

EXETER PLANNING BOARD

MINUTES

OCTOBER 27, 2011

Chairwoman Kathy Corson called the meeting to order at 7:00 PM in the Nowak Room on the above date.

PRESENT: Chairwoman Kathy Corson, Vice Chairman Ken Knowles, Selectmen's Representative Frank Ferraro, Members: Gwen English, Katherine Woolhouse and Ian Raum, Alternate Members: Clerk Lang Plumer and Pete Cameron, Town Planner Sylvia von Aulock and Deputy Code Enforcement Officer Barbara McEvoy. Chairwoman Corson indicated that the Board would not be taking any action on the application (and plan) being discussed this evening as it was only a conceptual presentation.

Chairwoman Corson announced that the application of **Beals Associates PLLC (PB Case #21116)** had been rescheduled for the November 17th, 2011 meeting at the Applicant's request.

NEW BUSINESS: PUBLIC HEARINGS

PENDEXTER PROPERTY MANAGEMENT – PB CASE #21111

Continued public hearing on the application for a minor subdivision of a 10.62-acre parcel into two single-family residential lots. The subject property is located at 110 Linden Street, in the R-2, Single Family Residential zoning district. Tax Map Parcel #104-76.

Mr. Jonathan Ring, P.E. of Jones & Beach Engineers, Inc. distributed a revised "conceptual" plan to the Board for review with the understanding that there would be no action taken this evening. Attorney Sharon Somers, from Donahue, Tucker & Ciandella PLLC was also present on behalf of the Applicant(s). She provided a brief chronologic summary of the application to date noting that similar concerns had been raised by both the Planning Board and Conservation Commission relative to the access way and wetland impacts. She noted that a drainage analysis had subsequently been completed, and reviewed by the Town Engineer and Underwood Engineering, Inc. (UEI) on behalf of the Town. Ms. Somers commented that most recently, one of the representatives of the property, Mr. Paul McCoy, had met with Ms. von Aulock to discuss a variation of the original proposal which they hoped would address many of the concerns raised by the Planning Board back in July. She concluded by indicating that Mr. Ring would be presenting the details of the plan, and that her clients were only looking for comments and guidance from the Board at this time.

Mr. Jonathan Ring, P.E. with Jones & Beach Engineers, Inc. presented the details of the redesigned plan and reiterated that they were only looking for feedback from the Board. He indicated that the most important change was the relocation of the 12' wide gravel driveway to the north of the parcel. In doing so, the existing septic system serving Lot #1 would have to be relocated which would require a new design to be prepared for review and approval by the Town and New Hampshire Department of Environmental Services (NHDES). He noted that other matters associated with this proposed revision would be the need for a driveway & utility easement, a waiver from the wetland buffer requirements, and a waiver for grading within twenty-feet (20') of the abutters' property line for construction purposes. Mr. Ring indicated that as a result of the proposed revision, the wetland buffer impacts would be substantially reduced and there would be no encroachment of the 100-foot prime wetland buffer. He noted that the revised driveway location would still cross through the 100-year floodplain area. He reiterated that a full drainage analysis had been provided for review and subsequently UEI had requested a pre-and-post-development analysis. He indicated that once the location of the driveway has been determined, this information will be provided to UEI for their review.

Mr. Raum inquired about waivers. Mr. Ring reviewed the waiver requests previously submitted (and referenced on Sheet 5 of the original plan set). He indicated that waivers for natural features, wetland buffer setbacks, septic reserve area and grading along property line would still be required, although a modified waiver request letter and Conditional Use Permit (CUP) application would be necessary to accommodate the new revisions being discussed. He mentioned he was uncertain about a waiver request for utilities and would discuss the issue with his clients.

Ms. English asked if the Conservation Commission has had the opportunity to review the conceptual plan. Mr. Ring responded that they had not. Chairwoman Corson asked Mr. Ring when the Applicant

anticipated returning to the Planning Board. Mr. Ring responded most likely in December, but it would be subject to being able to get on the November agenda for the ConCom. Board members concurred that it would be advantageous for the ConCom to weigh in on the conceptual proposal prior to the Applicant returning to the Planning Board.

Mr. Knowles stated that although the revised conceptual plan was an improvement, and it provided a reduction in the wetland impacts, therefore offering a better situation for the downstream abutter, it was still necessary to evaluate it on its own merit and its compliance with the criteria for a Conditional Use Permit (CUP), floodplain ordinance and subdivision regulations.

Recalling the site walk conducted in August, Mr. Plumer stated that it was an extremely challenging site to attempt to develop. He indicated that it was a piece of property right on the river that was always going to be wet, even in a drought season. He commented that he just hoped that time and money was not being wasted.

Ms. English concurred with all other Board member comments. She added that although the conceptual was a better plan, multiple waivers would still be necessary in order to create the proposed subdivision. She explained that she was having difficulty understanding what, if any, hardship existed to justify granting such considerable relief. Furthermore, she commented why the Planning Board would consider granting approval of a proposal that needed such significant relief.

At this time, Chairwoman Corson opened the meeting for public comment. No one came forward to speak and the public portion of the hearing was closed. It was noted that Ms. Diane Arnhiem, direct abutter at 114 Linden Street was present in the audience but did not wish to speak at this time.

Ms. Somers concluded her presentation by stating that her client wished to return to the Planning Board after the Conservation Commission has had the opportunity to review the conceptual plan. Chairwoman Corson commented that she did not get a positive sense from the Board's discussion that the proposal would be considered a viable development and did not want to see the Applicant(s) incur unnecessary additional expenses. Ms. Somers stated that she was hopeful that the Conservation Commission would support the revised plan and provide favorable comments to the Planning Board.

OTHER BUSINESS

APPROVAL OF MINUTES: July 14 and October 13, 2011

Mr. Plumer moved to approve the minutes of July 14, 2011, as presented; seconded by Ms. English. VOTE: Unanimous.

Mr. Ferraro moved to approve the minutes of October 13, 2011, as presented; seconded by Mr. Cameron. Discussion: Ms. Corson indicated that the meeting was actually only four (4) minutes long and Mr. Cameron added that the 'motion to adjourn' needed to be amended, noting that Mr. Campbell was not present at the meeting. Motion was restated and seconded to approve the minutes with the two changes as noted. VOTE: Unanimous. (Ms. English and Messrs. Plumer and Raum abstained).

TOWN PLANNER ITEMS

- Ms. von Aulock reported that her current concentration had been on the Master Plan as she continues to organize the numerous recommendations provided during the visioning sessions.
- She also reminded everyone about "Halloween" approaching and that "The Pumpkin House" in Newmarket would once again be featuring its spooky array of decorations and goodies for the trick-or-treaters !!

REPORTS ON "OTHER COMMITTEE" ACTIVITY

Chairwoman Corson reported that the Zoning Ordinance Review Committee (ZORC) had been discussing the concept of Form Base Codes and the Economic Development Commission (EDC) had been working on an action plan.

Mr. Cameron commented that the ZORC was doing a fine job and he found them to be very productive. He also noted that the Historic District Commission (HDC) had met earlier this month and reviewed several applications. He commented that things were going well and he was trying to fit in.

Ms. English indicated that she would provide an update of Rockingham Planning Commission (RPC) business at the next meeting.

CHAIRMAN'S ITEMS – None

There being no further business before the Board, ***Mr. Plumer moved to adjourn; second by Mr. Ferraro. VOTE: Unanimous. The meeting was adjourned at 7:45 P.M.***

The next meeting of the Exeter Planning Board will be held Thursday, November 3, 2011 at 7:00PM in the Wheelwright Room at the Exeter Town Offices.

Respectfully submitted,

Barbara S. McEvoy
Deputy Code Enforcement Officer
Planning & Building Department

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