

EXETER PLANNING BOARD

MINUTES

DECEMBER 1, 2011

Clerk Lang Plumer called the meeting to order at 7:00 PM in the Nowak Room on the above date.

**PRESENT:** Selectmen's Representative Frank Ferraro, Members: Carol Sideris, Gwen English, Ian Raum (7:05 PM), Alternate Members: Clerk Lang Plumer and Pete Cameron, Town Planner Sylvia von Aulock and Deputy Code Enforcement Officer Barbara McEvoy.

It was noted that all board members in attendance would be voting.

Acting Chairman Plumer announced that the application of **81 High Street LLC, PB Case #21115**, previously scheduled for discussion this evening had been rescheduled for the Board's next meeting on December 15<sup>th</sup>, 2011 at the request of the Applicant.

Acting Chairman announced that there was a brief item of "Other Business" that he would like to address before the public hearing this evening.

**OTHER BUSINESS:**

**COMPADRES, LLC (d/b/a Beech Hill Estates S/D – "Rinny Lane") – PB Case #2414**

The Board reviewed correspondence from Mr. Leo Manseau dated 9/23/11 requesting release of the performance bond for the Beech Hill Estates subdivision and a memorandum from Town Engineer Paul Vlasich dated 11/22/11 regarding that request and his recommendations for street acceptance of Rinny Lane.

***Mr. Ferraro moved to approve the release of the performance bond, as recommended by Town Engineer Paul Vlasich, subject to the receipt of a maintenance bond in the amount of \$44,137.00 as indicated in his memo dated 11/22/11; second by Mr. Cameron. VOTE: Unanimous. PERFORMANCE BOND RELEASE APPROVED.***

**NEW BUSINESS: PUBLIC HEARINGS**

**ALLIANCE ENERGY, LLC – PB CASE #21114**

**The application for a minor site plan review for the proposed construction of a drive-thru window in the existing convenience store and associated site improvements at 191 Epping Road (d/b/a "Mobil-on-the-Run" facility). The subject property is located in the C-3, Epping Road Highway Commercial zoning district. Tax Map Parcel #40-11.**

Acting Chairman Plumer asked Ms. von Aulock if the abutters and public had been duly notified; Ms. von Aulock responded affirmatively. She asked if the application was complete enough for the Board to consider; Ms. von Aulock indicated the application was complete. ***Ms. English moved to accept the application thereby beginning the 90-day clock for the Board to act; Mr. Raum seconded the motion. VOTE: Unanimous. APPLICATION ACCEPTED.***

Mr. Chris Tymula, Project Manager from of MHF Design, Inc. was present to address the Board on behalf of the Applicant. He identified the site and indicated that the current Mobil On-the-Run facility had received site plan approval from the Board back in 2000 and noted that his firm had represented them at that time as well. He stated that the application had originally been filed earlier this year (August) and in conjunction with the review process the concern about the lack of maintenance of the existing detention ponds on the site was raised. Mr. Tymula stated that based on his discussions with the Planning Office, his client subsequently hired the services of Stormwater Compliance, LLC, a storm water maintenance management firm, to inspect the site and perform the necessary maintenance work for the drainage system to operate as originally designed.

Mr. Tymula continued and explained that the proposal before the Board was to add a drive-thru window for a "Dunkin' Donuts" shop component within the existing convenience store. Other site improvements would include a ten-foot (10') wide paved drive aisle to provide a queuing lane for customers, additional landscaping and relocation of underground utilities. He indicated that review comments from Underwood Engineering, Inc. (UEI) had just been received today so revisions to the site plan would be forthcoming in accordance with their recommendations. Mr. Tymula also provided the Board with a waiver request letter, dated December 1, 2011 for their review.

Board discussion ensued relative to the proposed queuing lane layout and the dynamics of how the traffic would flow with the proposed improvements. Several suggestions were made for additional signage to be added in an effort to help ensure the safety of customers.

Mr. Cameron inquired if there were any hazardous waste issues due to the lack of maintenance of the detention ponds. Mr. Tymula responded that there was not. Ms. English asked about truck deliveries. It was represented that most deliveries were made by box-size trucks, and not tractor trailers.

Ms. English also inquired about the status of the conservation easement on the property. Mr. Tymula acknowledged that he understood it was a condition of the prior site plan approval. Ms. von Aulock made reference to the memorandum from Natural Resource Planner Kristen Murphy, dated November 18, 2011 in which she indicated that the conservation easement had never been recorded and was now requesting that this process be completed prior to final approval being granted for this project. Ms. von Aulock confirmed that no additional requests or conditions were being imposed upon the Applicant; she indicated that this issue was just not followed up on subsequent to the 1999 approval.

There being no further discussion at this time, Acting Chairman Plumer asked if there were any interested parties who wished to speak on the application; there were none. The public portion of the hearing was closed and Board discussion resumed.

Ms. von Aulock reviewed several of the outstanding issues that remained for the Applicant to address, which included the following:

- Cautionary signage be considered for alerting customers exiting the drive-thru facility
- Add "Do Not Block" demarcation on pavement to assure that the thru-lane be kept open
- Stormwater Facilities/Maintenance Agreement be prepared, executed and submitted for file
- Inspection Report for existing septic system be submitted for file
- Site plan be revised to accurately delineate wetlands and buffers (i.e. inclusion of man-made wetlands)

The Board proceeded to address the waiver requests submitted by the Applicant, as follows:

- Section 9.9.2 Wetlands - It was represented that the existing car wash structure, entrances and exits to the car wash, curbing, pavement and drive aisles were located within the required fifty-foot (50') wetlands setback. Relief was being sought to stripe the four parking spaces already located within the paved area. It was noted that no new impervious areas were proposed within this wetland setback area.

***Ms. English moved to grant the waiver to allow for the four parking spaces currently located within the fifty-foot (50') setback to be striped; Seconded by Mr. Ferraro. VOTE: Unanimous.***

- Section 9.13.6 Parking areas – Mr. Tymula indicated that a twenty-eight foot (28') drive aisle was being proposed to the rear of the structure for access. He noted that ten-feet (10') of that aisle space was being proposed as additional vehicular stacking for the proposed drive-thru lane, therefore leaving an eighteen-foot (18') wide one way drive aisle for access around the building and to the car wash facility. He noted that the Board's regulations require a twenty-two foot (22') wide drive aisle associated with 90-degree parking. Relief was being sought for the reduced drive aisle width.

***Mr. Ferraro moved to grant the waiver, as requested; seconded by Ms. Sideris. VOTE: Unanimous.***

There being no further discussion, ***Mr. Ferraro moved to grant approval of the minor site plan, as presented, subject to the following conditions:***

1. ***All requests of the Planning Board to be addressed, including but not limited to:***
  - ***A "Caution" or "Stop" sign to be added to the north side of building for drive thru vehicles.***
  - ***A "one-way" arrow to be added on the south side of building to indicate traffic flow to rear of building. Striping or a "Do Not Block" sign be painted on the pavement area indicated for cars to continue in the queue of traffic for the drive-thru lane. (The intent is to insure waiting vehicles do not block vehicles for thru traffic or car wash).***
  - ***MHF Engineer to provide a drainage system maintenance plan to be reviewed and approved by the Town and executed by the property owner. The Town's Storm Water Maintenance/BMP Facilities Maintenance Agreement be executed by the property owner and project engineer and submitted to the Planning Office.***
  - ***The "exempt wetlands" shown on the plan be re-delineated to include man-made systems only, and***

- ***A septic inspection report be provided to insure that the septic system is operating properly.***
- 2. ***All final revisions to the plans, agreements or related documents required by Town Departments, Town Counsel and their consultants to be addressed, including:***
  - ***Comments outlined in the correspondence from Underwood Engineers, Inc., dated 11/30/11 and***
  - ***Recommendations outlined in the memorandum dated 11/18/11 from Natural Resource Planner Kristen Murphy.***
- 3. ***All appropriate fees to be paid including but not limited to applicable impact fees, inspection fees, and related consultant fees;***
- 4. ***The Applicant shall submit an executed Site Review Agreement for Board signature;***
- 5. ***A preconstruction meeting shall be arranged by the applicant and his contractor with the Town engineer prior to any site work commencing;***
- 6. ***All conditions of this approval are to be met within one year and all site improvements shall be completed within two years from the date of final approval.***

***Motion was seconded by Mr. Cameron. VOTE: Unanimous. CONDITIONAL APPROVAL GRANTED.***

### **OTHER BUSINESS**

#### **APPROVAL OF MINUTES: November 17, 2011**

It was determined that there was not an appropriate quorum of members present to take action on the minutes. Action was deferred until the Board's next meeting.

### **TOWN PLANNER ITEMS**

Ms. von Aulock gave a brief update on the status of proposed zoning amendments. She indicated that there were only three (3) being proposed and that she was still working on 'fine-tuning' them with Town Counsel. She noted they would be scheduled for public hearing at the Board's December 15<sup>th</sup> meeting but she did not expect any final action on them until the second public hearing scheduled for the January 12<sup>th</sup>, 2012 meeting.

Ms. von Aulock also offered a reminder about the holiday raffle taking place for the local fuel assistance program. She indicated that tickets were available at the Town Planning Office, and also at St. Michael's Church and Hartmann Oil --- \$2./ticket or 3 tickets for \$5.00. The drawing will take place on Thursday, December 29<sup>th</sup> at the Exeter Town Office.

### **REPORTS ON "OTHER COMMITTEE" ACTIVITY** – None

### **CHAIRMAN'S ITEMS** – None

There being no further business before the Board, ***Mr. Ferraro moved to adjourn; second by Ms. Sideris. VOTE: Unanimous. The meeting was adjourned at 7:50 P.M.***

The next meeting of the Exeter Planning Board will be held Thursday, December 15<sup>th</sup>, 2011 at 7:00PM in the Novak Room at the Exeter Town Offices.

Respectfully submitted,

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

:bsm