

**TOWN OF EXETER
PLANNING DEPARTMENT MEMORANDUM**

Date: May 10th, 2024
To: Conservation Commission Board Members
From: Kristen Murphy, Conservation & Sustainability Planner
Subject: May 14th, Meeting

1. Foss

The applicant came before the Conservation Commission for conceptual review on [July 11 2023](#). The design was modified to include the storage facility and was reviewed twice by the Technical Review Committee. In the first review the application included an under-pavement stormwater gallery which was modified prior to the second review to add filter media to address nitrogen and phosphorus removal. The current proposal reflects replacement of the under-pavement gallery with porous asphalt. The applicant's representatives have communicated they anticipate submitting for the Planning Board on 5/15 for the May 23rd Planning Board meeting, but at this time our consultant engineers have not reviewed the revised porous asphalt design. The applicant has however provided UNH Stormwater Center removal efficiencies in their submission letter. Inclusion of the porous asphalt has decreased the overall impervious cover within the shoreland district to 15.3%.

Suggested Motion:

_____ *We have reviewed the Wetland Conditional Use Permit application and ARE IN SUPPORT of the application (as proposed) (with the following amendments):*

_____ *We have reviewed the Wetland Conditional Use Permit application and ARE NOT IN SUPPORT of the application as noted below:*

2. Letter of Support – ARM Grant – River Run

This project was also before you on the July 11th meeting (link above) for a wetland application for bank stabilization along the Exeter River. The Commission at that time voted unanimously (5-0-0) in support of the application. They have been actively working with the community to reduce peak stormwater runoff volume through rainbarrel installations and more. They will be present to provide an update on the project since your last presentation and are seeking your support for an ARM Grant application.

Suggested Motion:

_____ *We authorize the Chair to submit a letter in support of the grant application for the presented efforts.*

3. Letter of Support – Rugg Property

As presented at the last meeting, there are several avenues of funding being applied to in support of the Rugg property acquisition. To facilitate the grant application process, it would help to have authorization on behalf of the Conservation Commission for the Chair to provide letters of support for

these grant applications. They will include but may not be limited to: LCHIP, Drinking Water Ground Water Trust Fund and for the Town's application to the State Clean Water Revolving Fund.

Suggested Motion:

_____ *We authorize the Chair to submit letters in support for upcoming grant applications to aid in providing funding for the acquisition of the Rugg property for conservation and recreation purposes.*

4. Approval of Expenditure – Spring Tree program

Peter Waltz has provided Lincoln Street School students with a tree seedling for the past 33 years and the Conservation Commission has previously provided the funding for the seedlings. In 2024, he purchased \$253.80 in seedlings. I am seeking your support for reimbursement of that expense.

Suggested Motion:

_____ *We approve the expenditure of up to \$253.80 for the reimbursement for seedling purchase in support of the Spring Tree program from Conservation land Administration line item.*

70 Portsmouth Avenue
3rd Floor, Unit 2
Stratham, N.H. 03885
Phone: (603)-583-4860
Fax: (603)-583-4863

TRANSMITTAL

Town of Exeter
10 Front St.
Exeter, NH 03833

Date: May 3, 2024
Project: NH-1471
Location: 127 Ports Ave.
Via: Hand Deliver

Items:

Attached: For Conservation Commission Submittal

We are sending you the following items:

- 1 – Copy of Letter of Explanation**
- 1 – Copy of Full-Size Plans (8-sheets)**
- 1 – Copy of Half-Size Plans (8-sheets)**
- 1 – Copy of Application for CUP – Wetlands Conservation Overlay District**
- 1 – Copy of Application for CUP – Shoreland Protection District**
- 1 – Copy of Wetland Delineation Report**

Comments:

Transmitted by: Christian O. Smith, PE.

**70 Portsmouth Avenue
3rd Floor, Suite 2
Stratham, N.H. 03885
603 – 583 - 4860
Fax: 583 - 4863**

May 3, 2024

Chairman
Town of Exeter Conservation Commission
10 Front Street
Exeter, NH 03833

RE: Letter of Explanation
Foss Motors - Proposed Vehicle Storage Area & Accessory Storage Use
Tax Map 0052 Lot #: 112.2

Members of the Commission:

The applicant is proposing a commercial vehicle storage area at the front of the lot to increase inventory at 127 Portsmouth Avenue, along with a connecting driveway to the existing Foss Motors vehicle display lot. Additionally, a 22,500 square foot accessory storage use building is proposed towards the rear of the lot to be served by municipal water & sewer. The parcel consists of 6.24-acres which is encumbered by 150-foot and 300-foot municipal Shoreland Protection District (SPD) buffers adjacent to the Exeter Reservoir as well as wetland pockets and associated buffers. Disturbance and impacts associated with the proposed development requires applications for Conditional Use Permits for both the Wetlands Conservation Overlay District and Shoreland Protection District. Wetland and shoreland impacts are shown on the provided plans and applications.

We met with the Planning Board for a preliminary consultation in June 2023 and with the Conservation Commission in July 2023 to review the project and obtain feedback prior to embarking on full engineering design. Since then, we have completed the site design, attended two rounds of Technical Review Committee (TRC) meetings, and responded to two rounds of comments by both the TRC and Underwood Engineering. Changes associated with these consultations have included the reduction of impervious surfaces, including the removal of a drive aisle around the building and revising the parking area to porous pavement. Additionally, roof runoff is now directed to a stone infiltration trench along the south side of the building.

In terms of stormwater, the entire water quality volume from the proposed parking area and building will be infiltrated into the ground following treatment. In addition to the removal rates associated with an infiltration trench which are 90% of Total Suspended Solids (TSS), 55% of Total Nitrogen (TN), and 60% of Total Phosphorus (60%), a bioretention filter media is provided within the trench to remove an additional 90% of TSS, 65% of TN, and 65% of TP. The porous pavement removal rates are 90% of TSS, 60% of TN, and 65% of TP. These removal efficiencies rates are per the NHDES Stormwater Handbook and meet the Town of Exeter requirements. All treated stormwater will be discharged downstream of the Exeter Reservoir.

We understand that both the Conservation Commission and Planning Board would like to schedule a site walk to review the current site and discuss the proposed improvements. We would suggest a combined site walk to expedite the process and bring both groups together.

We look forward to presenting this project to you in the near future.

Thank you for your consideration.

Very truly yours,
BEALS ASSOCIATES, PLLC

Christian O Smith

Christian O. Smith P.E.
Principal

Town of Exeter



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

February 2017



Town of Exeter Planning Board Application

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

SUBMITTAL 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: Meniscus Financial Holdings, LLC
	Address: 133 Portsmouth Avenue, Exeter, NH 03833
	Email Address: TimFoss@FossCars.com
	Phone: (603) 475-4339
PROPOSAL	Address: 127 Portsmouth Avenue, Exeter, NH 03833
	Tax Map # <u>52</u> Lot# <u>112-2</u> Zoning District: <u>C-2</u>
	Owner of Record: Meniscus Financial Holdings, LLC
Person/Business performing work outlined in proposal	Name: Same as Applicant
	Address:
	Phone:
Professional that delineated wetlands	Name: Brendan Quigley - Gove Environmental Services, Inc.
	Address: 8 Continental Drive, Building 2 Unit H, Exeter, NH 03833
	Phone: (603) 778-0644

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)

Foss Motors proposes to construct a commercial site plan consisting of vehicle storage/display and a 22,500 sf accessory use storage building, along with associated landscaping, drainage, utilities, and lighting on a currently vacant lot bordering Waterworks Pond.

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 checked="" type="checkbox"/> PD	<u>304</u>
	<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>6,336</u>	<input checked="" type="checkbox"/> PD	<u>45,420</u>
	<input type="checkbox"/> Inland Stream	_____	<input type="checkbox"/> Inland Stream	_____

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

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.

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9.1.6 B. Conditions:

1. That the proposed use is permitted in the underlying zoning district;
2. That the use for which the permit is sought cannot feasibly be carried out on a portion or portions of the lot which are outside the Wetlands Conservation Overlay District;
3. The proposed impact has been evaluated in the context of the relative “value” of the wetland, including its ecological sensitivity, as well as its function within the greater hydrologic system. To the extent feasible, the proposed impact is not detrimental to the value and function of the wetland(s).
4. That the design, construction and maintenance of the proposed use will, to the extent feasible, minimize detrimental impact on the wetland or wetland buffer and that no alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer is feasible;
5. In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use, that the landowner agrees to restore the site as nearly as possible to its original grade and condition following construction;
6. 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;
7. That all required permits shall be obtained from the New Hampshire Department of Environmental Services Water Supply and Pollution Control Division under NH RSA §485-A: 17, the New Hampshire Wetlands Board under NH RSA §483-A, and the United States Army Corps of Engineers under Section 404 of the Clean Water Act.

**70 Portsmouth Avenue
3rd Floor, Suite 2
Stratham, N.H. 03885
603 – 583 - 4860
Fax: 583 - 4863**

May 3, 2024

Chairman
Town of Exeter Planning Board
10 Front Street
Exeter, NH 03833

RE: Wetlands Conservation Overlay District Conditional Use Section 9.1.6.B
Foss Motors - Proposed Vehicle Storage Area & Accessory Use Storage Building
Tax Map 0052 Lot #: 112.2

Members of the Board:

As part of the Application for Conditional Use Permit for disturbances within the Wetlands Conservation Overlay District, the following addresses the conditions of Article 9.1.6.B of the Exeter Zoning Ordinance:

9.1.6.B Conditions:

1. The proposed vehicle storage and accessory use storage building are accessory uses to the permitted Auto Dealership in the C-2 Zone.
2. The use cannot be feasibly carried out on portions of the lot completely outside the Wetland Conservation Overlay District (WCOD). Due to wetlands on either side of the long narrow lot, the majority of the lot is within the WCOD and cannot be avoided.
3. The proposed layout has been designed to minimize wetland and WCOD impact to the maximum extent possible, but cannot be configured to be completely outside the WCOD due to the existing wetland boundaries. None of the wetlands being impacted are considered high value. Refer to Gove Environmental Services wetland report for additional information.
4. The design, including construction and maintenance, has been configured to minimize any detrimental impact on the wetlands and buffers where possible. There is not a feasible design layout for this property that would avoid impacting the wetlands or buffers as they extend throughout the parcel.
5. The proposal will not create a hazard to individual, or public health, safety, or welfare due to the loss of the man-made, minimal function & value wetlands, and their associated buffers.

6. There is not an opportunity to increase wetland buffers elsewhere on site as those areas are already developed.
7. Where disturbance is temporary or adjacent to the immediate use, those areas will be restored as nearly as possible to the original grade and condition following construction.
8. NHDES Wetlands Dredge and Fill permit will be filed and will be strictly adhered to throughout construction.

Thank you for your consideration.

Very truly yours,
BEALS ASSOCIATES, PLLC

Christian O Smith

Christian O. Smith P.E.
Principal

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.

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	Email Address: TimFoss@FossCars.com
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PROPOSAL	Address: 127 Portsmouth Avenue, Exeter, NH 03833
	Tax Map # <u>52</u> Lot# <u>112-2</u> Zoning District: <u>C-2</u>
	Owner of Record: Meniscus Financial Holdings, LLC
Person/Business performing work outlined in proposal	Name: Same as Applicant
	Address:
	Phone:
Professional that delineated wetlands	Name: Brendan Quigley - Gove Environmental Services, Inc.
	Address: 8 Continental Drive, Building 2 Unit H, Exeter, NH 03833
	Phone: (603) 778-0644

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)

Foss Motors proposes to construct a commercial site plan consisting of vehicle storage/display and a 22,500 sf accessory use storage building, along with associated landscaping, drainage, utilities, and lighting on a currently vacant lot bordering the Waterworks Pond.

Shoreland Protection District Impact (in square footage):

Water Body	Waterworks Pond	
Temporary Impact	<input checked="" type="checkbox"/> 300 Foot SPD <u>714</u> <input type="checkbox"/> 150 foot SPD _____ <input type="checkbox"/> SPD Building Setback _____ <input type="checkbox"/> 75 Vegetative Buffer _____	
Permanent Impact	<input checked="" type="checkbox"/> 300 Foot SPD <u>67,947</u> <input checked="" type="checkbox"/> 150 foot SPD <u>12,268</u> <input checked="" type="checkbox"/> SPD Building Setback <u>22,500</u> <input type="checkbox"/> 75 Vegetative Buffer _____	
Impervious Lot Coverage	SF of Lot within District <u>178,758</u> SF of Impervious within District <u>25,205</u> % of Impervious within District <u>14.1%</u>	Excluding Building 2,705 1.5%

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

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.

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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.

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Fax: 583 - 4863**

May 3, 2024

Chairman
Town of Exeter Planning Board
10 Front Street
Exeter, NH 03833

RE: Shoreland Protection District Conditional Use Section 9.3.4.G.2
Foss Motors - Proposed Vehicle Storage Area & Accessory Storage Use
Tax Map 0052 Lot #: 112.2

Members of the Board:

As part of the Application for Conditional Use Permit for disturbances within the Shoreland Protection District, the following addresses the conditions of Article 9.3.4.G.2 of the Exeter Zoning Ordinance:

9.3.4.G.2. Conditional Uses:

- a. The proposed development will not detrimentally affect surface water quality to Water Works Pond or Wheelwright Creek, or result in unhealthful conditions due to the proposed stormwater management system that meets the Town of Exeter's requirements. In addition, no snow will be plowed towards or stored within the Shoreland Protection District (SPD) that does not enter the stormwater system.
- b. The project will solely discharge domestic wastewater through the municipal sewer system. There will be no on-site storage or disposal of hazardous or toxic wastes at the project site.
- c. The proposed development will not result in any damage to spawning grounds or other habitat. Refer to Gove Environmental Services wetland report for additional information.
- d. The layout has been designed to minimize disturbance within the SPD and complies with use regulations identified in Article 9.3.4 with the exception of the following which are part of this Conditional Use Permit request:
 - a. Maximum Lot Coverage: The maximum impervious lot coverage is limited to 10% where we are requesting an impervious lot coverage of 15.3%. This is a reduction from the previous design's 44.3% lot coverage with the removal of the access road around the building and the introduction of porous pavement in the main parking area.

- b. 300-foot Buildings Setback: The proposed building is within the 300-foot building setback from the shoreland of Water Works Pond.

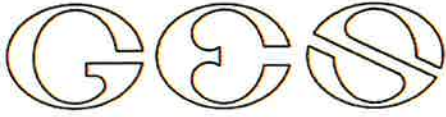
- e. Given the fact that the access road to the reservoir and gun club exists between the proposed development and the river, we feel recreational and aesthetic values associated with the shoreline and river environment are preserved and the intent and purposes cited in Article 9.3.1 are met.

Thank you for your consideration.

Very truly yours,
BEALS ASSOCIATES, PLLC

Christian O Smith

Christian O. Smith P.E.
Principal



GOVE ENVIRONMENTAL SERVICES, INC

April 30, 2024

Chairman
Town of Exeter Planning Board
10 Front Street
Exeter, NH 03833

Subject: Wetland Delineation Report and Supporting Information
Foss Motors - Proposed Vehicle Storage Area & Accessory Storage Use
Tax Map 52 Lot 112-2
127 Portsmouth Avenue
Exeter, NH

Members of the Board:

This report is being submitted in connection with a proposal by Foss Motors to construct a vehicle storage area and accessory building on the above-referenced property. The following sections provide an overview of the wetland resources associated with the property and evaluation of the proposed impacts within the context Section 9.1 and 9.3 of the Exeter Zoning Ordinance (Wetland Conservation and Shoreland Protection Districts).

WETLAND DELINEATION

Resource areas on the property were delineated in October of 2023 by Gove Environmental Services 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).

Wetland boundaries were surveyed by **Doucet Survey** and are depicted on the plans submitted separately for the Shoreland Wetlands CUP applications. The identified wetland areas are depicted on the attached figure and have been given unique designations for the purpose of discussion. Several photos of the wetlands have also been included.

A Wetlands

The two "A" wetlands are the only two wetlands on the site which appear to be natural and relatively undisturbed. Both are forested wetlands dominated by Red Maple. Wetland A1 contains an intermittent stream which originates west of Holland Way and flows through a long culvert under the front of the site. Wetland A2 is the uppermost portion of a small, forested wetland adjacent to Waterworks Pond Road. The lower portion of this wetland appears to be impounded by Waterworks Pond Road.

B Wetlands

The “B” wetlands all have characteristics of drainage features or wetlands that may have been induced by drainage or grading from adjacent development. Wetlands B1 through B3 are clearly constructed stormwater management features consisting of swales adjacent to the GTE road and a detention pond. These areas should not be included in the Wetlands Conservation Overlay District (WCOD) per Section 9.1.3.D of the Exeter Zoning Ordinance. Although the remainder of the B wetlands (B4 through B6) lie in graded areas adjacent to the existing development and may function as drainage features it is not clear that they were intentionally constructed as drainage features. These areas should therefore be included in the WCOD. All these areas are dominated by emergent, herbaceous vegetation such as cattail, purple loosestrife, soft rush, and other graminoid species.

C Wetlands

Wetland Areas C1 and C2 are somewhat different. C1 appears to be a small sink hole which satisfies the technical requirements of a wetland but otherwise lacks wetland function and is completely isolated. C2 is essentially a small section of open channel between the outfall of the pipe from Wetland A1 and another culvert under Waterworks Pond Road, a distance of about 30 feet. This area constitutes a brief continuation of the intermittent stream from Wetland A1 but otherwise lacks wetland characteristics.

VERNAL POOLS

The wetlands were inspected for vernal pool activity on 4/3/24 and 4/9/24 following confirmed emergence of obligate vernal pool species in the area. No vernal pool indicators were observed in the wetlands on the site.

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 inherent 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 indicate 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.

The primary function supported by all the wetlands at this site is protection of water quality. A significant factor in this determination is the location immediately upslope of the reservoir. The character of the wetlands themselves is another significant factor. All the “B” wetlands lack a diverse plant community, lie directly adjacent to existing development, and function as stormwater management features, some having clearly been specifically created for that purpose. These areas lack other wetland characteristics that would support other functions and values so water quality is the only function of the “B” wetlands. Wetland A1 stands out as the most valuable wetland on the site because it is both a natural wetland and because it is associated with a stream. A more diverse and natural plant community associated with a stream enables both water quality function and some wildlife habitat support. Despite also being a relatively natural wetland, the wildlife habitat and water quality function of wetland A2 is much more limited because of its small size and isolated condition. It is difficult to identify any real wetland function in the “C” series of wetlands.

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 following sections provide an analysis of these impacts in the context of the CUP criteria, Article 9.1.6.B.3 (Wetlands) and Article 9.3.4.G.2 (Shoreland) of the Town of Exeter Zoning Ordinance.

Wetland Conservation District CUP Criteria--Article 9.1.6.B.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.

A functional evaluation of the wetlands is provided in the previous sections of this letter. The primary function of all the resource areas on the site was determined to be related to water quality with secondary wildlife habitat function is supported in Wetlands A1 and A2 only. The proposed direct wetland impacts may result in some loss of water quality function supported in the impact areas themselves. This will be more than compensated for by the modern comprehensive stormwater management that is also being proposed for the project. The impact proposed to Wetland C1 will have no effect on wetland function as no real function could be identified in this small sinkhole. The proposed impact to Wetland A2 occurs at the upgradient “point” of this wetland and leaves the lower portion where ponding occurs intact. This wetter area is the focus of the minor wildlife habitat supported in this area and the proposed impact area will be revegetated. The potential effects on the limited wildlife habitat supported in this area will be very minimal.

Wetland A1, which has been identified as the most functional wetland on the site, will be left undisturbed with only minor disturbance in its buffer to install an outflow for the proposed stormwater management. This minor impact will occur in an area currently vegetated by bramble and weedy herbaceous species which can be expected to quickly recover following construction. There will be no impact to the forested or otherwise naturally vegetated wetland buffer, therefore preserving its protective qualities for the wildlife habitat supported in the wetland. Although far less wetland function can be attributed to Wetland C2, a similar situation exists. The temporary impact adjacent to this area for slope regrading will be revegetated, retaining the majority of its function.

The remainder of the proposed buffer impacts will have no appreciable impact on wetland function or the overall hydrologic system for several reasons. Other than the impact described at A1 and A2, most of the buffer impact is associated with wetlands which will be entirely removed by the project. Rather than evaluating the effects of a such impacts on the wetlands themselves (which will no longer exist) it makes more sense to consider the issue more broadly as the loss of vegetated buffer and conversion to impervious surface, especially given the primary water quality function identified in all of the wetland areas. Buffer impacts located in developed areas or where temporary in nature will have no effect on water quality function in the greater hydrologic system. Where such impacts result in the loss of vegetated buffer the loss of water quality function will be compensated for by the proposed stormwater management system as was noted for the direct wetland impacts themselves.

Shoreland Protection District CUP Criteria--Article 9.3.4.G.2—*The proposed use will not result in undue damage to spawning grounds and other wildlife habitat.*

The Shoreland Protection District on this site is associated with Waterworks Pond and Wheelwright Creek which originates at outflow from the reservoir’s dam. Wildlife habitat in the Shoreland Protection District is very unlikely to be significantly affected by the proposed work. Approximately half of total proposed impact with the is either within developed areas or consists of open field or similar maintained area. These areas do not appreciably contribute to the wildlife habitat associated with the two water bodies. Even the proposed impacts to forest area and the shrubby growth along the southwest edge of the property are incurred in in areas that are already largely disconnected from the waterbodies by the Waterworks Pond Road and related infrastructure. Spawning habitat, to the extent it exists, will not be



affected as there will be no impact to the water bodies themselves or to vegetation near the water which promotes shade, bank stability, and habitat at the water line.

The most relevant factor in the protection of wildlife and maintenance of habitat in the waterbodies is the protection of water quality. This is also a primary concern given the location adjacent to a public water supply. The protection of these interests was considered at the forefront during the design of the project. The site has been graded so that no runoff will be directed toward the reservoir. The proposed stormwater management system will collect and treat all runoff and will discharge downstream of the reservoir. This will ensure protection of the important water quality interests associated with the reservoir and general habitat in downstream resources.

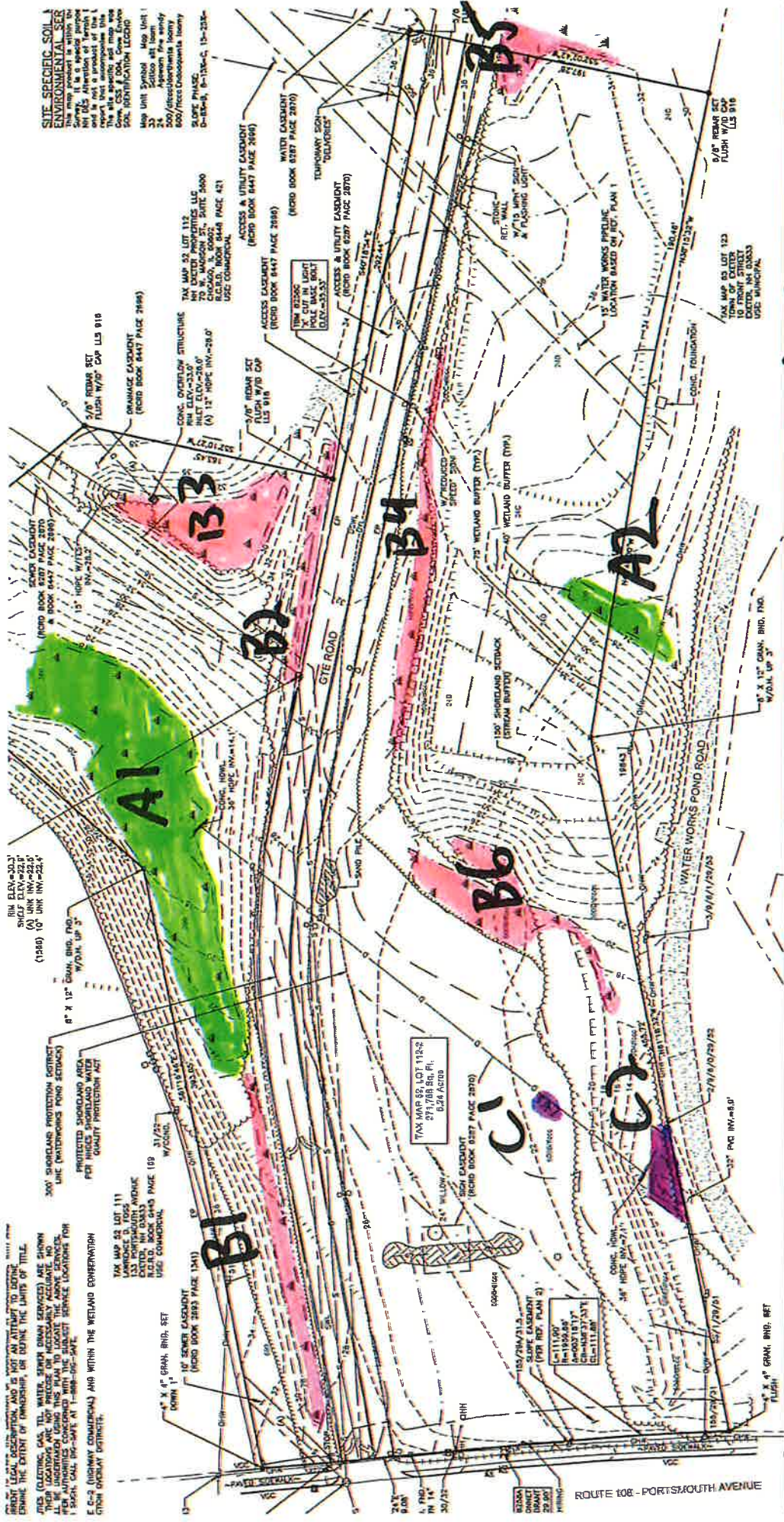
This concludes the wetland delineation report for this site. If I can be of further assistance, please feel free to contact me at (603) 778-0644.

Sincerely,



Brendan Quigley, NHCWS
Gove Environmental Services, Inc.

Enc: Wetland Areas Sketch
Photographs



1. SITE LEGAL DESCRIPTION, AND IS NOT AN ATTEMPT TO DEFINE THE EXTENT OF OWNERSHIP, OR DEFINE THE LIMITS OF TITLE. THESE LOCATIONS ARE NOT PRECISE OR NECESSARILY ACCURATE. NO FIELD SURVEY HAS BEEN CONDUCTED TO VERIFY THESE LOCATIONS. FOR MORE INFORMATION, CONTACT THE ENGINEER AT 1-888-065-SAVE.

2. E-C-2 (HIGHWAY COMMERCIAL) AND WITHIN THE WETLAND CONSERVATION DISTRICT.

3. 300' SHORELAND PROTECTION DISTRICT (LINE INTERSECTIONS POND SETBACK) FOR HIGHLY SHORELAND WATER QUALITY PROTECTION ACT.

SITE SPECIFIC SOIL & ENVIRONMENTAL SURVEY
 This is a special purpose survey. It is a special purpose report that accompanies the site identification legend. The site specific soil map was prepared by the following:
 SOIL IDENTIFICATION LEGEND
 Map Unit Symbols Map Unit 1
 23 23000 all from
 24 Approach the sandy
 200/1000000000 heavy
 200/1000000000 heavy
 SOIL IDENTIFICATION LEGEND
 0-1000, 10-1500, 15-2000

TAX MAP 52, LOT 112
 70' W/15' H/15' SIDE
 CHICAGO, IL 60602, SHITE 5400
 RECD. BOOK 8448 PAGE 421
 USE COMMERCIAL

TAX MAP 52, LOT 112
 70' W/15' H/15' SIDE
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 USE COMMERCIAL

Wetland Areas Key Plan

ROUTE 108 - PORTSMOUTH AVENUE



Photo 1-- Swale at beginning of GTE Road that will need to be crossed to provide access from adj. Foss Motors Site (Wetland B1)



Photo 2— Upper part of Wetland A1 just below swale



Photo 3--Looking down into the main body of Wetland A1 from GTE Road



Photo 4--Wetland B4. Wetland B2 (swale) and B3 Basin lie to the left of the Road just outside the frame



Photo 5—Upper part of Wetland B6



Photo 6—middle part of Wetland B6



Photo 7—Wetland C1

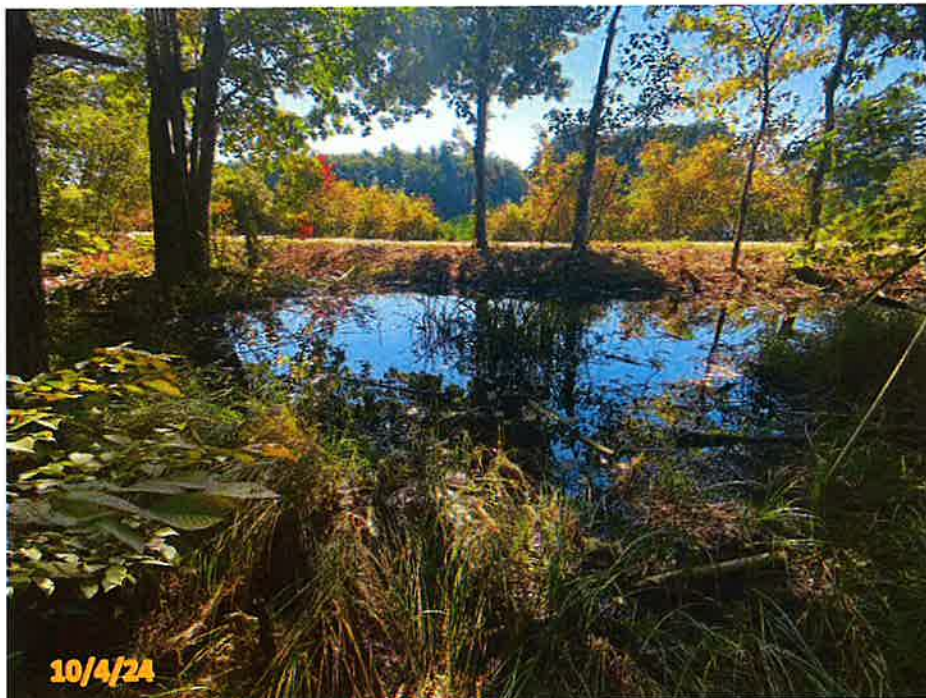


Photo 4--Wetland A2

1 Exeter Conservation Commission

2 April 9, 2024

3 Novak Room

4 10 Front Street

5 7:00 PM

6 Draft Minutes

7
8 **Call to Order**

9
10 1. Introduction of Members Present (by Roll Call)

11
12 Present at tonight’s meeting were by roll call, Chair Andrew Koff, Vice-Chair Trevor Mattera, Dave Short,
13 Kyle Welch, Nick Campion, Connor Madison, Keith Whitehouse, Alternate Sean Torrez, Alternate
14 Michelle Crepeau, Alternate Valorie Fanger, Alternate Bill Campbell, and Alternate Don Clement
15 (remotely).

16
17 Staff Present: Kristen Murphy, Conservation and Sustainability Planner

18
19 Mr. Koff called the meeting to order at 7:00 PM, and introduced the members.

20
21 2. Public Comment

22
23 There was no one from the public present.

24
25 **Action Items**

26
27 1. Rugg Property Update – Grants Timeline

28
29 Duane Hyde of SELT provided a handout of the memorandum updating the next steps and timeline of
30 the project. He noted there were two parcels of land, one in each town, moving forward concurrently.

31
32 Lynnette Batt (appeared remotely) and reported that Article 1 of the Newfields Warrant passed with a
33 67% vote in March and Exeter’s Article 24 passed with an 88% vote so the project will be moving ahead.
34 Referencing page two of the timeline she indicated that grant applications will be prepared at the end of
35 May. Last year applications submitted to the Drinking Water and Groundwater Trust Fund were denied
36 but they encouraged them to reapply in 2024. She noted they would be applying to L-CHIP this year for
37 both Newfields and Exeter under separate funding applications. She noted the third application would
38 be to the NH Clean Water State Revolving Fund Loan which would be the same funding structure as the
39 Town of Newfields with a portion of likely loan forgiveness and a portion repayable loan principal. This
40 application would be due in May. The full L-CHIP application would be due in June.

41
42 Ms. Batt reported that the terms were agreed to with Ruggs and the next step is a Purchase and Sales
43 Agreement with a soft date of June 1st and to get the boundary issue resolved which has no update. She

44 noted grant awards would be notified this fall and then Exeter would have a town vote in March of
45 2025. Closing would be mid-2025.

46
47 Ms. Batt noted that they will be at the next Select Board meeting and would like a Conservation
48 Commission representative to discuss the community forest planning process. Mr. Koff and Mr. Welch
49 indicated they were interested. Mr. Short indicated he would be present at the Select Board meeting.

50
51 Ms. Batt indicated that she applied for \$400,000 in funding which is congressionally directed through
52 Senator Shaheen and Representative Pappas.

53
54 Ms. Batt explained reasons for applying for LWCF funding on the Newfields side of the project with the
55 goal that the towns not compete against each other but be equally funded. Ms. Batt noted with L-CHIP
56 however the reviewer would look at the applications concurrently and it was their suggestion to do
57 different applications, but they will probably review them as a single project. They indicated \$500,000
58 was unlikely last year and after consulting with them a lot on this, the ask was reduced a bit with
59 \$350,000 for Newfields and \$100,000 for Exeter, although they may award less but 50 acres would be
60 added as a bigger component.

61
62 Mr. Short asked about the boundary issues and the map showing the parcels. Ms. Batt noted what was
63 shown was what the homeowner believes to be accurate and what the application is based on but will
64 be updated if that changes. Mr. Short questioned whether having the boundary issues resolved would
65 make a more compelling application. Ms. Batt noted she hoped by the time the application was
66 submitted in late May or early June, the issue would be resolved.

67
68 Ms. Batt noted they would like to return to the Conservation Commission's next meeting on May 14th
69 and work on letters of support. They will be appearing before the Select Board on April 15th and on April
70 29th to hopefully get authorization to proceed with the SRF loan and get letters of support and an
71 authorized representative. She noted the Trust for Public Land would submit and administer the grant
72 but the state revolving fund would have the town be the applicant.

73
74 Ms. Batt noted a sub-committee could be put together. She would like to set up conversations with
75 both towns in July, if Exeter wants to be part of a joint community forest.

76
77 2. Rider Letter of Agreement

78
79 Duane Hyde of SELT noted that Lori Sommer will be taking the lead on the Rider project as Jeremy Lougee
80 has left for a job with a national group.

81
82 Mr. Hyde noted the LOA spells out the roles and responsibilities of SELT as the project manager and
83 baseline and the town's funding responsibility. Ms. Murphy noted legal had reviewed the LOA and that
84 when the time comes the easement will be worked out and executed by the Select Board.

85

86 Ms. Murphy noted \$500,000 was awarded from the state as part of the drinking water grant and
87 \$25,000 from local protection leaving the town contribution. A \$15,000 grant from Great Bay Resource
88 Protection Partnership will be applied for. Mr. Hyde noted the application is due next month.

89

90 MOTION: Mr. Short motioned that after reviewing the LOA the Commission authorize the Chair to sign
91 on their behalf. Mr. Mattera seconded the motion. A vote was taken, all were in favor, the motion
92 passed 7-0-0.

93

94 3. Committee Reports

95

96 a. Property Management

97

98 i. Raynes Farm Stewardship Committee Update

99

100 Ms. Murphy supplied a copy of the Committee's meeting minutes and next steps. She indicated
101 the \$20,000 Mooseplate grant would fund clapboard replacement on the west side of the barn
102 by a separate contractor who would be familiar with Secretary of the Interior standards and
103 match the south side. An RFP would go out. \$75,000 would be needed to complete the project.
104 Because there is a historic resource pot and a conservation pot the town would not be
105 competing against the Rugg grant application with L-CHIP.

106

107 Ms. Murphy recommended scheduling a site walk with the members at the barn but did not
108 recommend a public meeting because of all of the equipment and work underway. Mr.
109 Campbell recommended having Bob Glowacky film a segment so the public could see it.

110

111 Ms. Murphy indicated mowing would be done as an early cut.

112

113 Ms. Murphy noted Ben Anderson held a walk at the Word Barn that was well attended and the
114 1st week of May would be ideal if the Commission wanted to do one.

115

116 b. Trails

117

118 Mr. Koff noted the trails were still pretty wet. Mr. Welch noted there was a lot of debris and
119 encouraged walkers to kick small sticks to the side so they wouldn't get caught in bike parts.

120

121 Mr. Welch noted there were 6-7 people at the monthly Recreation walk at Gilman Park. The next
122 walk will be on April 24th.

123

124 c. Outreach Events

125

126 i. Consideration of expenditure – Alewife Banner

127

128 Ms. Murphy indicated she had a list of over 20 attendees. She noted the cardboard sign will
129 need to be replaced and hopes to have one at the entrance to Founder’s Park and a second at
130 another location but has to get permission first.

131
132 MOTION: Mr. Koff motioned to expend up to \$100 for the event banners from the Conservation
133 Fund. Mr. Mattera seconded the motion. A vote was taken, all were in favor, the motion
134 passed 7-0-0.

135
136 ii. Earth Day Town Wide Clean Up 4/15-22

137
138 Ms. Murphy noted that Public Works will have vests, gloves and trash bags. Ms. Murphy will be
139 in front of Town Hall on the 20th. Trash can be brought to the Transfer Station or Public Works
140 can be contacted for pick up on Monday.

141
142 iii. Alewife Festival – May 11, 2024 10a-1p

143
144 Ms. Murphy noted there will be a virtual check-in meeting before the event. Greg Bisson will
145 have some tables for those who might need them. Mr. Welch noted there will be a wildlife
146 photographer present and if anyone else wants to display their work to contact Ms. Murphy.

147
148 iv. Citizen’s Science Project – River Herring Migration Count

149
150 Ms. Murphy reported there was training last weekend and 32 people came. She noted that
151 those who are interested can shadow a volunteer and contact Ms. Murphy. The time slots are
152 ten minutes any day of the week.

153
154 v. SST Student Clean Up – 5/13, 5/15, 5/21

155
156 Ms. Murphy noted there were three potential dates on the 13th, 15th and 21st and she would like
157 to have a helper. Mr. Welch indicated he could help. There are two classes from 7:30 to 11:30.

158
159 d. Other Committee Reports (River Study, Sustainability, Energy/CPAC, Tree, CC Roundtable)

160
161 Ms. Murphy indicated she hopes River Study will present the Pickpocket Dam Feasibility Study at the
162 Alewife Festival.

163
164 Mr. Mattera indicated he went to the River Study presentation and noted feedback will be pooled
165 and put into a document by the consultant and Mr. Vlasich.

166
167 The Sustainability and Energy Committee met in early March and may meet quarterly or semi-
168 annually together. Ms. Murphy noted the Sustainability Committee is looking for members and to
169 contact her if interested. She discussed the proposal for a Styrofoam collection event and the
170 potential grant for equipment to be purchased.

171

172 4. Expense consideration – NHACC Dues

173

174 MOTION: Mr. Koff motioned to expend \$875 for the NHAC dues from the Conservation Fund. Mr.
175 Mattera seconded the motion. A vote was taken, all were in favor, the motion passed 7-0-0.

176

177 5. Approval of Minutes – March 12, 2024 Meeting

178

179 Ms. Murphy recommended edits.

180

181 MOTION: Mr. Koff motioned to approve the March 12, 2024 meeting minutes, as amended. Mr. Short
182 seconded the motion. A vote was taken, all were in favor, the motion passed 7-0-0.

183

184 6. Correspondence

185

186 There were no updates outside of agenda items.

187

188 7. Election of Officers (Chair, Vice-Chair, Treasurer/Clerk)

189

190 Mr. Campbell nominated Dave Short as Chair. Mr. Koff nominated Connor Madison as Vice-Chair. Mr.
191 Madison nominated Mr. Koff as Treasurer/Clerk. Mr. Campion seconded the motion. A vote was taken,
192 all were in favor, the motion passed 7-0-0.

193

194 **Other Business**

195

196 Next Meeting; Date Scheduled 5/14/24, Submission Deadline 5/3/24

197

198 8. **Adjournment**

199

200 MOTION: Mr. Koff motioned to adjourn the meeting at 8:30 PM. Mr. Short seconded the
201 motion. A vote was taken, all were in favor, the motion passed 7-0-0.

202

203 Respectfully submitted,

204 Daniel Hoijer, Recording Secretary

205 Via Exeter TV, Zoom ID 850 7175 6499