

Exeter Conservation Commission
August 13, 2024
Novak Room
10 Front Street
7:00 PM
Draft Minutes

Call to Order

1. Introduction of Members Present (by Roll Call)

Present at tonight’s meeting were by roll call, Chair Dave Short, Vice-Chair Conor Madison, Trevor Mattera, Kyle Welch, Nick Campion, Keith Whitehouse, Alternate Valorie Fanger, Alternate Michele Crepeau, Alternate Bill Campbell, and Select Board Representative Dan Chartrand.

Staff Present: Kristen Murphy, Conservation and Sustainability Planner

Chair Short called the meeting to order at 7:00 PM, activated alternate Valorie Fanger, and introduced the members.

2. Public Comment

Action Items

1. Continued discussion of a Wetland and Shoreland Conditional Use Permit application for a proposed Vehicle Storage Area and Accessory Storage at Tax Map 52, Lot 112.2 for Foss Motors.

Chair Short read out loud the Public Hearing Notice.

Christian Smith of Beals Associates indicated that present with him were Brendan Quigley and Tim Foss. Mr. Smith presented the revised plan for a parking lot and building for Foss Motors. He noted that all pavement was out of the 150’ shoreland area and the building was reduced. There would be a retaining wall and stormwater and infiltration trench. He noted that he contacted Underwood Engineering (UEI) and stated that they concurred with their assessment on stormwater treatment.

Kristen Murphy read an email from UEI summarizing the meeting with Beals Assoc.,. She noted UEI was less concerned with underdrains with the decreased size. With regard to the removal of nitrogen, UEI indicated the underdrain had no effect on pollutant reduction which occurs in the layer above, in the filter course. She indicated the design had a removal value of 96% for total suspended solids and 75% for nitrogen and 77% phosphorous. UEI indicated the nitrogen requirement would be met if they kept up on maintenance and they arranged to have a landscaper vacuum the system twice a year.

Mr. Smith indicated he received no formal response from UEI.

44 Mr. Smith indicated that the parking area was shifted slightly toward GTE Road.
45
46 Ms. Fanger asked about the 150' shoreland versus the 300' shoreland area. Mr. Smith indicated that the
47 entire property is in the 300' district and the design pulled things up as far outside the buffer as they
48 could.
49
50 Chair Short read out loud a letter received from member Drew Koff who indicated that he felt the
51 reduced design was minimal and not enough to change his mind. There was only a 10% reduction in
52 building size, impact to wetland buffer, drain to drinking water supply and he is not supportive of the
53 shoreland use permit. He would be okay with the parking lot but would like to see the building removed
54 completely due to the proximity to and sensitivity of the reservoir.
55
56 Mr. Smith reviewed elevations and drainage area in the front of the building. He showed the diversion
57 ditch and slightly higher shoulder.
58
59 Chair Short commented that the ditch disappears, after about 100', and no longer exists and water flows
60 back.
61
62 Chair Short asked about the disturbance limits during construction and Mr. Smith indicated the darker
63 arched line and limit of tree clearing.
64
65 Ms. Fanger asked about the percentage of impervious surface. Mr. Smith indicated there was existing
66 impact of over ½ due to GTE Road. He pointed out the impervious surface on the roof and entryways.
67
68 Chair Short asked if there were any plans for a loading dock and Mr. Smith indicated no, there is a
69 garage door in the rear and off GTE Road. There will be no big trucks making deliveries and the building
70 would likely be underserved for a few years.
71
72 Ms. Fanger asked if there would be any auto servicing and Mr. Smith indicated no, only storage of new,
73 dry auto parts.
74
75 Ms. Fanger indicated she was still concerned with wetlands and buffer impacts of 40,000 SF.
76
77 Brendan Quigley of Gove Environmental reviewed the impact areas shown on the plan in orange. He
78 pointed out the swale created with GTE Road and a tiny pocket he referred to as a small hole in the field.
79 He noted natural wetlands to the north. He pointed out the small pocket subject to buffer impact which
80 he described as not super valuable but important to water quality. He pointed out stormwater
81 treatment and that everything was reduced from the previous design. Mr. Quigley showed grading
82 which would be restored with a seed mix.
83
84 Ms. Fanger indicated the entire building is in the permanent wetland impact area. Mr. Quigley agreed
85 this was impacting the entire wetland and did not see any reason to focus on functions and values
86 relative to the buffer itself if the wetland was filled.
87

88 Mr. Campbell stated that while he was not voting, he found that developing a 20,000 SF building
89 in the buffer is contrary to why we have a buffer. He showed a map of the original subdivision showing
90 the buildable area and asked if the committee saw it.

91 Ms. Murphy indicated that she sent the 2022 subdivision showing how the parcel became a lot.

92

93 Mr. Madison questioned the amount of reduction of impacts by reducing the building area from 22,500
94 SF to 20,000 SF.

95

96 Mr. Quigley indicated there was a 549 SF reduction in wetland impacts, permanent wetland buffer
97 reduction of 9,700 SF, temporary buffer reduction would be the same for stormwater management, and
98 the shoreland impact for the building would be reduced by 2,500 SF. He noted permanent shoreland
99 pavement reduction of 7,585 SF, 150' surface setback for grading of 5,484 SF and addition of 46 SF of
100 temporary impact shown in pink. The entire project was in the 300' shoreland area.

101

102 Mr. Quigley referenced the site walk and that the wetland along the road was not in the woods but
103 more of a grassy swale next to the road.

104

105 Mr. Madison noted he was less concerned with wetland impacts than with the shoreland buffer zone
106 and was not sure a 2,000 SF change was significant enough. He indicated that he appreciated their
107 getting out of the 150' shoreland area but would like to see more reduction of the building size.

108

109 Mr. Madison asked if there had been any state permitting and Mr. Smith indicated he would pursue
110 local first to see if there were any revisions.

111

112 Mr. Mattera agreed with Conor and Drew that the shoreland is important, as is the quality of water
113 being protected. He stated that the building sticks out like a sore thumb. He would like to see a design
114 that pulls out of the sensitive resources the ordinance is designed to protect.

115

116 Mr. Whitehouse agreed and stated that during the site walk he could see where it's going in a rainstorm,
117 the building is the thing and he was sorry but that he could not do it in his mind. He noted that he
118 would support the parking lot but not the building.

119

120 ***Ms. Fanger motioned that after reviewing the shoreland CUP application that the Commission is not in***
121 ***support of the application due to the fact that it is not a minor encroachment of the building and***
122 ***parking lot within the 300' protection area and impervious of over 10% and concerns with stormwater***
123 ***impact.***

124

125 ***Mr. Madison requested to revise the motion to take out the 10% based on Mr. Smith's answer.***

126

127 ***Ms. Fanger withdrew her motion.***

128

129 ***Ms. Fanger motioned that after reviewing the shoreland CUP application the Commission is not in***
130 ***support of the application due to the fact that it is not a minor encroachment with most of the***
131 ***building and parking lot within the 300' shoreland area protecting Water Works Pond and concerns***

132 **with stormwater impact. Mr. Madison seconded the motion. A vote was taken, all were in favor, the**
133 **motion passed 7-0-0.**

134
135 **Mr. Madison motioned that after reviewing the Wetland CUP the Commission is not in support of the**
136 **application due to 5,000 SF of wetland impact.**

137
138 **Ms. Fanger requested to revise his motion.**

139
140 **Mr. Madison withdrew his motion.**

141
142 **Ms. Fanger motioned that after reviewing the Wetland CUP the Commission is not in support of the**
143 **application because we are asking for an alternative design to the site and also this design takes out**
144 **5,000 SF of wetlands and 3,500 SF of wetlands buffer. Mr. Madison seconded the motion. A vote was**
145 **taken, all were in favor, the motion passed 7-0-0.**

146
147 Ms. Murphy recommended that a representative attend the Planning Board meeting on the 22nd at 7
148 PM. Mr. Madison indicated he would attend.

149
150 2. Major Impact Standard Dredge and Fill Wetland Permit Application for Dade Auto Holdings at 146
151 Portsmouth Avenue., for a commercial auto dealership (Cindy Balcius, SRE, Inc.)
152 Tax Map 51-1 3-3, 3-4

153
154 Chair Short indicated that the applicant withdrew the dredge and fill application. Ms. Murphy noted
155 that a site walk had been scheduled at 146 Portsmouth Avenue and the applicant emailed requesting to
156 defer to a future meeting. Because the wetland clock started with the state, she recommended issuing
157 a letter to the state voicing the Commission's concerns.

158
159 Ms. Murphy indicated that the applicant did not file the local CUP application first and the state is not
160 responsible for considering Exeter's local shoreland buffers. The applicant has been informed about the
161 inaccuracy of their statement that the design meets the Exeter shoreland district regulations. The
162 applicant showed the 150' shoreland and 300' shoreland intersecting on the plan and they can't. She
163 discussed this with them this morning to clarify how the regulations apply, and that the wetland is
164 contiguous, and they should take a look onsite. She informed the applicant that they would need more
165 information. There is no stormwater management proposed for the 2-3 year time period that the fill
166 will sit in place during the settling phase.

167
168 Ms. Fanger stated she would question if auto service would happen there because its prohibited in the
169 shoreland and she also questions if there would be underground storage of petroleum. She referenced
170 the protected brooks in the impact area.

171
172 Ms. Fanger asked if the applicant was required to apply with the state first and Mr. Madison explained
173 there are different ways to apply for the permit while Exeter prefers that local be done first it is feasible
174 to go to the state first. He indicated that they don't need Conservation Commission approval for dredge
175 and fill. He noted for under one acre the time with the state is 50 days for approval and over an acre, 75

176 days. The Commission won't meet before the state deadline on 9/3. He recommended the Commission
177 send a letter to the state then we will be copied on the response. Ms. Murphy recommended
178 authorizing the chair to sign a letter to the state that reflects the commission's position. Mr. Madison
179 will draft the letter indicating the Commission would like to see the Priority Resource Area (PRA)
180 addressed as it is contiguous to the brook, the large stormwater concerns, the error in statement about
181 meeting the town's shoreland regulations and interest in having the opportunity to meet with the
182 application before action being taken by the state. Mr. Chartrand recommended including that the PRA
183 is connected to the Great Bay area. Mr. Madison noted the brook is a prime wetland.

184
185 Mr. Mattera expressed concerns with the transitional marsh migration path. There is fresh water there
186 and saltwater close by, but with sea level rise it will become brackish and saltish.

187
188 **Mr. Mattera motioned to authorize the Chair, to sign a letter that reflects the concerns that includes**
189 **the presence of a priority resource area as a wetland adjacent to the Tier 3 Stream, prime wetland,**
190 **connection to Great Bay, concerns over stormwater during the settling, that the statement concerning**
191 **meeting Exeter's shoreland protection district regulations when it does not, opportunity to discuss the**
192 **application with the applicant before the state takes action, and potential impact to a transitional**
193 **marsh migration pathway. Mr. Campion seconded the motion. A vote was taken, all were in favor,**
194 **the motion passed 7-0-0.**

195
196 4. Committee Reports

197
198 a. Property Management

199
200 i. Research Request Approval – Fisher study Oaklands in Little River (REDC) see email from
201 William Chrisman

202
203 Ms. Murphy indicated receiving and approval of an email requesting a fisher study at Oaklands
204 Little River Conservation Area to have access to conduct the study with trapping and radio
205 collaring to study population and habitat use. There would be low impact permission
206 contingent upon no motorized vehicles, checking traps daily, no trace of equipment, labeling
207 and identifying traps with contact and project information. Exeter would have no liability but
208 would get a copy of the report.

209
210 ii. Request for mowing expenditure - \$1,825

211
212 Ms. Murphy reported that she received an estimate from Dave O'Hearn for mowing for \$1,825.
213 He recommended a single late season mowing to keep up with woody growth.

214
215 **Mr. Short motioned to authorize the expense for roadside mowing. Mr. Mattera seconded the**
216 **motion. A vote was taken, all were in favor, the motion passed 7-0-0.**

217
218 iii. Raynes Farm Updates (LCHIP Grant, LGT Restoration)

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5

220 Ms. Murphy reported that she received an estimate from LGT Restoration for exterior clapboard
221 trim replacement and painting, for \$18,200 covered by the Moose Plate grant. She
222 recommended including the fire suppression system installation cost and annual alarm
223 monitoring in the budget and seeking funding from the Town for the remaining item, the
224 staircase another time because LCHIP approval would not happen until after December.

225
226

227 b. Trails

228

229 Chair Short noted that due to a property transfer a portion of the trail crossing on the Oaklands Trail
230 crossing Newfields would be closed because it went through Bill Connor's property, but the new
231 owner doesn't want it. It is part of the red trail. Chair Short showed the location on the map and
232 indicated where signs should go. Ms. Murphy will put it on the website and Facebook page.

233

234 i. Volunteer project request – Sig Sauer

235

236 Ms. Murphy reported that she received a request from Sig Sauer for a volunteer project for ten
237 people and Toby said bridge work is needed in the Town Forest.

238

239 c. Outreach Events

240

241 i. Tri-Town Kayak Event proposed for 9/21 or 9/28

242

243 Ms. Murphy reported that she received a request from the Town of Brentwood for Exeter to
244 participate in a tri-town kayak event on 9/21 or 9/28 starting at Pickpocket Dam and going
245 upstream.

246

247 Ms. Crepeau noted that Exeter River has a lot of snags and Squamscott would be better but is
248 tide driven. Mr. Mattera indicated the times for the tides (computing the two-hour difference)
249 at 6-6:30 PM on 9/21 and 1:00 on the 28th.

250

251 Mr. Chartrand recommended thanking them but explaining it would be tough to coordinate.
252 Mr. Welch questioned if one location for the event would be better together.

253

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

255

256 Ms. Murphy recommended renaming the Facebook page because there is also information posted
257 on energy and sustainability. She will recommend potential names at the next meeting.

258 5. 2025 Budget

259

260 Ms. Murphy proposed a level funded budget with increases for the mowing and fire detection
261 installation and annual alarm monitoring, \$13,515 for fire suppression system installation and \$700 per
262 year for monitoring.

263
264 Chair Short agreed it would be foolish to do all that work at Raynes and not protect a dry wooden
265 structure. Mr. Chartrand indicated he would be happy to advocate for the increase with the Select
266 Board.
267
268 Mr. Campion recommended keeping the \$2,050 land administration in.
269
270 **Ms. Fanger motioned that the Commission put forward the budget level funded with increases for fire**
271 **suppression, and contract services line for the alarm monitoring and, roadside mowing. Chair Short**
272 **seconded the motion. A vote was taken, all were in favor, the motion passed 7-0-0.**
273
274 6. Approval of Minutes July 9, 2024 Meeting
275
276 Spelling of names were corrected.
277
278 **Chair Short motioned to approve the July 9, 2024 minutes as amended. Mr. Welch seconded the**
279 **motion. A vote was taken, all were in favor, the motion passed 7-0-0.**
280
281 7. Correspondence
282
283 a. SELT – Rider Property Survey
284
285 Ms. Murphy reviewed the adjustment to the map concerning the discrepancy on the
286 Kensington side on the second page which shows Great Brook will be protected including an
287 additional seven acres. There will be an expansion of the exclusion area.
288
289 b. Update – 8 Thistle – Public Comment at July meeting follow up
290
291 Ms. Murphy reported that the Planning Board had authorized once a year mowing. A letter
292 went out. She noted that she could not waive regulations or what the Planning Board
293 authorized. She would like the buffer discs replaced and would like to meet with the
294 owners but has not heard back.
295
296 c. NH DOT Herbicide Application
297
298 Ms. Murphy reported receiving a DOT application for herbicide treatment on bridges. The
299 deadline is August 16th to comment.
300
301 **Other Business**
302
303 Next Meeting; Date Scheduled 9/10/24, Submission Deadline 8/30/24
304
305

306 8. Adjournment

307

308 MOTION: Chair Short motioned to adjourn the meeting at 8:48 PM. Mr. Welch seconded the
309 motion. A vote was taken, all were in favor, the motion passed 7-0-0.

310

311 Respectfully submitted,

312 Daniel Hoijer, Recording Secretary

313 Via Exeter TV

314 Webinar ID 847 5898 6265