

Exeter Conservation Commission  
October 8, 2024  
Novak Room  
10 Front Street  
7:00 PM  
Approved Minutes

**Call to Order**

1. Introduction of Members Present (by Roll Call)

Present at tonight's meeting were by roll call, Chair Dave Short, Andrew Koff, Trevor Mattera, Keith Whitehouse, Alternate Valorie Fanger, Alternate Kyle Welch, Alternate Michele Crepeau, Alternate Bill Campbell, Alternate Don Clement (remotely) 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 and introduced the members. Alternates Michele Crepeau and Kyle Welch were active.

2. Public Comment

**Action Items**

1. Review of State Wetland Dredge and Fill and State Shoreland Permit applications from Foss Motors for a proposed Vehicle Storage Area at Tax Map 52, Lot 112.2 (Brendan Quigley)

Chair Short read out loud the Public Hearing Notice. He noted the applicant appeared previously but the Commission did not approve the Conditional Use Permits and indicated that to the Planning Board. Mr. Madison attended the Planning Board meeting on behalf of the Commission. The building which was previously proposed was taken away and the Planning Board felt the new plan satisfied the criteria.

Brendan Quigley of Gove Environmental presented the application which he noted was summarized by Chair Short. Mr. Koff noted he was not present in August and asked if the parking lot design had changed to pervious, and Mr. Quigley indicated yes, with minor changes he pointed to on the plan, with underdrains for treatment. He noted there were small areas with regular pavement. He noted 3,327 SF of total impact and pointed to those areas on the plan. He noted Wheelwright Creek was not on the State's list of Shoreland protected water bodies but the Reservoir is. He noted the 150' buffer is barely impacted with 91% of vegetation and 1.5% of the lot in the shoreland and engineered stormwater treatment. He noted the total area of the lot is 115,813 SF and the proposed disturbance is 31,000 SF including the areas being graded and not paved and includes road disturbance. He calculated 1,804 SF of impervious surface.

44 Mr. Mattera noted that the plan has gone back and forth a few times and he appreciates the work that  
45 has gone into the design changes and removal of some of the sticking points. He stated that he  
46 commended the design we ended up with.

47  
48 MOTION: Chair Short motioned that the Commission has no objection to the state dredge and fill  
49 application as proposed. Mr. Mattera seconded the motion. A vote was taken, all were in favor, the  
50 motion passed 7-0-0.

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52 MOTION: Chair Short motioned that the Commission has no objection to the Shoreland application as  
53 proposed and will send a memo to the state. Mr. Mattera seconded the motion. A vote was taken, all  
54 were in favor, the motion passed 7-0-0.

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56 2. Major Impact Standard Dredge and Fill Wetland Permit Application for 28,418 SF of permanent  
57 wetland impact and 7,636 SF of temporary wetland impact for Dade Auto Holdings at 146 Portsmouth  
58 Ave. for a commercial auto dealership located at Tax Map 51-3-4 (Cindy Balcius, SRE, Inc.)

59  
60 Chair Short read out loud the Public Hearing Notice.

61  
62 Cindy Balcius of SRE, Inc. presented the application on behalf of Dade Auto Holdings. She noted that  
63 they appeared on 12/13/22 with plans for the new building next to Exeter Volvo with 34,520 SF of  
64 permanent impact at the time and did a pre-application with the state wetland's bureau and looked for  
65 mitigation. She showed the existing conditions plan and referenced the site walk tonight, highest  
66 observable tideline and prime wetlands, 100' buffer, 100' tidal buffer (state setbacks) and 250' DES  
67 shoreland. She noted the plan stayed away from the higher functioning wetlands and Parkman Brook.  
68 She noted 28,418 SF of permanent impact and 7,636 SF of temporary. Ms. Balcius explained surcharging  
69 for the structural support of the new building. She noted future high tides. She noted the stormwater  
70 treatment system met town regulations and were reviewed by Ms. Murphy and the town engineer who  
71 are working on that now. An AoT application will be done. She noted DES likes the \$220,000 in lieu fee.  
72 She noted more information was requested from the state concerning flagging wetlands.

73  
74 Ms. Fanger asked about the shoreland boundary being worked out not. Ms. Balcius indicated the state  
75 was aware but was not on the state plan. Ms. Murphy indicated there were concerns about the  
76 deadline expiring before the memo from the Commission was sent. Chair Short noted that the state  
77 responded that the Commission's questions be answered.

78  
79 Ms. Crepeau asked about underground petroleum tanks and Ms. Balcius indicated there was not any  
80 planned to her knowledge.

81  
82 Mr. Koff asked who was on the site walk and Chair Short indicated himself, Mr. Welch, Ms. Crepeau and  
83 Ms. Murphy.

84  
85 Mr. Koff indicated the big fill was concerning and asked about the temporary fill for surcharging. Ms.  
86 Balcius explained that there would be one growing season then the black cloth would be removed. Ms.  
87 Murphy noted the engineering firm concurred 1-3 years. Ms. Balcius stated that as an example if put in

88 in December it doesn't have to be removed until October of the following year. She indicated that she  
89 did not know where the fill was coming from but there are specifications.

90

91 Ms. Fangor asked about the back land possibly becoming conservation and Ms. Balcius indicated the  
92 owner was considering that. Mr. Mattera noted that marsh migration lends a chunk of value to the area  
93 behind it.

94

95 Ms. Murphy read some of the questions submitted by Conor Madison. He questioned the estimated  
96 time for dewatering, stormwater controls, and exposed soil. **Ms. Balcius indicated she will have a plan  
97 showing stormwater at that process and can have an engineer answer his questions.** She indicated an  
98 example of use of Geotech fabric is a Rochester industrial park. Ms. Balcius showed the delineations on  
99 the first page and noted flood plain wetlands are not out there.

100

101 Ms. Murphy noted that Mr. Madison asked about a tidal application with sea level rise and the retaining  
102 wall or removing the wall. Ms. Balcius noted the site elevation and current drainage level of Exeter  
103 Volvo and the commercial district around it. She noted that retaining walls, from an avoidance and  
104 minimization standpoint, minimize impacts. She noted that they don't get permits for future changes.  
105 The project is being kept to the front of the parcel and away from higher functioning areas. Ms. Balcius  
106 noted the dealership has requirements for parking and access. There is an anticipated timeline for local  
107 applications, and she will know more when they get together next week. Ms. Murphy noted he had  
108 concerns with the retaining wall being directly linked to the tidal area.

109

110 Chair Short asked about the underground treatment area and Ms. Balcius noted there would be a  
111 chamber.

112

113 Ms. Fangor agreed that the size of the project was pretty big, and it would be nice to nail down the  
114 possibility of conservation land. **Ms. Balcius will ask the owner tomorrow.**

115

116 Ms. Murphy stated that the timeline for the state review is the day before next meeting and the  
117 Commission could address it tonight or at another meeting. The request for information is due  
118 November 11<sup>th</sup>. Ms. Balcius indicated she would ask the state for an extension of a couple days.

119

120 Select Board Representative Chartrand shared concerns with the large amount of fill and recommended  
121 the Commission weigh in with the state on that concern. He noted there is a lot of development on  
122 Portsmouth Ave and a lot of wetlands, three applications have been seen now and another is coming.  
123 There is quite a lot of upland on this property, but development is being pushed up front. He noted  
124 impacts are being seen.

125

126 Ms. Murphy asked about shifting impact to the existing Volvo dealership. Ms. Balcius noted the required  
127 amount of parking and size of the building are drivers of that, but **she can ask the engineer if it could be  
128 shifted more.**

129

130 Ms. Murphy noted the rules changed a couple of years ago and now applicants can go straight to in lieu  
131 fees. At the conceptual level mitigation wasn't discussed, \$200,000 in lieu fees were identified over

132 local mitigation and she asked about the Pickpocket Dam removal project being considered. Ms. Balcius  
133 indicated mitigation has to be shovel ready. Ms. Murphy noted the feasibility study is available on the  
134 town's website. Mr. Chartrand noted that the removal of the dam is on the town ballot for March. **Ms.  
135 Balcius indicated she would check with the owner and Seta (from mitigation).**

136  
137 Ms. Crepeau asked if the building could be two stories to reduce the footprint. She noted concerns with  
138 the size of the project, the application of three dealerships. Ms. Balcius noted the building is too small  
139 right now.

140  
141 Mr. Koff agreed there was a large impact to a sensitive area with parking along the whole back. He  
142 asked about eliminating 8-10' to reduce the height of the wall. He indicated that a 23' wall would have  
143 impacts for a lot of reasons, and he feels like this is too much. The upland is not being utilized. Ms.  
144 Balcius responded by asking the Commission to imagine the retaining wall gone, then there would be a  
145 2:1 slope. Walls are frequently used to minimize impact. Chair Short asked at what point the wall would  
146 go in. Ms. Balcius indicated there would be sheet piling with surcharging so it would be when the  
147 temporary fill is pulled out. Chair Short asked why sheet piling couldn't be used. Ms. Balcius indicated  
148 the Geotech advisor should answer that. Ms. Murphy noted the clay soil had to be compressed. Chair  
149 Short noted the sheet piling goes deeper. Ms. Crepeau asked about tiers and Ms. Balcius noted there  
150 would be more wetland impact.

151  
152 Mr. Mattera expressed concerns with the amount of wetland being filled for this development plan and  
153 noted he was having a hard time with that. He noted benefits to not splitting the wetland system and  
154 the opportunity to weigh the future of marsh migration. He asked if there was any chance of failure  
155 with the walls. The surcharging won't be fluid. Ms. Balcius noted that human disturbance has  
156 multiplied the impact, and this project will intercept and treat stormwater.

157  
158 Ms. Murphy encouraged having the stormwater details, before local permits are filed, for the duration  
159 of the surcharging phase. Ms. Balcius will submit that.

160  
161 Ms. Murphy questioned if a 20' plus retaining wall is really a temporary impact.

162  
163 Ms. Murphy asked Ms. Balcius to bring details of the Rochester example.

164  
165 Ms. Murphy noted that the movement model shows water coming in from Parkman Brook and in from  
166 Portsmouth Avenue.

167  
168 Chair Short indicated the applicant will get answers and come back next month. Ms. Balcius will ask for  
169 an extension and copy Ms. Murphy. Ms. Murphy will send the state a note about the extension.

170  
171 MOTION: Ms. Fangor motioned to send communication to the state telling them the applicant has  
172 requested a two-day extension and will review the application at the next Conservation Commission  
173 meeting in November. Mr. Koff seconded the motion. A vote was taken, all were in favor, the motion  
174 passed 7-0-0.

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3. Committee Reports

a. Property Management

i. 10/25 McDonnell Gate Operation Proposed Seasonal End Date

Ms. Murphy noted volunteers will stop opening and closing the McDonnell gate on October 25<sup>th</sup> to end the season.

MOTION: Chair Short motioned to close the McDonnell gate on October 25<sup>th</sup>. Ms. Crepeau seconded the motion. A vote was taken, all were in favor, the motion passed 7-0-0.

ii. Raynes Farm Updates

Ms. Murphy reported that LGT Restoration have finalized work on the west and north side. She provided pictures earlier. Steve Bedard is making progress but will need an extension to do the east side clapboard next year and the extension will be approved by the Commission, Board of Directors, L-CHIP and Town Manager Russ Dean. She noted outstanding items were the fire detection system, and staircase which would be deferred. Mr. Chartrand explained that Mr. Dean will submit the warrant article to the Budget Recommendations Committee and the Select Board to move forward to the voters. Ms. Murphy will have Jeff Beck look at the request and consider if there are other electric issues needed to bundle with the fire suppression system work.

Chair Short noted it is worthwhile to give Mr. Bedard an extension because his portion of the work is highly specialized.

MOTION: Chair Short motioned to grant an extension to Mr. Bedard until next year. Mr. Whitehouse seconded the motion. A vote was taken, all were in favor, the motion passed 7-0-0.

iii. Potential Raynes Fall Event

Mr. Whitehouse indicated he would like to see an event at Raynes and noted additional parking is needed. He recommended cleaning up along the wall, tree trimming and cutting stumps and to keep up around the immediate area of the barn.

Mr. Whitehouse noted he spoke to Amanda Kelly and is organizing volunteer projects around town, working on a list with Ms. Murphy and Parks & Recreation. Chair Short noted there could be some value in keeping track of what's been accomplished and by who.

- 220 b. Outreach Events  
221  
222 i. Hike Exeter Challenge – Kyle Welch  
223  
224 Mr. Welch reported that Ms. Murphy had the stickers printed and there will be a description  
225 and parking information next week.  
226  
227 c. Other Committee Reports (River Study, Sustainability, Energy/CPAC, Tree, CC Roundtable)  
228 i. Seacoast Green Challenge  
229 Ms. Murphy noted the competition with neighboring towns to see which community has the  
230 most residents using the higher renewable content in their Community Power subscription  
231 would run through January. She encouraged residents to opt up to a higher percentage.  
232 ii. Ms. Murphy noted the River Study is talking about fees and analysis. Chair Short asked about  
233 the Commission providing a recommendation and Mr. Chartrand indicated that the  
234 recommendation would be timely once it goes on the warrant article.  
235 iii. Ms. Murphy noted the Energy Committee is working on Window Dressers.  
236 iv. Ms. Murphy noted the Sustainability Committee is working on Styrofoam recycling. She  
237 noted there is a large increase in the waste management contract.

238  
239 4. Approval of Minutes September 10, 2024 Meeting - ***Tabled***

240  
241 5. Correspondence

242  
243 **Other Business**

244  
245 Next Meeting: 11/12/24, Submission Deadline 11/1/24

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247 6. **Adjournment**

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249 Chair Short adjourned the meeting at 8:41 PM.

250  
251 Respectfully submitted,

252 Daniel Hoijer, Recording Secretary

253 Via Exeter TV

254 Webinar ID 878 3898 8356