

EXETER PLANNING BOARD

MINUTES

JUNE 6, 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, Vice Chairwoman Kathy Corson, Selectmen's Representative Frank Ferraro, Members: Gwen English, Alternate Members: Kelly Bergeron and Pete Cameron, Town Planner Sylvia von Aulock and Deputy Code Enforcement Officer Barbara McEvoy. It was represented that all board members in attendance would be voting.

Chairman Knowles announced that the agenda would be taken slightly out of order to accommodate a request for a brief presentation by RPC Executive Director Cliff Sinnott about an upcoming community event.

REGIONAL MASTER PLAN – Rockingham Planning Commission

Mr. Cliff Sinnott spoke briefly with the Board regarding the upcoming 'open house' event being sponsored by the RPC. He indicated that it was a public forum for communities within the RPC region to meet the RPC staff and learn about the Commission's focus on the Regional Master Plan. He noted that displays, hands-on activities and interactive discussions would make up the agenda for the evening. The event is scheduled for Monday evening, June 24th, 2013 from 5:30 – 8:30 PM at the Exeter High School located at 315 Epping Road. Light refreshments will be served.

NEW BUSINESS: PUBLIC HEARINGS

NORTHEAST LANTERN LTD. – PB CASE #21309

The application of for a Conditional Use Permit (CUP) to allow the proposed construction of a 960 square-foot addition to an existing industrial building and a 1,200 square-foot ancillary storage structure which will encroach upon the required setback in the Shoreland Protection District. The subject property is located at 6 Commerce Way, in the I-Industrial zoning district. Tax Map Parcel #48-4-1.

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

Mr. Dana Lynch, P.E. with Civilworks, Inc. addressed the Board on behalf of his client. He acknowledged that Messrs. Skip Heal and Chris Heal were also in attendance with him this evening. Mr. Lynch began his presentation by identifying the location of the site and noting that the Applicant received site plan approval for its current facility in July, 1999. He indicated that the business had been operational at this site for over twelve (12) years and the Applicant is now seeking to accommodate its business growth by expanding the existing 15,000 s.f. structure by 960 s.f. and constructing a 1,200 s.f. (30'x 40') storage building. Mr. Lynch reviewed the site plan noting that the proposed additions were both located within areas previously disturbed by the original 1999 improvements (partially or wholly within existing pavement or lawns areas). He indicated that no clearing of vegetation or disturbance of natural ground surface would be required for the proposed improvements and that overall there would be no increase in the amount of impervious area on the site.

Mr. Lynch continued and addressed the Applicant's request for a waiver from Section 9.9.2, Wetlands Setbacks for relief from the parking setback requirement. He identified the parking and loading/service areas and noted that they were connected via a paved access aisle to facilitate truck delivery as well as emergency vehicle access. Mr. Lynch explained that the specific circumstances which would warrant the granting of the waiver were that the current distance between the building and edge of wetlands measured 72-feet and that the location of the building addition was based on reason to support internal operations. He noted that although the proposed construction of the addition would reduce the existing access aisle width slightly (to approx. 17'), a viable access for vehicular traffic would continue to be

maintained. Mr. Lynch added that the proposal also included the widening of the pavement at the northeasterly corner of the building to provide a 20-foot aisle width, resulting in a slight encroachment of the wetlands buffer.

Ms. English asked if it had been determined that the proposed location of the free-standing building was the most reasonable. Mr. Skip Heal responded by describing the typical traffic pattern and movements on the site. He stated that the location as presented was the furthest away from the brook and facilitated their loading dock area. He indicated that they had looked at alternative locations but given some of the physical constraints on the property, had not found them to be conducive to their operations.

Mr. Ferraro moved to grant the waiver request from Section 9.9.2, Wetlands Setbacks, to permit relief from the 75-foot parking setback requirement, as requested; seconded by Ms. Corson. VOTE: Unanimous. WAIVER REQUEST GRANTED.

Mr. Lynch proceeded to review the criteria for the Conditional Use in accordance with Article 9.3.4.G.2.- Exeter Shoreland Protection District.

Ms. Corson moved to grant the Conditional Use Permit (CUP) to allow the proposed construction of a 960 square-foot addition to the existing industrial building and a 1,200 square-foot ancillary storage structure, as presented; second by Mr. Cameron. VOTE: Unanimous. CONDITIONAL USE PERMIT GRANTED.

HOLDING COURT, LLC – PB CASE #2906

A public hearing on the request for an extension of a previously approved site plan for the proposed development of a tennis facility and associated site improvements to be located at 19 Continental Drive. A request for a waiver from Section 6.9.3 of the Board's Site Plan and Subdivision Regulations is also being sought to permit the aforementioned extension. The subject property is located in the CT-1, Corporate Technology-1 Park zoning district. Tax Map Parcel #46-7.

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

Ms. Sharon Somers, Esq, with Donahue, Tucker & Ciandella, PLLC addressed the Board on behalf of their client, Holding Court LLC. She explained that due to the economic conditions arising from the recession which have severely impacted the region and real estate development, the start of this project had been delayed. She indicated that their client was seeking a one (1) year extension of the previous conditional approval granted by the Board in 2009 with the condition that any future design of the project would comply with the most recent changes to the wetlands regulations and would also require a Conditional Use Permit (CUP). She noted that the Board had granted a previous extension of this approval with this same condition in 2012.

Attorney Somers proceeded to review the criteria outlined in Section 13.1.2 for the granting of a waiver to permit the requested extension from Section 6.9.3 of the Board's Site Plan Review & Subdivision regulations.

Mr. Ferraro inquired as to the difference between the Applicant coming back to the Board with revised plans or starting all over; he indicated that he was not suggesting that be the case but was trying to clarify the process. Attorney Somers responded that by granting the extension it would allow the Applicant to come back to the Board with a modification and/or amendment to the original site plan approval.

Ms. Corson moved to grant the waiver from Section 13.1.2, therefore allowing the extension of the approval for a period of one-year (to now expire on June 25, 2014), subject to the Applicant proceeding to reconfigure the project layout so as to minimize the impacts within the wetland

buffer and that a Conditional Use Permit (CUP) would also being required; motion seconded by Ms. Bergeron. VOTE: Unanimous.

LAPORTE CONSTRUCTION CORP. and NORTHEAST CREDIT UNION – PB CASE #21310

The application for a minor site plan review for the proposed renovation of an existing building including associated parking and a drive-thru facility. The subject property is located at 84 Portsmouth Avenue, in the C-2 Highway Commercial zoning district. Tax Map Parcel #65-120.

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

Mr. Jonathan Ring, P.E. with Jones & Beach Engineers, Inc. was present to address the Board. He also acknowledged that Messrs. Robert Wester and Devin Parker from Northeast Credit Union, Mr. Gary LaPorte from LaPorte Construction Corp. and property owner Gary Blake were also present with him this evening. Mr. Ring proceeded to describe the current vacant site changes to be made to accommodate Northeast Credit Union operations. No changes to current drainage. Mr. Cameron asked if there will be changes to the traffic flow. Mr. Ring verified the traffic flow will only have one entrance on left & one exit on right. Ms. Corson asked if there could be a way to bring more 'green life' into the area. Ms. Corson suggested putting some of the striped areas to green. Mr. Wester brought up concern for traffic not being able to see to exit if planting is too large but will consider adding green areas. Mr. Parker wanted to mention the row of trees currently onsite which will be staying. Chairman Knowles asked if there would be any sign obstruction for the exiting customers. Ms. von Aulock indicated the sign in the middle island does seem to block the view for exiting customer. Mr. Parker indicated they would be willing to move sign so it does not obstruct the view. Board had a discussion regarding moving the canopy forward to avoid cars not being able to proceed around the building.

Ms. English moved to approve the minor site plan for the site improvements to 84 Portsmouth Avenue subject to the following conditions:

- ***A revised site plan be submitted depicting an adjustment of the canopy structure and/or the vehicular lanes to allow for an increased width in the 'by-pass' lane;***
- ***Additional green area shall be added to the front of the site along Portsmouth Avenue (i.e. extension of existing landscaped beds);***
- ***All appropriate fees to be paid including but not limited to: Performance bond, sewer/water connection fees, inspection fees, and other agreed upon improvements as required;***
- ***The existing lighting on the site shall be modified to be in compliance with the current regulations;***
- ***A preconstruction meeting shall be arranged by the applicant and his contractor with the Town engineer prior to any site work commencing, if deemed necessary; and***
- ***All conditions of this approval are to be met within one year and all site improvements to be completed within two years from the date of final approval.***

Motion seconded by Ms. Corson. VOTE: Unanimous. MINOR SITE PLAN APPROVAL GRANTED.

OTHER BUSINESS

81 HIGH STREET, LLC - PB CASE # 21115

The Board reviewed correspondence from Mr. Steve Wilson (Hampshire Development Company), dated 5/6/13, requesting the release of the bond security being held for the project. An e-mail from Town Engineer Paul Vlasich was also reviewed which recommended the bond could be reduced to \$6,500.00. It was represented that the remaining funds would be held by the town until such time as the finish asphalt paving was completed and 'as-built' plans were submitted.

Ms. Corson moved to approve the bond reduction as recommended; second by Ms. Bergeron. VOTE: Unanimous.

“LINDEN COMMONS” SUBDIVISION – PB CASE #2711 - REQUEST BY BRIAN GRISET

Mr. Brian Griset, resident and abutter to the project, addressed the Board with specific concerns about the project not being constructed in compliance with the approved subdivision plan.

Board consensus was to schedule a site walk to view the site prior to the Board's next meeting. Chairman Knowles asked Ms. McEvoy to provide copies of the materials Mr. Griset had submitted this evening as well as the appropriate plan sheets to the Board for review.

APPROVAL OF MINUTES: May 23, 2013.

The minutes of May 23, 2013 were not available for review.

TOWN PLANNER ITEMS

Ms. von Aulock presented news regarding an upcoming project working with UNH Collaborative along with Rockingham Planning Commission on a green infrastructure storm water project. A grant was received and working with Marshall Farms, plans are to clean up Brick Yard Pond. We will be working with the neighborhood group to create some rain gardens as well as provide education.

Also, the Citizens Working Group, for the Climate Adaptation Planning is underway. Anyone interested in joining this group to contact Planning Dept.

REPORTS ON “OTHER COMMITTEE” ACTIVITY

CHAIRMAN’S ITEMS

There being no further business before the Board, ***Mr. Ferraro moved to adjourn; second by Mr. Cameron. VOTE: Unanimous. The meeting was adjourned at 9:00 P.M.***

The next meeting of the Exeter Planning Board will be held Thursday, June 20, 2013 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