

Chairman Ken Knowles called the meeting to order at 7:00 pm in the Nowak Room of the Exeter Town Offices on the above date.

Members Present: Don Clement (BOS rep), Ken Knowles (Chairman), Katherine Woolhouse, Pete Cameron, Kathy Corson (Alt), and Gwen English. **Town Staff:** Sylvia Von Aulock (Town Planner) and Sarah McGraw (recording secretary).

Mr. Knowles allowed for Felder Kuehl Properties to be first on the agenda.

NEW BUSINESS: PUBLIC HEARINGS

1. Felder Kuehl Properties, LLC-PB Case # 2522 Request for extension of conditional approval-Meeting Place (commercial site)

Mr. Knowles commented on a letter from March 25, 2014 that a change of use would go under the zoning enforcement officer and Zoning Board of Adjustment.

Ms. English asked for the time line of the extension. Mr. Knowles said it would be a one year extension.

Ms. English moved to grant an extension to case number 2522, second by Ms Woolhouse.

VOTE: Unanimous

2. Towitall, LLC/Allen Lampert Trust for a multi-family site plan review and Conditional Use Permit for the proposed construction of a four-unit, multi-family structure and associated site improvements on the properties located at 25-29 Franklin Street. The subject property is situated in the R-2, Single Family Residential zoning district. Tax Map Parcels #72-75 and #72-77. Case # 21318.

Mr. Jeff Kavan from TF Moran described the changes made from the last Planning Board Meeting . The existing trees in the back of the four unit structure are to be removed with new trees planted. The color scheme would be similar to the Long Block building. The fence along the west end of the property behind the parking lot would be a three foot chain link fence. The project received a Conditional Use Permit for greater than 10 percent lot coverage, a building within 150 feet from the river, and a waiver to allow parking within 10 feet of the side and rear property line and waiver to work /grade within 5% of property line.

Questions from Board Members:

Mr. Clement asked what were dandy bags.

Mr. Kavan said they were for erosion control in which sediment was caught in the bag.

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Mr. Clement said it was important for new buildings to treat storm water. He asked about additions to storm water systems and water separators. Mr. Kavan said there was a storm water system planned to catch pollutants.

Ms. English asked about the final decision with lighting in the parking lot.

Mr. Kavan said they did not eliminate lighting, it was reasonable for safety reasons.

Mr. Knowles asked if the lights were on a timer. Mr. Kavan said they were open to a timer/motion detector. Mr. Knowles asked if they could go to a timer/motion detector at around 10 pm. Mr. Kavan said they would note to add a motion detector after 10 pm.

Mr. Knowles asked about side walk ramps with an ADA ramp going down the driveway into traffic. He noted there should be detectable warning strips. Mr. Kavan said they would agree to this change. Mr. Knowles pointed out an ADA ramp at the corner and there was no crosswalk or sidewalk on other side of road. Mr Kavan said it was at an intersection and it provided access from the sidewalk to the street. Mr. Kavan said they would coordinate with Department of Public Works and the Exeter Police about ADA ramps and crosswalks. Ms. Aulock said she didn't remember cross walks coming up at the Technical Review Committee. She said she would ask for in put from the Department of Public Works.

Mr. Knowles asked for a clarification for limits of overlay. Mr. Kavan said there was a dashed line which he showed on the maps present.

Mr. Knowles pointed out the entrance to the units was tight. There was 6 inches from back of curb to property line to install a fence. Mr. Kavan said they could narrow it down to 20 in. Mr. Kavan asked the board if narrowing the entrance off South Street to 20 inches then back to 22 when the parking spaces began was suitable.

Mr. Knowles asked if the board was comfortable with the chain link fence design. Ms Aulock said the state of the abutter's fence was in bad condition. Mr. Kavan said they did not disagree with a stockade fencing but thought it wasn't strong enough. Mr. Lampert said the current chain link fence was 15 years old with little damage. Mr. Knowles said he was concerned about screening the parking lot from the abutter. Mr. Clement asked about the height of the stockade. Ms. Woolhouse said it was 6.5 feet. Ms. English asked how the applicants had communicated with the abutter. Mr. Lampert said the abutter did not live in the state. Mr. Clement said he agreed with Mr. Knowles that a stockade fence does a better job screening out light than a chain link fence. Mr. Kavan said cost was not an issue whether they chose stockade or chain link.

Mr. Knowles opened the case to public comment: No Comment

The board needed to grant a waiver from section 9.5.1.4 Grading, Drainage, and Erosion & Sediment Control, and no grading within five feet of any exterior property line. **Ms. Corson moved to grant waiver 9.5.1.4, second by Ms. English. VOTE: Unanimous.**

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. Mr. Knowles read through the conditions of the site plan approval.

1. All requests of the Planning Board to be addressed,
 - i. All waivers and conditions of the approval be put on the plan.
 - ii. Add a stockade 6' solid fence between the property's parking lot and the abutting property.
 - iii. Driveway curb cut narrowed to 20 feet, 22 feet once parking spaces start
 - iv. Add warning strips at crosswalks to be coordinated with DPW and police/fire department to see if there is a need. Sidewalk ramp should have a cross walk added to road.
 - v. Light be placed on a dimmer and timer after 10 pm then put on motion detector.
2. All final revisions to the plans or related documents required by Town Departments, Town Counsel and their consultants to be addressed,
3. All appropriate fees to be paid including but not limited to: Performance bond, sewer/water connection fees, inspection fees, impact fees, and other agreed upon improvements.
4. All state permits, dates of approval, and their conditions be put on the plans.
5. Site agreement signed.
6. All on-site improvements to be completed prior to any issuance of certificate of occupancy (CO) .
7. A preconstruction meeting be arranged by the applicant and his contractor with the Town engineer prior to any site work(or demolition) commencing. The following must be submitted for review and approval prior to the preconstruction meeting.
 - i. The SWPPP (stormwater pollution prevention plan) be submitted to and reviewed for approval by DPW prior to preconstruction meeting if applicable.
 - ii. Final plans for underground electrical/telephone/cable to be submitted prior to preconstruction meeting and reviewed and approved by DPW.
8. The Applicant shall meet with the Town Assessor to determine the street addresses.
9. All conditions to be met within one year and all site improvements to be completed within two years from the date of final approval.

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Mr. Kavan asked about SWPPP, and if the site is greater than fifty thousand square feet if it was regulated by the state or an EPA threshold.

Mr. Knowles responded it was a standard with the site plans for the Department of Public Works.

Ms. Corson moved to approve the conditional site plan approval for case number 21318 second by Mr. Cameron. VOTE: Unanimous

A waiver was submitted from Section 11.3.1.2.a. to allow a parking area within 10 feet of the rear of any building. The Applicant has submitted a justification letter regarding this request. The Board may also recall that during a conceptual design review, the Board discussed parking in front of the building verses behind the building, and that latter was preferred.

Ms. Corson moved to approve the waiver 11.3.1.2a second by Mr. Clement. VOTE: Unanimous

Conditional Use Permit

Ms Aulock requested requirements: improving the drainage onsite

1. Storm water maintenance agreement
2. Maintain manual for homeowners

Ms. Corson moved to approve the Conditional Use Permit for case number 21318 second by Ms. English. VOTE: Unanimous

3. The application of A&M Recovery Properties,LLC/Allen Lampert Trust for a Conditional Use Permit for the proposed reconstruction of the existing two family structure located at 26-28 Franklin Street. The subject property is situated in the R-2, Single Family Residential zoning district. Tax Map Parcel # 72-74. Case# 21319

Mr. Kavan noted this was the two unit structure with parking garage underneath. The changes made were made to include a perspective as the board had requested.

Mr. Clement asked about the effectiveness of the drainage into the rain garden.

Mr. Kavan said their intention was to capture everything coming off the building to be directed into the rain garden. He would clearly define the swales going into rain garden. Mr. Knowles said they could add it to the conditions.

Ms. English wanted to bring up parking and pervious/impervious pavement. Mr. Kavan said he discussed this with the owner. The problem was pulling in and out motion would cause rutting. Mr. Kavan said they are reducing over all surface coverage. Mr. Knowles said there should not be too much turning. Mr. Clement said pervious pavement wouldn't be practical for the small space but was interested in the possibility of using pavers if installed properly.

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Ms. Aulock noted as this was the first time viewing the new rendering of the property she wondered if the structure would impact the view shed from neighbor's property. Mr. Knowles said the size of the building matters; it was what triggered the CUP with impervious coverage. Mr. Kavan reiterated that they were reducing impervious coverage, adding a rain garden and vegetation to mitigate impacts. Mr. Lampert noted the neighbor to the south of the project had expressed no issues with the project in relation to the view shed and that they had met with HDC to make changes to the design. Ms. Aulock suggested having a smaller building or include pavers. Mr. Knowles said from the property line to the street was pavement. Ms. Corson added that she did not think pavers were necessary and Mr. Cameron agreed.

Mr. Knowles opened the discussion for public comment.

Ms. Kathleen Gallant of Clifford Street, Exeter expressed her concerns for setting precedence for the types of future projects in town set by this particular project and if there were long term implications from this property.

Ms. Aulock commented that if pavers were preferred they should be carried to the five unit structure. Mr. Knowles said from a regulatory standpoint the Planning Board could not force matching recommendations structure to structure.

Ms. Woolhouse asked to review the current CUP on file. Mr. Kavan read through the CUP Criteria found on file at the Exeter Town Offices. Mr. Knowles noted there was no need to act on a waiver for this CUP.

A Conditional Use Permit was sought for building within 150 feet of the Exeter River and for greater than 10 % lot coverage within the Exeter Shore Land Protection Overlay District.

Mr. Cameron moved to grant the CUP with the following additions:

- I. Provide a note on the plan that indicates the intent of the grading around the building to get runoff into the rain garden, also add spot grades.***
- II. Provide a storm water maintenance agreement and manual.***

Second by Ms. Corson. VOTE: 4:2 Ms. English and Ms Woolhouse voting nay

- 4. The application of Towitall, LLC/Allen Lampert Trust for a multi-family site plan review and Conditional Use Permit for the proposed redevelopment of the property located at 20 Franklin Street for multi-family residence(5 townhouse units) The subject properties are situated in the WC-Waterfront Commerical, C-1, Central Area Commercial and R-2, Single Family Residential zoning districts. Tax Map Parcel #72-72,#72-71. Case # 21320**

Mr. Kavan explained the relevant designs of the building including swales along the building, heavy planting plan behind building, and designated two parking spaces as guest parking. Ms Corson asked if there would be visitor parking signs and Mr. Kavan said that is part of the plan. Ms. English commented on the height of the building and if it was higher than permitted. Mr. Knowles said the heights are based on an average so the structure was in compliance. Ms. English asked if there was demolition

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schedule for the current buildings. Mr. Kavan said there was a site prep plan for demolition. Mr. Kavan said they would add silt fencing around trees and a silt fence to prevent debris going into the river. He said there was no detailed demolition schedule available at the moment. Mr. Knowles asked if there were dust control measures for demolition. Mr. Kavan said they normally add water to keep dust down. Mr. Clement commented about using hay bails to prevent erosion. Mr. Knowles said sometimes hay bales could harbor invasive species.

Mr. Knowles opened the case for public comment.

Sharon Rondo, owner of two units at the Long Block building asked if run off from the new structures would run towards the Long Block building. Mr. Kavan said there were protective measures preventing water running to the Long Block. Ms. Rondo also stated her windows were near the future demolition sites. Mr. Knowles asked Mr. Kavan to note in the plan that all water would be directed to the rear of the structure and not to abutter. Mr. Knowles added to notify Department of Public Works and Long Block tenants about dust control measures by the demolition company. There was no further public comment.

Ms. Corson moved to grant waiver Waiver from 9.5.1.4; Grading, Drainage, and Erosion & Sediment Control...No grading within five feet of any exterior property line, second by Mr. Clement. VOTE: Unanimous

Mr. Knowles read through the site plan approval conditions:

1. All requests of the Planning Board to be addressed,
 - i. All waivers and conditions of the approval be put on the plan.
 - ii. Contractor to provide dust control measures so that the abutter not be adversely affected.
 - iii. Direct water away from abutting properties to rear of structure.
2. All final revisions to the plans or related documents required by Town Departments, Town Counsel and their consultants to be addressed,
3. All appropriate fees to be paid including but not limited to: Performance bond, sewer/water connection fees, inspection fees, impact fees, and other agreed upon improvements.
4. All state permits, dates of approval, and their conditions be put on the plans.
5. Site agreement signed.
6. All on-site improvements to be completed prior to any issuance of certificate of occupancy (CO) .
7. A preconstruction meeting be arranged by the applicant and his contractor with the Town engineer prior to any site work(or demolition) commencing. The following must be submitted for review and approval prior to the preconstruction meeting.

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- i. The SWPPP (stormwater pollution prevention plan) be submitted to and reviewed for approval by DPW prior to preconstruction meeting if applicable.
 - ii. Final plans for underground electrical/telephone/cable to be submitted prior to preconstruction meeting and reviewed and approved by DPW.
8. The Applicant shall meet with the Town Assessor to determine the street addresses.
9. All conditions to be met within one year and all site improvements to be completed within two years from the date of final approval.

Mr. Clement moved to approve the site plan for case #21320 with conditions, second by Mr. Cameron.

VOTE: Unanimous

A Conditional Use Permit is sought to allow a multi-family use with the Exeter Shoreland Protection Overlay District. See Applicant's letters for justification.

Mr. Clement moved to approve the CUP

- I. **Contractor to provide dust control measures so that the abutter not be adversely affected.**
- II. **Direct water away from abutting properties to rear of structure.**

Ms. Corson moved to grant the CUP for case # 21320, second by Ms. English. VOTE: Unanimous

- 5. The application of The River Woods Company for a Conditional Use Permit for proposed drainage and landscape improvements which will encroach upon the required buffers of the Wetlands Conservation Overlay District. The subject property is located at 7 River Woods Drive, in the R-1, Low Density Residential zoning district. Tax Map Parcel #97-23. Case # 21403**

Mr. Jeff Clifford from Altus Engineering presented the details of the project. The proposed site did not have good soil and to improve conditions they would need to prepare the drainage system. Work in the wetland buffer did not trigger a site plan review. The CUP is required for right of Riverwoods Drive. The plan included extending the drainage to the buildings and adds a hybrid rain garden. The rain garden would involve incorporating an 18 inch pipe running through the "ditch." It would be a perforated pipe with crushed stone on top to allow discharge into the wetland. Mr. Clifford explained The River Woods Company filed for a minimum impact permit with the Department of Environmental Services (DES). There would be 140 square feet of disturbance with a 40 foot setback.

Ms. English asked if they planned on removing invasive species from the proposed area. Mr. Clifford said they would be lowering the area by three feet which should remove all unwanted vegetation.

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There is a Conservation Commission Memorandum available on file at the Exeter Town Offices stating the vote in support of the Minimum Impact Expedited Wetlands Dredge and Fill application.

Criteria for the CUP can also be found on file at the Exeter Town Offices.

Mr. Knowles opened the case for public comment of which there was none.

Ms. Corson moved to approve the Conditional Use permit for case number 21403, second by Ms. Woolhouse. Mr. Cameron abstained. VOTE: Unanimous

Ms. Robbie Woodburn, landscape architect of the project was present to talk about the project and explain rain gardens. Perennials would be used for the current project and construction should start in June.

OTHER BUSINESS

1. Minutes Approval for February 20, 2014, March 13, 2014 and March 27, 2014.

Ms. English moved to approve the minutes for February 20, 2014, second by Ms. Woolhouse. VOTE: Unanimous

The March 13 minutes were deferred to the next meeting.

Mr. Clement moved to approve minutes from March 27, 2014, second by Ms. Corson. Ms. Woolhouse abstained. VOTE: Unanimous

Ms. Von Aulock said there was an Office of Energy and Planning work shop.

2. Committee Reports:

The Economic Development Commission (EDC) met and the Tax Incentive Financing plan was voted down at the March elections. A vote will go to the Board of Selectman by the end of May. Ms. Corson said there will be a small business show case on the town website. Ms. Corson reported 79E was voted in and being worked on. Seventy nine E are improvements to properties which are approved by the select board and waives assessed tax for a number of years.

Ms. English went to the Rockingham Planning Commission meeting. She explained a new organization called Commute Smart Seacoast to encourage ride sharing. A website will be up soon. Anne Rug is the manager for the project.

Ms. Corson spoke on the Form Based Code subcommittee. There will be a survey on people's impressions of Portsmouth Avenue.

Mr. Knowles reminded the board of the All Boards 2 meeting coming up.

Mr. Clement suggested members to renew their membership as term notices are due.

Ms. English moved to adjourn the meeting, second by Ms. Woolhouse. VOTE: Unanimous

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The meeting was adjourned at 9:11pm.

Respectfully Submitted,

Sarah McGraw