TOWN OF EXETER, NEW HAMPSHIRE

10 FRONT STREET • EXETER, NH • 03833-3792 • (603) 778-0591 •FAX 772-4709
www.exeternh.gov

PUBLIC NOTICE
EXETER CONSERVATION COMMISSION
Monthly Meeting

The Exeter Conservation Commission will meet in the Nowak Room, Exeter Town Offices at 10 Front Street, Exeter on **Tuesday, February 11th, 2025 at 7:00 P.M.**

Call to Order:

1. Introduction of Members Present
2. Public Comment

Action Items:

1. Review of Wetland Conditional Use Permit for a Mixed-Use Neighborhood Development project at 76 Portsmouth Ave (and Haven Ln.) at Tax Map 65, Lot 118, plans and supplemental information revised and submitted 1/31. *(Paige Libbey, Jones and Beach)*
2. Committee Reports
    a. Property Management
        i. Raynes Farm Stewardship Committee Meeting Report
        ii. Morrissette Pollinator Garden Student Project – Ally Whitesell
    b. Outreach Events
        i. Full Moon Hike – Raynes Farm 2/12 at 6:30 pm
        ii. Hike Exeter Update and Partnership with Travel & Nature
    c. Other Committee Reports (River Study, Sustainability, Energy, Tree, CC Roundtable)
3. Approval of Minutes: 1/14/25 Meeting, 1/9/25 Site Walk
4. Correspondence
    a. Email from S. Mattie re: No Dogs sign at McDonnell Conservation Area

Other Business

5. Next Meeting: 3/11/25, Submission Deadline 2/28/25

Dave Short
Exeter Conservation Commission
Posted February 7th, 2025 Exeter Town Website www.exeternh.gov and Town Office kiosk.

ZOOM Public Access Information:

Virtual Meetings can be watched on Ch 22 or Ch 6 and YouTube.
To access the meeting, click this link: https://us02web.zoom.us/j/89563685313
To access the meeting via telephone, call: +1 646 558 8656 and enter the Webinar ID: 895 6368 5313
Please join the meeting with your full name if you want to speak.
Use the "Raise Hand" button to alert the chair you wish to speak. On the phone, press *9.
More instructions for how to access the meeting can be found here:
https://www.exeternh.gov/townmanager/virtual-town-meetings

Contact us at extvg@exeternh.gov or 603-418-6425 with any technical issues.

TOWN OF EXETER
PLANNING DEPARTMENT MEMORANDUM

Date: February 7th, 2025
To: Conservation Commission Board Members
From: Kristen Murphy, Conservation & Sustainability Planner
Subject: February 11th Meeting

1. 76 Portsmouth Ave

Your packet includes a summary letter with changes, supplemental information from the wetland scientists, revised plans as well as prior plans for comparison and the original wetland scientists reports. To avoid confusion, I labeled the top of the page at the start of material you received previously. The applicant is before you tonight for review and consideration of a wetland conditional use permit application. I have drafted motions in the event you feel you have enough information to take action.

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. **Committee Reports etc**
   a. Raynes Stewardship Committee – The committee met on Jan 29 and your packet contains the minutes for info
   b. Morrissette Pollinator Garden – A student from the Charter School, Ally Whitesail has reached out with interest in installing a pollinator garden on Conservation Land. She has installed the one at Great Bay Discovery Center. I recommended the base of the Morrissette kiosk because it is a large space, sees a lot of traffic and we have a lot of overgrowth that needs to be trimmed during the growing season. I am meeting with her Monday and will update the board with our discussion.
   c. Email from resident seeking additional signage at McDonnell

JONES & BEACH ENGINEERS INC.
85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com

January 31, 2025

Exeter Conservation Commission
Attn. David Short, Chair
10 Front Street
Exeter, NH 03833

RE: Conservation Commission Resubmission
76 Portsmouth Avenue, Exeter, NH
Tax Map 65, Lot 118
JBE Project No. 24029

Dear Mr. Short,

On behalf of our client, Green & Company, we respectfully submit revised plans in advance of the February 11th, 2025 Conservation Commission Meeting for the above-mentioned property, for which a Site Plan and Conditional Use Permit Application is currently pending before the Planning Board.

We attended the January 14th, 2025 Conservation Commission meeting where we received feedback on the proposed buffer impacts. The plan has since been revised to address some of the concerns that were raised during the meeting. The revisions included relocating buildings 2, 4,5,6, and 7 (previously buildings 2, 4, 5 and 6). Guest parking was relocated from in front of 3 of these buildings to across the proposed street, on the portion of the property that is not within the buffer. As a result, the buildings were able to be shifted further toward the road to reduce buffer impacts. Building 7 (previously building 5) was also relocated into the interior recreation space and recreation space is now proposed behind and adjacent to the mail house on the buffer side of the property. This results in only temporary disturbance in the buffer in this area instead of impervious surfaces. Based on the feedback received at the 1/14/25 meeting, our efforts focused on reducing most of the buffer impact within the limited use buffer, as it is our understanding that temporary disturbance is permitted within the 75' parking and structure setback. Additionally, it is our understanding that the easternmost wetland (Wetland "B") is of highest value to the Commission based on it's proximity to Wheelwright Creek. Therefore, we also focused our efforts on removing impervious surfaces as much as possible from the 75' parking and structure setback to Wetland "B". The proposed site plan as revised makes use of all of the available and accessible space outside of the buffer on the property for buildings and impervious surfaces which supports the avoidance and minimization criteria of the Conditional Use Permit.

Other concerns raised during the meeting were the man-made drainage functionality between the Sunoco, Thirsty Moose, and Fisher Auto Parts properties. We have since been in contact with the owner of the 72 Portsmouth Ave property (Thirsty Moose) and are collaborating with them to

replace the failed culvert that crosses from their northwest property corner to their northeast property corner. This can be done with no work required on the Sunoco property. Additionally, in order to better facilitate this culvert replacement as well as the phasing of the proposed project, we have relocated the proposed wetland crossing of Wetland "D" adjacent to Building 3, as well as the proposed sidewalk on the front part of the Fisher Auto Parts property to run along the property line between 72 and 76 Portsmouth Ave. This will allow us to improve the drainage situation for all three of the aforementioned properties as well as have the least amount of impact to the current tenant on the property during Phase 1 construction. It also reduces the amount of overall direct wetland impact by 450 S.F.

Lastly, the Commission asked us to provide documentation from the wetland scientist of record that the property was reviewed for presence of vernal pools. The wetlands were delineated in February and April 2024 and the property was checked for vernal pools during the April visit and it was found that none were present. We are including letters from the wetland scientist detailing these delineations and the presence of vernal pools.

The below tables outline the currently proposed buffer impacts in comparison to what was proposed on the last plan revision.

Limited Use Wetland Buffer Impacts Table							
Total Buffer on Property = 82,800 S.F.							
Wetland Type	Surface Cover	1/13/25 Plan Area (S.F.)	%*	1/31/25 Plan Area (S.F.)	%*	Reduction (S.F.)	%*
VPD	PERMANENT	5,800	7.0%	2,000	2.4%	3,800	4.6%
VPD	TEMPORARY	5,800	7.0%	1,000	1.2%	4,800	5.8%
PD	PERMANENT	2,100	2.5%	800	1.0%	1,300	1.6%
PD	TEMPORARY	5,100	6.2%	2,550	3.1%	2,550	3.1%
TOTAL	PERMANENT	7,900	9.5%	2,800**	3.4%	5,100	6.2%
TOTAL	TEMPORARY	10,900	13.2%	3,550	4.3%	7,350	8.9%
VPD	TOTAL	11,600	14.0%	3,000	3.6%	8,600	10.4%
PD	TOTAL	7,200	8.7%	3,350	4.0%	3,850	4.6%
	TOTAL	18,800	22.7%	6,350	7.7%	**12,450**	**15.0%**

*percentage of total buffer

** 710 S.F. is porous pavement, 569 S.F. is previously disturbed

Parking/Structure Wetland Buffer Impacts Table							
Total Buffer on Property = 37,000 S.F.							
Wetland Type	Surface Cover	1/13/25 Plan Area (S.F.)	%*	1/31/25 Plan Area (S.F.)	%*	Reduction (S.F.)	%*
VPD	PERMANENT	8,500	23.0%	5,150	13.9%	3,350	9.1%
VPD	TEMPORARY	3,200	8.6%	4,500	12.2%	-1,300	-3.5%
PD	PERMANENT	6,900	18.6%	7,350	19.9%	-450	-1.2%
PD	TEMPORARY	3,800	10.3%	2,950	8.0%	850	2.3%
TOTAL	PERMANENT	15,400	41.6%	12,500**	33.8%	2,900	7.8%
TOTAL	TEMPORARY	7,000	18.9%	7,450	20.1%	-450	-1.2%
VPD	TOTAL	11,700	31.6%	9,650	26.1%	2,050	5.5%
PD	TOTAL	10,700	28.9%	10,300	27.8%	400	1.1%
TOTAL BUFFER IMPACT		22,400	60.5%	19,950	53.9%	**2,450**	**6.6%**

*percentage of total buffer

** 1,550 S.F. is porous pavement, 2,461 S.F. is previously disturbed

There are several things that are important to note.

- Of the proposed disturbance, only 15,300 S.F. is permanent, and of the permanent disturbance, 2,260 S.F. is porous pavement and 3,030 S.F. is previously permanently disturbed area for the current Fisher Auto parts store. This leaves only 10,010 S.F. total newly proposed impervious surface in the buffer, and only 1,521 S.F. of newly proposed impervious surface in the limited use buffer specifically.
- Most of the impervious surface has been moved outside of the limited use buffer and is within the parking and structure setback instead. The impervious surface was
- Total disturbance has been reduced in the limited use buffer by 67%.

We look forward to discussing this project with you on February 11th. The following are included with this application:

1. Cover Letter.
2. Revised Application Form.
3. Addendum to Wetland Impact Evaluation/ Photo Location Map.
4. Wetland Delineation Letters.
5. One (1) Revised Full Size Plan.
6. One (1) Revised Half Size Plan.

If you have any questions or need any additional information, please feel free to contact our office. Thank you very much for your time.

Very truly yours,
JONES & BEACH ENGINEERS, INC.

Paige Libbey, P.E.
Associate Principal

cc: Jenna Green, Green & Company (via email)
Michael Green, Green & Company (via email)
John O'Neill (via email)
Jim Gove, Gove Environmental Services (via email)

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

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

See attached cover letter.

Wetland Conservation Overlay District Impact (in square footage):		
Temporary Impact	Wetland: (SQ FT.) ☐ Prime Wetlands _____ ☐ Exemplary Wetlands _____ ☐ Vernal Pools (>200SF) _____ ☐ VPD _____ ☐ PD _____ ☐ Inland Stream _____	Buffer: (SQ FT.) ☐ Prime Wetlands _____ ☐ Exemplary Wetlands _____ ☐ Vernal Pools (>200SF) _____ ☒ VPD 5,500 ☒ PD 5,500 ☐ Inland Stream _____
Permanent Impact	Wetland: ☐ Prime Wetlands _____ ☐ Exemplary Wetlands _____ ☐ Vernal Pools (>200SF) _____ ☐ VPD _____ ☒ PD 1,050 ☐ Inland Stream _____	Buffer: ☐ Prime Wetlands _____ ☐ Exemplary Wetlands _____ ☐ Vernal Pools (>200SF) _____ ☒ VPD 7,150 ☒ PD 8,150 ☐ Inland Stream _____

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February 5, 2025

Exeter Conservation Commission
Attn. David Short, Chair
10 Front Street
Exeter, NH 03833

RE: Revised Conditional Use Permit Criteria
76 Portsmouth Avenue, Exeter, NH
Tax Map 65, Lot 118
JBE Project No. 24029

Dear Mr. Short,

On behalf of our client, Green & Company, we respectfully submit revised Conditional Use Permit criteria to supplement our application package that is currently pending before the Planning Board for the above-mentioned property. The criteria from the Zoning Ordinance are outlined below with our revised responses in bold based on the latest version of the plan, submitted to you on January 31, 2025.

9.1.6.B. Conditional Use Criteria:

1. That the proposed use is permitted in the underlying zoning district.
   RESPONSE: A mixed-use neighborhood development (MUND) is permitted in the C2 Zoning District.

2. No alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer is feasible.
   RESPONSE: Alternative designs have been considered including the conceptual apartment-style building design that was presented at the July Conservation Commission and Planning Board meetings. That plan proposed the entirety of the wetlands "C" and "D" to be filled for large buildings. The plan was revised to a townhouse layout to be more in keeping with the surrounding neighborhood. The newly proposed townhouse layout proposes only 1 small wetland fill at the westernmost end of wetland "D" and 1 crossing of Wetland "C", both of which have limited to no functions. As discussed at the last Conservation Commission meeting, filling of these wetlands for this style of development would not be permitted by NHDES. It is also a benefit to the drainage on the property as well as the wetland connectivity to maintain these wetlands. Since the January 13th, 2025 version of the plan, the design has been revised as much as possible to make use of all of the available and accessible space outside of the buffer on the property for buildings and impervious surfaces. This has changed some of the impacts from permanent to

temporary, reducing impervious surface in the buffer, as well as substantially reducing the overall buffer impacts to be similar to what was proposed in the July conceptual design. No other alternative layout is feasible that would support this type of housing, which is the most suitable fit for the neighborhood. The remaining buffer impacts can be replicated with proposed vegetation in disturbed areas after construction is complete. Additionally, as outlined on the revised plans, only 7.7% of the limited use buffer on the property is proposed to be impacted, leaving a substantial amount of un-impacted buffer remaining.

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.
   RESPONSE: A functions and values report has been provided by the wetland consultant and is attached. Overall, all of the wetland functions have been degraded by proximity to development and fragmentation. Generally, impacts to the wetland buffers will not have a measurable impact to the wetland functions. Wetland A's principle function is flood flow alteration, also known as stormwater storage. With no direct wetland impact, the principle function is not reduced by the development. Wetland B has more functions, but still has a principle function of flood flow alteration. With no direct impact, the principle function is not compromised. While other functions are present, the degradation caused by human proximity, water quality degradation, erosion of channel, and fragmentation, results in that the buffer impacts on the functions can be mitigated by buffer treatment. Wetland C and D are man-made, and have very limited to no wetland functions.

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.
   RESPONSE: The proposed design and construction minimizes detrimental impacts to the wetlands as much as possible. The design has been altered in order to maintain connectivity of the wetlands and drainage. The buffers will be replicated via proposed vegetation. The wetlands will be protected during construction via silt barriers.

5. That the proposed use will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater, or other reasons.
   RESPONSE: The only direct wetland impacts proposed as part of this project are to man-made wetlands with very limited to no wetland functions. The impacts are minor and one will be a crossing so that drainage connectivity is maintained. Contamination of groundwater will not occur because stormwater will be treated in compliance with Town of Exeter Site plan regulations as well as NHDES Alteration of Terrain regulations for pollutant removal prior to discharging to the wetlands or groundwater. Peak flows in the proposed condition will be controlled to match existing for all required storm events so as not to increase flooding to neighboring properties. No other hazard to individual public, health, safety or welfare will occur as a result of the proposed wetland buffer impacts.

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

RESPONSE: The existing vegetated area on the east side of the site behind the commercial buildings on Portsmouth Avenue is to be permanently conserved as green space and to remain undeveloped as part of this project. This is a buffer to a commercial area that in many cases has stormwater directly sheet flowing to the wetland and is important to be conserved for filtration of stormwater. Additionally, as outlined on the revised plans, only 7.7% of the limited use buffer on the property is proposed to be impacted, leaving a substantial amount of un-impacted buffer remaining. Buffer plaques are proposed along the proposed treeline and there will be language in the condominium declarations to ensure that further disturbance of the buffer does not occur by homeowners.

7. In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use, the applicant has included a restoration proposal revegetating any disturbed area within the buffer with the goal to restore the site as nearly as possible to its original grade and condition following construction.
   RESPONSE: The included plan set proposes to restore all disturbed areas of the buffer that are not proposed to be permanently impacted with vegetation. See Sheet L1 of the plan set.

8. That all required permits shall be obtained from the New Hampshire Department of Environmental Services Water Supply and Pollution Control Division under NH RSA §485-A:17, the New Hampshire Wetlands Board under NH RSA §483-A, and the United States Army Corps of Engineers under Section 404 of the Clean Water Act.
   RESPONSE: All required state permits will be obtained for this project including NHDES Alteration of Terrain, NHDES Wastewater Connection and EPA CGP.

Please also see our resubmission package dated January 31, 2025 which outlines the revisions made to the plan in more detail. We look forward to discussing this project with you on February 11th. If you have any questions or need any additional information, please feel free to contact our office. Thank you very much for your time.

Very truly yours,
JONES & BEACH ENGINEERS, INC.

Paige Libbey, P.E.
Associate Principal

cc: Jenna Green, Green & Company (via email)
Michael Green, Green & Company (via email)
John O'Neill (via email)
Jim Gove, Gove Environmental Services (via email)

GOVE ENVIRONMENTAL SERVICES, INC.

Addendum To November 2, 2024, Wetland Documentation Report and Supporting Information Mixed-Use Neighborhood Development, 76 Portsmouth Avenue, Exeter

Due to changes that have been brought about by the Town review of the proposed project, two small wetland impacts have been added to the plans. Both wetland areas have limited function and value. Wetland C will be crossed by a road. Given that the only function wetland C has is flood flow alteration (seasonal drainage), as long as the culvert is properly sized, there will be no reduction in the function or value of the wetland. Wetland D will be crossed by a pedestrian bridge. Again, the only function of this wetland is flood flow alteration (drainage from impervious surfaces). The crossing structure, if properly designed to not impact the volume of the runoff, will not reduce the function or value of Wetland D.

Therefore, the proposed crossings will not have detrimental impacts to the existing functions and values of both Wetland C and Wetland D.

Jim Gove, CWS #051
Gove Environmental Services, Inc.
January 10, 2025

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2/27/24
Michael Green **Job # 24-013**
Green and Company Real Estate
PO Box 1297
11 Lafayette Road
North Hampton, NH 03862

2/27/24
Wetland Delineation Report
Map 65 Lot 118
Portsmouth Avenue Exeter, NH

Dear Michael:

This letter reports the completion of a wetland delineation was conducted on the above referenced property by John P. Hayes III, on February 27, 2024. The parcel is located on the northwest side of Portsmouth Avenue, southeast of Bonnie Drive, and northeast of Green Hill Road, in Exeter, NH. The lot is approximately 6.7 acres in size. Only the upland area, in the central portion of the lot, was delineated. The purpose of the delineation is to assess any potential future site development options.

This was conducted in accordance with the 1987 Army Corps of Engineers Wetlands Delineation Manual using the Routine Determinations Method, as required by the New Hampshire Department of Environmental Services Wetlands Bureau and the US Army Corps of Engineers.

The following standards were used to determine jurisdiction under the manual and to classify the wetland systems on the site;

1) Field Indicators for Identifying Hydric Soils in the United States Version 7.0. 2010.

2) *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: North central and Northeast Region Version 2.0 2012*

3) Field Indicators for Identifying Hydric Soils in New England New England Hydric Soils Technical Committee. April 2004. 3rd Edition. NEIWPCC Lowell, MA. .

4) National List of Plant Species That Occur in Wetlands: 2012 New Hampshire. United States Department of the Interior. Fish and Wildlife Service. NERC-88/18.29.

5) Corps of Engineers Wetlands Delineation Manual, January 1987. Wetlands Research Program Technical Report Y-87-1.

6) Classification of Wetlands and Deep water Habitats of the United States. December 1979. US Department of the Interior. Fish and Wildlife Service. FWS/OBS-79/31.

This wetland delineation complies with the poorly, and very poorly drained soil criteria defined in SSSNNE Special Publication Field Indicators for Identifying Hydric Soils in New England New England Hydric Soils Technical Committee June 2019 Version 4. These soils meet the hydric soil criterion F2, and F3. The majority of the wetland soils in this area have textures of silt loam.

This wetland delineation does not differentiate between poorly and very poorly drained soil. Therefore it cannot be used to determine local setback requirements to very poorly drained soils.

The property was also given a preliminary examination for the presence, or any evidence, of any vernal pools. None were found to be present at this time on the site.

Wetland boundaries identified on the property are witnessed in the field with pink flagging tape for jurisdictional wetlands, and blue flagging tape for very poorly drained soils, hung periodically on vegetation using an alpha-numeric system as follows:

A1 to A29 (connect A29 to A34)
A34 to A 64 (stop)
B1 to B18 (stop)

A sketch of the approximate flagged line(s) with start and stop points was provided. This sketch is a general spatial representation of the location of the wetland boundary intended to aid your survey location of the wetland flags. There is no representation of its accuracy. It isstrongly recommended that the flagged line(s) be survey located as soon as possible and depicted on a base plan.

According to the "Classification of Wetlands and Deep water Habitats of the United States" (USFWS December 1979), the wetland areas delineated by wetland flags A5 to A17 and B12 to B18 are in a man made drainage swale, that would be classified as a Palustrine, Emergent Persistent system that is seasonally flooded and/or saturated. The wetland areas delineated by wetland flags A18 to A29, A34 to A40, and A57 to A64, are in drainage swales, that are, to some degree, influenced by excess water coming on to the lot from some of the surrounding perimeter drains, and sump pumps from the abutting lots. The wetland areas delineated by the C line, and wetland flags A1 to A4, A41 to A56, and B1 to B12, would be classified as a combination of a Palustrine, Forested, Broad Leaved Diciduous, and Emergent Persistent systems that are seasonally flooded and/or saturated with organic soils present, (PFO/EM1Eg).

The plant species located in or near the wetlands include, but are not limited to: Red maple *(Acer rubrum),* American elm (*Ulmus americana*) White pine *(Pinus strobes),* Eastern hemlock *(Tsuga canadensis),* White oak *(Quercus alba),* Glossy buckthorn *(Rhamnus frangula),* Highbush blueberry *(Vaccinium corymbosum),* Witchhazel *(Hamamelis virginiana),* Silky dogwood *(Cornus amomum),* Multiflora rose *(Rosa multiflora),* Honeysuckle *(Lonicera spp.),* Goldthread *(Coptis trifolia),* Cinquefoil *(Potentilla fruiticosa),* Tussock sedge *(Carex* stricta), Woolgrass, *(Scirpus cyperinus),* Cinnamon fern *(Osmunda cinnamomea),* Sensitive fern *(Onoclea sensibilis)*, and Broad leaved cattail *(Typha latifolia).*

Please contact me if you have any questions or if I can be of further assistance.

Sincerely

John P. Hayes III

John P. Hayes III CWS, CSS

John P. Hayes III CSS, CWS,
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4/8/24
Michael Green **Job # 24-013**
Green and Company Real Estate
PO Box 1297
11 Lafayette Road
North Hampton, NH 03862

4/8/24
Additional Wetland Delineation Report
Map 65 Lot 118
Portsmouth Avenue Exeter, NH

Dear Michael:

This letter reports the completion of additional wetland delineation, that was conducted on the above referenced property by John P. Hayes III, on April 8, 2024. The parcel is located on the northwest side of Portsmouth Avenue, southeast of Bonnie Drive, and northeast of Green Hill Road, in Exeter, NH. The lot is approximately 6.7 acres in size. The purpose of the delineation is to assess any potential future site development options.

This was conducted in accordance with the 1987 Army Corps of Engineers Wetlands Delineation Manual using the Routine Determinations Method, as required by the New Hampshire Department of Environmental Services Wetlands Bureau and the US Army Corps of Engineers.

The following standards were used to determine jurisdiction under the manual and to classify the wetland systems on the site;

1) *Field Indicators for Identifying Hydric Soils in the United States* Version 7.0. 2010.

2) *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: North central and Northeast Region Version 2.0 2012*

3) *Field Indicators for Identifying Hydric Soils in New England* New England Hydric Soils Technical Committee. April 2004. 3rd Edition. NEIWPCC Lowell, MA. .

4) *National List of Plant Species That Occur in Wetlands: 2012 New Hampshire.* United States Department of the Interior. Fish and Wildlife Service. NERC-88/18.29.

5) *Corps of Engineers Wetlands Delineation Manual,* January 1987. Wetlands Research Program Technical Report Y-87-1.

6) *Classification of Wetlands and Deep water Habitats of the United States.* December 1979. US Department of the Interior. Fish and Wildlife Service. FWS/OBS-79/31.

This wetland delineation complies with the poorly, and very poorly drained soil criteria defined in SSSNNE Special Publication Field Indicators for Identifying Hydric Soils in New England New England Hydric Soils Technical Committee June 2019 Version 4. These soils meet the hydric soil criterion F2, and F3. The majority of the wetland soils in this area have textures of silt loam.

This wetland delineation does not differentiate between poorly and very poorly drained soil. Therefore it cannot be used to determine local setback requirements to very poorly drained soils.

The property was also given a second examination for the presence, or any evidence, of any vernal pools. None were found to be present on the site.

Wetland boundaries identified on the property are witnessed in the field with pink flagging tape for jurisdictional wetlands, and blue flagging tape for very poorly drained soils, hung periodically on vegetation using an alpha-numeric system as follows:

C1 to C11 (stop)(connect C1 to A1)

A sketch of the approximate flagged line(s) with start and stop points was provided. This sketch is a general spatial representation of the location of the wetland boundary intended to aid your survey location of the wetland flags. There is no representation of its accuracy. It isstrongly recommended that the flagged line(s) be survey located as soon as possible and depicted on a base plan.

According to the "Classification of Wetlands and Deep water Habitats of the United States" (USFWS December 1979), the wetland areas delineated by the C line, would be classified as a combination of a Palustrine, Forested, Broad Leaved Diciduous, and Emergent Persistent systems that are seasonally flooded and/or saturated with organic soils present, (PFO/EM1Eg).

The plant species located in or near the wetlands include, but are not limited to: Red maple *(Acer rubrum),* American elm (*Ulmus americana*) White pine *(Pinus strobes),* Eastern hemlock *(Tsuga canadensis),* White oak *(Quercus alba),* Glossy buckthorn *(Rhamnus frangula),* Highbush blueberry *(Vaccinium corymbosum),* Witchhazel *(Hamamelis virginiana),* Silky dogwood *(Cornus amomum),* Multiflora rose *(Rosa multiflora),* Honeysuckle *(Lonicera spp.),* Goldthread *(Coptis trifolia),* Cinquefoil *(Potentilla fruiticosa),* Tussock sedge *(Carex* stricta), Woolgrass, *(Scirpus cyperinus),* Cinnamon fern *(Osmunda cinnamomea),* Sensitive fern *(Onoclea sensibilis)*, and Broad leaved cattail *(Typha latifolia).*

Please contact me if you have any questions or if I can be of further assistance.

Sincerely

John P. Hayes III

John P. Hayes III CWS, CSS

John P. Hayes III CSS, CWS,
Environmental Consultant
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1/21/25
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Vernal Pool Assessment
Map 65 Lot 118
Portsmouth Avenue Exeter, NH

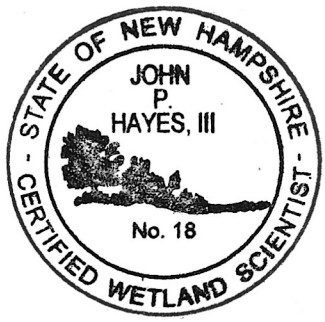
Dear Paige:

This letter reports the completion of an assessment for vernal pools on the above mentioned site by John P. Hayes III. The parcel is located on the northwest side of Portsmouth Avenue, southeast of Bonnie Drive, and northeast of Green Hill Road, in Exeter, NH. The lot is approximately 6.7 acres in size. The vernal pool assessment for this site consisted of two site visits. A preliminary examination for evidence of vernal pools on this property was conducted during the initial wetland delineation on Feburary 27, 2024. A second, followup exam was done, while doing some additional wetland delineation, on April 8, 2024. No vernal pools, or evidence of vernal pools was found during either of the examinations.

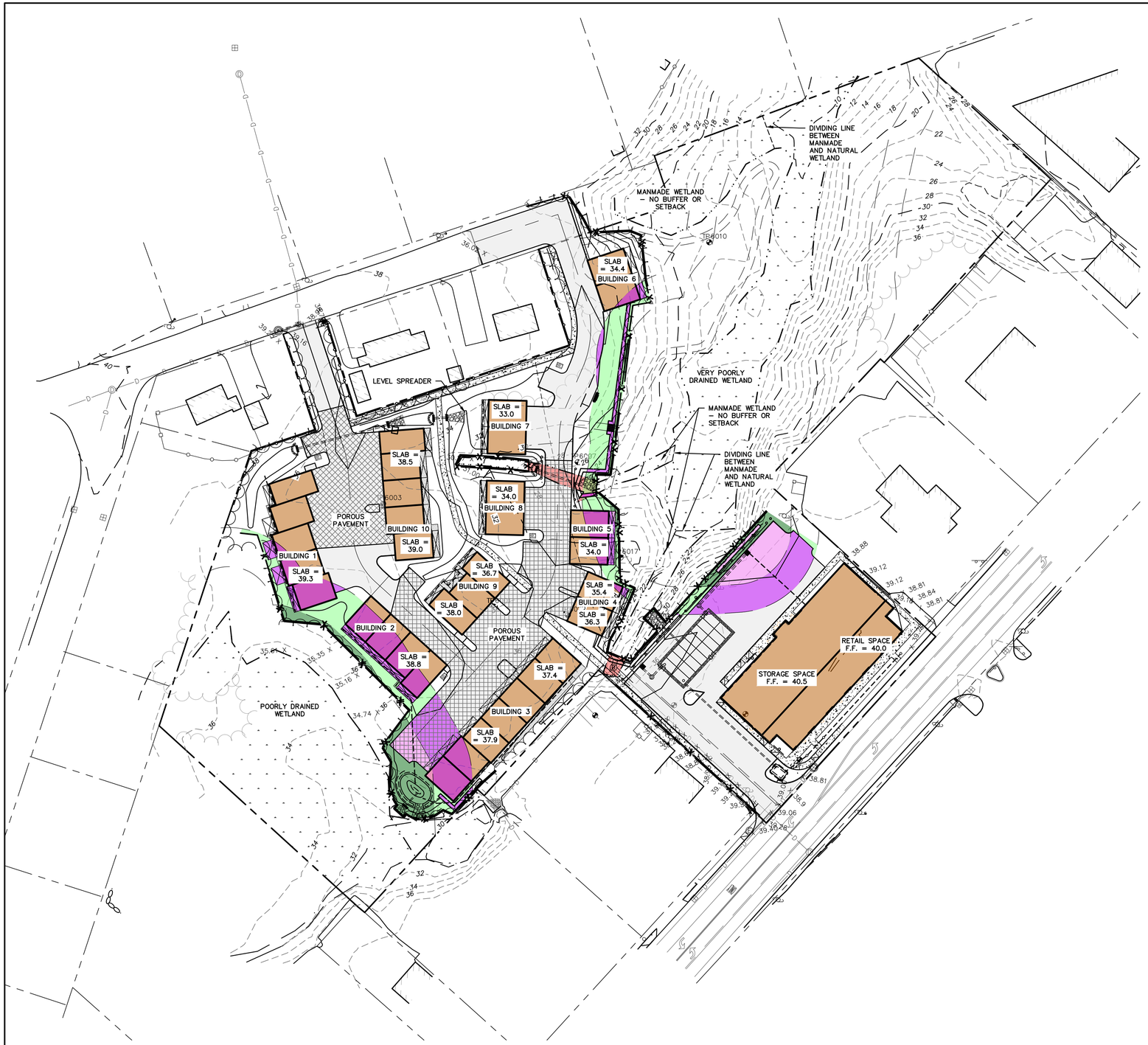
Please let me know if you have any questions, or need any more information on this project.

Sincerely:

John P. Hayes III



John P. Hayes III CSS, CWS



LEGEND:

- LIMITED USE BUFFER TEMPORARY IMPACT
- LIMITED USE BUFFER PERMANENT IMPACT
- TEMPORARY IMPACT BETWEEN LIMITED USE BUFFER AND PARKING/STRUCTURE SETBACK LINE
- PERMANENT IMPACT BETWEEN LIMITED USE BUFFER AND PARKING/STRUCTURE SETBACK LINE
- DIRECT WETLAND IMPACT

SEE SHEETS EX–2 AND EX–3 FOR DETAIL OF IMPACTS TO WETLANDS AND THEIR BUFFERS

GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)
1 inch = 50 feet

PROJECT PARCEL
TOWN OF EXETER
TAX MAP 65, LOT 118

APPLICANT
GREEN & COMPANY
11 LAFAYETTE RD
PO BOX 1297
NORTH HAMPTON, NH 03862

TOTAL LOT AREA
291,630 SQ. FT.
6.7 ACRES

Design: MLS	Draft: GDR	Date: 3/15/24
Checked: WGM	Scale: AS SHOWN	Project No.: 24029
Drawing Name: 24029-PLAN.dwg		

REV.	DATE	REVISION	BY
8	1/30/25	REVISED LAYOUT PER CONSERVATION COMMISSION	DJM
7	1/13/25	REVISED PER TOWN ENGINEER & TRC COMMENTS	DJM
6	1/6/25	GRADING PLAN FOR CONSERVATION COMMISSION	DJM
5	11/22/24	MINOR REVISIONS	DJM
4	11/5/24	ISSUED PLAN SET FOR REVIEW	KDR

Designed and Produced in NH
Jones & Beach Engineers, Inc.
85 Portsmouth Ave.
PO Box 219
Stratham, NH 03885
Civil Engineering Services
603-772-4746
E-MAIL: JBE@JONESANDBEACH.COM

Plan Name: OVERVIEW WETLAND AND BUFFER IMPACT EXHIBIT

Project: "LILAC PLACE"
76 PORTSMOUTH AVE, EXETER, NH

Owner of Record: RAP REALTY MANCHESTER LLC
50 ATLANTIC AVE, SEABROOK, NH

DRAWING No.
EX-1
SHEET 1 OF 3
JBE PROJECT NO. 24029

LEGEND:

- LIMITED USE BUFFER TEMPORARY IMPACT = 3,550 S.F.
  (1,000 S.F. IN VERY POORLY DRAINED BUFFER; 2,550 S.F. IN POORLY DRAINED BUFFER)
- LIMITED USE BUFFER PERMANENT IMPACT = 2,800 S.F.
  (2,000 S.F. IN VERY POORLY DRAINED BUFFER; 800 S.F. IN POORLY DRAINED BUFFER INCLUDING 710 S.F. POROUS PAVEMENT)
- TEMPORARY IMPACT BETWEEN LIMITED USE BUFFER AND PARKING/STRUCTURE SETBACK LINE = 7,450 S.F.
  (4,500 S.F. IN VERY POORLY DRAINED BUFFER; 2,950 S.F. IN POORLY DRAINED BUFFER)
- PERMANENT IMPACT BETWEEN LIMITED USE BUFFER AND PARKING/STRUCTURE SETBACK LINE = 12,500 S.F.
  (5,150 S.F. IN VERY POORLY DRAINED BUFFER; 7,350 S.F. IN POORLY DRAINED BUFFER INCLUDING 1,550 S.F. POROUS PAVEMENT)
- DIRECT WETLAND IMPACT = 1,050 S.F.
  (300 S.F. POROUS PAVEMENT; 120 S.F. IMPERVIOUS SURFACE; 630 S.F. PERVIOUS SURFACE)

TOTAL AREA OF LIMITED USE BUFFER = 82,800 S.F.
6,350 S.F. = 7.7% IMPACTED

TOTAL AREA BETWEEN LIMITED USE BUFFER & PARKING/STRUCTURE SETBACK LINES = 37,000 S.F.
19,950 S.F. = 53.9% IMPACTED

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 feet

PROJECT PARCEL
TOWN OF EXETER
TAX MAP 65, LOT 118

APPLICANT
GREEN & COMPANY
11 LAFAYETTE RD
PO BOX 1297
NORTH HAMPTON, NH 03862

TOTAL LOT AREA
291,630 SQ. FT.
6.7 ACRES

Design: MLS	Draft: GDR	Date: 3/15/24
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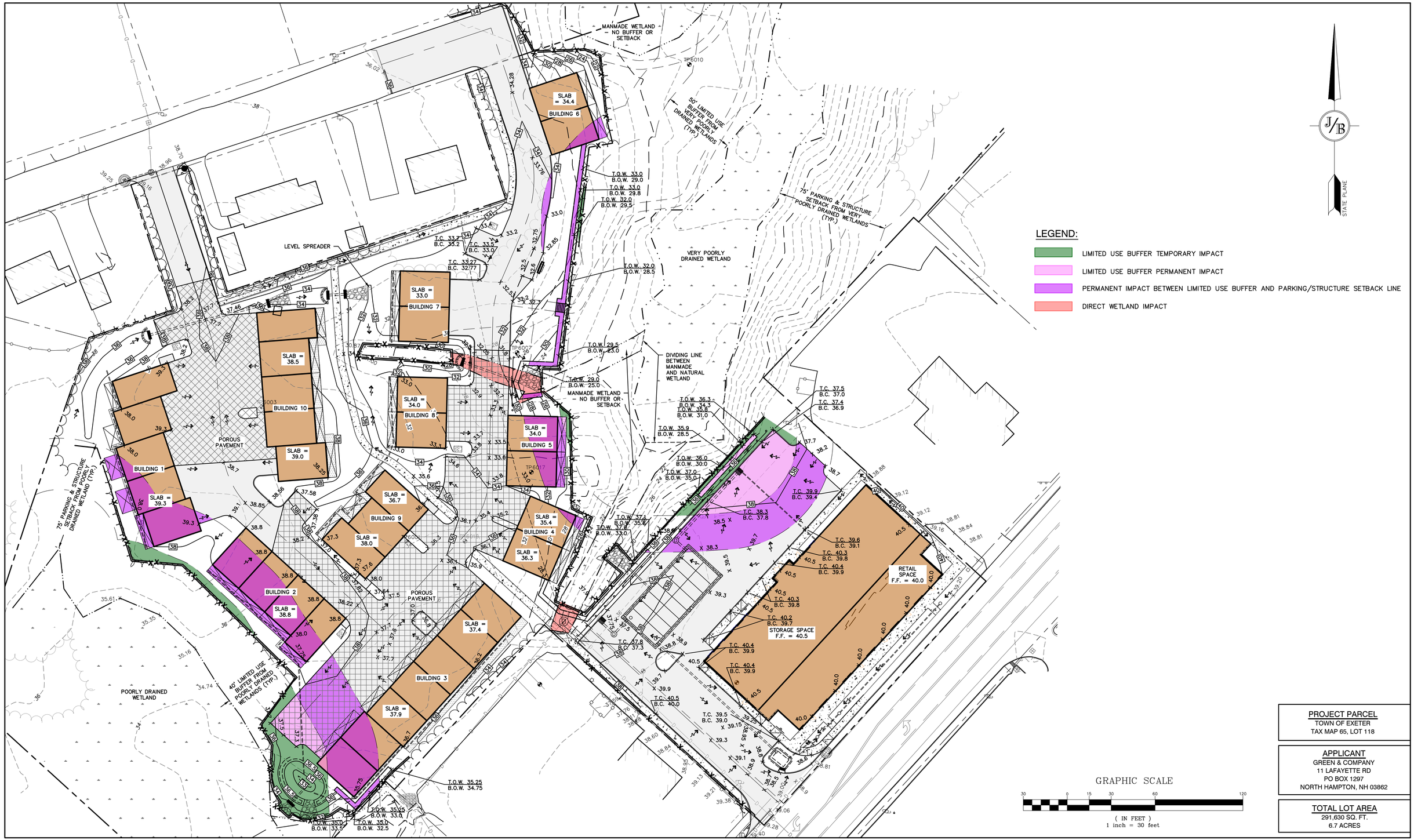
85 Portsmouth Ave.
PO Box 219
Stratham, NH 03885
603-772-4746
E-MAIL: JBE@JONESANDBEACH.COM

Plan Name: WETLAND AND BUFFER IMPACT EXHIBIT
Project: "LILAC PLACE"
76 PORTSMOUTH AVE, EXETER, NH
Owner of Record: RAP REALTY MANCHESTER LLC
50 ATLANTIC AVE, SEABROOK, NH

DRAWING No.
EX-2
SHEET 2 OF 3
JBE PROJECT NO. 24029



PROJECT PARCEL
TOWN OF EXETER
TAX MAP 65, LOT 118

APPLICANT
GREEN & COMPANY
11 LAFAYETTE RD
PO BOX 1297
NORTH HAMPTON, NH 03862

TOTAL LOT AREA
291,630 SQ. FT.
6.7 ACRES

Design: MLS	Draft: GDR	Date: 3/15/24	
Checked: WGM	Scale: AS SHOWN	Project No.: 24029	
Drawing Name: 24029-PLAN.dwg			

REV.	DATE	REVISION	BY
8	1/30/25	REVISED LAYOUT PER CONSERVATION COMMISSION	DJM
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PO Box 219
Stratham, NH 03885
603-772-4746
E-MAIL: JBE@JONESANDBEACH.COM

Plan Name: WETLAND AND BUFFER IMPACT EXHIBIT
Project: "LILAC PLACE" 76 PORTSMOUTH AVE, EXETER, NH
Owner of Record: RAP REALTY MANCHESTER LLC 50 ATLANTIC AVE, SEABROOK, NH

DRAWING No.
EX-3
SHEET 3 OF 3
JBE PROJECT NO. 24029

NOTE: Relevant materials from prior meeting packets

JONES&BEACH ENGINEERS INC.
85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com

November 5, 2024

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

RE: Site Plan & Conditional Use Application
76 Portsmouth Avenue, Exeter, NH
Tax Map 65, Lot 118
JBE Project No. 24029

Dear Mr. Plumer,

On behalf of our client, Green & Company, we respectfully submit a Site Plan & Conditional Use Application for the above-mentioned property. The intent of this application is to propose a Mixed-Use Neighborhood Development (MUND) within the C2 zoning district consisting of a townhouse development off Haven Lane with thirty-two (32) three-bedroom units, a four-story mixed-use building on Portsmouth Avenue having 4,418 S.F. commercial use on the first floor and thirty-six (36) one-bedroom units above, and one separate duplex with three-bedroom units on Haven Lane. The site currently exists as Fisher Auto Parts with a large paved parking area. The rear part of the site is undeveloped. The entire site is 6.7 acres.

The rear part of the site will have access and utilities off of Haven Lane. A pump station is proposed for sewer for this portion of the site. The front part of the site will have access and utilities from Portsmouth Ave.

There are wetlands on the west and east sides of the property, and two ditches that run across the property which have been determined to be man-made wetlands that were constructed for drainage purposes. A large culvert from Portsmouth Avenue outlets into one of the man-made ditches just behind the Fisher Auto Parts parking lot, from which runoff eventually flows to the wetland on the west side of the property. Wetland buffer impacts are proposed as part of the project and warrant a conditional use permit.

Proposed drainage infrastructure consists of several bioretention systems for stormwater treatment in order to meet the Town of Exeter and NHDES Alteration of Terrain Bureau's treatment requirements. Additionally, underground concrete chambers are proposed for added stormwater detention in order to maintain the peak flows from the existing to proposed condition. For the front part of the site, an underground Stormfilter system is proposed for treatment and concrete chambers are proposed for added detention as well.

The applicant came before the Planning Board for a design review meeting for this property in July of 2024, at which time a proposed project consisting of a total of 124 residential units was presented, including (2) 4-story residential buildings on the rear part of the site, (1) 4-story mixed use building consisting of both commercial space and residential units, and (1) 3-unit building on Haven Lane. At that time, the front and rear portions of the site were connected via a driveway and approximately 3,500 S.F. of wetland fills were proposed. The applicant was able to take feedback received at this meeting as well as our meeting with the Conservation Commission, also in July 2024, and make revisions to the project to address some of the concerns raised by the Board as well as abutters.

The project was reduced in density from 124 total units to 70 units. On the rear part of the site, with access from Haven Lane, the 4-story buildings were removed in favor of a townhouse development to be more in keeping with the surrounding Jady Hill neighborhood. Access was removed between the front and rear parts of the site to alleviate the concern about cut-through traffic. All direct wetland impacts were also removed which allows for connectivity of the wetlands and drainage to be maintained as it exists today.

9.1.6.B. Conditional Use Criteria:

1. That the proposed use is permitted in the underlying zoning district.
   RESPONSE: A mixed-use neighborhood development (MUND) is permitted in the C2 Zoning District.

2. No alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer is feasible.
   RESPONSE: Alternative designs have been considered including the design that was presented at the July Conservation Commission and Planning Board meetings. Since that plan, the design has been revised as much as possible and eliminated all direct wetland impacts which is a benefit to the drainage on the property as well as the wetland connectivity. Although the amount of buffer impacts has increased, the buffer can be replicated with proposed vegetation in disturbed areas after construction is complete.

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.
   RESPONSE: A functions and values report has been provided by the wetland consultant and is attached. Overall, all of the wetland functions have been degraded by proximity to development and fragmentation. Generally, impacts to the wetland buffers will not have a measurable impact to the wetland functions. Wetland A's principle function is flood flow alteration, also known as stormwater storage. With no direct wetland impact, the principle function is not reduced by the development. Wetland B has more functions, but still has a principle function of flood flow alteration. With no direct impact, the principle function is not compromised. While other functions are present, the degradation caused by human proximity, water quality degradation, erosion of channel, and fragmentation, results in that the buffer impacts on the functions can be mitigated by buffer treatment. Wetland C and D are man-made, and have very limited to no wetland functions.

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.
RESPONSE: The proposed design and construction minimizes detrimental impacts to the wetlands as much as possible. The design has been altered in order to eliminate all direct wetland impacts in order to maintain connectivity of the wetlands and drainage. The buffers will be replicated via proposed vegetation. The wetlands will be protected during construction via silt barriers.

5. That the proposed use will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater, or other reasons.
RESPONSE: No wetlands will be lost as part of the project as all direct wetland impacts have been removed from the project. Contamination of groundwater will not occur because stormwater will be treated in compliance with Town of Exeter Site plan regulations as well as NHDES Alteration of Terrain regulations for pollutant removal prior to discharging to the wetlands or groundwater. Peak flows in the proposed condition will be controlled to match existing for all required storm events so as not to increase flooding to neighboring properties. No other hazard to individual public, health, safety or welfare will occur as a result of the proposed wetland buffer impacts.

6. The applicant may propose an increase in wetland buffers elsewhere on the site that surrounds a wetland of equal or greater size, and of equal or greater functional value than the impacted wetland.
RESPONSE: The existing vegetated area on the east side of the site behind the commercial buildings on Portsmouth Avenue is to be permanently conserved as green space and to remain undeveloped as part of this project.

7. In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use, the applicant has included a restoration proposal revegetating any disturbed area within the buffer with the goal to restore the site as nearly as possible to its original grade and condition following construction.
RESPONSE: The included plan set proposes to restore all disturbed areas of the buffer that are not proposed to be permanently impacted with vegetation. See Sheet L1 of the plan set.

8. That all required permits shall be obtained from the New Hampshire Department of Environmental Services Water Supply and Pollution Control Division under NH RSA §485-A:17, the New Hampshire Wetlands Board under NH RSA §483-A, and the United States Army Corps of Engineers under Section 404 of the Clean Water Act.
RESPONSE: All required state permits will be obtained for this project including NHDES Alteration of Terrain, NHDES Wastewater Connection and EPA CGP.

Seven (7) copies of the following are included with this application:

1. Completed Site Plan Application.
2. Fee Check in the Amount of $2,780.72.
3. Signed Letters of Authorization.
4. Current Deed.
5. Abutters List & 3 Sets of Mailing Labels.
6. Tax Map.
7. Drainage Analysis.
8. Traffic Memo.
9. Architectural Plans.
10. Functions & Values Assessment.
11. Seven (7) Full Size Plan Sets.
12. Fifteen (15) Half Size Plan Sets.

We look forward to discussing this project with the Board. If you have any questions or need any additional information, please feel free to contact our office. Thank you very much for your time.

Very truly yours,
JONES & BEACH ENGINEERS, INC.

Paige Libbey, P.E.
Associate Principal

cc: Jenna Green, Green & Company (via email)
Michael Green, Green & Company (via email)
John O'Neill (via email)
Jim Gove, Gove Environmental Services (via email)
Jack Hayes (via email)
John Tuttle, Whitcher Builders (via email)
Michael Macneil
Kim Hazarvartian, TEPP, LLC (via email)

TECHNICAL REPORT OF WETLAND FUNCTIONS AND VALUES

Date of Report: 10-29-24

GES Project No.: 2024047

Project Location: 74 Portsmouth Avenue, Exeter

Prepared for: GREEN & COMPANY

Site Area Observed: Tax Map 65, Lot 18

Site Conditions: FORESTED.

Wetlands Present: FOUR WETLAND AREAS EVALUATED – A, B, C, D

Seasonal Conditions: SITE WAS VISITED IN FALL OF 2024

Field Delineators: JP Gove CWS 051, CSS 004

Standards Utilized: THE HIGHWAY METHODOLOGY WORKBOOK *SUPPLEMENT*. WETLAND FUNCTIONS AND VALUES *A DESCRIPTIVE APPROACH*. US ARMY CORPS OF ENGINEERS, *NEW ENGLAND DIVISION. 1993.*

Compiled by: James P. Gove

A: Functions were flood flow alteration, sediment/toxicant, nutrient removal. Principal function if flood flow alteration.

B: Functions were flood flow alteration, sediment/toxicant retention, nutrient removal, production export, wildlife habitat. Principal function flood flow alteration.

C: Functions had no functions. Man-made ditch.

D: Function was flood flow alteration, which is also the principal function.

Attachments:

Wetland Function-Value Forms for A, B, C, D.

Photo log and notes.

Plan with Wetland IDs noted.

8 Continental Dr Bldg 2 Unit H, Exeter, NH 03833-7526
Ph (603) 778 0644 / *Fax* (603) 778 0654
info@gesinc.biz
www.gesinc.biz

Wetland Function-Value Evaluation Form

Total area of wetland 1± AC Human made? N Is wetland part of a wildlife corridor? N or a "habitat island"? N

Adjacent land use FOREST + DEVELOPED Distance to nearest roadway or other development 0'

Dominant wetland systems present PFOIE Contiguous undeveloped buffer zone present N

Is the wetland a separate hydraulic system? Y If not, where does the wetland lie in the drainage basin?

How many tributaries contribute to the wetland? 0 Wildlife & vegetation diversity/abundance (see attached list)

Wetland I.D. A

Latitude — Longitude —

Prepared by: JPG Date 10-29-30

Wetland Impact:
Type NONE Area

Evaluation based on:
Office ✓ Field ✓

Corps manual wetland delineation completed? Y ✓ N

Function/Value	Suitability Y / N	Rationale (Reference #)*	Principal Function(s)/Value(s)	Comments
Groundwater Recharge/Discharge	N	6	N	Soils Silt + Clay
Floodflow Alteration	Y	3, 4, 8, 9	Y	Wetland Area is Small
Fish and Shellfish Habitat	N		N	No WaterCourse
Sediment/Toxicant Retention	Y	1, 2, 4	N	AREA Too Small
Nutrient Removal	Y	4, 7	N	AREA Too Small
Production Export	N	4	N	Limited Food Sources
Sediment/Shoreline Stabilization	N		N	No Shoreline
Wildlife Habitat	N	13	N	Fragmented By Development
Recreation	N		N	Fragmented By Development
Educational/Scientific Value	N		N	Private Land
Uniqueness/Heritage	N	1	N	DEGRADED BY ENCRACHMENT
Visual Quality/Aesthetics	N		N	No views
ES Endangered Species Habitat	N		N	None Observed
Other				

Notes:

* Refer to backup list of numbered considerations.

Wetland Function-Value Evaluation Form

Total area of wetland ± 1 AC Human made? N Is wetland part of a wildlife corridor? Y or a "habitat island"? N

Adjacent land use FOREST + DEVELOPED Distance to nearest roadway or other development 20'

Dominant wetland systems present PFO1E Contiguous undeveloped buffer zone present N

Is the wetland a separate hydraulic system? N If not, where does the wetland lie in the drainage basin? LOW

How many tributaries contribute to the wetland? 1 Wildlife & vegetation diversity/abundance (see attached list)

Wetland I.D. B

Latitude — Longitude —

Prepared by: JPG Date 10-29-24

Wetland Impact:
Type NONE Area

Evaluation based on:
Office ✓ Field ✓

Corps manual wetland delineation completed? Y ✓ N

Function/Value	Suitability Y / N	Rationale (Reference #)*	Principal Function(s)/Value(s)	Comments
Groundwater Recharge/Discharge	N	6	N	Soils silt + clay
Floodflow Alteration	Y	3, 6, 8, 9	Y	Large Area, Flood Plain
Fish and Shellfish Habitat	N	14, 17	N	DEEP ERODED CHANNEL
Sediment/Toxicant Retention	Y	1, 2, 4	N	Channelized Flows
Nutrient Removal	Y	4, 7	N	Channelized Flows
Production Export	Y	4, 7, 10	N	Channelized Flows
Sediment/Shoreline Stabilization	N	3, 4, 8	N	ERODED CHANNELS
Wildlife Habitat	Y	6, 7, 8, 13	N	DEGRADED, BORDER NARROW
Recreation	N		N	PRIVATE LAND
Educational/Scientific Value	N		N	PRIVATE LAND
Uniqueness/Heritage	N	1	N	DEGRADED, EROSION
Visual Quality/Aesthetics	N		N	No views
ES Endangered Species Habitat	N	TRANSITORY	N	NON observed
Other				

Notes:

* Refer to backup list of numbered considerations.

Wetland Function-Value Evaluation Form

Total area of wetland 0.05 AC Human made? Y Is wetland part of a wildlife corridor? N or a "habitat island"? N

Adjacent land use DEVELOPED, FOREST Distance to nearest roadway or other development 50'

Dominant wetland systems present PEMx Contiguous undeveloped buffer zone present N

Is the wetland a separate hydraulic system? N If not, where does the wetland lie in the drainage basin? LOW

How many tributaries contribute to the wetland? 0 Wildlife & vegetation diversity/abundance (see attached list)

Wetland I.D. C

Latitude — Longitude —

Prepared by: JPG Date 10/29/24

Wetland Impact:
Type — Area —

Evaluation based on:
Office ✓ Field ✓

Corps manual wetland delineation completed? Y ✓ N

Function/Value	Suitability Y / N	Rationale (Reference #)*	Principal Function(s)/Value(s)	Comments
Groundwater Recharge/Discharge	N	6	N	Soils Silt & Clay
Floodflow Alteration	N	3	N	STEEP Channel
Fish and Shellfish Habitat	N		N	No WATER COURSE
Sediment/Toxicant Retention	N	4	N	Channelized Flows
Nutrient Removal	N	7	N	STEEP Slopes
Production Export	N		N	No Food Sources
Sediment/Shoreline Stabilization	N		N	No Water Course
Wildlife Habitat	N		N	Man-made Channel
Recreation	N		N	PRivate Land
Educational/Scientific Value	N		N	PRivate Land
Uniqueness/Heritage	N	1	N	Narrow man-made channel
Visual Quality/Aesthetics	N		N	No views
ES Endangered Species Habitat	N	No Habitat	N	None Observed
Other				

Notes:

* Refer to backup list of numbered considerations.

Wetland Function-Value Evaluation Form

Total area of wetland 0.06 AC Human made? Y Is wetland part of a wildlife corridor? N or a "habitat island"? N

Adjacent land use Developed, FOREST Distance to nearest roadway or other development 0'

Dominant wetland systems present R2UBx Contiguous undeveloped buffer zone present NO

Is the wetland a separate hydraulic system? NO If not, where does the wetland lie in the drainage basin? LOW

How many tributaries contribute to the wetland? 1 Wildlife & vegetation diversity/abundance (see attached list)

Wetland I.D. D

Latitude — Longitude —

Prepared by: JPG Date 10/29/24

Wetland Impact:
Type — Area —

Evaluation based on:
Office ✓ Field ✓

Corps manual wetland delineation completed? Y ✓ N

Function/Value	Suitability Y / N	Rationale (Reference #)*	Principal Function(s)/Value(s)	Comments
Groundwater Recharge/Discharge	N	6	N	Soils impervious
Floodflow Alteration	Y	3, 7, 8, 9	Y	Water course - high velocities
Fish and Shellfish Habitat	N		N	Eroded, Steep Channel
Sediment/Toxicant Retention	N	1, 2	N	Short duration/Retention
Nutrient Removal	N		N	WATER Velocities high
Production Export	N		N	No Food Sources
Sediment/Shoreline Stabilization	N		N	Eroded channel
Wildlife Habitat	N		N	No Habitat
Recreation	N		N	Private Land
Educational/Scientific Value	N		N	Private Land
Uniqueness/Heritage	N		N	Man-made channel
Visual Quality/Aesthetics	N		N	No views
ES Endangered Species Habitat	N	No Habitat	N	Deep channelization
Other				

Notes:

* Refer to backup list of numbered considerations.

Photos and notes on 10-29-2024 by JP Gove.
76 Portsmouth Ave., Exeter, NH
Wetland A

Buckthorn, Raspberry, Sedges, Golden Rods, Grey Birch.
Rabbits and birds.
Herbaceous layer dead or covered with new leaves.
Isolated wetland.

8 Continental Dr Bldg 2 Unit H, Exeter, NH 03833-7526
Ph (603) 778 0644 / *Fax* (603) 778 0654
www.gesinc.biz
info@gesinc.biz

Wetland B

Buckthorn, Grey Birch, Red Maple, Herbaceous vegetation dead or covered with leaves.
Perrenial Stream

8 Continental Dr Bldg 2 Unit H, Exeter, NH 03833-7526
Ph (603) 778 0644 / *Fax* (603) 778 0654
www.gesinc.biz
info@gesinc.biz

Wetland C

Nightshade, Maple-leaf Viburnum, Honeysuckle, Herbaceous vegetation dead or covered with leaves.
Man-made ditch.

8 Continental Dr Bldg 2 Unit H, Exeter, NH 03833-7526
Ph (603) 778 0644 / *Fax* (603) 778 0654
www.gesinc.biz
info@gesinc.biz

Wetland D

Rock-cobble bottomed stream – perennial flow.
Man-made ditch, Note tires used to stabilize the slope.

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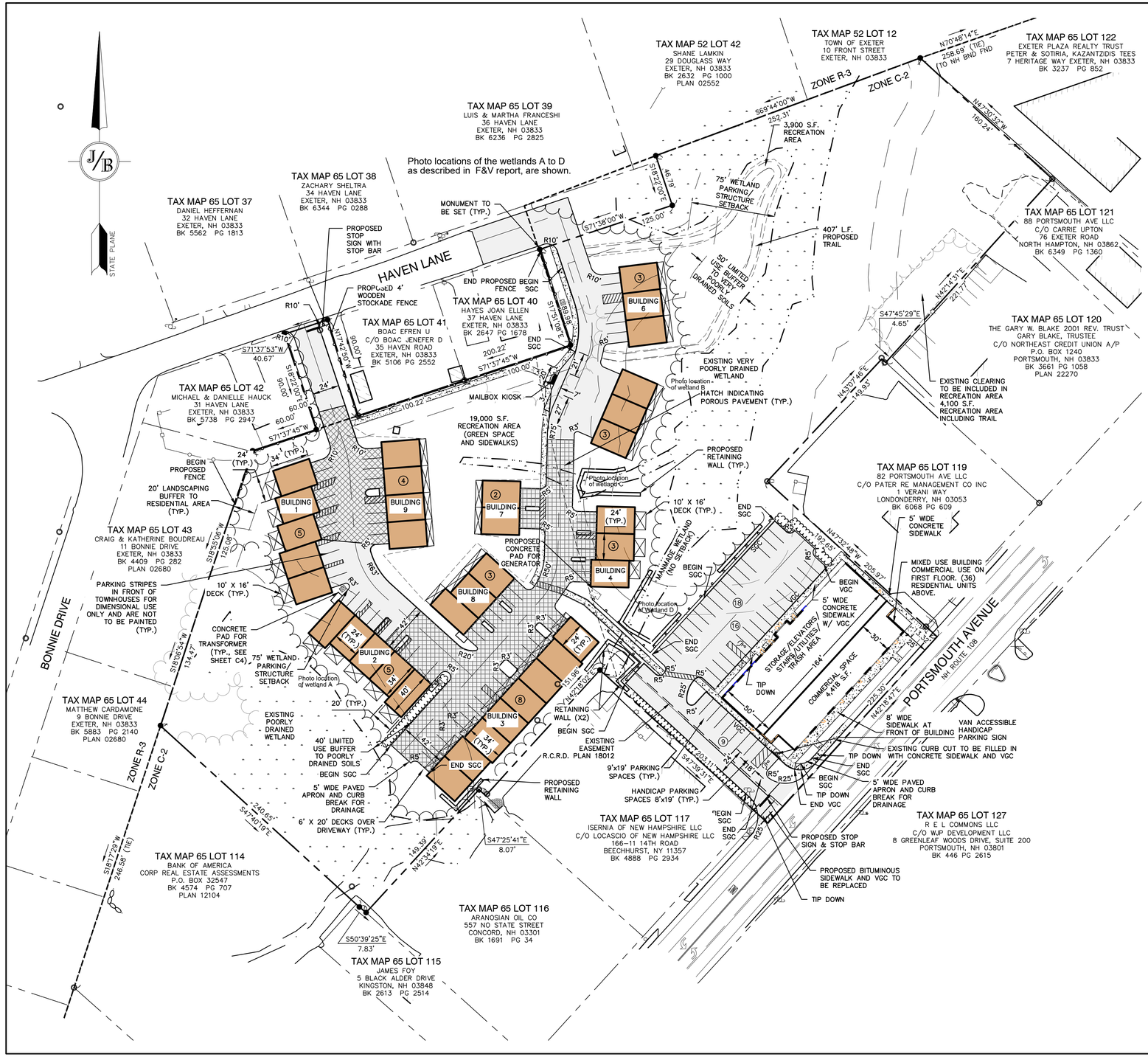

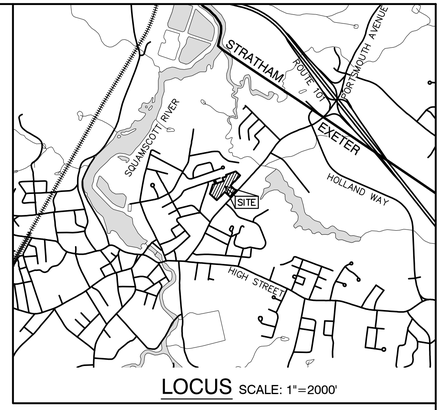

LOCUS SCALE: 1"=2000'

NOTES:

1. THE INTENT OF THIS PLAN IS TO SHOW A MIXED USE NEIGHBORHOOD DEVELOPMENT (MUND) CONSISTING OF A TOWNHOUSE DEVELOPMENT OFF HAVEN LANE WITH (36) 3-BEDROOM UNITS AND A 4 STORY MIXED USE BUILDING ON PORTSMOUTH AVENUE HAVING COMMERCIAL USE ON THE FIRST FLOOR AND (36) ONE BEDROOM UNITS ABOVE, AND ONE SEPARATE DUPLEX WITH 3 BEDROOM UNITS ON HAVEN LANE.

2. ZONING DISTRICT: C2
   LOT AREA MINIMUM = 20,000 SF
   LOT WIDTH MINIMUM = 150'
   LOT DEPTH MINIMUM = 100'
   MINIMUM LOT AREA/ DWELLING UNIT = 5,000 S.F.
   BUILDING SETBACKS (MINIMUM):
   FRONT SETBACK = 50'
   SIDE SETBACK = 20' ON ONE SIDE, 40' ON THE OTHER
   REAR SETBACK = 50'
   MAX. BUILDING HEIGHT = 35'
   MAX. BUILDING COVERAGE = 30%
   MIN. OPEN SPACE = 15%
   TOWN WETLAND BUFFER = 40' LIMITED USE BUFFER TO P.D. SOILS, 75' PARKING AND STRUCTURE SETBACK

3. RECREATION AREA REQUIRED (SITE PLAN REGULATIONS SECTION 9.6.3.) = 10% OF PROPERTY (29,163 S.F.)
   RECREATION AREA PROVIDED = 29,400 S.F. (10.1%)

3. PARKING CALCULATIONS
   PORTSMOUTH AVENUE DEVELOPMENT:
   MIXED USE NEIGHBORHOOD DISTRICT (MUND) PARKING REQUIREMENTS = 1 SPACE/RESIDENTIAL UNIT + COMMERCIAL PARKING AT 50% OF TOWN OF EXETER SITE PLAN REGULATIONS
   REQUIRED PARKING = 1 SPACE/300 S.F. X 4,418 S.F. COMMERCIAL SPACE X 50% = 8 SPACES REQUIRED
   +1 SPACE/ RESIDENTIAL UNIT = 36 SPACES REQUIRED
   TOTAL REQUIRED PARKING = 44 SPACES
   PARKING PROVIDED = 43 SPACES
   TOWNHOUSE DEVELOPMENT:
   1 SPACE PER UNIT REQUIRED
   36 UNITS / 1 SPACE PER UNIT = 36 SPACES REQUIRED
   4 SPACES PER UNIT PROVIDED (2 IN GARAGE + 2 IN FRONT OF UNIT)
   PARKING PROVIDED = 144 PARKING SPACES

4. THE LIMITS OF JURISDICTIONAL WETLANDS WERE DELINEATED BY JOHN HAYES, DURING APRIL, 2024 IN ACCORDANCE WITH THE FOLLOWING GUIDANCE DOCUMENTS:
   a. THE CORPS OF ENGINEERS FEDERAL MANUAL FOR IDENTIFYING AND DELINEATING JURISDICTIONAL WETLANDS.
   b. THE NORTH CENTRAL & NORTHEAST REGIONAL SUPPLEMENT TO THE FEDERAL MANUAL.
   c. THE CURRENT VERSION OF THE FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, AS PUBLISHED BY THE NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION AND/OR THE CURRENT VERSION OF THE FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES, AS PUBLISHED BY THE USDA, NRCS, AS APPROPRIATE.
   d. THE CURRENT NATIONAL LIST OF PLANT SPECIES THAT OCCUR IN WETLANDS, AS PUBLISHED BY THE US FISH AND WILDLIFE SERVICE.

5. ALL WATER, SEWER, ROAD AND DRAINAGE WORK SHALL BE CONSTRUCTED IN ACCORDANCE WITH SECTION 9.3 STORMWATER MANAGEMENT STANDARDS, STORMWATER MANAGEMENT PLAN, STORMWATER POLLUTION PREVENTION PLAN, AND EROSION AND SEDIMENT CONTROL STANDARDS AND THE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC UTILITIES IN EXETER, NEW HAMPSHIRE.

6. THIS PLAN SET HAS BEEN PREPARED BY JONES & BEACH ENGINEERS, INC., FOR MUNICIPAL AND STATE APPROVALS AND FOR CONSTRUCTION BASED ON DATA OBTAINED FROM ON-SITE FIELD SURVEY AND EXISTING MUNICIPAL RECORDS. THROUGHOUT THE CONSTRUCTION PROCESS, THE CONTRACTOR SHALL INFORM THE ENGINEER IMMEDIATELY OF ANY FIELD DISCREPANCY FROM DATA AS SHOWN ON THE DESIGN PLANS, INCLUDING ANY UNFORESEEN CONDITIONS, SUBSURFACE OR OTHERWISE, FOR EVALUATION AND RECOMMENDATIONS. ANY CONTRADICTION BETWEEN ITEMS ON THIS PLAN/PLAN SET, OR BETWEEN THE PLANS AND ON-SITE CONDITIONS, MUST BE RESOLVED BEFORE RELATED CONSTRUCTION HAS BEEN INITIATED. CONTRACTOR TO ALWAYS CONTACT DIG SAFE PRIOR TO DIGGING ONSITE OR OFFSITE TO ENSURE SAFETY AND OBEY THE LAW.

7. ALL CONSTRUCTION SHALL CONFORM TO TOWN STANDARDS AND REGULATIONS, AND NHDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, WHICHEVER IS MORE STRINGENT.

8. THE SUBJECT PARCEL IS NOT LOCATED WITHIN AN AREA HAVING A SPECIAL FLOOD HAZARD ZONE DESIGNATION BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NOs. 33015C0402E AND 33015C0406E, BOTH WITH EFFECTIVE DATE OF MAY 17, 2005.

9. LANDOWNERS ARE RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL WETLAND REGULATIONS, INCLUDING PERMITTING REQUIRED UNDER THESE REGULATIONS.

10. ALL CONSTRUCTION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE STORMWATER POLLUTION PREVENTION PLAN (S.W.P.P.P.). THIS DOCUMENT IS TO BE KEPT ONSITE AT ALL TIMES AND UPDATED AS REQUIRED.

11. THE CONTRACTOR SHALL READ AND FOLLOW ALL RECOMMENDATIONS MADE IN THE SITE GEOTECHNICAL ENGINEER REPORT, PREPARED BY GEOTECHNICAL SERVICES, INC., DATED JULY 12, 2024.

12. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL COORDINATE WITH THE ENGINEER, ARCHITECT AND/OR OWNER, IN ORDER TO OBTAIN AND/OR PAY ALL THE NECESSARY LOCAL PERMITS, FEES AND BONDS.

13. ALL PROPOSED SIGNAGE SHALL CONFORM WITH THE TOWN ZONING REGULATIONS, UNLESS A VARIANCE IS OTHERWISE REQUESTED.

14. ALL SIGNAGE AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (M.U.T.C.D.) AND NHDOT STANDARDS AND SPECIFICATIONS (NON-REFLECTORIZED PAVEMENT MARKINGS), UNLESS OTHERWISE NOTED.

15. ALL PARKING STALLS SHALL BE SEPARATED USING 4" WIDE SOLID STRIPES. STRIPING SHALL BE 100% ACRYLIC TYPE, LOW VOC, FAST DRYING, IN A COLOR OF WHITE.

16. ALL STOP BARS SHALL BE 18" IN WIDTH IN A COLOR OF WHITE; ALL TRAFFIC ARROWS SHALL BE PAINTED IN A COLOR OF WHITE.

17. ALL CURBING TO BE SLOPED GRANITE WITH A MINIMUM RADIUS OF 2', UNLESS OTHERWISE NOTED.

18. ALL BUILDING DIMENSIONS SHALL BE VERIFIED WITH THE ARCHITECTURAL AND STRUCTURAL PLANS PROVIDED BY THE OWNER. ANY DISCREPANCIES SHOULD BE BROUGHT TO THE ATTENTION OF THE ENGINEER AND OWNER PRIOR TO THE START OF CONSTRUCTION. BUILDING DIMENSIONS AND AREAS TO BE TO OUTSIDE OF MASONRY, UNLESS OTHERWISE NOTED.

19. SNOW TO BE STORED AT EDGE OF PAVEMENT AND IN AREAS SHOWN ON THE PLANS, OR TRUCKED OFFSITE TO AN APPROVED SNOW DUMPING LOCATION.

20. ROOF TOP HEATING AND AIR CONDITIONING UNITS (RTU's) SHALL BE DESIGNED TO VENT UPWARDS AND AIR INTAKES SHALL BE DIRECTED AWAY FROM ABUTTING NEIGHBORS.

21. ALL ARCHITECTURAL BLOCK RETAINING WALLS ARE TO BE DESIGNED AND STAMPED BY THE MANUFACTURER'S STRUCTURAL ENGINEER. CONTRACTOR TO COORDINATE WITH APPROVED MANUFACTURER PRIOR TO INSTALLATION.

22. ALL CONSTRUCTION ACTIVITIES SHALL CONFORM TO LABOR OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) RULES AND REGULATIONS.

23. ALL PRECAST CONCRETE PRODUCTS WILL BE SOURCED FROM MANUFACTURING FACILITIES IN COMPLIANCE WITH THE NATIONAL PRECAST CONCRETE ASSOCIATION (NPCA) PLANT CERTIFICATION PROGRAM. EVIDENCE OF COMPLIANCE WILL BE PROVIDED FOR THE CURRENT CALENDAR YEAR THE PRODUCTS WERE MANUFACTURED WITHIN.

GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)
1 inch = 50 feet

APPROVED – EXETER, NH
PLANNING BOARD

DATE:

PROJECT PARCEL
TOWN OF EXETER
TAX MAP 65, LOT 118

APPLICANT
GREEN & COMPANY
11 LAFAYETTE RD
PO BOX 1297
NORTH HAMPTON, NH 03862

TOTAL LOT AREA
291,630 SQ. FT.
6.7 ACRES

Design: MLS	Draft: GDR	Date: 3/15/24	
Checked: WGM	Scale: AS SHOWN	Project No.: 24029	
Drawing Name: 24029-PLAN.dwg			

REV.	DATE	REVISION	BY
6	1/6/25	GRADING PLAN FOR COM COMM	DJM
5	11/22/24	MINOR REVISIONS	DJM
4	11/5/24	ISSUED PLAN SET FOR REVIEW	KDR
3	8/19/24	PLAN SET	KDR
2	7/29/24	CONCEPT 3	KDR

Designed and Produced in NH
Jones & Beach Engineers, Inc.
85 Portsmouth Ave.
PO Box 219
Stratham, NH 03885
Civil Engineering Services
603-772-4746
E-MAIL: JBE@JONESANDBEACH.COM

Plan Name: SITE PLAN
Project: "LILAC PLACE" 76 PORTSMOUTH AVE, EXETER, NH
Owner of Record: RAP REALTY MANCHESTER LLC 50 ATLANTIC AVE, SEABROOK, NH

DRAWING No.
C2
SHEET 4 OF 23
JBE PROJECT NO. 24029

JOIN THE EXETER NH
CONSERVATION COMMISSION
FOR THEIR ANNUAL

Full Moon Walk

Warming Fire

Hot Cocoa

Feb. 12, 6:30pm

Raynes Farm
61 Newfields Road

Info: kmurphy@exeternh.gov

Exeter Conservation Commission
January 14, 2025
Nowak 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: Chair Dave Short, Vice-Chair Conor Madison, Andrew Koff, Trevor Mattera, Keith Whitehouse, Valorie Fanger, Alternate Kyle Welch, Alternate Bill Campbell, Alternate Michele Crepeau, Alternate Sean Torrez, 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. Alternate Kyle Welch was activated.

2. Public Comment

Chair Short asked if there were any public comment outside of agenda items and there was none.

Action Items

1. Site Plan Review and Wetland Conditional Use Permit for a Mixed-Use Neighborhood Development project at 76 Portsmouth Ave (and Haven Ln.) at Tax Map 65, Lot 118. (Paige Libbey, Jones and Beach

Paige Libbey of Jones & Beach Engineers presented the application on behalf of the applicant for site plan review and wetland conditional use permit for a mixed-unit neighborhood development project at the 6.7-acre parcel on 76 Portsmouth Ave which was the former site of Fisher Auto. She noted that Jenna Green from Green & Company, John O'Neill and Jim Gove were also present.

Ms. Libby described manmade drainage and ditches which bisect the property and plans for two phases of development, beginning with the 36-townhouse unit phase in the back of the property and then the 36 one-bedroom apartments in a four-story building.

Ms. Libby noted the plans had changed after the Technical Review Committee review and review by DPW, the Planning Board and Fire Department. She noted a second access was added off Haven Lane and two wetland crossings and a pedestrian crossing from the rear of the parcel to the front and connectivity for the water line from Haven Lane to Portsmouth Ave required by the DPW. She indicated

this would keep the function of the wetlands and adhere to NHDES and town stormwater drainage with drainage using porous pavement, underground filtration and retention which will be treated before outlet to the wetlands.

Ms. Libby described buffer impacts for the parking and structure and limited use impacts. Ms. Fanger asked the square feet of buffer impact and Ms. Libby indicated the limited use impacts to be 18,800 SF and the parking and structure to be 22,400 SF. Ms. Fanger noted the impacts were larger to the buffers than compared to the design at the conceptual meeting. Ms. Libbey explained that the previous proposal had larger buildings, and the state doesn't allow as much fill, and they wouldn't be able to fill the central ditch. There is less wetland impact. Ms. Fanger noted the upper right portion of the property drains to Wheelwright Creek.

Ms. Libby noted there was a landscaping plan along the edge to provide a buffer.

Mr. Koff asked to clarify the reason why a significant portion of upland, buildable area, was not being utilized and this design spreads impact to buffers right up to the wetland boundary. He noted the upland should be buildable. Mr. Gove explained that NH DES does not allow, in residential development, to do anything other than cross wetlands. There was a time we could argue that point and now it's just about square feet of their jurisdiction and avoidance and minimization. If it were commercial, then the approach is to minimize what you're going to hit. He referenced their booklet on avoidance and minimization. He agreed it might not seem rational, but he has been trying to make the same argument with them for a long time. Mr. Gove reviewed his report and noted the low function of the wetland buffers and no wildlife habitat and man-made ditch. He reviewed flood flow rates and seasonal runoff.

Mr. Koff referenced the upland area to the north of that and asked why not try to fit a few units there and Ms. Libbey noted since the previous proposal the layout had the building shifted over along with the driveway. At the TRC meeting they wanted two access points on Haven Lane. Ms. Libbey noted a pond in the corner, off the property, which she noted impacts this property. The wetland drains to the pond. She noted 15" and 48" culvert which outlets to Portsmouth Ave. She noted the natural flow of the site and high points.

Mr. Koff noted that porous pavement needs well drained soil and asked about snow removal, and Ms. Libbey noted the infiltration rates were checked and the pavement drains to the porous pavement.

Ms. Fanger noted the amount of buffer impact is worrisome, it is too much of an impact.

Mr. Clement asked how much buffer is being lost with this development and Ms. Libbey repeated the square feet of impact for parking and structure and limited use impacts and referenced Sheet C-3. Mr. Clement noted there is 40-50,000 SF of buffer impacts on seven acres. Mr. Clement noted that the buffers were not created to be thrown away like they don't matter, and noted he had a lot of trouble with those. Ms. Libbey responded that there is a large area not developed that receives stormwater runoff and will be a vegetative buffer and that they were adding stormwater management.

Mr. Koff asked if there were places that were not impacted and noted he would never approve of all the buffer on this site being impacted.

Mr. Whitehouse noted he was concerned with residents having water in their basements. Ms. Libbey reviewed the stormwater analysis, peak flow volume leaving the site and a blocked 15" culvert that needs to be resolved which is not on their property – there is nothing coming out of it when it is full and it will be resolved as part of this project. It may be blocked with sediment. Mr. Koff noted it could be causing backup onto wetland A. Mr. Whitehouse asked if it would be replaced, if needed. Ms. Libbey noted it is not on their property only the inlet is on their side. Chair Short asked if there was any discussion with the property owner and she indicated not yet but felt like it would drain if it were cleaned out. Chair Short indicated it would be helpful to know you have the property owner's permission to make the culvert functional again.

Mr. Koff noted he was concerned with the level of buffer impacts and having buildings right up against the wetland boundaries and with how people living there will control that. He noted it was not practical for a wetland to be maintained with people needing space around their homes that isn't already provided. He noted one deck extends onto the wetland boundary. Mr. Koff explained that impacts are greater in real life than shown here. He noted there is no stopping people from cutting and filling around those and wetland B connects to Wheelwright Creek and Squamscott River making an impact to wetland and wildlife. He noted grading impacts were significant and not reasonable in the real world of how people live. He noted he was least comfortable with #4, #5 and #6. He noted if those went away it would seem more reasonable to preserve the highest quality wetland and buffers. He noted that the slopes and grading into the wetland is a lot.

Mr. Mattera noted the slopes seem extreme and asked how they are held back. Ms. Libbey indicated by the wall of the building which will act as a retaining wall. Building 5 and 6 are graded as walk out basements. She noted on #4 the furthest left unit is like that, but others are not.

Mr. Whitehouse asked the size of the decks and Ms. Libbey indicated 6' deep and 10'x12 depending on which building.

Mr. Madison asked about the bottom right buffer and existing parking lot and tree line between the buildings. Ms. Libbey referenced sheet C-1 and noted that the tree line is on the abutting property so she assumes it will stay. Mr. Madison echoed the concerns of the buffer impact concerning wetland B. He noted if they could minimize it even further it would be ideal. He asked if the plans had been submitted to the state yet and Ms. Libbey indicated no. Mr. Madison noted he had concerns with the sheer amount of buffer impact.

Mr. Mattera asked why the switch from porous, and Ms. Libbey noted the separation to the water table. She noted they put it in areas where it will work.

Chair Short opened the hearing to the public for comments and questions at 7:47 PM.

Michael Hauck and Danielle Frank of 31 Haven Lane indicated their property abutted the parcel on two sides. He provided a handout with emails of other residential abutters who were all in opposition to the project and the wetland conditional use permit. Chair Short noted these were received and distributed to the Commission this afternoon. Mr. Hauck expressed concerns with the impact to his property and the environment and requested the Commission deny the wetland CUP.

Ms. Frank read a statement which she noted she adjusted her comments to what she has learned tonight. She expressed concerns with the importance of the wetland for flood control, etc. and how climate change is increasing flooding. She expressed concerns with wildlife habitat and resources, treating stormwater. She disagreed with the report which said there was no appreciable impact. She noted impacts to air, animal habitat, and light and noise reduction. She opined the project would contribute to heat build up on the Jady Hill neighborhood and that the neighborhood already experiences flooding. She asked who takes responsibility for the negative impacts where there is already a problem. She asked where was the buffer between this project and our properties? She noted they considered the presence of these mature trees and plants when they purchased their home. She requested the CUP be denied.

Ryan O'Brien of 20 Haven Lane stated that he had a couple of letters to read written by abutters who couldn't be here, the first from Catherine and Craig Boudreau of 11 Bonny Drive concerning environmental impact and wildlife, the water table, removal of natural drainage and flooding. The second was from Tania Lampey and Timothy Real of 7 Bonny Drive who had concerns with groundwater, wetlands and flooding. They recounted speaking with the town engineer and believed underground springs had been exposed. A generator and two-tiered pump system were installed. There is still an abundance of water year-round and substantial wildlife. They felt there was a corridor that stretched between Haven and Bonny and the project will negatively impact the character of the neighborhood and diminish a woodland in their "tree city." Mr. O'Brien provided photos and indicated he was opposed to the CUP and there was no hardship. He expressed concern with 50% of the units in the wetland buffer and complete disregard of the regulations. He noted the animals, wetlands and stormwater conveyance. He provided video of bobcat in a fenced area in August of 2023. He showed coyotes at 11 Bonny Drive on 1/10 and 1/13 and noted there were large predators. He noted turkeys, deer herds, fox birds and other small animals. He stated that Gove said it will not cut off any wildlife corridor provided that exists, the two wetlands A and B are connected by a small piece of land. The whole property is a cohesive system of animals and water. He addressed the channel and drainage to Wheelwright Creek and the ocean and the partially "crushed" 15" culvert. He noted buffers exist to help with the effect of human interference there and you can't build this close without negative effects. He did not want to see additional water problems created in their neighborhood and asked not to create a problem in the first place.

Diane Sam of 5 Bonny Drive agreed with wildlife including racoon and possum and expressed concerns with flooding and did not see that improving with this development going in.

Len Medlock of 11 Haven Lane noted there were frogs and other amphibians and must be a vernal pool somewhere.

Steve Taylor of 30 Haven Lane noted the project started as MUND (mixed use neighborhood development) but is now two projects with a five-year waiting period. He noted this plan pushes the houses further into the wetlands.

Jim Gove responded that perhaps he needed to go back and look at the analysis and that the photos and comments were great. He explained that the animals photographed were upland species and he was tasked with analysis of animals associated with wetlands, protected species such as Blandings Turtles, Spotted Salamander and certain species of snakes found in a wetland edge in a wetland habitat, species that are on a list that they are to consider provided by the Army Corp of Engineers. They aren't to consider deer and coyotes which are everywhere but what the wetland is doing as a wetland. He explained the hydrology of wetland A and the blocked culvert possibly contributing to wetland habitat in the area. He reviewed the volume of wetland B which cuts through the manmade ditch which has been stabilized with everything including tires tied together. He noted the hydrology of the significant channel which is now 3' deeper than it normally was.

Ms. Fanger asked what the Commission's purview was with respect to the application and Ms. Murphy indicated this was a local application. The Planning Board will address the MUND and while the Commission isn't expected to be experts, they hire out a consulting engineering firm, water quality can be part of the discussion. Ms. Murphy asked Mr. Gove about the wetland scientist who delineated the plan in April which was John Hayes and any effort to look for vernal pools because that might change the buffers considerably. Mr. Gove noted that Mr. Hayes was hired before he got involved to look at soil map and test pits for the AoT (Alteration of Terrain) application and looked at his flagging and found it to be spot on. Mr. Gove noted that his function and values assessment was done at a separate time. Mr. Gove noted he was not out there in the months that you would need to be to confirm a vernal pool is present, March, April and May. He did not see any depressional areas (18") that hold water for two months of the growing season. The blocked culvert may have situationally pooled in the past and drained.

Mr. Koff recommended reviewing the CUP criteria. Chair Short reviewed no. 1 whether permitted in the district and the response that MUND is permitted in C-2. Chair Short reviewed no. 2 alternate design that is less impactful and the response concerning the plan revision and beneficial drainage and vegetation of disturbed areas. Mr. Torrez noted the drainage rate is a huge function being lost and questioned whether it could be contributing to the flooding people experience. Mr. Mattera referenced wetland B and the significant channel. Mr. Clement felt there was an interconnection between wetland and buffers and expressed concern with eliminating the buffers and rendering the wetlands themselves useless. Chair Short reviewed no. 3 functions and values and the response that stormwater storage and flood flow were not compromised and water quality degradation mitigated. Mr. Clement noted all wetlands have value and did not feel the application met the requirements. Mr. Koff expressed concerns with the creep of development over time into the wetlands although there are ways the development can restrict that creeping and operation and maintenance plans but with zero buffer it is just too much. Chair Short questioned the ability to monitor compliance over any length of time.

Chair Short reviewed no. 4 design that minimizes impact to the wetland and buffer and the response. Ms. Fanger stated that she did not believe the design minimizes impact to the wetland and buffer.

Chair Short reviewed no. 5 public health safety and welfare and the response that the stormwater was treated before discharge and peak flows controlled to not increase flooding to other properties.

Chair Short reviewed no. 6 buffers elsewhere on the site of equal or greater value and the response noting the vegetated area which will be undeveloped green space. Mr. Mattera asked if the eastern portion was being put into conservation and Ms. Libbey indicated no it will remain undeveloped. Mr. Mattera noted there will be no permanent protection.

Chair Short reviewed no. 7 temporary disturbance and restoration and the response including the restoration plan shown on sheet L-1.

Chair Short noted the permits under DES, RSA 485-A:17 and 483-A and US Army Corp 404 of Clean Water Act and response that they will be applying for AoT and wastewater.

MOTION: Ms. Fanger motioned that the Commission is not in support of the CUP application because of alternate designs and concerns with no. 2, 3 and 4 and water quality concerns and flow to Wheelwright Creek.

Ms. Libbey requested a continuation to revise the plan and decrease impact to wetland B.

Ms. Fanger withdrew her motion.

MOTION: Ms. Fanger motioned to continue the application to the Commission's next meeting when they are ready. Chair Short seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Ms. Murphy indicated she would like to have statements from John Hayes work concerning presence of vernal pools because that could change the buffers.

Daniel Frank asked about the Planning Board meeting next week and Ms. Murphy noted they could continue to meet and may want to hear their comments as well on the redesign.

2. Land Use Change Tax Research

Ms. Crepeau provided a map of other towns and cities who either had or did not have a percentage of the Land Use Change Tax coming to their Conservation Commission. She proposed 50% or $50,000 but noted the town was always generous with funding the Commission's requests and noted they gave more than they would get with the change tax. Mr. Koff noted both mechanisms could be in place. Mr. Clement noted a bond could also be used. Mr. Clement noted 15 years ago the warrant article to give 50% of land use change tax was defeated. Chair Short noted it was too late to do it this year and Mr. Chartrand agreed this was not something they would want to put through at the last minute and recommended going before the Select Board to discuss it.

Ms. Murphy noted the Commission looked at undeveloped parcels in 2018 and 2019 and sent out a letter, and it may be worth reaching out again. She referenced the Aquatic Resource Mitigation Fund as another grant the town could apply for. Chair Short agreed the Commission needed to have funds to strike when property became available for purchase. He agreed the demographic has changed.

Mr. Koff explained the LUCT and current use with ten acres and how property taxes are reduced when a minimum of ten acres is put in current use and the penalty when it is taken out to be developed.

Mr. O'Brien opined that he wouldn't consider the past as a guarantee of the future but agreed having funds is absolute vital but to consider impact on taxes and taking money from general expenses.

3. Committee Reports

a. Property Management

Ms. Murphy indicated there had been a large brush fire off Pine Road which blew into a portion of Exeter conservation land and thanked Justin Pizon and the Fire Department for responding and the passerby who reported it. She thanked Justin for help with cleaning up. She noted that they will have access to the gate keys.

MOTION: Mr. Mattera authorized Chair Short to sign a letter expressing the Commission's gratitude to the Fire Department. Mr. Koff seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Ms. Murphy noted Dave O'Hearn had retired from mowing the property and Breen Land Works from the Tree Committee expressed an interest in doing it. The budget is $1,825 and their estimate is $2,200. They would need to shift funds to cover that.

Ms. Murphy noted that they could also help with the oriental bittersweet (invasive) removal at the Irvine property which would cost $1,750. Mr. Mattera noted there were stewardship grants from Great Bay that could help with that. S. Murphy noted Fish and Game has some grants also.

b. Outreach Events

i. Winter Solstice Celebration at Raynes – Saturday 12/21

Mr. Whitehouse reported the barn was decorated with lights and the bonfire was far from the barn. He noted the event went well and there were about 30 people. He noted the barn is ready to be used and they are waiting on L-Chip to start with the concrete work. Ms. Murphy will follow up with them tomorrow.

ii. Full Moon Snowshoe February Hike – February 12

Mr. Koff proposed a hike at Raynes with snowshoes optional. He will coordinate if anyone is interested. He noted the Recreation Department rents snowshoes.

iii. Hike Exeter Challenge – Kyle Welch

Mr. Welch reported that the Facebook page has 50 members and started only yesterday. He noted the membership question is the name of the river that runs through Exeter which is the Exeter River. The first hike released was Henderson Swasey and one will be released each week. Ms. Murphy reported that Travel and Nature offered to help with discounts and hikes.

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

Ms. Murphy noted that the Tree Committee would like to come into a meeting when the agenda is light and give an update. They recently applied for the growth award for going over and above. There were 23 trees planted with Unitil funds along Holland Way and Elm Trees (Liberty) were donated by the Chair of Pairpoint Park.

Ms. Murphy reported on the Sustainability Committee's Styrofoam Collection event. Styrofoam was collected and hauled to Guilford who has a densifier and sells it as a commodity. She noted the Town of Exeter has one on its warrant this year and will be presenting at the Select Board on Tuesday the 21st and at Deliberative Session. She thanked Keith and Dan for help with transport and reported 11 cubic yards of Styrofoam was transported. She thanked Wayne Allmond at Public Works for his help.]

4. Approval of Minutes

December 11, 2024 Minutes

Mr. Campbell recommended edits.

MOTION: Chair Short motioned to approve the December 11, 2024 minutes, as amended. Mr. Whitehouse seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

5. Correspondence

Other Business

Next Meeting: 2/11/25, Submission Deadline: 1/31/25

6. Adjournment

Mr. Koff motioned to adjourn the meeting at 9:41 PM. Chair Short seconded the motion. All were in favor, so moved.

Respectfully submitted,

Daniel Hoijer, Recording Secretary
Via Exeter TV

Zoom Webinar ID: 813 5974 0364

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Exeter Planning Board
Exeter Conservation Commission
Joint Site Walk, Lilac Place
76 Portsmouth Ave/Haven Lane
January 9, 2025 8:00 AM

Board Members in Attendance:
Planning Board: Langdon Plumer (Chair), Aaron Brown (Vice-Chair), John Grueter (Clerk), Gwen English, Jennifer Martel, Nancy Belanger (Select Board Rep.)

Conservation Commission: Keith Whitehouse, Trevor Mattera, and Bill Campbell (departed at 8:25),

Also Present: Applicant representatives, Dave Sharples (Town Planner) and Kristen Murphy (Conservation and Sustainability Planner), members from the public

On Thursday January 9th, the Planning Board and Conservation Commission conducted a site walk. meeting at Haven Lane. The committees, staff, applicant representatives and members of the public walked the proposed property. Stakes onsite indicating the road center line and building corners were pointed out throughout the walk.

The walk concluded at 8:45 am.

Kristen Murphy
Conservation and Sustainability Planner

Town of Exeter

Kristen Murphy <kmurphy@exeternh.gov>

Request re: McDonnell Conservation Area

1 message

Sean <sean.mattie@gmail.com> Thu, Jan 30, 2025 at 11:55 AM
To: Kristen Murphy <kmurphy@exeternh.gov>

Hello again, Kristen. This is Sean Mattie, resident at 171 Court Street in Exeter, writing with a request related to land and trails in the nearby McDonnell Conservation Area. Although there is a public "no dogs" policy there, many persons regularly ignore that, especially those that enter from Court Street. I write to request that a large public sign be placed prominently at that entry to deter this. Although the policy is listed in the general information placard inside the area, it is listed at the bottom, in small print, and often covered by snow, and at any rate, it seems that people don't notice it, or don't care to comply with it.

I would like for the conservation area, and of course the adjacent Exeter River, to be free of dog waste and I'd like to be able to walk the land peacefully. I had previously bought and placed a "Dogs Not Allowed" sign near the Court Street entrance, but someone took the sign down.

Thank you for your attention to this matter.

Sincerely,

Sean Mattie
171 Court Street
Unit 3
Exeter
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