

EXETER PLANNING BOARD

MINUTES

NOVEMBER 7, 2013

Chairman Ken Knowles called the meeting to order at 7:00 PM in the Nowak Room on the above date.

PRESENT: Chairman Ken Knowles, Selectmen's Representative Frank Ferraro, Members Katherine Woolhouse, Pete Cameron, Gwen English, Alternate Members: Clerk- Lang Plumer and Kelly Bergeron, Town Planner Sylvia von Aulock.

Recording Secretary: Administrative Assistant to the Planning and Building Departments: Leigh Burley.
Mr. Knowles announced there were 7 members and that all would be voting.

NEW BUSINESS: PUBLIC HEARINGS

ROLLINSFORD ASSOCIATES LLC – PB CASE #21305

Continued public hearing on the application for a non-residential site plan review and Conditional Use Permit for the proposed construction of a 4,800 square foot retail/service building and associated site improvements on the property located at 146 Portsmouth Avenue, Tax Map Parcel #51-1. The Applicant is also requesting a lot line adjustment with abutting properties (under same ownership) for the purpose of creating a more suitable commercial development lot along Portsmouth Avenue. Tax Map Parcels #51-1, #51-3, #51-3.3 and #51-3.4. All properties are located in the C-2, Highway Commercial zoning district.

Mr. Knowles announced the site walk visit on October 24, 2013 for property located at 146 Portsmouth Avenue. Present at the site walk and listed on sign-in paper were: Chairman Ken Knowles- Exeter Planning Board, Lang Plumer- Exeter Planning Board, Member Gwen English- Exeter Planning Board, Craig Salomon- Owner's Attorney, John Salin- Owner (45%), Brenden Quigley- Gove Environmental Services, John Lorden- MSC Engineers, and Town Planner Sylvia von Aulock- Exeter Planning Board.

John Lorden, MSC Engineers referred to the site walk:

- Vertical concrete curbing changed to granite curbing
- guard rail extension full length of retaining wall
- 2 catch basins- removed and replaced with standard catch basins to match existing
- Sylvia von Aulock suggested a note be added to the McDonalds side of their plans, saying the layout is subject to planning board of approval.

Concerns: The Exeter Fire Department's 1st choice is to have a break in the median to which the truck can ride over to gain access to the property, without having to do a u-turn. Mr. Lorden expressed that the delineators which indicate where the median is, could be plowed over during the winter months and could break. The engineers' first choice is to have the fire department make a u-turn with the new fire truck. Mr. Lorden stated the plans were designed around the size of the fire truck. Mr. Lorden stated that Public Works doesn't want to maintain the median. It would be a private snow removal company. His fear is the delineators would break and not pop back up. His concern is, a car could possibly go over the curbing if that happened. Mr. Plumer questioned what the plans are for construction access during the development? Mr. Donahue stated there is an easement in place and recorded which grants access straight through from Portsmouth Avenue to the back, straight, right in and right out. The applicant's intention is to revise note 10 on the lot line adjustment plan. Only one clear cut was approved originally on Stoneybrook Lane. Mr. Plumer asked for the previous plan to be displayed, he expressed concern for how awkward access would be for construction. Parking would need to be in the McDonald's parking lot, and then walking over to the lot to gain access. Mr. Donohue expressed Rollinsford Associates own the lot. Mr. Donohue indicated to note 10 on the lot line adjustment plan. He extended a copy to the board. Mr. Knowles asked for any comments or questions from the board. Mr. Cameron apologized for not being at the site walk. Mr. Knowles asked if there were any members of the public who wish to speak. There were none.

Mr. Knowles read the revision of note 10 on the lot line adjustment plan: ***BOTH THE ACCESS EASEMENTS BENEFITTING MAP 51 LOT 1, AS EXPANDED AND MAP 51 LOT 3.3 AS EXPANDED OVER MAP 51 LOT 3, AND MAP 51 LOT 3.3. TO ACCESS STONEYBROOK CONNECTOR AND PORTSMOUTH AVENUE, ARE TO BE RETAINED AND EXTENDED SO AS TO PRESERVE ACCESS FOR MAP 51 LOT 3.3.***

There was lengthy discussion about access on Stoneybrook Lane. Mr. Knowles opened up the subject to the public for questions or comments, for the record. There being none, Mr. Knowles brought it back to the board. Ms. Woolhouse asked for clarification about the frontage. Mr. Donahue replied that the lots are being merged to handle it.

Mr. Plumer made the motion to approve the revision, Ms. Bergeron seconded. There was no discussion. Vote: All in the affirmative for the revision of note 10.

Mr. Knowles continued onto the two waivers.

9.9.2 - Site Plan Review

- 40 ft. set back from poorly drained
- 50 ft. setback from very poorly drained
- 75 ft. setback for structure and parking.

Mr. Knowles confirmed with the client that they have a dredge and fill permit from DES already, Mr. Donahue agreed. He then asked if there were any questions or comments. There was none. Mr. Cameron moved to approve the first waiver and Mr. Plumer seconded. No discussion. The Vote: Unanimous in the affirmative to approve 1st waiver.

9.5.14 - Site Plan Review

- Temporary grading within 5 feet of property line. Mr. Cameron motioned and Mr. Plumer seconded. There was no discussion. The Vote: Unanimous in the affirmative to approve.

9.12.1.1 - Site Plan Review

- 1 loading space per 4000 - 4800 sq ft. The applicant is asking for one loading space vs. two. Ms. Bergeron made the motion to grant the waiver, Mr. Plumer seconded. No discussion. The Vote: Unanimously in the affirmative to grant the waiver.

SPR/CUP

Mr. Plumer asked about access beyond the right of way. Mr. Knowles commented it would interfere with the Wetland setbacks. Mr. Lorden stated that if that was needed further down the line, the wall could come down. Ms. English asked if there were conditions. Mr. Donohue said they submitted two conditions. The following were proposed as conditions of approval:

- 1. All waivers and conditions of the approval shall be noted on the plan;***
- 2. All final revisions to the plans are related documents required by Town Departments, Town Counsel and their consultants to be addressed, with exclusion of changes to the median in Portsmouth Avenue;***
- 3. All appropriate fees to be paid including but not limited to: Performance bond, sewer/water connection fees, inspection fees, and other agreed upon improvements.***
- 4. All state permits, with their approval dates and conditions of approval be noted on the plans;***
- 5. The applicant shall submit an executed Site Review Agreement for Board signature;***
- 6. All on-site improvements shall be completed prior to any issuance of a certificate of occupancy (CO) with exception of the finish course of pavement;***
- 7. A preconstruction meeting shall be arranged by the applicant and his contractor with Town engineer, Planning staff and Code Enforcement Officer prior to any site work commencing.***

The following items must be submitted for review and approval prior to the preconstruction meeting:

- ***The SWPPP (Storm Water Pollution Prevention Plan) be submitted to and reviewed for approval by DPW; and***
 - ***Final plans for underground electrical /telephone/cable to be submitted for review and approval by DPW.***
8. ***The applicant shall meet with the Town Assessor to determine the street address.***
 9. ***All conditions of this approval shall be met within one year and all site improvements to be completed within two years from the date of final approval.***
 10. ***The planning Board's approval of any future site plan applications for the adjacent McDonald's restaurant with the revised access points and circulation pattern from Stoneybrook lane Connector and Portsmouth Avenue to the Rollinsford Associates LLC property in location as shown on the Applicant's site plan; and***
 11. ***The Applicant's conveyance to the Town of Exeter acting by and through its Conservation commission of the 2.43 acres identified as Tax Map parcel #51-3.4 as shown on the accompanying Lot Line Adjustment Plan, together with the trail access easement as shown on the Site Plan. This condition shall be satisfied prior to the issuance of any building permit for the construction of site improvements. The recording of the deed for this Conservation Conveyance in a form acceptable to the Conservation Commission and Town Counsel shall constitute active and substantial development by the Applicant in compliance with RSA 694:39.***

Mr. Knowles asked for explanation of note 10 & 11 stated above in the explanation from Mr. Donahue did so and the revisions are as such.

Mr. Knowles asked the board if there were any questions or concerns, there being none.

Mr. Plumer moved to grant the revisions of the CUP, Mr. Ferraro seconded. Vote: Unanimous in the affirmative to grant the revisions.

Mr. Donahue continued and described the Conditional Use Permit application.

CUP

- Direct wetland impact 1,616 ft.
- Impact within the 40 ft. poorly drain soils buffer; temporary and permanent
- Impact detail within the 50 ft. very poorly drained soils buffer

Mr. Donahue explained the buffers are already lined up in the waivers already approved.

Mr. Knowles open the discussion up to the public; there was none, back to the board where there were no questions or comments.

Mr. Ferraro moved to approve the Conditional Use Permit and Mr. Plumer seconded. Vote: all in the affirmative to approve the CUP, with Ms. English abstaining.

OTHER BUSINESS

PB Case #2711 - Contoocook Lofts LLC (d/b/a "Linden Commons" subdivision) with continued discussion/update regarding tree buffer issue with abutting property owner.- ***(Postponed until PB 11/21/13 meeting at Applicant's request)***

Compadres, LLC – PB Case #2414

Request for release of maintenance bond for (Rinny Lane Subdivision)-Mr. Knowles expressed that DPW has inspected and recommends the release; Exeter Fire Department as well. Discussion: Mr. Plumer inquired about the date of the 2 year condition. The date is 11/28/2013. Mr. Plumber made the motion to

accept the release of the bond. Kelly Bergeron seconded. The Vote: Unanimous in the affirmative to release the bond.

APPROVAL OF MINUTES:

Mr. Knowles stated minutes submitted from June 20, 2013 and October 10, 2013 to be approved at the next meeting.

TOWN PLANNER ITEMS

Ms. von Aulock announced there was an upcoming meeting with Granite State Futures: Exeter will be represented. Also, Ms. von Aulock reported on WISE (Water Shed Integration) and progress on the Form Base Code for Portsmouth Avenue.

REPORTS ON "OTHER COMMITTEE" ACTIVITY

There were none

CHAIRMAN'S ITEMS

There being no further business before the Board, *Mr. Plumer moved to adjourn; second by Mr. Ferarro. VOTE: Unanimous in the affirmative. The meeting was adjourned at 7:54 PM.*

The next meeting of the Exeter Planning Board will be held Thursday, December 12, 2013 at 7:00 PM in the Novak Room at the Exeter Town Offices.

Respectfully submitted,

Leigh A. Burley
Administrative Assistant
Planning & Building Department

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