of side slope grading and a large crossing structure over the stream. Not only have these efforts reduced impacts, they have also reduced maintenance impacts and increased connectivity along the stream and wetland corridor.

- **Shoreland Protection District Impacts**

No revisions to the proposed impacts within the Town's Shoreland Protection District have been made. The Project continues to contemplate 9,128 sf of proposed impact to the 100 ft Shoreland Protection District caused by grading and stormwater management infrastructure which will be utilized by Building D, as well as 16,560 sf of impact within the 150 ft Shoreland Protection District caused by grading, drainage infrastructure, and portions of pavement which will serve Building D. See Enclosure 3.

Natural Resource Planner Technical Review Committee Comment Responses

Below please find responses to the Natural Resource Planner's Technical Review Committee comments. In the few instances where express responses are not provided, the Applicant will address same with the Conservation Commission at the hearing on 14 June 2022.

Comment: The application does not contain enough information to demonstrate it meets 9.6.1.B.2 ("No alternative design Or which has less detrimental impacts on the wetland or wetland buffer is feasible") or 9.6.1.B.4 ("That the design, construction and maintenance of the proposed use will, to extent feasible minimize detrimental impact on the wetland or wetland buffer").

Response: See below and revised Wetlands Conservation Overlay District Conditional Use Permit Analysis below.

Comment: You have demonstrated that an alternate location for Building D is feasible with your prior approved plans. Your proposal did not include a determination that the previous location would cause a greater wetland impact. Please provide a calculation of impacts that would result from locating the larger 32 Unit Building D to the original location. This is necessary to determine whether your proposal meets the aforementioned condition.

Response: See Enclosure 3. The Project Purpose contemplates that Building D is 32 units in size, not 20 units in size like the originally approved Building D. Enclosure 3 depicts the direct wetland impacts and buffer impacts that would be caused by siting new Building D at the original location. To summarize, siting new Building D at the original location would cause a 29% increase to direct wetland impacts (680 sf of direct impact where 485 sf of direct impact is currently proposed) and an 80% increase to the wetland buffer (26,579 sf of buffer impact where 5,347 sf is proposed) over the proposed impacts caused by siting Building D at the new location. Further, the larger Building D itself would cause significant buffer zone impacts at the original location where the relocated Building D will cause no such impacts. Only the access from Building C to new Building D will cause impacts.

Comment: The application states that gravel construction access road is necessary for construction to avoid conflicts with the developed portions of the lot however, prior plans for the construction of Building D, the recent construction of Building B, and the ongoing construction of Building C all entail driving through the developed portion of the lot for construction purposes, thereby demonstrating it feasible. Further, eliminating this from the

proposal will eliminate impacts to vernal pool buffers and eliminate the need for the temporary wetland crossing. Therefore, it is unclear how inclusion of this gravel construction access road can meet either condition.

Response: The gravel access road is no longer proposed.

Comment: Your proposal has not documented that accessing Building D via the extension of Ray Farmstead Road is infeasible, or quantified the impacts in order to compare with the impacts resulting from the connection between Building C and D and the construction access road. This analysis should also consider that it will be creating a redundant wetland crossing within the wetland system serving Watson Brook when the Ray Farmstead Road is extended as you acknowledged in your wetland application amendment to the State NHDES (File#2017-01530) for the original proposal.

Comment: See Enclosures 4 and 5. Foundationally, this comment assumes that Ray Farmstead Road will be extended over the existing private easement on the Property which the Applicant does not agree with. Regardless, if Ray Farmstead Road was extended over the existing private easement, said extension would cause significantly greater direct wetland and buffer impact than the Applicant's proposal. Specifically, as depicted on Enclosure 4, extension of Ray Farmstead Road would cause approximately 2,280 sf of direct wetland impact, which is nearly five times the impact (a 79% increase) proposed by the Applicant to accommodate the crossing from Building C. Further, the extension of Ray Farmstead Road would cause approximately 15,715 sf of buffer zone impacts which constitutes a 66% increase above the Applicant's proposal. See Enclosures 2 and 4. Finally, extending Ray Farmstead Road would cause approximately 232,124 sf (5.33 acres) of impact within the Town's Shoreland Protection District, where no impact to the Town's Shoreland Protection District is contemplated by the Applicant's proposed crossing from Building C. See Enclosure 4.

There is no question but that the Applicant's proposal will cause dramatically less impacts to the Town's Wetlands Conservation Overlay District and Shoreland Protection District than the extension of Ray Farmstead Road. Further, the far more ecologically sensitive way to provide access to property to the east of the Ray Farm and CKT Properties, which is identified as Town Tax Map 47, Lot 40-12 (known and referred to as the "Carlisle Property"), is to extend Commerce Way as depicted in Enclosure 5. Such an approach would cause approximately 712 sf of direct wetland impact (1,568 sf or 69% *less* impact than what would be caused by extending Ray Farmstead Road), 13,285 sf of buffer zone impact (2,430 sf or 15% *less* buffer impact than what would be caused by extending Ray Farmstead Road) and no impact to the Town's Shoreland Protection District, where the extension of Ray Farmstead Road will cause 232,124 sf, or 5.33 *acres* of impact.

Comment: The application does not meet 9.6.1.B.3 (impact evaluation) because it does not consider impacts to the 100-foot vernal pool buffer from widening the existing trail to meet the 14-20' wide construction access road called out in the plans.

Response: The gravel construction access road has been removed from the proposal and plans.

Comment: I am also concerned that conclusions within the impact evaluation did not consider all project related impacts adequately in order to meet 9.6.1.B.3 for the following reasons:

- ***The construction access road is described as requiring minor widening in some portions however it is currently best described as a foot path and the plans indicate resurfacing and widening to 14-20 feet. There is no quantification of this. Without these details, it is not possible to consider impacts to the resources. Further there is no evaluation of sedimentation or runoff from the steep slope of the construction roadway which slopes directly into the wetland feeding Watson Brook. No stormwater management is described to address this. The only management offered is adding silt sock/fence along the linear edge of the road. This is also relevant to Shoreland CUP 9.3.4(G)2.a. (“not detrimental to surface water quality”).***

Response: The gravel construction access road has been removed from the proposal and plans.

- ***The new location of Building D is within the State Wildlife Action Plan’s Highest Ranked Habitat in the Region category but this was not mentioned so it is unclear if this was considered. This is also relevant to Shoreland CUP 9.3.4.(G)2.c. (“undue damage to...wildlife habitat”). Further the impact evaluation report identified a constriction for wildlife movement within the wetland at the crossing between Building C and D. As this is described as a primary function of the wetlands, and a larger crossing structure has not been considered, this also does not appear to meet Shoreland CUP criteria 9.3.4.(G).2.c.***

Response: To summarize, the Applicant is incorporating a larger 36” culvert to facilitate the crossing from Building C to the new Building D and further, said culvert will provide maximum connectivity for wildlife within Watson Brook and associated shoreland areas to the maximum extent it is practical. Wildlife connectivity in Watson Brook itself, and the associated shoreland areas will not be altered by the project. Further, the proposed crossing is not located within the Town’s Shoreland Protection District so consideration of Section 9.3.4.G.2.c within the context of the propose crossing, is not appropriate.

A portion of the proposed building site does fall within the “Highest Ranked Habitat in Region” category (green areas on maps) with the rest being classified as “Supporting Lands” (orange areas on the map) which extends to the majority of the forest in this area. As stated in the Wildlife Action Plan documentation, it is very difficult for users of the Wildlife Action Plan Maps to tell precisely what factors have elevated a particular area to this status as it is a combination of many factors. In this case, it appears to be clear that one of the primary factors is the presence of the intact forest block within Henderson Swasey Town Forest which also extends into the surrounding properties. It is notable that the Highest Rank Habitat does not extend along Watson Brook, likely due to existing proximity of development and barriers to movement downstream. The same is true of the stream and wetland where the driveway crossing is proposed from Building C. The modest wildlife connectivity function identified in this small stream and wetland will be maintained to the maximum extent practicable using a 36” culvert. A larger structure is not possible due to constraints imposed by the grade and cover requirements for utilities. The wildlife connectivity in Watson Brook will not be altered. The proposed work

will affect only the edge of the Highest ranked Habitat and portion of the Supporting Lands and will not segment any portion of these areas.

As a result of the analysis above, the project is therefore not expected to result in undue damage to wildlife habitat within Watson Brook or the larger general habitat area.

Comment: The application is missing the restoration plan for the temporary buffer impacts in order to meet Wetland CUP 9.6.1.B.7 (restoration proposal).

Response: The temporary buffer impacts associated with the construction access have been removed from the proposal.

Comment: Please verify what the intent of the Open Space is at the former Building D location. Is it intended to remain free of buildings?

Response: The former location of Building D will remain open space for passive recreation.

Comment The original application indicated that there may be sensitive plant species present and follow up surveys would be conducted during the appropriate growing period prior to construction. When were these surveys conducted and what was the result? Were surveys also conducted within the proposed new location for Building D?

Response: The NHB report for the original application listed sharp-flowered manna grass (*Glyceria acutiflora*) and slender blue iris (*Iris prismatica*) as potentially occurring on the site based on other occurrences nearby. Both these species are wetland plants typically found in open, sunny, wetland habitat areas such as marshes, wet meadows, or emergent areas along water bodies. The initial project involved impacts to the intermittent portion of Watson Brook and a finger of forested wetland, neither of which are suitable habitat for these species. Details of these wetland areas were shared with Amy Lamb of the NHB program who made the determination that neither area was suitable habitat for these species. The same is true of the wetland proposed to be impacted by this Project and the upland portion of the Project and we would expect the same determination.

Additionally, the initial project site was surveyed for the presence of the federally listed small whorled pogonia (*Isotria medeoloides*). The habitat required for this species is more complicated but generally involves gentle slopes, accumulation of leaf litter, and moisture. Limited areas with these characteristics were surveyed in the early summer of 2017 and no small whorled pogonia was identified. We expect to conduct similar surveys on the proposed site of this project this June, likely limited to the intermittent stream crossing area.

Comment: Given the presence of wetlands, there is a potential for entrapment of amphibians from the deep sump catch basins. Is there potential to avoid the use of deep sumps?

Response: There are very limited structures within the project that have this characteristic, and all are located in paved areas. This is often viewed by NH Fish and Game as an acceptable tradeoff given the water quality benefits of these structures. This issue will, however, be fully

coordinated with NH Fish and Game to their satisfaction as part of the State AOT and Wetlands Permit application and review process.

Comment: Please confirm all erosion control silt sock and matting materials are limited to natural material such as jute or coconut matting as photodegrading plastic causes wildlife impacts. Please add note accordingly.

Response: The erosion control silt sock is a tightly woven mesh fabric that does not present an engagement hazard to wildlife and will be removed following construction. Rolled erosion control products such as matting, blankets with plastic thread or weave will not be used on this Project.

Comment: What size is the culvert under the road between building C and D? It would be helpful to have this shown on the grading and drainage plans to identify whether it is sufficiently sized. Did the designs consider sufficient sizing for hydraulic capacity, wildlife and aquatic organism passage? Have elevated rainfall regime been considered in designs?

Response: The contributing watershed at the proposed crossing is only approximately 20 acres, well within the 200-acre threshold for a Tier 1 crossing under State regulations. A 36” culvert is proposed for the driveway crossing which will meet all the criteria for crossing of a stream this size.

Comment: Add requirement for wetland boundary disks to be installed along wetland buffers within the development (55 9.9.1).

Response: The Applicant would be happy to discuss the number and best locations for wetland boundary markers with the Conservation Commission and/or Planning Board.

Revised Wetlands Conservation District Conditional Use Permit Criteria Analysis

As revised, the Project satisfies the applicable Wetlands Conservation District Conditional Use Permit criteria found in Section 9.1.6(B) of the Town’s Zoning Ordinance for the reasons stated in the Wetland Report, as supplemented below.

- **That the proposed use is permitted in the underlying zoning district. Zoning Ordinance, Section 9.6.1(B)(1).**

The underlying use is an age-restricted 55+ multifamily residential use which is permitted in the C-3 district and on the underlying properties pursuant to the Variance relief obtained by the Applicant on 17 November 2021. Further, the actual use within the Limited Use Buffer includes paving, retaining walls in lieu of side slope grading, a 36” culvert, and a large crossing structure over the stream to facilitate permanent access to the Project, which use is expressly permitted by Section 9.6.1(1) of the Zoning Ordinance. As such, this criterion is satisfied.

- **No alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer is feasible. Zoning Ordinance, Section 9.6.1(B)(2).**

As described in detail above in the Applicant's responses to the Town Resource Planner's Technical Review Committee's comments, there is no alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer. Specifically, locating the larger Building D at the originally approved location causes 680 sf of direct impact where 485 sf are proposed by the Applicant at the new location. Siting the new Building D at the original location would also cause 26,579 sf of buffer impact, much of which would be caused by the building itself, where the Applicant's current proposal only contemplates 5,347 sf of buffer zone impact caused by the wetland crossing from Building C. See Enclosure 3. Further, providing access via an extension of Ray Farmstead Road would cause dramatically more impact than what the Applicant is proposing. See Enclosure 4.

- **A wetland scientist has provided an impact evaluation that includes the "functions and values" of the wetland(s), an assessment of the potential project-related impacts and concluded to the extent feasible, the proposed impact is not detrimental to the value and function of the wetland(s) or the greater hydrologic system. Zoning Ordinance, Section 9.6.1(B)(3).**

As described in the Wetland Report, due to the Project's design, impacts will be reasonable mitigated and the "overall wetland function and the greater hydrologic system will not be negatively affected." Wetland Report pg. 5. Further, because the Applicant's proposal constitutes significantly less direct wetland and buffer zone impacts than all other alternative access routes to the underlying upland, the Project will cause the least amount of impact possible. See Enclosures 3 and 4. On these bases, this criterion is satisfied.

- **That the design, construction and maintenance of the proposed use will, to the extent feasible, minimize detrimental impact on the wetland or wetland buffer. Zoning Ordinance, Section 9.6.1(B)(4).**

The entirety of the relocated Building D is located out of the wetland and all associated buffers and impacts are limited to one permanent wetland crossing the extent of which has been significantly reduced beyond the Applicant's original proposal via the use of retaining walls and a large 36" culvert. The Project also avoids a much larger and more detrimental impact crossing of Watson Brook if Ray Farmstead Road were to be extended or if new Building D were to be sited at the originally approved location. See Enclosures 1 – 4. See also Wetland Report. On these bases this criterion is satisfied.

- **That the proposed use will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater, or other reasons. Zoning Ordinance, Section 9.6.1(B)(5).**

The Project causes no hazard to individual or public health, safety or welfare due to the loss of wetland, the contamination of groundwater, or any other reasons. On the contrary, the

Applicant's proposal to access the underlying uplands for the relocated Building D is, by a significant extent, the least impactful and most ecologically sensitive way to reach those uplands. See Enclosures 1 – 4; Wetland Report. On these bases, this criterion is satisfied.

- **The applicant may propose an increase in wetland buffers elsewhere on the site that surround a wetland of equal or greater size, and of equal or greater functional value than the impacted wetland. Zoning Ordinance, Section 9.6.1(B)(6).**

The proposed relocation of Building D will ensure that the area which was originally planned to accommodate Building D, will be used for passive open space recreation. Further, as designed, the Applicant's proposal avoids significant direct wetland and buffer zone impacts which would be caused by siting the larger Building D in the original location. See Enclosure 3. The Applicant's proposal also avoids considerable direct wetland, buffer zone and Shoreland Protection District impacts which would be caused by the extension of Ray Farmstead Road. See Enclosure 4. On these bases, this criterion is satisfied.

- **In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use, the applicant has included restoration proposal revegetating any disturbed area within the buffer with the goal to restore the site as nearly as possible to its original grade and condition following construction. Zoning Ordinance, Section 9.6.1(B)(7).**

See Wetland Report, pg. 5. On these bases, this criterion is satisfied.

- **That all required permits shall be obtained from the New Hampshire Department of Environmental Services Water Supply and Pollution Control Division under NH RSA 485-A:17, the New Hampshire Wetlands Board under NH RSA 483-A, and the United States Army Corps of Engineers under Section 404 of the Clean Water Act. Zoning Ordinance, Section 9.6.1(B)(8).**

The Applicant will obtain all necessary local, State and Federal permits for the Project and welcomes a condition of approval requiring same.

Shoreland Protection District Conditional Use Permit Criteria Analysis

The Applicant has not revised its Project proposal vis-à-vis its proposed impacts to the Shoreland Protection District. The below restates the analysis previously provided to the Planning Board and Conservation Commission with regard to the Shoreland Protection District Conditional Use Permit. To summarize, the Project satisfies the applicable Shoreland Protection District Conditional Use Permit criteria found in Section 9.3.4(G)(2) of the Town's Zoning Ordinance for the reasons stated in the Wetland Report, as supplemented below.

- **That the proposed use will not detrimentally affect the surface water quality of the adjacent river or tributary, or otherwise result in unhealthful conditions. Zoning Ordinance, Section 9.3.4(G)(2)(a).**

See Wetland Report, pg. 6. On these bases, this criterion is satisfied.

- **The proposed use will discharge no waste water on site other than that normally discharged by domestic waste water disposal systems and will not involve on-site storage or disposal of hazardous or toxic wastes as herein defined. Zoning Ordinance, Section 9.3.4(G)(2)(b).**

See Wetland Report, pg. 6. There will be no wastewater discharge on site and no disposal or storage of hazardous or toxic wastes. On these bases, this criterion is satisfied.

- **The proposed use will not result in undue damage to spawning grounds and other wildlife habitat. Zoning Ordinance, Section 9.3.4(G)(2)(c).**

See Wetland Report, pg. 6. On these bases, this criterion is satisfied.

- **The proposed use complies with the use regulations identified in Article 9.3.4 Exeter Shoreland Protection District Ordinance – Use Regulations and all other applicable sections of this article. Zoning Ordinance, Section 9.3.4(G)(2)(d).**

The Project is compliant with the use regulations contained within Article 9.3.4 of the Exeter Zoning Ordinance and all other applicable sections of the Town’s Shoreland Protection Zoning District Ordinance.

- **The design and construction of the proposed use will be consistent with the intent of the purposes set forth in Article 9.3.1 Exeter Shoreland Protection District Ordinance – Authority and Purpose. Zoning Ordinance, Section 9.3.4(G)(2)(e).**

In relevant part, the purpose of the Exeter Shoreland Protection District Ordinance is to protect, maintain and enhance the water quality of the Squamscott River and its tributaries in Exeter, to conserve and protect aquatic and terrestrial habitat associated with river areas as well as intertidal and riparian areas, to preserve and enhance those recreational and aesthetic values associated with the natural shoreline and river environment, both fresh and salt, and to encourage those uses that can be appropriately located adjacent to shorelines. Zoning Ordinance, Section 9.3.1.

In this case, and as evidenced by Wetland Report, the Project does not threaten the water quality of the Squamscott River or Watson Brook, does not compromise aquatic or terrestrial habitat associated with river areas, and does not affect the recreational or aesthetic values associated with natural shorelines. As a result, the Project is precisely the type of development which is appropriately sited in proximity to the Shoreland Protection District and which should be encouraged.



6 CHESTNUT STREET, AMESBURY, MA.
 Phone: (978) 388-2157
 CONSULTING ENGINEERS &
 LAND SURVEYORS SINCE 1988
 www.gm2inc.com

Sheet Title:

WETLAND IMPACT PLAN

Project Title:

Ray Farm Condominium

Ray Farmstead Road
 Exeter, NH 03833
 Rockingham County

Applicant/Owner:

Ray Farm, LLC
 158 Shattuck Way
 Newington, NH 03801

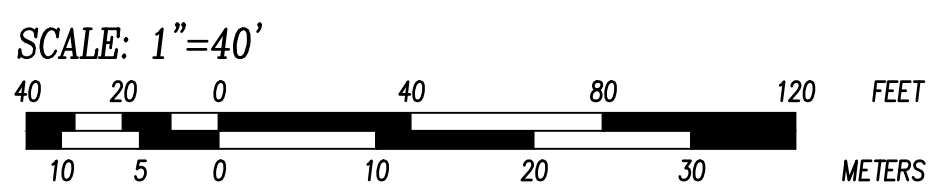
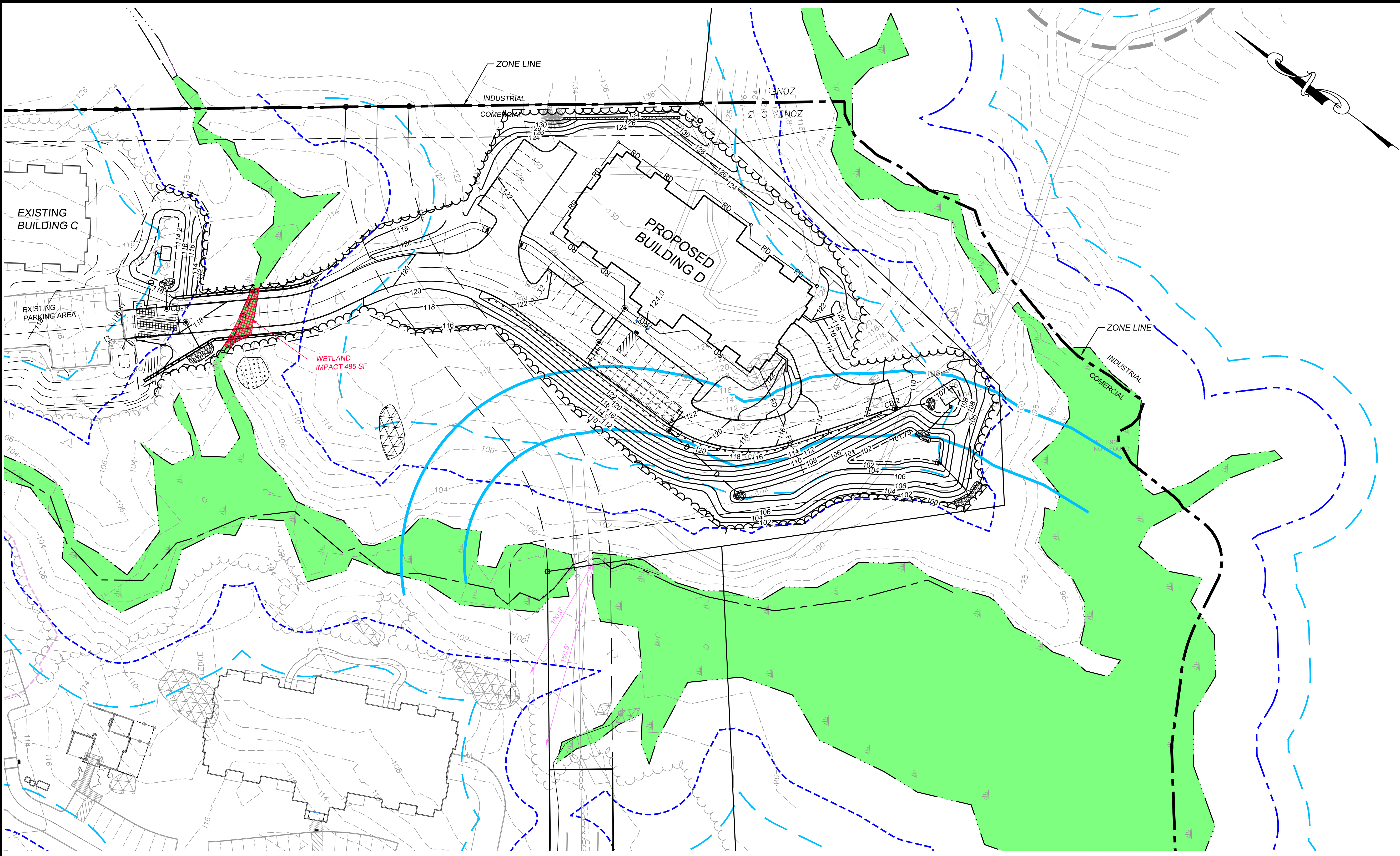
REVISION BLOCK

NO.	DATE	DESC	BY
1	4.26-22	REVISE WET IMPACTS	DH

PROJ. MGR.: D. HAMEL
 FIELD: J. SALVAGGIO / R. SMITH
 DESIGN: D. HAMEL
 DRAWN: D. HAMEL
 CHECKED: D. GIANGRANDE
 DATE: 01-11-2022
 FILE: 16042 D GR.DWG
 FBK:
 JOB #: 16042 D

TOWN OF EXETER PLANNING BOARD

CHAIRMAN _____ DATE _____



DIRECT WETLAND IMPACTS

WETLAND IMPACT - AREA 1 485 SF

TOTAL WETLAND IMPACT 485 SF

- NOTES:**
- REFER TO G1.20 FOR LEGEND, ABBREVIATIONS, AND GENERAL NOTES.
 - ACCESS ROAD SHOWN DEPICTS DESIGN INTENT ONLY.

K:\PROJ CIVIL_3D\2016\16042 BLDG D\1.0 SHEET FILES\16042 D GR.DWG D:\hame\5/12/2022 7:59 AM



6 CHESTNUT STREET, AMESBURY, MA.
 Phone: (978) 388-2157
 CONSULTING ENGINEERS &
 LAND SURVEYORS SINCE 1988
 www.gm2inc.com

WETLAND AND SHORELAND BUFFER IMPACT PLAN

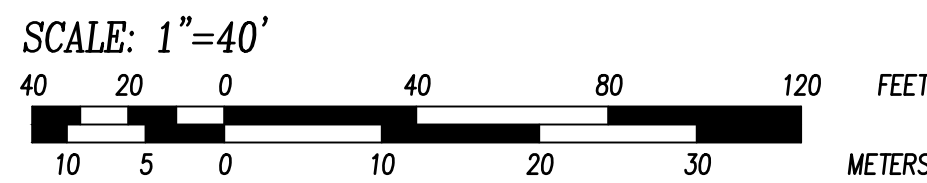
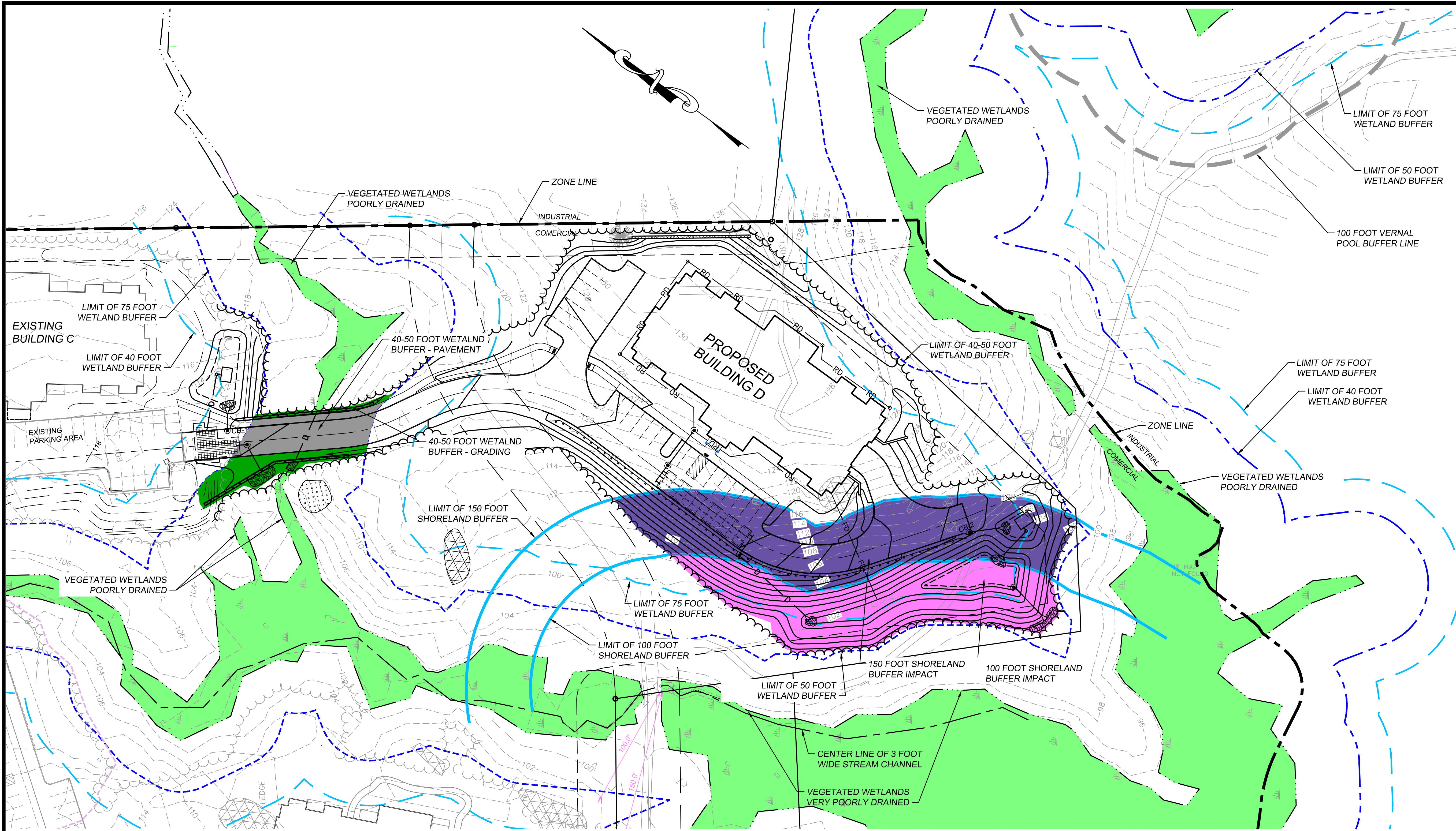
Ray Farm Condominium

Ray Farmstead Road
 Exeter, NH 03833
 Rockingham County

Applicant/Owner:
Ray Farm, LLC
 158 Shattuck Way
 Newington, NH 03801

REVISION BLOCK				
NO.	DATE	DESC	BY	
1	4.26-22	REVISE WET IMPACTS	DH	

PROJ. MGR.: D. HAMEL
 FIELD: J. SALVAGGIO / R. SMITH
 DESIGN: D. HAMEL
 DRAWN: D. HAMEL
 CHECKED: D. GIANGRANDE
 DATE: 01-11-2022
 FILE: 16042 D GR.DWG
 FBK:
 JOB #: 16042 D



WETLAND BUFFER IMPACTS

	40-50 FOOT WETLAND BUFFER IMPACT - PAVEMENT	2858 SF
	40-50 FOOT WETLAND BUFFER IMPACT - GRAVEL	0 SF
	40-50 FOOT WETLAND BUFFER IMPACT - GRADING	2489 SF
	75 FOOT WETLAND BUFFER IMPACT	0 SF

TOTAL WETLAND BUFFER IMPACTS 5,347 SF

SHORELAND BUFFER IMPACTS

	100 FOOT SHORELAND BUFFER IMPACT	9128 SF
	150 FOOT SHORELAND BUFFER IMPACT	16,560 SF

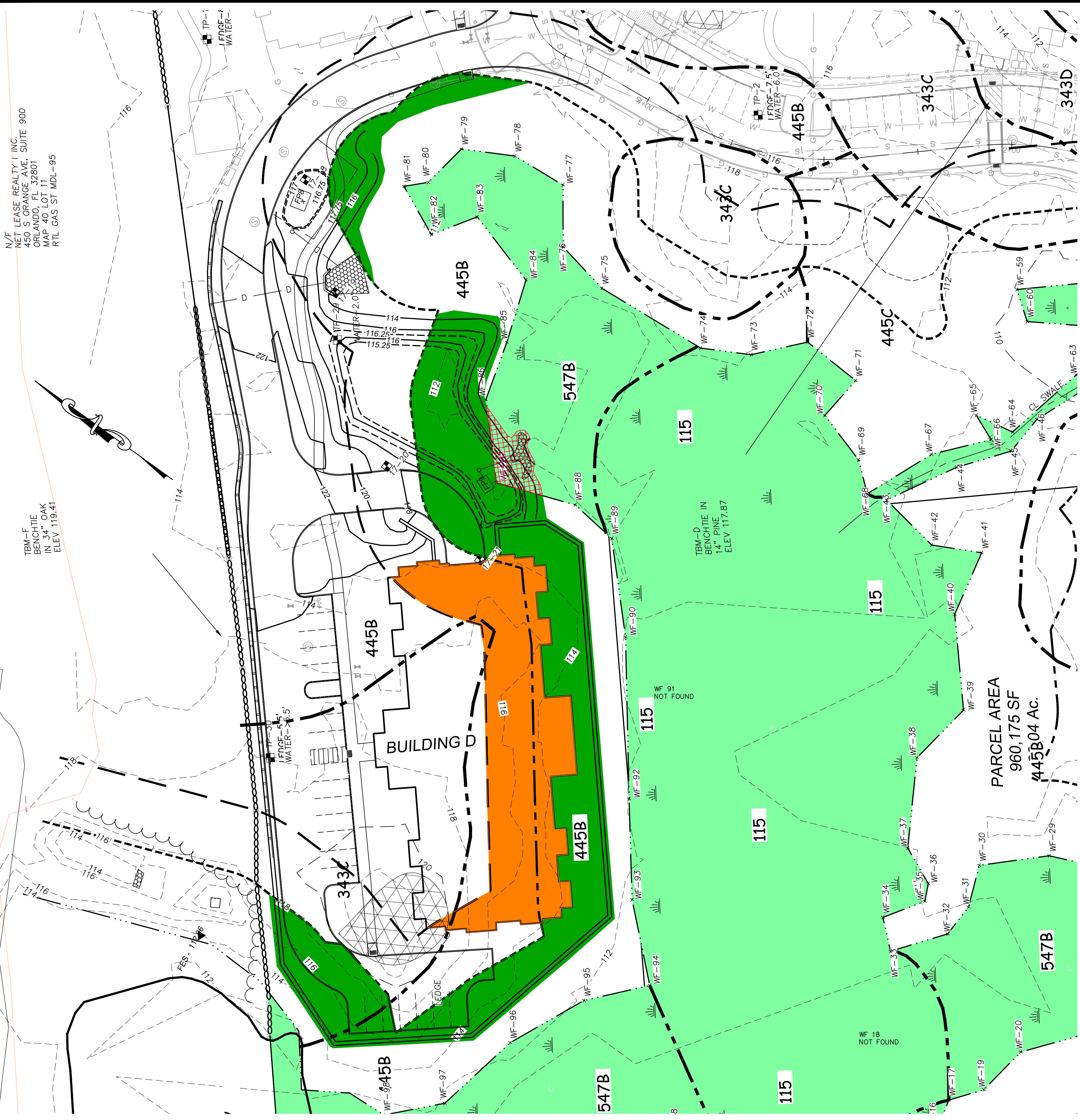
TOTAL SHORELAND BUFFER IMPACT 25,688 SF SF

NOTES:

- REFER TO G1.20 FOR LEGEND, ABBREVIATIONS, AND GENERAL NOTES.
- ACCESS ROAD SHOWN DEPICTS DESIGN INTENT ONLY. FINAL DESIGN TO BE COORDINATED WITH RESULTS OF THE TIF PROGRAM DESIGN.

TOWN OF EXETER PLANNING BOARD

CHAIRMAN _____ DATE _____



N/F LEASE REALTY, INC.
 NET L.C. ORANGE AVE, SUITE 900
 450 ARADO FL 32801
 MAP NO. LOT 11
 RTL GAS ST MDL-95

TBM-F
 BENCHITE
 IN 3/4" OAK
 ELEV 119.41

TBM-D
 BENCHITE IN
 1 1/4" PINE
 ELEV 117.87

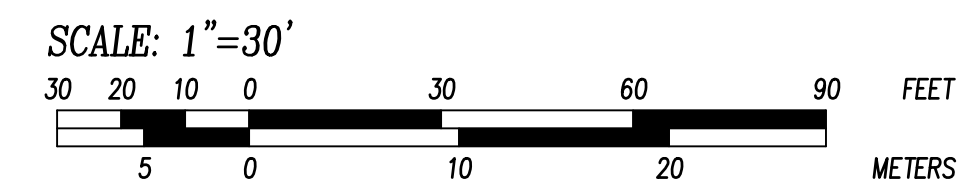
WETLAND IMPACTS

DIRECT WETLAND IMPACTS

WETLAND IMPACT - AREA 1 680 SF
 TOTAL WETLAND IMPACT 680 SF

BUFFER ZONE IMPACTS

40-50 FOOT WETLAND BUFFER IMPACT - GRADING 17,869 SF
 75 FOOT WETLAND BUFFER IMPACT 8,710 SF
 TOTAL WETLAND BUFFER IMPACTS 26,579 SF



6 CHESTNUT STREET, AMESBURY, MA.
 Phone: (978) 388-2157
 CONSULTING ENGINEERS &
 LAND SURVEYORS SINCE 1988
 www.gm2inc.com

Sheet Title:
ALTERNATE 1
Wetland Impacts for
New Building D
at old Location

Project Title:
Ray Farm
Condominium
 Ray Farmstead Road
 Exeter, NH 03833
 Rockingham County

Applicant/Owner:
Ray Farm, LLC
 158 Shattuck Way
 Newington, NH 03801

REVISION BLOCK			
NO.	DATE	DESC	BY

PROJ. MGR: D. HAMEL
 FIELD: J. SALVAGGIO / R. SMITH
 DESIGN: D. HAMEL
 DRAWN: D. HAMEL
 CHECKED: D. GIANGRANDE
 DATE: 04-26-2022
 FILE: 16042-D CGR MITIGATION.DWG
 FBK:
 JOB #: 16042 D



6 CHESTNUT STREET, AMESBURY, MA.
 Phone: (978) 388-2157
 CONSULTING ENGINEERS &
 LAND SURVEYORS SINCE 1988
 www.gm2inc.com

Sheet Title:

ALTERNATE 2 Wetland Impacts for TIF Road Phase II

Project Title:

Ray Farm Condominium

Ray Farmstead Road
 Exeter, NH 03833
 Rockingham County

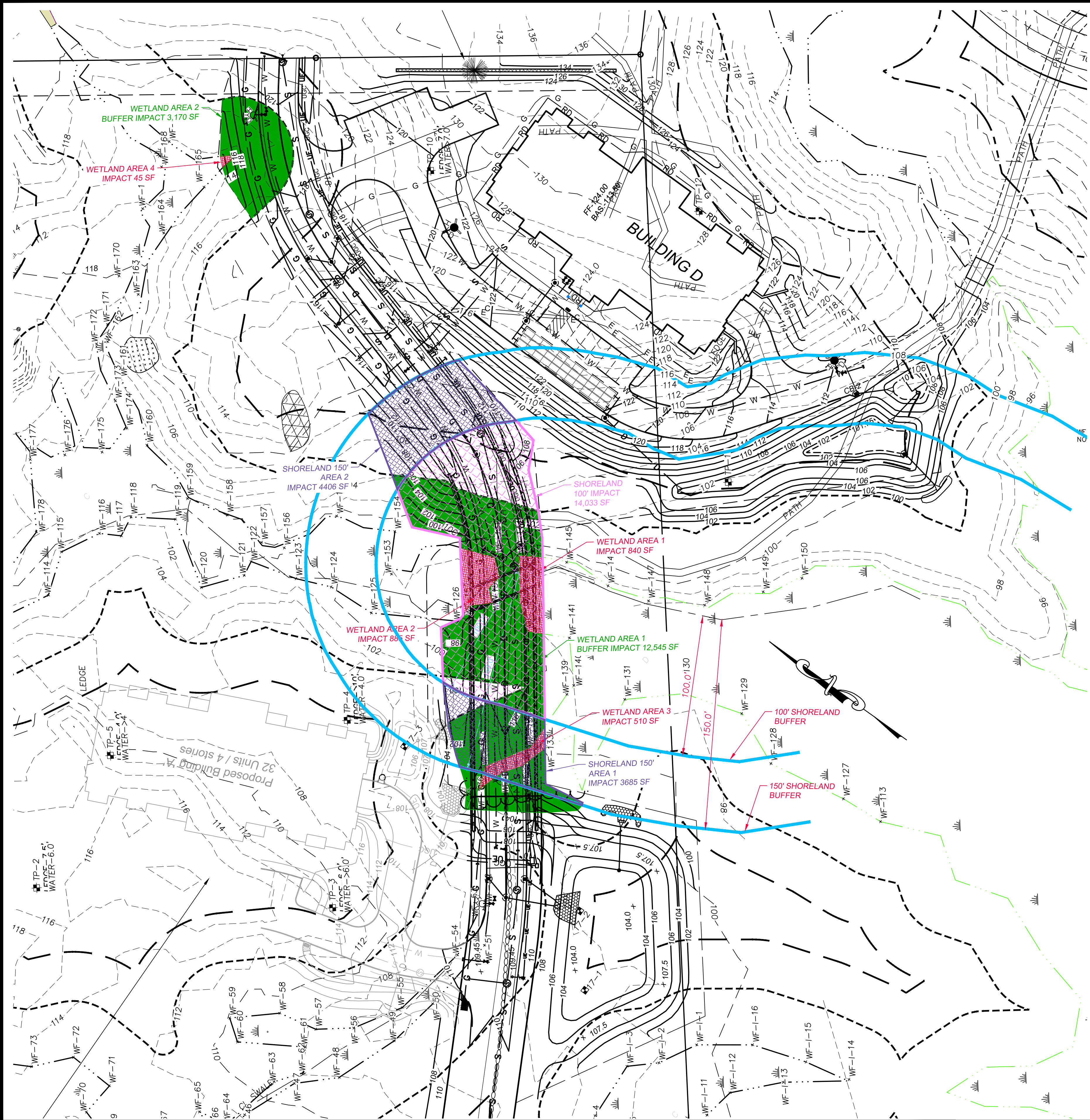
Applicant/Owner:

Ray Farm, LLC
 158 Shattuck Way
 Newington, NH 03801

REVISION BLOCK

NO.	DATE	DESC	BY

PROJ. MGR.: D. HAMEL
 FIELD: J. SALVAGGIO / R. SMITH
 DESIGN: D. HAMEL
 DRAWN: D. HAMEL
 CHECKED: D. GIANGRANDE
 DATE: 04-26-2022
 FILE: 16042-D CGR - TIF RD
 FBK: MITIGATION.DWG
 JOB #: 16042 D



WETLAND IMPACTS

DIRECT WETLAND IMPACTS

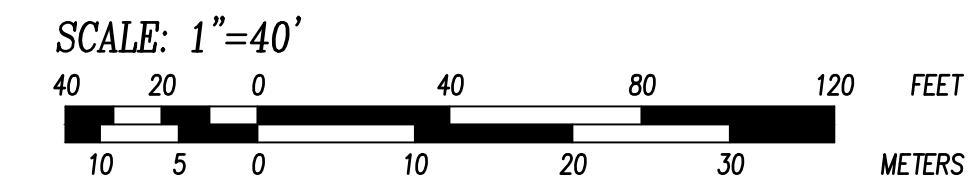
	WETLAND IMPACT - AREA 1	840 SF
	WETLAND IMPACT - AREA 2	885 SF
	WETLAND IMPACT - AREA 3	510 SF
	WETLAND IMPACT - AREA 4	45 SF
TOTAL WETLAND IMPACT		2,280 SF

BUFFER ZONE IMPACTS

	40-50 FOOT WETLAND BUFFER IMPACT - AREA 1	12,545 SF
	40-50 FOOT WETLAND BUFFER IMPACT - AREA 2	3,170 SF
	75 FOOT WETLAND BUFFER IMPACT	0 SF
TOTAL WETLAND BUFFER IMPACTS		15,715 SF

SHORELAND IMPACTS

	SHORELAND 100' IMPACT	14,033 SF
	SHORELAND 150' IMPACT - AREA 1	3,685 SF
	SHORELAND 150' IMPACT - AREA 2	4,406 SF
TOTAL SHORELAND IMPACT		232,124 SF





6 CHESTNUT STREET, AMESBURY, MA.
 Phone: (978) 388-2157
 CONSULTING ENGINEERS &
 LAND SURVEYORS SINCE 1988
 www.gm2inc.com

Sheet Title:

ALTERNATE 2
Wetland Impacts for
Conceptual ROW
from Commerce Way

Project Title:

Ray Farm
Condominium

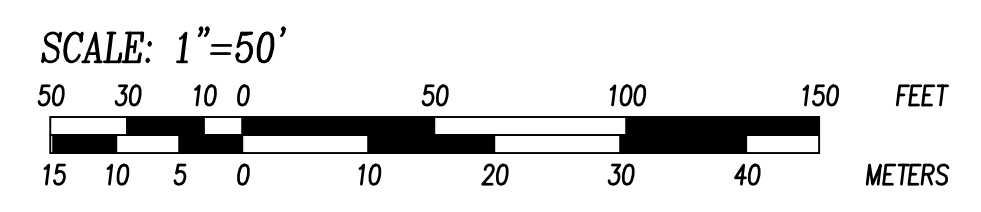
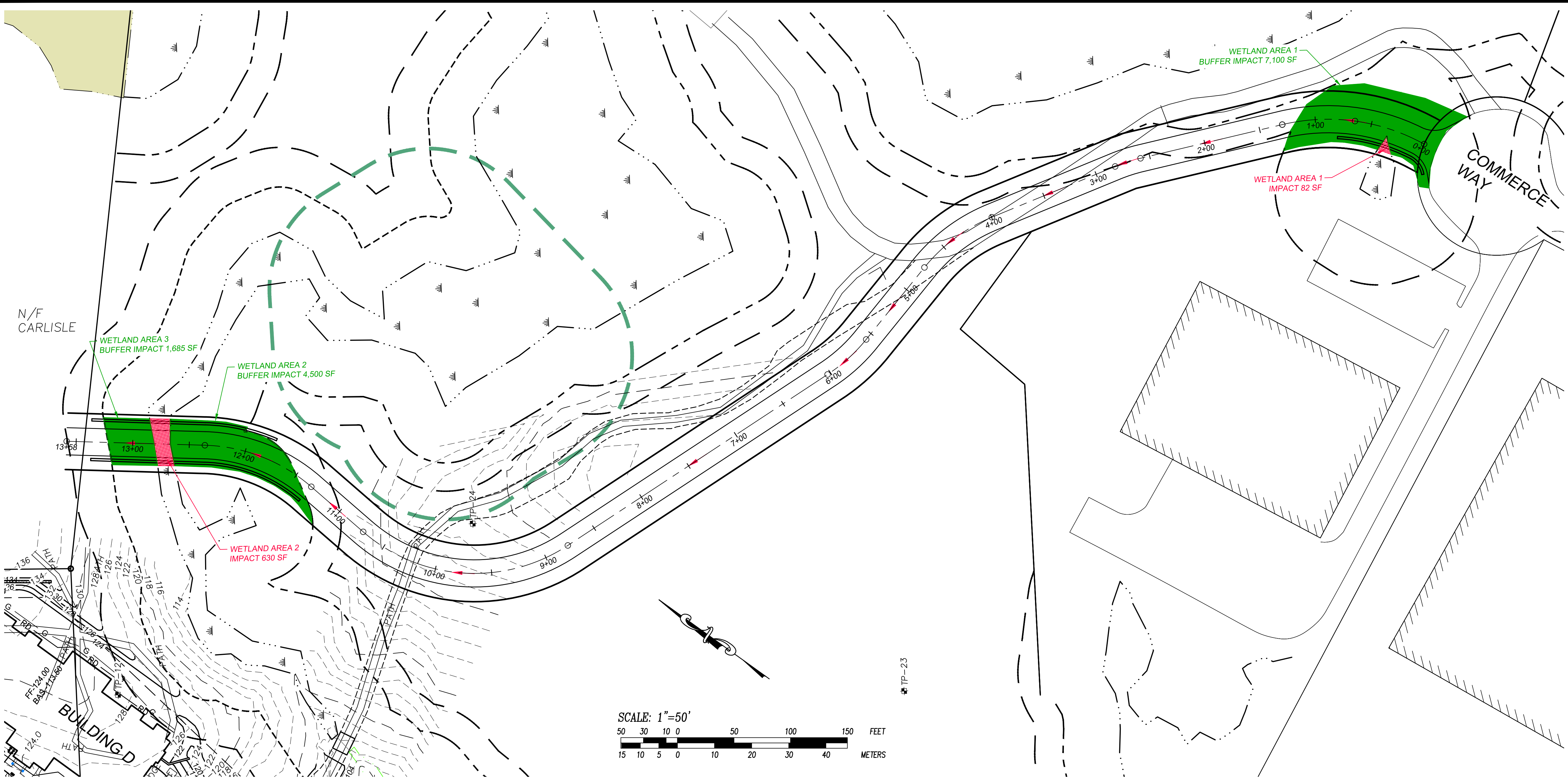
Ray Farmstead Road
 Exeter, NH 03833
 Rockingham County

Applicant/Owner:

Ray Farm, LLC
 158 Shattuck Way
 Newington, NH 03801

REVISION BLOCK

NO.	DATE	DESC	BY



WETLAND IMPACTS

DIRECT WETLAND IMPACTS

	WETLAND IMPACT - AREA 1	82 SF
	WETLAND IMPACT - AREA 2	630 SF
TOTAL DIRECT WETLAND IMPACT		712 SF

BUFFER ZONE IMPACTS

	40-50 FOOT WETLAND BUFFER IMPACT - GRADING	13,285 SF
	75 FOOT WETLAND BUFFER IMPACT	0 SF
TOTAL WETLAND BUFFER IMPACTS		13,285 SF

PROJ. MGR.: D. HAMEL
 FIELD: J. SALVAGGIO / R. SMITH
 DESIGN: D. HAMEL
 DRAWN: D. HAMEL
 CHECKED: D. GIANGRANDE
 DATE: 04-26-2022
 FILE: I 6042-D CGR - TIF RD
 FBK: MITIGATION.DWG
 JOB #: I 6042 D

Exeter Conservation Commission Event Agreement

NOTE: This agreement is in addition to permits required by the Town of Exeter. Contact the Town Managers Office to determine any additional permit needs

Event Name: _____

Event Date: _____

Point of Contact: _____

Estimate of Participants: _____

Event Description: _____

Please read, sign and initial below. A copy of the notice of Authorization will be provided to you upon signature by the Conservation Commission and should be in hand on the day of the event.

I, _____ agree to comply with the following terms for the above referenced event.

_____ Event related activities do not involve private property, unless authorized in writing by landowner, with such permission provided to the Conservation Commission 2 days prior to the event.

_____ Two (2) days prior to the event, the course conditions will be inspected. If trails are wet, the event will be cancelled or re-routed to avoid wet conditions.

_____ Inspection of trail conditions will be with the Conservation Commission's representative prior to and after the event. Trails will be returned to pre-event conditions within 7 days following the event.

_____ The event will be cancelled if rain occurs after the inspection or on the day of the race

_____ All litter will be removed within 24 hours following the event

_____ A map of the planned route and a copy of the Certificate of Insurance is attached

_____ Trail markings shall be non-permanent

_____ Organizers are responsible for providing police and traffic control, medical facilities and provisions for port-a-potties at their expense.

NOTE: Submit application with sufficient time for staff to obtain the following approvals prior to presenting to the Conservation Commission.

Highway Superintendent

Date

Police Chief

Date

Fire Chief

Date

Event Point of Contact

Date

Conservation Commission

Date

Exeter Conservation Commission
May 10, 2022
Nowack Room
Exeter Town Offices
10 Front Street
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, David Short, Alyson Eberhardt, Conor Madison, Select Board representative Nancy Belanger, Don Clement, Alternate, Kyle Welch, Alternate and Bill Campbell, Alternate (remotely).

Staff Present:

Mr. Koff called the meeting to order at 7:09 PM.

2. Public Comment (7:00 PM)

Mr. Koff asked if there were any questions or comments from the public related to non-agenda matters and there was none.

Action Items

1. Exeter Trail Race (Ri Fahnestock)

Ri Fahnestock presented the request on behalf of the Exeter Trail Race Committee with directors Sarah Sallade and Chris Dunn to use the trails for the race, which is proposed for Father’s Day, the 3rd Sunday in June. The details are the same as in the past but with COVID protocols. Race times will be posted on the board. He welcomed a representative from the Commission to set up a table and/or review trail conditions before the race. He doesn’t expect any impact issues or impending weather.

Mr. Koff asked how many runners there typically were and Mr. Fahnestock noted usually 100. There are two great courses, one long and one short. The long course goes into Oaklands and the short course into Henderson Swasey. Protocols are discussed at the pre-race meeting and there are aide stations and water. Same day registration is available and refunds for those who registered but can’t come to the race.

Mr. Koff noted Alternates Don Clement and Kyle Welch would be active voters.

43 **Mr. Short motioned to approve the event agreement for Exeter Trail Race on June 18, 2022. Mr.**
44 **Clement seconded the motion. A roll call vote was taken: Eberhardt – aye, Welch – aye, Clement –**
45 **aye, Koff – aye, Mattera – aye, Short – aye and Madison – aye. The motion passed unanimously 7-0-0.**
46

47 2. Wetland and Shoreland Conditional Use Permit applications for five pole replacements within the
48 existing A126 Electric Transmission Line corridor, Exeter NH (Kristopher Wilkes)
49

50 Kristopher Wilkes from VHB presented the applications on behalf of Eversource for a wetlands and
51 shoreland conditional use permit recommendation to the Planning Board. Mr. Wilkes noted the project
52 is to replace wooden pole structures with weathered steel in the same H-frame design but with a slight
53 height increase of 5-15.’
54

55 The first structures he noted are off Pine Road and access will be via a gated access to the ROW. There
56 will be some temporary wetland impact. Timber matting will be used around the access road and work
57 pad.
58

59 There is a prime designated wetland between Lines #201 and #200 with temporary impacts to get to
60 #200 and buffer impacts of 100’ and 40’ in the Town Wetlands Conservation District.
61

62 There are two structures west of Captain’s Way, #166 and #167 which will utilize existing trails for
63 access, which will have timber matting placed, to line #167. There is an unnamed perennial stream
64 running north to south channelizing at the edge of the ROW, not well defined, inundated. The flow will
65 pass freely under the mats but there will be buffer impact in the wetland and in shoreland protection
66 area because of the stream, within the 150’ buffer. BMP will use erosion controls prior to the start of
67 work with wildlife friendly options, biodegradable mats that won’t tangle turtles and snakes. VHB will
68 hold training with the contractor and do inspections and reports.
69

70 Mr. Wilkes noted that a state permit is being pursued as well, statutory permit by notification. The
71 project is scheduled to start mid-July.
72

73 Jeremy Pennell from Eversource explained how the work area would be closed to the public for safety
74 and methods of communicating that through the Facebook Page and physical signage. Mr. Short
75 recommended a temporary reroute of the part of the red trail. Mr. Koff advised that Kristen Murphy the
76 Natural Resource Planner should be notified of the time frame.
77

78 Ms. Eberhardt asked about soil disturbance, reseeding and managing spread of invasives. Mr. Wilkes
79 explained the methods VHB utilizes with the contractors to minimize disturbance, erosion and invasives
80 and returning the area to the condition it was prior to commencement of the project. He noted the area
81 bounces back quickly without seeding and does not recommend introducing shrubs especially if they are
82 non-native because they would need to be maintained and not cut during mowing. Purple Loose Strife
83 and Glossy Buckthorn were among the invasives noted. Mr. Koff noted there is knotweed in the parking
84 area. Mr. Wilkes noted equipment and mats are cleaned off before being moved. Equipment is
85 delivered to the site clean.
86

87 Ms. Eberhardt asked to describe the dynamic of oversight and Mr. Wilkes noted they have been using
88 the same contractors for about five years and written reports are provided to Eversource with most
89 action items fixed on the ground and a record of those items in the report.

90
91 Ms. Eberhardt asked if the mats were stiff enough to go over. Mr. Wilkes described the size of the mats
92 16'x4' and how an abutment is created on either side. Mr. Koff noted there will be very little flow in July
93 short of a major rain fall event. Mr. Wilkes noted the contractors would likely not work on a day with
94 extremely wet conditions.

95
96 Mr. Koff summarized the three impact areas with 7,000 SF of direct impact and 26,000 SF of temporary
97 buffer impact. The Commission reviewed the eight conditions. There was no alternative design with
98 less impact due to the guardrail on Route 101 and lack of shoulder being a safety concern. Mr. Wilkes is
99 a wetland scientist and stamped the plan as to the function and values assessment he did not see
100 anything other than temporary as it will be dry during that time of the year, so it is the right time of year
101 to do this.

102
103 Mr. Koff asked about wildlife habitat in the prime wetland and Mr. Wilkes described a lot of scrub shrub
104 and the Deer Hill Wildlife Management Area in Brentwood nearby which was formed to mitigate
105 another wetland project. Mr. Wilkes did the data check with NHB, and no plants were identified, and
106 they are working with Fish & Game concerning rare turtles and black racer and also with training crews
107 to recognize and report observations. A visual walkthrough is done to make sure species are not up in
108 the equipment. Mr. Koff noted the project is not detrimental due to its temporary impact the area will
109 rebound quickly. Mr. Koff noted he is satisfied with the efforts to minimize impacts and there is no
110 threat to public health, safety and welfare with the coordination of the trail closure and rerouting and
111 notification to the public. He noted Fort Rock Riders would be another group to communicate with. Mr.
112 Koff reviewed #6 and noted there is no increase elsewhere – not applicable. #7 no grading is proposed,
113 and restoration efforts were discussed. Mr. Wilkes described how the old poles would be cut to the
114 ground and the butt left in the ground in the impacted areas. #8 State permits are in process.

115
116 Mr. Madison noted he would be recusing himself from voting. Mr. Koff activated Alternate Bill
117 Campbell.

118
119 ***Mr. Koff motioned that the Commission after reviewing this application recommends that the wetland***
120 ***conditional use permit be recommended for approval with the condition that the trail closure and***
121 ***notification be coordinated with Natural Resource Planner Kristen Murphy prior to the***
122 ***commencement of work. Mr. Short seconded the motion. A roll call vote was taken: Campbell – aye,***
123 ***Short – aye, Koff – aye, Mattera – aye, Eberhardt – aye, Welch – aye, Clement – aye. The motion***
124 ***passed unanimously 7-0-0.***

125
126 Mr. Koff noted a memo would be drafted to the Planning Board with the Commission's
127 recommendations.

128
129 Mr. Wilkes presented the request for the Shoreland CUP. Mr. Koff noted there is a stream west of
130 Captain's Way with 7,300 SF of impact within the 150' shoreland buffer. Mr. Koff referenced the five

131 criteria for granting the recommendation concerning preserving surface water quality and not causing
132 unhealthful conditions. Mr. Koff noted there appears to be enough sediment control. In a major rainfall
133 Mr. Wilkes noted work would stop for the day. There is no discharge of wastewater on site. Mr. Wilkes
134 detailed the BMPs for refueling vehicles in appropriate locations and procedures for spill reporting. Mr.
135 Wilkes discussed the rare species and work with Fish & Game. Mr. Koff asked about water bird species
136 because of Deer Hill and Mr. Wilkes noted they are not on that side of the road, and no access to open
137 water. That habitat does not exist in the work area.

138
139 Mr. Koff reviewed Article 9.3.4 and 9.3.1 and asked if there were any questions from the public at 8:25
140 PM and being none closed the hearing to the public for deliberations.

141
142 **Mr. Koff motioned that the Commission after reviewing this application recommends that the**
143 **shoreland conditional use permit be recommended for approval to the Planning Board. Mr. Clement**
144 **seconded the motion. A vote was taken, the motion passed unanimously 7-0-0.**

145

146 3. Committee Reports

147

148 a. Property Management

149

150 i. Milkweed for Whites Meadow – Expenditure approval (if desired) (shipping cost only)

151

152 Ms. Murphy reported she reapplied for the grant the Commission was not awarded last year
153 and was surprised to be selected. The plants would be distributed at Monarch Watch Stations.
154 There are 160 plants. The project would be labor intensive to prepare the site. Mr. Murphy
155 detailed the success of a similar planting in another area which she did not feel was greatly
156 successful. Water would need to be hauled out to the plants throughout the summer. She
157 noted they would do things differently than they had at the Morrisette property and put out pin
158 flags and make sure they did not have to compete with other plants. Mr. Campbell noted a
159 couple of good spots grew out, but Ms. Murphy noted it wasn't what you would expect with 700
160 plants. However now there is a good seed source out there. Ms. Eberhardt noted Ginny Raub
161 had success with her plantings and that method may be the way to go. Ms. Murphy noted the
162 change in mowing practices.

163

164 Ms. Murphy noted that the Town would get \$450 worth of plants and only pay \$50 for shipping.

165

166 Mr. Clement asked if they could be distributed to residents and Ms. Murphy noted they must be
167 at designated Monarch Watch Stations and the requirements for not distributing to areas that
168 are not registered.

169

170 The Commission agreed that the project was more work than they could take on right now.

171

172 b. Trails

173

174 i. Trail Work Day Report – Expenditure Approval – Trail Bridge Fasteners

175
176 Mr. Short reported the bridge was done two weeks ago and all that is left is the cleanup and he
177 has spoken to Jay Perkins with DPW. The wood supply was donated from a condo deck
178 refurbishment in Kingston so there was only the cost of reimbursing for the hardware.

179
180 Mr. Koff noted Alternates Welch and Clement were voting.

181
182 **Mr. Koff motioned to reimburse \$113.38 from the Conservation Fund for the screws. Mr.**
183 **Mattera seconded the motion. A roll call vote was taken, all were in favor, the motion passed**
184 **unanimously 7-0-0.**

185
186 Mr. Short provided a handout of the trail network. He noted the rogue trail is not an issue next
187 to the plank bridge. Mr. Short discussed a trail that could be closed down and is not needed
188 between BLT and the Demoralizer and recommended getting these removed off the trail apps
189 (Trail Forks). Mr. Short will contact Toby and ask him to contact the admin. Mr. Koff explained
190 how expansions happen and promote rutting. Mr. Short noted Jolly Rand is muddy and
191 discussed drainage work done there at one time and ditches that have filled in with leaves over
192 the years and could use some bridging.

193
194 Mr. Koff recommended closing Side of Lettuce and asked if more blazing was needed on BLT. He
195 noted a trail west of Jim Bob which could be closed. The trails have had much more use since
196 COVID. Patrons are being courteous and not parking in the 3C1 lot. Mr. Koff thanked Mr. Short
197 for all that work.

198
199 c. Outreach Events

200
201 i. Alewife Festival 5/14

202
203 Mr. Koff noted the Alewife Festival is scheduled for Saturday from 9-1 at Founder's Park and the
204 temperature is forecast to be a high of 88. There will be activities for the kids at the library and
205 with the Tree Committee and other environmental tables. Fish & Game will be showing native
206 fish. The winners of the Alewife Run Guess the Date will be in the running to win a Kayak, t-
207 shirts can be ordered and Sawbellies is selling \$10 pint glasses which if brought to their location
208 get those who present their glass, a free beer. There is a Kayak Tour at the Town Boat Ramp. A
209 waiver will be signed, and a life jacket is required. No pre-registration.

210
211 Mr. Clement noted he talked to Eric Turner at the DPW will be doing highlights of the
212 Wastewater Treatment and a side trip up Wheelwright Creek.

213
214 Mr. Koff noted there will be environmental films, the Sustainability Committee, DES Climate,
215 Exeter TV with Bob Glowacky's film and Wastewater Treatment updates.

216
217 Ms. Murphy noted there will be a Food Truck - Winnies, offering breakfast food, and music from
218 12-1.

219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262

Mr. Koff and Mr. Mattera will be running the DES groundwater flow model and the Enviroscope models that show how pollutants move and affects of groundwater. Ms. Murphy will print sea rise maps and some trail maps will be available for Raynes and Little River.

ii. Geocaching Event Planning – TBD

The Commission discussed how to get started with geocaching by finding the first ten before placing your own. There is an app to download, and a flyer can describe the date, meeting place and description.

4. Approval of Minutes:

i. March 8, 2022 Meeting

Mr. Clement motioned to approve the March 8, 2022 meeting minutes. Mr. Koff seconded the motion. A vote was taken, all were in favor, the motion passed unanimously 7-0-0.

ii. April 12, 2022 Meeting

Mr. Koff motioned to approve the April 12, 2022 meeting minutes. Mr. Mattera seconded the motion. Mr. Clement abstained. The motion passed 6-0-1.

5. Correspondence

Mr. Koff thanked Tom Patterson and Kristen Osterwood for their service to the Commission the last two years and noted there are openings for three vacancies, two alternates and one voting member. He recommended Kyle Welch could be moved up by the Select Board to a voting member. Mr. Campbell and Mr. Clement noted they were happy with their alternate status. The next Select Board meeting is on the 31st. Mr. Clement noted they are also looking for reps for Exeter Squamscott River Advisory Committee (can have up to 4).

Mr. Campbell noted that Julie Gilman sent a memo concerning HB 307, concerning legislation by the governing body as to the use of firearms on municipal property. Ms. Murphy discussed the Conservation Deeds which did not permit hunting which are not affected and the effect on not being able to restrict properties that do not regulate in the deed already. A letter could be sent by the Commission to voice their concerns or individuals could write to their state reps and/or the Governor. Ms. Belanger recommended reaching out to individual representatives and also the Governor in case it was to pass, comments are open electronically.

6. Other Business

Mr. Koff announced the passing of former Select Board Representative Anne Surman and thanked her for her hard work for the Town, her concern for the community touched a lot of people.

263
264 Ms. Murphy reported she is having difficulty getting a response to the RFP that went out for Raynes
265 Farm and is hoping for some feedback from contractors. The price of materials has gone up
266 significantly and contractors are backlogged with other projects. She will contact the LCHIP
267 representatives for suggestions.

268
269 7. Next Meeting: Date Scheduled (6/14/22), Submission Deadline (6/3/22)
270

271 Adjournment

272
273 MOTION: Mr. Koff moved to adjourn the meeting at 9:36 PM seconded by Mr. Mattera. A vote was
274 taken, all were in favor, the motion passed unanimously.

275
276 Respectfully submitted,

277
278 Daniel Hoijer, Recording Secretary
279 Via Exeter TV

280
281 This meeting was also presented virtually Zoom ID 848 3795 0762



Kristen Murphy <kmurphy@exeternh.gov>

Cemetery cleaning workshop with NH Old Graveyard Association

1 message

Jacquelyn Benson <jacquelynbenson@gmail.com>

Sat, Jun 4, 2022 at 12:18 PM

To: ConservationChair@hamptonfalls.org, townadministrator@hamptonfalls.org, wmanzi@seabrooknh.org, selectmen@southhamptonnh.org, info@southhamptonnh.org, gruelle@eastkingstonnh.gov, EKconservation@gmail.com, EKcemeteries@gmail.com, kensingtoncemetery@gmail.com, evynathan@comcast.net, heritagecommission@kingstonnh.org, kmurphy@exeternh.gov, kensingtonhxsociety@gmail.com, rdean@exeternh.gov, conservehampton@gmail.com, inquiries@hamptonnh.gov, jsullivan@hamptonnh.gov

Greetings. I'm writing because I wanted to extend an invitation to a workshop for cemetery old stone resetting and proper cleaning taking place on June 26th in Kensington from 4:00 PM to 6:00 PM. We will be meeting at Kensington's Upper Yard, next to the town hall. There is ample parking in the lot across from the town hall. From there we will proceed down the road to the Lower Yard cemetery.

The workshop is being given by John Lord of the NH Old Graveyard Association and will cover resetting of old cemetery stones that have fallen or become skewed, as well as safe, proper cleaning methods for old slate and marble stones.

We would welcome any of your cemetery trustees, conservation commission, public works, heritage or historic society members to join us for the workshop. I was not able to find email addresses for all of the departments in your respective towns, so if you see that someone is missing from this email and you believe they would be interested, please feel free to forward it. We would also be happy to welcome any interested officials from other towns I have not included here!

If you would like to join us, please email me at Kensingtoncemetery@gmail.com.

All the best,

Jackie Benson
Kensington Cemetery Trustee
603.944.2033



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



Town Manager's Office

JUN - 6 2022

Received

June 1, 2022

Dave Richards
14 Hobart Street
Exeter, NH 03833

Re: Reported Alleged Violation
Land Resources Management File Number: 2022-01500
Subject Property: 14 Hobart Street, Exeter, Tax Map #74, Lot #88

Dear Mr. Richards:

The New Hampshire Department of Environmental Services' (NHDES) Land Resources Management Program has received a complaint of possible violations on your property. The complaint alleges that you or your agent have dredged the Little River by removing trees and vegetation in the river without a permit or proper authorization from NHDES and removed vegetation beyond the permissible limits of the protected shoreland of Little River. This letter is to notify you of this complaint and to provide you with an opportunity to respond.

We find no record of a permit being issued under your name for the work described above, but realize that a permit may have been obtained under another name, the work may be exempt from the below regulations, or the information provided to NHDES may be unfounded. If work has been performed without a permit or proper authorization, you are requested to voluntarily refrain from carrying out any additional work, except for the installation of siltation and erosion controls, until NHDES further investigates this matter.

Pursuant to RSA 482-A, a wetlands permit from NHDES shall be posted on site prior to excavating, removing, dredging, filling, or constructing any structure in or on any bank, flat, marsh, bog, or swamp, in and adjacent to waters of the state or within 100 feet of a designated prime wetland where a 100-foot buffer was required at the time of designation.

Pursuant to RSA 483-B, a shoreland permit or permit by notification is required from NHDES prior to conducting certain construction, excavation, and filling activities within the protected shoreland.

If there is a violation, NHDES has the authority to take enforcement action. **Within 20 days of the date of this letter**, please provide your comments in writing; submit a copy of any permits, plans, or other information related to this matter; and reference the above file number on all correspondence.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588
TDD Access: Relay NH 1 (800) 735-2964

File # 2022-01500

June 1, 2022

Page 2 of 2

This case has been added to our inspection list. Should you have any questions, please contact me at neil.bilodeau@des.nh.gov or (603) 559-1513. Further information about NHDES programs may also be found at the NHDES website: www.des.nh.gov.

Sincerely,



Neil Bilodeau
Compliance Specialist
Land Resources Management Program
Water Division

cc: Exeter Conservation Commission
~~Exeter Select Board~~