

Exeter Conservation Commission
October 8, 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, Andrew Koff, Trevor Mattera, Keith Whitehouse, 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 activated.

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.

51

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.

55

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

74

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

80

81 Ms. Fangor asked about underground petroleum tanks and Ms. Balcius indicated there was not any
82 planned to her knowledge.

83

84 Mr. Koff asked who was on the site walk and Chair Short indicated himself, Mr. Whitehouse, Ms.
85 Crepeau and Ms. Murphy.

86

87 Mr. Fangor indicated the big fill was concerning and asked about the temporary fill for surcharging. Ms.
88 Balcius explained fill would be there one growing season then the black cloth would be removed. Ms.
89 Murphy asked for confirmation the engineering firm concurred 1-3 years. Ms. Balcius stated that they
90 are mandated to that. As an example if put in in December it doesn't have to be removed until October
91 of the following year. She indicated that she did not know where the fill was coming from but there are
92 specifications.

93

94 Ms. Fangor asked about the back land possibly becoming conservation and Ms. Balcius indicated the
95 owner was considering that. Mr. Mattera noted avoiding the area modeled for marsh migration lends a
96 chunk of value to the area behind it.

97

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

104

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

113

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

116

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

119

120 Ms. Murphy stated that the timeline for the state review expires the day before next meeting and the
121 Commission could address it tonight or schedule another meeting. The request for information is due
122 November 11th. Ms. Balcius indicated she would ask the state for an extension of a couple days.

123

124 Mr. Whitehouse asked about the deepest fill. Select Board Representative Chartrand said the height of
125 the retaining wall is 23.5 feet and shared concerns with the large amount of fill and recommended the
126 Commission weigh in with the state on that concern. He noted there is a lot of development on
127 Portsmouth Ave and a lot of wetlands, three applications have been seen now and another is coming.
128 Ms. Balcius clarified there is quite a lot of upland on this property, but development is being pushed up
129 front. He noted impacts are being seen.

130

131 With both this and the Volvo dealership owned by the same party, Ms. Murphy asked about shifting
132 impact to the existing Volvo dealership and about whether parking can be placed under structures. Ms.
133 Balcius noted the required amount of parking and size of the building are drivers of that, but **she can ask**
134 **the engineer if it could be shifted more.**

135
136 Ms. Murphy noted the rules changed a couple of years ago and now applicants can go straight to in lieu
137 fees. Ms. Murphy said with \$200,000 in lieu fees, has the owner considered local mitigation and she
138 asked about the Pickpocket Dam removal project being considered. Ms. Balcius indicated mitigation has
139 to be shovel ready. Ms. Murphy noted the feasibility study is available on the town's website. Mr.
140 Chartrand noted that the removal of the dam is on the town ballot for March. **Ms. Balcius indicated she**
141 **would check with the owner and Seta (from mitigation).**

142
143 Ms. Crepeau pointed out this building is double the size of the Volvo dealership and asked if the building
144 could be two stories to reduce the footprint. She noted concerns with the size of the project, the
145 application of three dealerships. Ms. Balcius noted the building is too small right now.

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

157
158 Mr. Mattera expressed concerns with the amount of wetland being filled for this development plan and
159 noted he was having a hard time with that. He noted benefits to not splitting the wetland system and
160 the avoiding of the area for future of marsh migration. He asked if there was any chance of failure with
161 the walls. The amount of fill if it would become fluid it would have impacts. Ms. Balcius noted it is
162 designed to avoid that, and human disturbance has multiplied the impact, and this project will intercept
163 and treat stormwater.

164
165 Ms. Murphy encouraged having the stormwater details, before local permits are filed, for the duration
166 of the surcharging phase. Ms. Balcius will submit that.

167
168 Ms. Murphy questioned 20' plus fill for a year is really a temporary impact. Ms. Balcius indicated she has
169 examples of this from Rochester.

170
171 Ms. Murphy asked Ms. Balcius to bring details of the Rochester example.

172

173 Ms. Murphy noted that the sea level rise model shows water coming in from Parkman Brook under
174 current scenarios of mean high, high water and yet the application only addresses water movement in
175 from Portsmouth Avenue. Mr. Whitehouse indicated there was evidence onsite of this flooding.

176
177 Chair Short indicated the applicant will get answers and come back next month. Ms. Balcius will ask for
178 an extension and copy Ms. Murphy. Ms. Murphy will send the state a note about the extension.

179
180 MOTION: Ms. Fangor motioned to send communication to the state telling them the applicant has
181 requested a two-day extension and will review the application at the next Conservation Commission
182 meeting in November. Mr. Koff seconded the motion. A vote was taken, all were in favor, the motion
183 passed 7-0-0.

184

185

186 3. Committee Reports

187

188 a. Property Management

189

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

191

192 Ms. Murphy noted volunteers will stop opening and closing the McDonnell gate on October 25th
193 to end the season.

194

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

197

198 ii. Raynes Farm Updates

199

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

209

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

212

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

216

217 iii. Potential Raynes Fall Event

218

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

222

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

227

228

229 b. Outreach Events
230
231 i. Hike Exeter Challenge – Kyle Welch
232
233 Mr. Welch reported that Ms. Murphy had the stickers printed and there will be a description
234 and parking information next week.
235
236 c. Other Committee Reports (River Study, Sustainability, Energy/CPAC, Tree, CC Roundtable)
237 i. Seacoast Green Challenge
238 Ms. Murphy noted the competition with neighboring towns to see which community has the
239 most residents using the higher renewable content in their Community Power subscription
240 would run through January. She encouraged residents to opt up to a higher percentage.
241 ii. Ms. Murphy noted the River Study is talking about fees and analysis. Chair Short asked about
242 the Commission providing a recommendation and Mr. Chartrand indicated that the
243 recommendation would be timely once it goes on the warrant article.
244 iii. Ms. Murphy noted the Energy Committee is working on Window Dressers.
245 iv. Ms. Murphy noted the Sustainability Committee is working on Styrofoam recycling. She
246 noted there is a large increase in the waste management contract.
247
248 4. Approval of Minutes September 10, 2024 Meeting - ***Tabled***
249
250 5. Correspondence
251
252 **Other Business**
253
254 Next Meeting: 11/12/24, Submission Deadline 11/1/24
255
256 6. **Adjournment**
257
258 Chair Short adjourned the meeting at 8:41 PM.
259
260 Respectfully submitted,
261 Daniel Hoijer, Recording Secretary
262 Via Exeter TV
263 Webinar ID 878 3898 8356