

**Exeter Board of Selectmen Meeting
Monday, August 25th, 2014, 7:00 p.m.
Nowak Room, Town Office Building
10 Front Street, Exeter, NH**

1. Call Meeting to Order
2. Bid Openings/Awards
3. Public Comment
4. Minutes & Proclamations
 - a. Proclamations/Recognitions
 - b. Regular Meetings: August 11th, 2014
5. Appointments
6. Discussion/Action Items
 - a. New Business
 - i. Introduction of Darren Winham – Economic Development Director
 - ii. Dam Removal Design/Engineering Contract - DPW
 - iii. Third Reading Health Ordinance Update – Health Department
 - iv. 2015-2020 Capital Improvement Program Update
 - v. Acting Pay Policy
 - b. Old Business-
 - i. Review BOS Goals/All Boards 2 Notes
7. Regular Business
 - a. Tax, Water/Sewer Abatements & Exemptions
 - b. Permits & Approvals
 - c. Town Manager's Report
 - d. Selectmen's Committee Reports
 - e. Correspondence
8. Review Board Calendar
9. Non Public Session
10. Adjournment

Julie Gilman, Chairwoman
Exeter Selectboard

Posted: 8/22/14 Town Office, Town Website

Persons may request an accommodation for a disabling condition in order to attend this meeting. It is asked that such requests be made with 72 hours notice. If you do not make such a request, you may do so with the Town Manager prior to the start of the meeting. No requests will be considered once the meeting has begun.

AGENDA SUBJECT TO CHANGE

Draft Minutes

Exeter Board of Selectmen

August 11, 2014

1. Call Meeting to Order

Chairwoman Julie Gilman called the meeting to order at 7:00 pm in the Nowak Room of the Exeter Town Offices building. Other members present were Vice Chair Dan Chartrand, Selectwoman Nancy Belanger, Selectwoman Anne Surman, and Selectman Don Clement. Town Manager Russell Dean was also present.

2. Bid Openings/Award:

None.

3. Public Comment

Harry Thayer spoke, and explained why he is upset with the new Classification pay plan. He talked about the fire department in particular, and talked about the RSA's that pertain to them. He listed what the fire department is capable of and what their duties are. He said no other town officials have this much power. He thinks the fire chiefs were graded too low. He said the new pay plan is a big mistake.

Bob Eastman spoke, and talked about a letter he had written to the newsletter. He is also upset with the new pay plan. He went through the new pay grades that he doesn't agree with. He said the pay plan makes no sense to him and he urged the BOS to consider rescinding the plan.

Brian Griset spoke, and said he had an issue with last meetings minutes. He said his comments were disregarded and it had appeared he left early in the meeting. He said it was interesting to read the whole Classification Plan. He asked who will place the current employees in the pay plan. He said there is a \$100,000 increase on the new pay plan. He wants to know the justification of this increase. He said he sees no justification for this pay scale based on there is no need for it. Vice Chair Chartrand said he is not sure where the \$100,000 figure came from. The increase was put into the budget last year. This figure is a tactic and not fact based. Mr. Griset said it is not a tactic, it is an analysis based on surrounding towns. Chairwoman Gilman reminded that the pay scale is over a period of time, not one year.

4. Minutes and Proclamations

a. Proclamations/Recognitions

None.

b. Regular Meeting: July 28, 2014

A Motion was made by Vice Chair Chartrand and seconded by Selectwoman Belanger to accept the minutes of the July 28, 2014 BOS meeting. Motion carried – all in favor.

A Motion was made by Selectwoman Surman and seconded by Selectman Clement to rescind the Classification Plan as recommended by the Town Manager, Human Resource Director, and MRI Consultants that was made at the BOS meeting of July 28, 2014.

Selectwoman Surman explained her reasoning for making this motion. She said the current plan is only 5 years old and it is working. She also said that on page 76 of the report they received from MRI it says that Exeter is doing a good job with the pay scales based on surrounding towns. She said further study is needed on this new plan. She said the new plan is flawed. She said she will spend her time to work on this with someone. They need to study it more and compare it to what they have.

Vice Chair Chartrand objected to any characterization that the BOS did not do their research on this. He said this has been a long process. His problem is the current plan is based on longevity and the new plan is an improvement.

Selectman Clement said he has reviewed the plan and what is most intriguing is what the plan doesn't say. It doesn't say that the current pay plan is outdated or anything of the sort. It does say, however, that the current pay plan is good. The 2009 plan isn't perfect, no plan is, but why take a plan that is working and effective and put in a plan that employees don't understand the implementation of or the appeal process. He said they don't need to jump into this new plan. He said they didn't see this new plan's report until 3 days before the last meeting. He says this is not enough time to implement it.

Chairwoman Gilman asked if the new plan is in place. Mr. Dean said yes, it is in place. He said the appeal process is a new process, as there wasn't anything before. He said this new plan covers a lot of positions. It covers positions that up until now were not classified. He said implementation of the new plan was made as close to the old plan as possible.

Selectman Clement said many employees don't have a good understanding of the implementation of the new plan. He said they are talking about putting a plan in place that they are not ready to put in place.

Selectwoman Belanger asked if the implementation is in place now, and Mr. Dean said it started July 7 and people have seen this change in their pay already. Based on this, Chairwoman Gilman asked if they even can rescind. Selectman Clement said they should be

able to; they have had payroll issues before. Selectwoman Belanger asked if they have given a raise to employees in the past and rescinded it. Mr. Dean said not that he can remember. Selectwoman Surman said this new plan is fresh and now is the time to get it right.

With a Motion on the table, the Board voted 2-3, with Belanger, Chartrand and Gilman voting nay. Motion fails.

5. Appointments – Economic Development Commission, Arts Committee

A Motion was made by Vice Chair Chartrand and seconded by Selectwoman Surman that the Board of Selectmen appoint John Mueller to the Economic Development Commission to fill the unexpired term of Cynthia Tokos, with a term to expire April 30, 2016. Motion carried – all in favor.

A Motion was made by Vice Chair Chartrand and seconded by Selectman Clement that the Board of Selectmen remove Rawson Webb from the Exeter Arts Committee effective August 11, 2014, due to non-compliance with the Selectboard policy on committee attendance. Motion carried – all in favor.

A Motion was made by Vice Chair Chartrand and seconded by Selectwoman Belanger that the Board of Selectmen appoint Francesca Fay to the Exeter Arts Committee, term to expire April 30, 2015.

6. Discussion/Action Items

a. New Business

i. Health Ordinance Update – Second Reading

A Motion was made by Selectman Clement and seconded by Vice Chair Chartrand to open public hearing. Motion carried – all in favor.

Selectwoman Surman read the Town Health Ordinance 1204 proposed updates, word for word.

A Motion was made by Selectman Clement and seconded by Vice Chair Chartrand to closed public hearing.

Mr. Dean said if there are any questions about this the best way to get answers is to contact the health department.

b. Old Business

i. Permits Policy Update

Selectman Clement have a list of four recommendations he has for the permits policy. Selectwoman Gilman asked what the four recommendations were. Selectman Clement said they were the following:

- 1) For the purpose of compliance, the state law should reflect the RSA.
- 2) The town ordinance should be reviewed and updated for consistency.
- 3) The permit forms should be reviewed for consistency and consolidated.
- 4) They should consider a separate approval process between municipal and non-municipal procedures.

He said these are things they need to be looking at. He said a lot of permits are allowed to be signed by the Town Manager and he thinks the BOS should be giving approval for permits, as the state statutes say.

Vice Chair Chartrand asked if there has been any opinion from town counsel pertaining to this. Mr. Dean said town counsel has said it is up to the Board. Selectman Clement disagreed, saying that is not what the statutes say. Vice Chair Chartrand said his inclination is they delegate this respectively to the Town Manager. Selectman Surman said the RSA is pretty clear, and she disagreed that they should delegate to the Town Manager. Chairwoman Gilman delegated Vice Chair Chartrand, Selectman Clement, and Mr. Dean to sit down and go through the details of this. Selectman Clement said as a Selectman, it is their responsibility to vote on these as a governing body. Vice Chair Chartrand, Selectman Clement and Mr. Dean agreed to sit down and come up with some ideas on the details of this issue. Brandon Stauber asked if the public will be able to sit in on this. Chairwoman Gilman said it is not a public forum.

ii. Review NHMA Policy Positions

Chairwoman Gilman asked the Board for their feelings on this. She said there are a lot of policy positions she is willing to support.

Vice Chair Chartrand sad he had two that he liked. The first was #1 under Infrastructure Development and Land Use for the restoration of full general revenue funding for municipal state aid grants. He said this is critical since they are about to take on some major infrastructure. The Board agreed. A Motion was made by Vice Chair Chartrand and seconded by Selectman Clement to support #1 under Infrastructure Development and Land Use. Motion carried – all in favor.

The second one from Vice Chair Chartrand was a Standing Policy Recommendation #25 where the NHMA is in opposition to an increase of 60% non-vote requirement. A Motion was made by him and seconded by Selectwoman Surman to support this. Motion carried with a 3-1 vote, Gilman a nay, and an abstention from Clement.

Selectwoman Surman likes #23 to see if NHMA would support legislation to simplify the process of a municipality converting from a calendar year budget to a fiscal year budget. The Board agreed. A Motion was made by Selectwoman Surman and seconded by Vice Chair Chartrand to support the budget year conversion and legislation to simplify the process of municipalites. Motion carried – all in favor.

Selectwoman Belanger talked about #3 on page 1, Welfare Lien Priority. She thinks this is a good idea. A Motion was made by Selectwoman Belanger to support the policy for Welfare Lien. With no second, the Motion failed.

She also likes #10 on page 3, Storage of Records. This changes records to include putting records on paper or microfilm. Selectman Clement asked to get the Town Clerk's perspective on this. Chairwoman Gilman agreed the Town Clerk's opinion would be good. Mr. Dean said they will get some clarity on the intent of this.

Selectwoman Belanger talked about #4 on page 8, Clarification on Elderly Exemption. She would like this clarified.

Selectwoman Belanger also talked about #7 on page 10. Mr. Dean explained this policy which pertains to real estate tax. A Motion was made by Selectwoman Surman and seconded by Selectwoman Belanger to support the legislative policy for all public real estate taxable if used by private occupants. Motion carried – all in favor.

Chairwoman Gilman talked about making detailed plans unavailable in the planning department, which is part of the 91-A on page 4. She said it makes it easier for crimes to be committed by knowledge of floor plans which are public.

Next, she talked about the Telecomm Company tax. A Motion was made by Selectman Clement and seconded by Selectwoman Belanger to be against the property tax exemption for Telecomm utility poles. Motion carried – all in favor.

Chairwoman Gilman also talked about page 17, Complete Streets. She said many towns have adopted a proclamation. It is proposed to adopt it statewide. Mr. Dean said the town has come into issues when looking at things like bike paths on state roads. He said this is good to put into the pot for discussion. A Motion was made by Vice Chair Chartrand and seconded by Selectman Clement to support proposed legislation for Complete Streets. Motion carried – all in favor.

Chairwoman Gilman said lastly, they need to delegate a designee. A Motion was made by Vice Chair Chartrand and seconded by Selectwoman Surman to designate the Town Manager to be designee with NHMA matters. Motion carried – all in favor.

7. Regular Business

a. Tax, Water/Sewer Abatements & Exemptions

A Motion was made by Selectwoman Surman and seconded by Vice Chair Chartrand to approve the Land Use Change Tax for map 32, lot 23 for \$0. Motion carried – all in favor.

A Motion was made by Selectwoman Surman and seconded by Vice Chair Chartrand to approve the Jeopardy Tax for map 104, lot 84 in the amount of \$262.90. Motion carried – all in favor.

A Motion was made by Selectwoman Surman and seconded by Selectman Clement to approve the Jeopardy Tax for map 96, lot 2-3 in the amount of \$396.96. Motion carried – all in favor.

b. Permits & Approvals

A Motion was made by Vice Chair Chartrand and seconded by Selectwoman Belanger to approve the application for use of the Town Hall and Town Hall Stage by Robert Prior for the Meet the Candidates Night on September 3, 2014 from 5-8:30 pm. Motion carried – all in favor.

A Motion was made by Vice Chair Chartrand and seconded by Selectman Clement to approve the application for use of the Town Hall by the Exeter Youth Soccer on August 19, 2014 from 7:30-9 pm. Motion granted – all in favor.

c. Town Manager's Report

Mr. Dean talked about the following:

- Fielded several DPW-related issues regarding capital projects
 - Reviewed CIP draft materials for 2015-2020 CIP
 - Reviewed the status of Starr Barn Easement 32 Hampton Road
 - The Seabrook Drill will be August 20th
 - He met with Julie Gilman and others on Kingston Road bike path application.
- Selectman Clement said he would like to get a public presentation on this.

d. Selectmen's Committee Reports

Selectwoman Belanger had nothing to report.

Vice Chair reported the EDC meeting for tomorrow will be pushed back for a week.

Chairwoman Gilman reported had nothing to report.

Selectwoman Surman reported she went to the Eliot property and it was a great experience.

Selectman Clement also went to the Eliot property. He said CIP presented to the Planning Board on Thursday. Wednesday there is a Rockingham Planning Commission meeting.

e. Correspondence

The following correspondence were included in the packet:

- There is a memo from the Town Manager about Stoneybrook in the packet. Mr. Dean said he raised several questions including how the Agreement related to RSA 362:4. The RSA concludes that you cannot charge out of town customers more than you charge your own customers for sewer. Research is still being conducted about this matter. The Board asked for a recommendation for a new agreement from the DPW.
- A letter from Tranquility Salon and Skin Care about the town's sidewalks
- A letter from Joanna Pellerin thanking the Town for improvements to Seminary Memorial
- A letter from NHDOT about a Block Grant Aid
- A letter from American Independence Museum
- A letter from Thomas Jameson about transportation alternatives
- A letter about the Great Dam from Exeter DPW
- A letter from Michael Jeffers about the Meter Replacement Project
- Two letters from Seacoast Mental Health
- A letter from Pennichuck about the rate case
- A letter from Richie McFarland Children's Center thanking for approving a fund request
- A letter from Dept of Commerce about the Great Dam
- A letter from New Generation, Inc.
- A letter from Seacoast Family Promise
- A letter from Southeast Land Trust
- A letter from American Red Cross

8. Review Board Calendar

Chairwoman Gilman said the Board will meet in two weeks, August 25, 2014.

9. Adjournment

A Motion was made by Vice Chair Chartrand and seconded by Selectwoman Surman to adjourn the meeting at 9:27 pm. Motion carried – all in favor.

Respectively submitted,

Nicole McCormack
Recording Secretary

MEMO

Date: August 21, 2014

To: Russ Dean – Town Manager
From: Paul Vlasich, PE – Town Engineer

Re: Award of Design and Permitting Contract to Vanasse Hangen Brustlin, Inc.
For Dam Removal Professional Consulting Services

The public works department is recommending that a contract be awarded to Vanasse Hangen Brustlin, Inc. (VHB) for the agreement sum of \$367,816 for the design and permitting of the Great Dam removal and associated projects connected with its removal. VHB was the author of the technical report entitled, "Exeter River Great Dam Removal Feasibility and Impact Analysis" dated October 2013. Some of the major design or permitting tasks are:

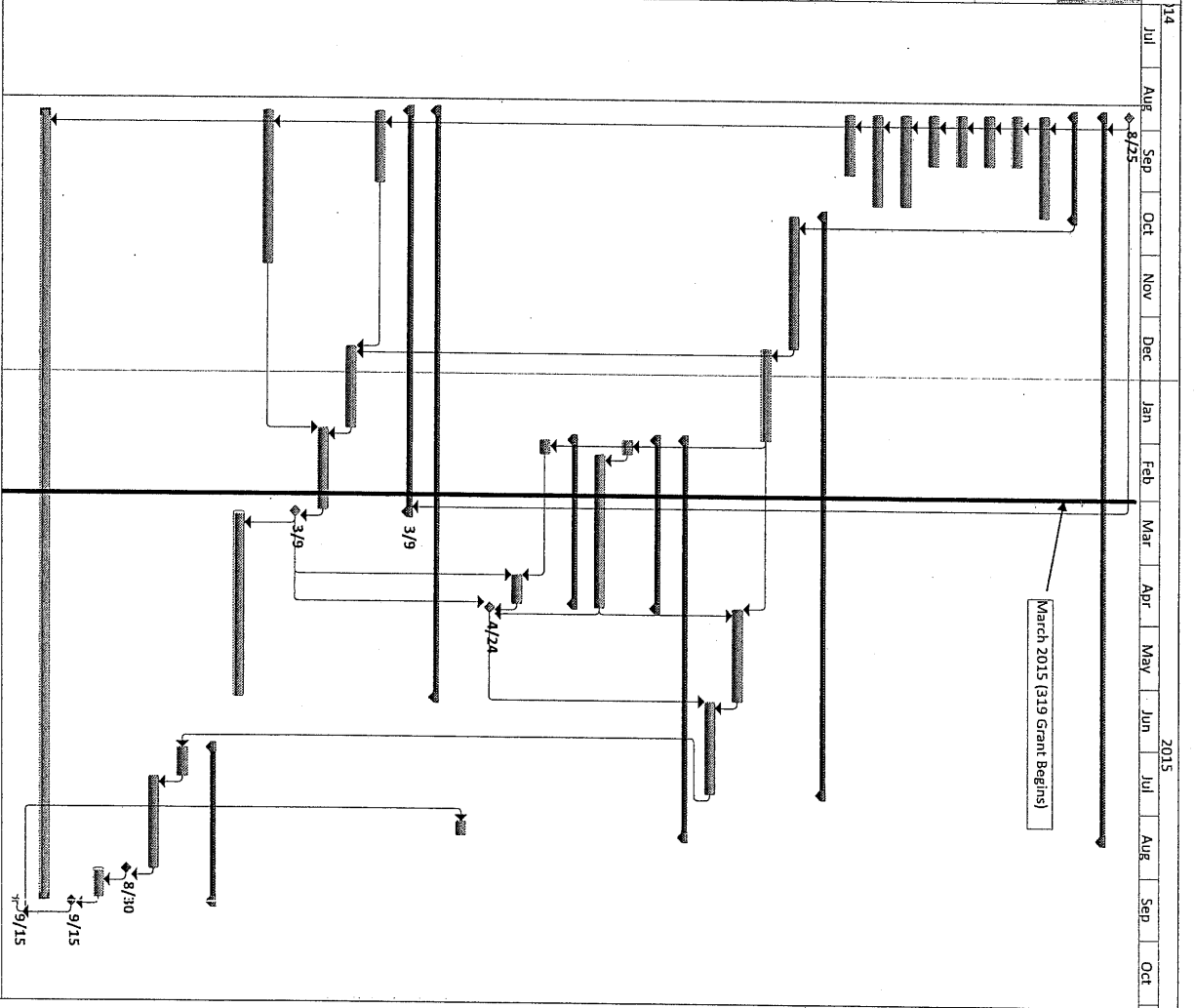
- Remove dam structure, fish ladder and lower dam
- Reshape the river bottom in the dam area to allow fish passage
- Retrofit the Exeter Mills water intake
- Retrofit the Town's water intake
- Relocate a dry hydrant
- If needed, stabilize structures in the dam area
- Environmental permitting
- Cultural Resource permits and coordination
- Contractor bidding

Construction services for project inspections and contract administration are not included at this time but could be added later by contract amendments.

VHB was originally selected for the feasibility study after a rigorous selection process by a selection team. The review took three months from the time of proposal submittal to an actual recommendation for a specific consultant. Of the six proposals submitted for the feasibility study, three candidates were chosen for interviews. Only two of those firms passed the qualifications review and were advanced to the next step of cost proposal review. VHB is uniquely qualified for this work through knowledge gained through the feasibility study, state agency collaboration on this project and modeling efforts of the Exeter River hydrology and hydraulic studies. The Exeter River Study Committee recommends the continued use of VHB through this next phase of the project.

With the passage of Article 8 on the March 11, 2014 Town Warrant, \$1,786,758 in funding is available for the project.

Task Name	Duration	Predecessors	Start	Finish
10 Consultant Selection	1 day		Mon 8/25/14	Mon 8/25/14
1 Design/Permitting	353 days	1	Tue 8/26/14	Thu 8/13/15
2 1.0 - Final Surveys and Pre-Design Coordination	50 days		Tue 8/26/14	Tue 10/14/14
3 1.1 - Geotechnical Investigation	50 days	1	Tue 8/26/14	Fri 9/19/14
4 1.2 - Dry Hydrant Survey	25 days	1	Tue 8/26/14	Fri 9/19/14
5 1.3 - Pump Station Survey	25 days	1	Tue 8/26/14	Fri 9/19/14
6 1.4 - Great Dam Bathymetric Survey	25 days	1	Tue 8/26/14	Fri 9/19/14
7 1.5 - Ecker Mills Review	25 days	1	Tue 8/26/14	Fri 9/19/14
8 1.6 - Private Well Survey	45 days	1	Tue 8/26/14	Thu 10/9/14
9 1.7 - Sediment Management Coordination	45 days	1	Tue 8/26/14	Thu 10/9/14
10 1.8 - O&P Preparation	30 days	1	Tue 8/26/14	Wed 9/24/14
11 2.0 - Final Engineering Design	283 days		Wed 10/5/14	Thu 7/23/15
12 3.0 - Environmental Permitting	165 days	3	Wed 10/15/14	Thu 12/18/14
13 50% Design Plans	45 days	13	Fri 12/19/14	Sun 2/1/15
14 90% Design Plans	45 days	14, 20	Sat 4/25/15	Mon 6/8/15
15 100% Design Plans	45 days	15, 24	Tue 6/9/15	Thu 7/23/15
16 3.1 - Wetlands/Shoreland Permit	53 days		Mon 2/2/15	Thu 8/13/15
17 3.1 - Wetlands/Shoreland Permit	82 days		Mon 2/2/15	Fri 4/24/15
18 Prepare & Submit NHDES Applications	7 days	14	Mon 2/2/15	Sun 2/8/15
19 Agency Review	75 days	19	Mon 2/9/15	Fri 4/24/15
20 3.2 - Section 404	80 days		Mon 2/2/15	Wed 4/22/15
21 Prepare and Submit Army Corps SRGP	7 days	14	Mon 2/2/15	Sun 2/8/15
22 Agency Review	14 days	22, 31FS+30 days	Thu 4/9/15	Wed 4/22/15
23 Agencies Issue Final Permits	0 days	23, 20, 31FS+30 days	Fri 4/24/15	Fri 4/24/15
24 3.3 - NHDES CGP	7 days	41FS-40 days	Fri 8/7/15	Thu 8/13/15
25 4.0 - Cultural Resources	286 days		Tue 8/26/14	Sun 6/7/15
26 4.1 - Section 106 Coordination	196 days	1	Tue 8/26/14	Mon 3/9/15
27 Final PAF and Individual Form	35 days	1	Tue 8/26/14	Mon 9/29/14
28 Determination of Effects	40 days	28, 13	Fri 12/19/14	Tue 1/27/15
29 Draft MOA	40 days	29, 32	Wed 1/28/15	Sun 3/8/15
30 MOA Executed	1 day	30	Mon 3/9/15	Mon 3/9/15
31 4.2 - Phase IB	75 days	1	Tue 8/26/14	Sat 11/8/14
32 4.3 - Cultural Resource Mitigation	90 days	31	Tue 3/10/15	Sun 6/7/15
33 5.0 - Bid Phase	75 days		Fri 7/3/15	Tue 9/15/15
34 Prepare Bid Documents	14 days	16FS-21 days	Fri 7/3/15	Thu 7/16/15
35 Advertisement	45 days	35	Fri 7/17/15	Sun 8/30/15
36 Bids Due	0 days	36	Sun 8/30/15	Sun 8/30/15
37 Bid Review	14 days	37	Mon 8/31/15	Sun 9/13/15
38 Bid Award	2 days	38	Mon 9/14/15	Tue 9/15/15
39 6.0 - Project Management, Meeting and Coordination	365 days	1	Tue 8/26/14	Tue 9/15/15
40 Construction Starts	0 days	39	Tue 9/15/15	Tue 9/15/15



**AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN
VANASSE HANGEN BRUSTLIN, INC.
AND
THE TOWN OF EXETER**

**VHB CONTRACT NO. 52151.03
August 20, 2014**

This Agreement is composed of Part I and Part II. Part I includes this scope description containing the details of the services to be performed and compensation. Part II contains the Terms and Conditions of Agreement, which are the general terms of the engagement between the Town of Exeter, also called the "TOWN" or the "CLIENT," and Vanasse Hangen Brustlin, Inc. ("VHB") also called the "CONSULTANT" or "ENGINEER." Specific tasks included in this agreement are described in the Scope of Work provided below.

A. PROJECT UNDERSTANDING

The Great Dam, located in the Exeter River, is a reinforced concrete run-of-river dam consisting of a spillway, a fish ladder including a small lower dam (or "weir") structure, and a penstock and headworks. The dam is approximately 136 feet long by approximately 16 feet high, when measured from its highest point to the streambed at its downstream face.

With the completion of the Great Dam Removal Feasibility and Impact Study in October 2013, and the subsequent passage of Article 8 on the Exeter Town Warrant on March 11, 2014, the Town intends to develop dam removal engineering plans, obtain the necessary environmental permits, and select a contractor to complete the dam removal by way of a public bid process and, eventually, to proceed with the removal of the dam and restoration of the river at the dam site.

The project area is bounded by the High Street Bridge upstream of the dam, the String Bridge downstream of the dam, and is generally limited to an area within approximately 75 ft of the dam structure or the riverbank. The dam removal would involve the following elements:

- Remove the entire existing dam structure, including the fish ladder and lower dam.
- Reshape the river channel within the footprint of the existing dam and immediately upstream and downstream in order to ensure upstream fish passage through the restored reach.
- Develop plans for the retrofit/relocation of an existing dry hydrant located at Founders Park.
- Develop plans for the retrofit of the existing Exeter Mills water intake associated with the dam penstock.
- If needed, develop a design to stabilize retaining walls/foundation structures and embankments in the immediate vicinity of the dam, from the High Street Bridge to the String Bridge.
- Develop plans for the retrofit of the existing town water intake.

The CONSULTANT's scope of work for this phase of the project includes the following main elements, which are described in greater detail in Section B of this document:

- Final surveys and design coordination, engineering design and environmental permitting of the dam removal project, including the elements listed above.
- Section 106 consultation and cultural resources studies.
- Assistance with bid documents for construction.

It is understood that the project will be funded in part from Town funds with portions provided by possible state, federal and/or non-governmental grant sources, but that the work would be directed by the Town of Exeter Department of Public Works. Public involvement would be coordinated through the Exeter River Study Committee (ERSC). Peter Walker will serve as principal-in-charge and will lead public outreach and regulatory coordination efforts, with Jake San Antonio, a registered NH professional engineer, serving as the VHB project manager.

B. SCOPE OF WORK

The following scope of work has been developed based on our understanding of the project through our work on the feasibility study. This initial list of tasks may need to be amended during the execution of the project in order to accommodate changed or new conditions or information.

TASK 1 – FINAL SURVEYS and PRE-DESIGN COORDINATION

Task 1.1 - Geotechnical Investigations

VHB will coordinate a subsurface exploration, to be performed by a geotechnical subcontractor, to support the dam removal. During the feasibility study, several structures were identified that could be impacted by dam removal, and recommendations were made for further geotechnical investigations. These structures include:

- Loaf and Ladle Restaurant (1-9 Water Street, Map 72, Lot 41)
- Water Street Restaurant (11 Water Street, Map 72, Lot 40)
- Retaining Wall at Empty Lot (23 Water Street, Map 72, Lot 39)
- Green Bean Restaurant (37 Water Street, Map 72, Lot 37)
- Great Bridge
- Founders Park Retaining Wall

The subsurface exploration will include a total of six (6) borings, four (4) taken from within the impoundment, and two (2) taken landside. The borings in the impoundment will be undertaken from a barge which will be loaded into the impoundment from Founders Park by means of a crane. In addition twelve additional push probes will be completed to evaluate sediment thickness and gradation in the impoundment. One landside boring will be completed in Founders Park, and the second will be completed on the empty lot at 23 Water Street if approval from the property owner is granted.

Following completion of the subsurface investigation, a visual structural inspection of the potentially impacted structures will be completed including the adjacent retaining and foundation walls along the east and west banks of the impoundment between the lower weir and the area immediately upstream of the Great Bridge. Based on the data collected and visual inspection a detailed geotechnical evaluation will be completed, including:

- Evaluation of the stability of the existing structures

- Evaluation of the impact that the loss of impoundment will have on structure stability, relative to potential changes in the effective stresses, settlement, and potential scour
- Recommendations to improve structure stability and to mitigate for potential changes
- Recommendations to address potential subsurface conditions with respect to construction period issues.

A report will be prepared summarizing the data collected, the evaluation performed, and recommendations regarding stability and construction period issues to include in the design. Currently, it is anticipated that these measures would include installation of rip-rap or other bank stabilization / armoring techniques only, and no modification of structural elements. Design for these measures would be developed as part of Task 2 below.

Task 1.2 – Dry Hydrant Bathymetric/Structure Survey

During the Feasibility Study, the potential location for a new dry hydrant was identified in collaboration with the Exeter Fire Chief located on Town-owned property along the Swasey Parkway just west of the PEA Saltonstall Boathouse. VHB will perform a topographic/bathymetric survey of an area approximately 50 ft by 50 ft to determine critical elevations for the design of a dry hydrant in this location. The survey will include a portion of the paved upland, the adjacent Squamscott River streambed, and the cut stone retaining wall that forms the river bank in this area. In addition VHB will review the available tidal data for the Squamscott River RR Bridge (Station ID 8422687) as they relate to the proposed dry hydrant intake elevation and make a determination if depths will be sufficient for relocation in this location. An alternative location has been identified on Franklin Street. If the preferred location is determined to not be viable, VHB will perform a survey of the Franklin Street location to be used for the design.

Task 1.3 – Exeter River Pump Station Raw Water Intake Bathymetric/Structure Survey

During the Feasibility Study, the Town's Exeter River pump station raw water intake was identified as potentially being impacted by the dam removal. Design plans dated July 1972 are available for the pump station and intake. VHB will perform a topographic/bathymetric survey of the area surrounding the pump station, including the banks and river bathymetry in the vicinity of the intake. The survey will also include inverts on both the upstream and downstream of the intake line, and will verify inverts of the suction well area. VHB will use these survey data to develop a recommended engineering solution to lower the intake pipe as part of Task 2, described below.

Task 1.4 – Great Dam Impoundment Bathymetric Survey

The current existing conditions plan of land is based on a compilation of various bathymetry and topography sources. Limited areas were supplemented by actual on the ground instrument survey by VHB in 2011 and 2013. Accurate bathymetric contours in the vicinity of the dam removal are critical for the design of the streambed plan and profile. VHB will verify the bathymetric survey of the Great Dam impoundment to supplement the survey taken by VHB on 2011 and 2013. The survey area will start just below the lower dam crest and extend to the downstream face of the High Street Bridge. In addition, VHB will gather topography and planimetric data along the top of banks and in areas of Founders Park, which will likely be used for construction staging. In order to ensure safe working conditions, VHB assumes that prior to the bathymetric survey, the Exeter DPW will drawdown the impoundment such that no water is spilling. The drawdown date would be coordinated with the project team to allow for visual inspection of this section of the river.

Task 1.5 – Exeter Mills Penstock Review

VHB will assist the Town with coordination with the Exeter Mill owners regarding modifications to the penstock, including options to abandon the penstock. On behalf of the Exeter Mills, RDK Engineers prepared a report titled “Final Report – Exeter Mills River Water Cooling System Issues,” dated July 7, 2014. VHB will review of this report and prepare a draft a memorandum to the Town providing review and guidance on RDK’s conclusions and recommendations. In addition, VHB will review the Mill’s cost estimate for cooling system conversion and provide the Town with comments and recommendations for use during final decision making on the intake system.

Task 1.6 – Private Well Survey

The Feasibility Study found that the majority of the area along the impoundment is served by the Exeter municipal water supply system, and that all registered private wells in the vicinity were drilled into a deep bedrock aquifer, which would not be impacted by the dam removal. However, the Feasibility Study could not entirely rule out the chance that there is one or more unregistered shallow wells adjacent to the river. Therefore, under this task, VHB will assist the town in identifying whether any such wells exist. The primary means would be to develop a written survey which would be supplied to landowners adjacent to the river. VHB would draft the survey and assist the town in developing a mailing list of target properties.

Task 1.7 – Sediment Management Plan Coordination

Under this task, VHB would coordinate with the Town, NHDES and state and federal resource agencies to review the conceptual Sediment Management Plan as discussed in the October 2013 Final Feasibility Study, relying on the previously-completed modeling and analysis as the basis for this discussion. The purpose of this coordination would be to arrive at a final decision regarding the recommended passive management strategy, to refine the recommended sediment management mitigation measures, to identify any new measures, and to discuss the incorporation of these measures into the project plans and permitting documents.

TASK 2 – ENGINEERING DESIGN

VHB will develop design plans and technical specifications for the removal of the Great Dam, including work associated with stabilizing or retrofitting adjacent structures as discussed herein. To support the design VHB will refine the project HEC-RAS model with the refined data acquired during the above surveys, and will update the Dam Removal Alternative model runs to match the proposed design to refine estimates on shear stresses and velocities. We assume that the design and associated plans will be developed over the course of up to four submittals at the various stages of design. Each design submittal will include a Design Basis Memorandum, which will summarize the basis for design, and include a summary of calculations, hydraulic modeling, and assumptions made during the design, and a probable cost of construction estimate. The Design Basis Memorandum will be updated/refined for each design stage to incorporate changes made during each stage. The anticipated design stages are described below and will eventually include the following work items:

- Removal of the Great Dam, the fish ladder, and lower fish weir;
- Retrofit the Exeter Mills intake;

- Retrofit the Town River intake;
- Stabilize retaining walls/foundation structures and embankments in the immediate vicinity of the dam, from the High Street Bridge to the String Bridge (if necessary);
- Reconfigure the river channel to ensure long term stability and fish passage; and
- Relocate a dry hydrant from Founders Park to the Squamscott River as described in Task 1.2.

Plans will be completed in AutoCAD 2012, and would be developed at 22 in. by 34 in. format (i.e., ANSI D Sheet). VHB will submit draft plans at the following milestones: 30%, 50%, 90% and 100% Final Plans. The completed plan set is expected to consist of twelve to fifteen sheets and will include the following major elements:

Information to be submitted at 30% design:

1. **Cover Sheet.**
2. **General Notes.**
3. **Existing Conditions Plan.** Minor updates will be made to the existing conditions plan developed during the feasibility phase to provide supplemental details and refine streambed elevations from additional surveys completed in December 2013.
4. **Structure Demolition Plan.** A plan will be developed to identify and quantify structures to be removed/demolished as well as preserved in place. This plan will include proposed treatment details at exposed structural faces or the junctions of demolished structures where they touch adjacent walls/structures.
5. **River Channel Grading Plan.** This plan will show existing and proposed elevations of the streambed. The plans are intended to show the proposed river planform, profile, and dimension/cross sectional shape. This plan will depict grading needed to accommodate the continued function of the Exeter Mills water intake, if determined to be necessary.
6. **Staging and Construction Sequence.** These elements will identify access/egress to the dam and stream channel, temporary stockpile areas, outline the sequence of work in the stream, timing and river diversion. These elements will be designed to the degree needed to ensure that construction happens without undue temporary/permanent impacts, while allowing the contractor as much flexibility as possible to complete work at the lowest possible cost. Temporary fill/dewatering/stream diversion may be required to complete the proposed removal and restoration/stabilization, and these measures will be included in the project plans as needed.
7. **Conceptual Intake Designs.** A conceptual design plan will be developed for the Exeter Mills intake, the Exeter raw water intake pumping station retrofit and the relocation of the Founders Park dry hydrant.

Additional information to be submitted at 50% design:

8. **Channel Form.** Channel Dimension, Pattern and Profile will be confirmed in accordance with the bankfull discharge, stream type and project site constraints.
9. **Habitat Measures.** VHB will refine the channel design as shown on preliminary plans to incorporate design features intended to ensure long term stability, upstream fish passage and enhance habitat. Analysis, assumptions and computations used to determine streambed configuration and other pertinent features will be documented.
10. **Stabilization Measures.** Shear stress and/or velocity criteria will be utilized to facilitate the selection of bank stabilization techniques, in the vicinity of the dam removal, and along the

banks upstream of the dam, specifically Area of Concern 1 that was identified during the feasibility study. Stabilization techniques may include as deemed appropriate soil bioengineering measures such as live stakes, dormant cuttings, coir rolls with rooted plugs, fascines, and brush mattresses. Species selection will be based upon establishing a native plant community while achieving project objectives for maintenance and ecosystem establishment. Computations and analysis used to determine the height, size, extent, bedding, anchoring, or other features of such components will be documented. Stone will be sized using accepted engineering principles and empirical relationships.

11. **In-stream Sediment control/river diversion plan.** This plan element will provide details on conditions under which measures such as temporary cofferdam and/or in stream turbidity curtain would be used. Details of potential structural elements will be provided including the location of the measures.
12. **Impact Plans.** The design plans will identify areas within NHDES and Army Corps jurisdiction that will be impacted by the removal/restoration, including the limits of ordinary high water and top of bank. The plans will be developed and depicted in a way such that the final plans will be appropriate for incorporation into permit applications (see Task 3 below).
13. **Planting/Restoration Plan.** This plan will show proposed plantings in the project area, including plantings needed to restore upland which will be temporarily disturbed by activities associated with the dam removal and river restoration. VHB will develop plan components (plan view and notes) to outline required restoration, including upland erosion control and plantings. Plantings will be identified to the species level, with quantities developed and provided in the 90% plan submittal.
14. **Details.** This sheet(s) will include information on items such as turbidity/erosion control structures, cross-vane and habitat features, planting details, etc.
15. **Sediment Management Plan.** This plan will provide information on sediment management measures such as the timing and method of drawdown, vegetation of exposed streambed and banks (including invasive species control methods if applicable), installation of a sediment curtain at the Phillips Exeter Academy boat basin or other measures that would be employed to control sediment migration.

Additional information to be submitted at 90% design:

16. **Specifications.** VHB will use standard NHDOT items and specifications (since most contractors in NH are already familiar with this system) as appropriate, but will develop additional specifications or modified items as needed for materials or specialized items of work by developing Special Provisions or entirely new specifications.
17. **Quantities.** The final plans will include a quantification/tally of all bid items for use in bidding and managing the construction project.

It is assumed that the 50% Plans would be submitted for permitting purposes, and that any plan revisions requested by the regulatory agencies during permitting would be accommodated during the 90 and 100% plan submittals. Following submittal of the 90% design submittal, VHB will address one round of comments that will be incorporated into the 100% design submittal. Upon completion of the plans and specifications, VHB will distribute up to three full-size hard copies to the CLIENT and to the restoration partners if requested. The documents will also be provided in PDF format. The plans will include funding credits as required by any outside grants.

TASK 3 – ENVIRONMENTAL PERMITTING

Task 3.1 – NHDES Wetlands and Shorelands Permit Application

VHB shall develop a permit application according to RSA 482-A and RSA 483-B and the administrative rules pursuant to these statutes. A single permit application would address all components of the project, i.e., dam removal, stream restoration, intake structure modifications/relocations, and structure stabilization. Elements of the permit application shall be as follows:

- Application Form (Standard Dredge and Fill)
- Project Narrative including brief Alternatives Analysis
- Attachment to the Standard Dredge and Fill Application for Dam Removal Projects [i.e., Env-Wt 302.04(a) criteria]
- Abutters Notifications
- Existing Conditions Plan
- Project Permitting Plan Set (i.e., complete 50% design plans set including grading plans, cross-sections, planting plans, sediment management plan, conceptual water diversion plan and details)
- Wetlands Impact Plans

Under this task, VHB would work with the NH Natural Heritage Bureau and the NH Fish and Game Department to identify measures needed to mitigate potential impacts to threatened and endangered species or other habitat concerns.

Since the goal of the project is to restore the existing stream, and since it will have an overall environmental benefit, we assume that no wetland mitigation plan will be required as has been the case for several previous dam removal projects in NH. Note that we have included an estimated permit application fee of \$200 based on the assumption that the project would be classified as a minimum impact project under Env-Wt 303.04(t). However, if the project is categorized as a minor or major application, then the NHDES permit application fees would depend on the amount of jurisdictional impact, which has not yet been determined. VHB assumes the permit application fee once determined will be paid directly by the Town of Exeter if it exceeds the \$200 minimum fee.

Note regarding other NHDES permitting programs: This project would not require a permit application under the Alteration of Terrain (AoT) permit program since it qualifies for a General Permit by Rule under Env-Wq 1503.03(f). Further, based on the conceptual plans, there is no grading, construction or tree removal within the Protected Shoreland that would not also be subject to review under RSA 482-A. Under these circumstances, no separate permit application under the Shoreland Water Quality Protection Act is required. This understanding was confirmed through discussions with NHDES staff responsible for the AoT and Shoreland Protection programs.

Task 3.2 - Clean Water Act, Section 404

It is expected that the Army Corps will authorize the project via the Statewide Programmatic General Permit, i.e., the removal and restoration will not require an individual permit. VHB will verify this expectation by conducting a pre-application meeting with the Corps and NHDES early in the project schedule. (See Task 6.) VHB will prepare wetland project plans in the standard US Army Corps of

Engineers format (8.5 in by 11 in) for the Corp's records and would complete the Corps' "Appendix B" document relative to indirect and cumulative impacts for submittal to the Corps.

Task 3.3 – NPDES Construction General Permit

If the project disturbs more than one acre of area adjacent to the river, the CONSULTANT will prepare and submit an eNOI to EPA on behalf of the Town to obtain coverage under the NPDES Construction General Permit at least 14 days prior to construction. For purposes of this filing, the SWPPP will rely on the plans and specifications developed under Task 2. The selected contractor will be required to update the SWPPP and also file an eNOI on their own behalf as is standard procedure for this permit.

TASK 4 – CULTURAL RESOURCES

Task 4.1 – Section 106 Coordination

Section 106 coordination for the dam removal feasibility study commenced with the preparation of a Request for Project Review form and subsequent preparation of a New Hampshire Division of Historical Resources (NHDHR) individual inventory form for the dam, a NHDHR project area form and a Phase IA report. VHB will continue the Section 106 coordination by submitting a final individual inventory form and Project Area Form which address comments received from NHDHR during the Feasibility Study. Section 106 coordination will involve discussions with NOAA, the lead federal agency, and the Town of Exeter regarding next steps and the implications of NHDHR recommendations and communications, as well as preparation of draft correspondence for review and approval by the client.

Coordination will also include communications with the consulting parties, identified in the initial phase as the Town of Exeter Board of Selectmen; Donald S. Robie, Exeter Investment Company; Exeter Historic District Commission; Exeter Heritage Commission; Brian Griset; and the Exeter Historical Society. The River Study Committee will also be included in this coordination effort. These communications are assumed to take the form of emails, letters, or phone calls.

One public meeting, included in Task 6, is assumed to present the results of additional inventory and the project's effects.

The coordination will also involve preparing assessments of effects documents for NOAA and the Town to review and approve, then submit to NHDHR for review and consensus.

If any adverse effects to historic properties (and assuredly the dam removal itself will be an adverse effect, both to the dam and to the historic district to which it contributes) are determined, then a Memorandum of Agreement will need to be prepared to memorialize the mitigation measures to which NOAA, the Town, and NHDHR have agreed. NOAA will prepare an initial draft of the MOA for review and comments (two rounds) by VHB and the Town, followed by submission to NHDHR for review. We will incorporate edits and comments in order to finalize the MOA. (Note: This task includes time to assist NOAA and the town negotiate final mitigation components which would be documented in the MOA. Tasks 4.3 through 4.5 outline the likely mitigation components based on our experience with similar projects.)

Task 4.2 – Phase IB Archaeological Survey

VHB provided a Phase IA Archaeological report during the feasibility phase (Clements 2012); the NHDHR concurred with that study's recommendation for further assessment work. VHB will therefore conduct Phase IB survey tasks on the east and west banks of the Exeter River between the String Bridge and the Great Bridge (High Street) in the vicinity of the dam. See the attached figure for a proposed Area of Potential Effects (APE), which will serve to delineate the area of the Phase IB survey.

Clements (2012) documents the possible presence of pre-contact and historic period buildings and features on the east and west banks within or adjacent to the Great Dam. The Phase IB tasks outlined below will be guided by a research design. There are two questions to be answered in the Phase IB work. These are:

- Do building and feature remnants remain in the proposed staging area on the east or west bank in areas to be affected by the dam project?
- Are there buried, intact cultural layers present within the work areas?

The design will outline the issues that may need to be addressed by cultural features and deposits identified within the APE. In short, if identified cultural features and deposits possess sufficient data integrity, then they may be considered eligible for the NRHP and will be determined through additional coordination with NOAA, the Town, and NHDHR. The second part of the work details the field, analysis, or research methods which will be used to acquire the field data.

Fieldwork: Once the work plan is approved and field conditions are appropriate, a field reconnaissance of the staging area, ingress/egress area, and the dam abutment areas will be conducted. The purpose of this fieldwork is to determine the presence or absence of the various buildings and features depicted on the Sanborn and other historic maps and to determine if the potential exists for intact subsurface deposits. This process will entail tight interval walkover of the staging area and buffer.

The APE will be systematically walked using 25-foot interval transects. The systematic investigations will include the excavation of up to thirty-six (36) shovel test pits across the potential east and west bank staging and storage area(s), the ingress/egress area, the dam abutment and penstock areas. Shovel test pits will measure approximately 20 inches by 20 inches, typically 30-40 inches deep or until refusal. Probes and augers will be used to augment the shovel tests and to aid in the definition of subsurface features such as foundation lines. Particular attention will be paid to purported building locations based on the map overlay.

The goals of this phase of the work are:

- To determine the horizontal extent of buried features and building foundations, if present;
- To determine the depth of the cultural deposits both outside and within buildings and features, if present; and
- To acquire a representative artifact sample to allow for temporal and functional assignments.

The archaeological investigations will adhere to the Secretary of Interior Standards and to the NHDHR guidelines for the completion of archaeological investigations.

There are two possible outcomes to this field investigation:

- No buildings, features, or intact cultural deposits are identified in the study area.
- Evidence of buildings, cultural features, and intact cultural deposits are found. Some of these may be recommended as (a) not eligible to the National Register of Historic Places (NRHP), (b) potentially eligible to the NRHP, or (c) requiring additional evaluation. These recommendations will be evaluated by the lead agency and the NHDHR

The resultant combined Phase IA/IB report will include site recommendations, any illustrations necessary to document project findings, and site form(s) if necessary. If structure foundations are identified, then NHDHR site form(s) for an historic archaeological site will be prepared. If prehistoric materials are recovered, NHDHR site form(s) for prehistoric archaeological sites also will be prepared. Forms will be presented as an appendix to the report. Up to five hard copies of the report will be provided, as well as one PDF version on CD. The final report will also be provided as a redacted public version to ensure that no sensitive locational information is released.

(Note that an additional archaeological monitoring plan may be needed upstream in the impoundment. A work plan for this monitoring program would be developed if the Section 106 MOA stipulates that such monitoring must be conducted. If required, VHB will develop a scope amendment and fee to cover this additional effort.)

Task 4.3 – Cultural Resource Mitigation Measures (Optional Task)

Given that the Section 106 consultation is likely to result in a finding of “Adverse Effects,” the MOA developed under Task 4.1 will stipulate a set of mitigation measures. These measures could include items such as the preparation of a NHDHR Historic Property Documentation report for the dam (including large format photography of the dam prior to and during its removal); an interpretive exhibit, archaeological monitoring, or other measures. Under this task, VHB will assist the Town and its partners define and implement the mitigation measures. For budgetary purposes, an allowance of up to \$25,000 is included to assist with this effort. The final budget amount will depend on the scope of the mitigation measures, which would be defined following execution of the MOA. VHB will provide a written work scope at that time (with refined cost estimate if necessary).

TASK 5 – BID PACKAGE DEVELOPMENT & BID PHASE SUPPORT

Under this task, VHB shall prepare bid documents to include construction plans and specifications, bid package materials, and provide bid phase support for the CLIENT. It is assumed that the Town will use a Pre-Qualified Low Bid process, whereby the qualifications of prospective bidders to complete this specialized work will be assessed in a standardized way prior to the solicitation of bids. This task involves development of materials needed to complete the contractor selection process, including:

1. Development of minimum standards for contractor qualification and issuance of a draft and final Request for Qualifications, including a description of the proposed project.
2. Review of contractor qualification statements and recommendation to the CLIENT on the same.
3. Issuance of a draft and final Request for Proposals, including:
 - a. Draft and final bid advertisement;

- b. Final 100% construction plans and specifications, assumes bid package will be provided as a Compact Disk (i.e. no paper copies);
 - c. Documentation routinely required for bidding purposes such as bid/contract documents, bid forms, etc. assuming the Town has standard front end contract language;
4. Attendance at one pre-bid field conference with the CLIENT, project partners and potential bidders; and
 5. Address questions posed by bidders and provide clarification to bidders regarding construction plans and specifications.
 6. Preparation of addenda as needed.
 7. Review of bid submittals and a recommendation to the CLIENT and project partners on bid award.

It is assumed that the CLIENT will complete or assist with other work required by the administrative process for the bid such as accepting and distributing bidders' questions via email and telephone, receiving bid packages, etc., although the CONSULTANT can provide this service, if needed, by amendment of this agreement.

TASK 6 – PROJECT MANAGEMENT, COORDINATION AND MEETINGS

VHB will provide regular communication by way of email and telephone. Additionally, the VHB project manager or principal will attend up to 32 meetings during development of the design and permit documents. A second project engineer or project technical specialist will attend up to 14 of these meetings. The following meetings are anticipated:

Internal Coordination

- Kick-off meeting to discuss project scope, schedule and regulatory/Section 106 coordination
- Meeting to review geotechnical evaluation
- Meeting to review 30 percent design
- Meeting to review 50 percent design
- Meeting to review draft permit applications
- Meeting to review 90 percent design
- Meeting to review bid package
- Pre-bid conference
- Up to three (3) additional meetings as needed to discuss Section 106 or other regulatory tasks

Exeter River Study Committee/ Public Involvement

- Up to eight (8) meetings to provide status updates during the project duration
- Up to three (3) meetings with concerned abutters
- Up to three (3) meetings with the Exeter Mill owners

Regulatory

- Up to three (3) meetings with USACE, NHDES, and their State and Federal Partners
- One (1) Public Meeting (Section 106)
- Up to three (3) meetings with NHDHR

Under this task, VHB would also assist the Town of Exeter with completing grant applications for possible funds to be used for the completion of the project. For budgetary purposes, we assume up to 24 hours to be used on two to three grant applications.

C. CLIENT-FURNISHED INFORMATION

The CLIENT shall provide VHB with the following:

- Landowner permission to enter private property to conduct inspections, field studies, etc.
- All plans related to infrastructure in the dam vicinity, including utilities.
- Standard Construction Solicitation Document per Exeter requirements

D. SERVICES NOT INCLUDED

The following services are not included in this initial proposal but can be provided by VHB under supplemental agreement:

- Construction phase services, including field construction layout.
- Development of water quality sampling or modeling;
- Laboratory services for sediment testing, hazardous waste, environmental site assessments;
- 3-D Site Renderings;
- As-Built plans, easement plans, construction survey and/or certifications;
- Design of new or replacement culverts, headwalls, bridges etc.;
- Services to administer construction contract(s), site visits during construction for purposes of inspecting the construction activities and shop drawing reviews.

If work is required in these areas, or areas not previously described, VHB will prepare a proposal or amendment, at the client's request, that contains the Scope of Services, fee, and schedule required to complete the additional items.

E. COMPENSATION

VHB will complete the Scope of Services on a TIME AND MATERIALS BASIS with an upset limit of \$367,816 which is based on the task estimates listed below. Invoices will be provided monthly. In addition to the labor compensation, VHB shall be reimbursed for expenditures made specifically for the project such as: printing and reprographics; travel and subsistence; computer charges; telephone charges; shipping, postage, and courier service charges; purchase of maps and similar documents; etc. These direct expenses will be billed at cost plus 5%. Subconsultants and subcontractors who are under contract to VHB will be invoiced at their actual cost plus 5%.

F. SCHEDULE

VHB is prepared to begin work on this project within one week of receipt of a notice to proceed. We will coordinate a more detailed project schedule at that time, which will include an itemized schedule in Gantt format.

Cost Estimate by Task

TASK	LABOR TOTAL	SUBS	EXPENSES	TOTAL
TASK 1 – FINAL SURVEYS & PRE-DESIGN COORDINATION				
1.1 - Geotechnical Investigation	\$16,835	\$34,650	\$500	\$51,985
1.2 - Dry Hydrant Survey	\$2,170		\$100	\$2,270
1.3 - Pump Station Survey	\$2,470		\$100	\$2,570
1.4 - Great Dam Bathymetric Survey	\$5,670		\$200	\$5,870
1.5 - Exeter Mills Review	\$4,379		\$100	\$4,479
1.6 - Well Survey	\$2,105		\$250	\$2,355
1.7 - Sediment Management Plan Coordination	\$2,786		\$200	\$2,986
TASK 2 – ENGINEERING DESIGN				
2.1 - 30% Design	\$60,521	\$10,500	\$1,000	\$72,021
2.2 - 50% Design	\$35,044		\$500	\$35,544
2.2 - 90% Design	\$24,678		\$500	\$25,178
2.3 - 100% Design	\$9,741		\$500	\$10,241
TASK 3 – ENVIRONMENTAL PERMITTING				
3.1 - Wetlands/Shoreland Permit	\$19,487		\$974	\$20,461
3.2 - Section 404	\$3,895		\$195	\$4,090
3.3 - NPDES eNOI	\$2,500		\$150	\$2,650
TASK 4 - CULTURAL RESOURCES				
4.1 - Section 106 Coordination	\$18,000		\$900	\$18,900
4.2 - Phase IB	\$5,116	\$7,480	\$256	\$12,852
4.3 - Mitigation Allowance	\$24,000		\$1,000	\$25,000
TASK 5 - BID PHASE SUPPORT	\$9,350		\$250	\$9,600
TASK 6 - PM, COORDINATION & MEETINGS	\$57,766		\$1,000	\$58,766
TOTAL	\$306,511	\$52,630	\$8,675	\$367,816

If this Agreement is satisfactory, please sign under client authorization and send us back an original for our files.

VANASSE HANGEN BRUSTLIN, INC. AUTHORIZATION

By: _____

Title: _____

Date: _____

CLIENT AUTHORIZATION

THE TOWN OF EXETER agrees with this scope of services, schedule and fee and authorizes commencement of project work. Together with the contract between the CLIENT and VHB, they constitute the entire Agreement.

By: _____

Title: _____

Date: _____

Memo

To: Russ Dean, Town Manager and Board of Selectmen

From: Judy Jervis, Health Officer

Date: July 22, 2014

Re: Town Health Ordinance 1204 proposed updates

Page 1: 1204.1.01 (b)(1) This section to be deleted. The NH Bureau of Food Protection has eliminated this section.

1204.1.01(b)(2) Change to 1204.1.01(b)(1) renumber as the first section has been eliminated.

Page 8: 1204.4.04(a)(4)d Eliminate this class category from Class D and move to Class F to adjust the fee

1204.4.04(a)(6)g Add this ClassF-7 category/moved from the Class D license for fee adjustment

Page 14: 1204.4.13(a)(2) Correction of the code number reference from the FDA Food Code/3-401.11(D)(3) change to 3-401.11(D)(4)

Page 17: 1204.5.01(i)(1) Wording changed/eliminated to reflect correct color score meaning

1204.5.01(i)(2) Wording changed/eliminated to reflect correct color score meaning

Page 18: 1204.5.01(i)(3) Wording changed to accord with definition of an imminent health hazard

1204.05.02(2) Eliminate/change time-frame for corrections of core items that may require extensive work or a capital expense

Page 29 1204.9.04(f) and (g) These two additions as required by the revised FDA CODE

Page 30 1204.10 and 1204.10.01 HeP 2300 reference eliminated as it does not reflect the state code

Page 33 1204.12 Temporary Food Service Event section to be added, to formalize the procedure

Changes to the Town Ordinance Health 1204 Sanitary Production and Distribution of Food

Page 1 1204.1.01 (b) (1) and (2)

Page 8 1204.4.04 (a) (4) d

1204.4.04 (a) (6) g

Page 14 1204.4.13 (a) (2)

Page 17 1204.5.01 (i) (1) and (2)

Page 18 1204.5.01 (i) (3)

Page 18 1204.05.02 (d)

Page 29 1204.9.04 (f) and (g)

Page 30 1204.10 and 1204.10.01

Page 33 1204.12

1204 SANITARY PRODUCTION AND DISTRIBUTION OF FOOD (Amended)

In accordance with R.S.A. 147:1 the Town of Exeter Board of Selectmen adopt the 2009 *FDA FOOD CODE* in accordance with the *New Hampshire Rules for the Sanitary Production and Distribution of Food He-P 2300*; and all future revisions and amendments.

1204.1(PART He-P 2301) DEFINITIONS

1204.1.01(He-P 2301.01 Definitions.) supplemental list to the FDA FOOD CODE DEFINITIONS

(a) "Applicant" means the owner of a food establishment or an officer of the legal ownership who applies for a license under these rules.

(b) "Approved source" means food that has been inspected by a federal, state, or local agency that has the authority, responsibility, and the technical ability to evaluate food for safety in protection of the public health;

(1) ~~Raw agricultural plan commodities and products under the oversight of New Hampshire Dept. of Agriculture under RSA 426, RSA 427, RSA 428, RSA 429 and RSA 434 and do not require inspection shall be considered to be from an approved source; and ((THIS SECTION TO BE DELETED – NH BFP eliminated it))~~

(2)(1)((RENUMBER)) Poultry that is exempt from federal inspection under the Poultry Products Inspection Act 21 USC 464(c) (4) shall not be considered to be from an approved source.

(c) "Bed and breakfast" means a type of food service establishment that is a transient lodging facility, which is the owner's or innkeeper's personal residence, is occupied by the owner or innkeeper at the time of rental to an in-house guest, and in which breakfast is the only meal served.

(d) "Beverage" means "beverage" as defined in RSA 143:9.

(e) "Bulk food" means processed or unprocessed food in aggregate containers from which quantities desired by the consumer or the employee is withdrawn. The term "bulk food" does not include fresh whole fruits or fresh whole vegetables.

(f) "Caterer" means a person or entity which provides meals or food at private functions at off-site locations.

(g) "Change of ownership" means any time a controlling interest in a sole proprietorship, joint venture, partnership, corporation, limited liability company, or any other kind of entity is transferred to another sole proprietor, joint venture, partnership, corporation, limited liability company or any other kind of entity.

(h) "Commissioner" means the commissioner of the New Hampshire department of health and human services, or his or her designee.

(i) "Continental breakfast" means a light breakfast that may include coffee, tea, juices, toasts, breakfast cereals, assorted pastries, and uncut fruit.

(j) "Corrective action plan (CAP)" means a plan developed and written by the licensee, which specifies the actions that will be taken to correct identified deficiencies.

- (k) "Department" means the Exeter Health Department.
- (l) "Food" means "food" as defined in RSA 143-A:3, III.
- (m) "Food establishment" means "food service establishment" as defined in RSA 143-A:3, IV, and "retail food store" as defined in RSA 143-A:3, VII. "Temporary food service" as defined in RSA 143-A:3, VIII.
- (n) "Food processing plant" means a type of food service establishment that is a commercial operation that manufactures, packages, labels, or stores food for human consumption, and provides food for sale and distribution to other business entities such as other food establishments. Food processing plants shall not include an operation that processes food under the oversight of NH Department of Agriculture for RSA's 426,427, 428,429, and 434
- (o) "Food service establishment" means "food service establishment" as defined in RSA 143-A:3, IV.
- (p) "Foodborne disease outbreak" means the occurrence of 2 or more cases of a similar illness resulting from the ingestion of a common food.
- (q) "Homestead" means "homestead" as defined in RSA 143-A:12, which is a type of food service establishment. The Town of Exeter allows only home food manufacturers who prepare and package non-potentially hazardous foods (foods that do not need time/temperature control).
- (r) "Immediately endangers public health or safety" means that a condition exists that is an imminent health hazard.
- (s) "Imminent health hazard" means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance or event creates a situation that requires immediate correction or cessation of operation to prevent injury based on the number of potential injuries and the nature, severity, and duration of the anticipated injury.
- (t) "License" means the document issued by the department or other regulatory agency, which authorizes a license holder to operate a food establishment.
- (u) "License holder" means the entity legally responsible for the operation of a licensed food establishment, including, but not limited to, the owner, the owner's agent, or other person.
- (v) "Mobile food unit" means a food service establishment mounted on wheels or otherwise designed to be immediately moveable.
- (w) "Person in charge" means the individual present at a food establishment who is responsible for the operation of the establishment at the time of inspection, including the duties described in section 2-103.11 of the FOOD CODE, and who can demonstrate the knowledge required by section 2-1-2.11 of the FOOD CODE with are pertinent to the risks inherent to the specific food establishment.
- (x) "Priority item" means a provision of the Food Code, marked with a superscript P, whose application contributes directly to the elimination, prevention, or reduction to an acceptable level, hazards associated with foodborne illness or injury and there is no other provision that more directly controls the hazard.(critical violation)

(y) "Public water system" means a public water system as defined in RSA 485:1-a.

(z) "Pushcart" means a type of food service establishment that is a non-self propelled vehicle limited to serving non-time/temperature control for safety foods, packaged time/temperature control for safety foods maintained at proper temperatures, or limited to the preparation and serving of frankfurters.

(aa) "Regulatory authority" means the local, state or federal enforcement body having jurisdiction over the food establishment. The Town of Exeter Health Department is the "regulatory authority" for the Town of Exeter.

(ab) "Remodeled" means having undertaken construction, which includes, but is not limited to, adding new seats, adding a food preparation area, or any construction affecting the kitchen or any other part of a food establishment that requires a plumbing modification.

(ac) "Retail food store" means "retail food store" as defined in RSA 143-A:3, VII.

(ad) "Risk Control Plan" means a plan developed and written by the licensee as a part of a CAP, which specifies the actions that will be taken to correct the uncontrolled hazards that were identified at inspection, and a repeat problem, known to contribute to foodborne illness (uncontrolled hazards include the occurrence of any risk factor or lack of public health interventions as described in the FOOD CODE)

(ae) "Servicing area" means an operating base location to which a mobile food unit or transportation vehicle returns regularly for such things as vehicle and equipment cleaning, discharging liquid or solid wastes, refilling water tanks and ice bins, and boarding food.

(af) "Sewage" means "sewage" as defined in RSA 485-A:2, X, namely "the water-carried waste products from buildings, public or private, together with such groundwater infiltration and surface water as may be present."

(ag) "Soup kitchen" means a food service establishment operated by a charitable organization including religious societies and fraternal organizations organized pursuant to RSA 292, RSA 306, and RSA 418, that prepares and serves meals to the poor without charge.

(ah) "Time/temperature control for safety (TCS) food" means a food that requires time/temperature control for safety to limit pathogenic microorganism growth or toxin formation. This term is also known as "potentially hazardous food."

1204.2(PART He-P 2302) LICENSE REQUIRED

1204.2.01(He-P 2302.01 License Required.) Unless exempted under RSA 143-A:5, RSA 143-A:5-a, or 1204.2.02(He-P 2302.02), no person shall operate a food establishment within the town of Exeter, New Hampshire without obtaining a license from the Town of Exeter Health Department

1204.2.02 Soup Kitchens Exempt from Licensure. In accordance with RSA 143-A:5-a, soup kitchens shall be exempt from licensure by the department provided:

(a) They do not charge for meals; and

(b) They submit to the Exeter Health Department a written notice which:

- (1) Identifies the name and address of the person operating the soup kitchen;
- (2) Identifies the clientele served by the soup kitchen;
- (3) Lists the hours the soup kitchen will operate; and
- (4) Provides a description of the food to be served.

1204.3(PART He-P 2303) INCORPORATION OF THE 2009 FOOD CODE

1204.3.01(He-P 2303.01) Incorporation of the 2009 Food Code.

(a) All licensees shall comply with the U.S. Department of Health and Human Services, Public Health Services, Food and Drug Administration, Food Code, 2009 edition, henceforth known as the Food Code, as amended in (b) below, unless exempted in (c) or (d) below.

(b) The following amendments shall apply to the document incorporated:

- (1) Amend section 3-201.11(A) so that (A) reads as follows: "Food shall be obtained from sources that comply with the law, except that the exemption under the Poultry Products Inspection Act at USC 464)c)(4) shall not apply in New Hampshire";
- (2) Delete section 3-201.1
- (3) Delete Chapter 8

(c) Those food establishments applying for or licensed as bed and breakfasts shall comply with the Food Code. However, the exceptions to the Food Code listed in 1204.8.02(He-P 2308.02) shall apply.

(d) Those food establishments applying for or licensed as food processing plants or homesteads shall be exempt from the requirements of the Food Code, and shall instead comply with the requirements in 1204.9(He-P 2309) and 1204.10(He-P 2310), respectively.

(e) The 2009 Food Code is available on the web at <http://www.fda.gov/Food/FoodSafety/RetailFoodProtection/FoodCode/FoodCode2009/> or via mail from the United States Department of Commerce, National Technical Information Service, 5301 Shawnee Road, Alexandria, VA 22312 (refer to report number PB2009112613).

1204.4(PART He-P 2304) APPLICATION AND LICENSING PROCEDURE

1204.4.01(He-P 2304.01) Initial License Application Requirements.

(a) Each applicant for a license shall submit the following to the department:

- (1) A completed application form entitled "Application for Annual Food Service License", "Application for Annual Food Processing Plant License", "Application for Annual Homestead License", or "Application for Annual Mobile Food Unit License", as applicable, signed and dated by the applicant or the person who represents the applicant certifying the following:

"I certify that all information provided in or attached to this application is complete, accurate and up-to-date as of the date specified below. I further certify that there are no willful misrepresentations of the answers to questions herein, and that I have made no

omissions with respect to any of my answers to the questions presented. I understand that it is my responsibility to immediately notify the Exeter Health Department with regard to any changes, corrections or updates to the information provided.”;

(2) A check or money order for the applicable fees, in accordance with 1204.4.05(a)and(c) (He-P 2304.05(a) and (c));

(3) Water system documentation, in accordance with 1204.4.06(He-P 2304.06);

(4) Wastewater system documentation, in accordance with 1204.4.07(He-P 2304.07), except that food establishments applying to be licensed as a bed and breakfast or a homestead shall not be required to submit such documentation;

(5) A completed “Plan Review Application”, signed and dated by the applicant or the person who represents the applicant, if required by 1204.4.12(a) (He-P 2304.12(a)), and if not already submitted for review, except that food establishments applying to be licensed as a bed and breakfast, homestead, shall not be required to submit such an application;

(6) If the application is for a mobile food unit which uses a servicing area, one of the following:

- a. A copy of the food establishment license, from the appropriate regulatory authority, of the facility being used as a servicing area; or
- b. A separate license application for the facility to be used as a servicing area; and
- c. All other items as required listed in this section (a)

(7) A HACCP plan if required by 1204.4.13(He-P 2304.13).

(b) The applicant shall mail or hand-deliver the documents to:

Exeter Health Department
20 Court St
Exeter, NH 03833
603-773-6132

1204.4.02(He-P 2304.02) Processing of Initial Applications and Issuance of Licenses.

(a) Applications shall be processed in accordance with RSA 541-A:29.

(b) An application for an initial license shall be complete when the department determines that all items required by 1204.01.(a)(He-P 2304.01(a)) have been received.

(c) If an application does not contain all the items required by 1204.4.01(a)(He-P 2304.01(a)), the department shall:

(1) Not process that application; and

(2) Notify the applicant in writing of which items are required to be submitted before the application can be processed.

(d) Any licensing fee submitted to the department in the form of a check or money order and returned to the Town for any reason shall be processed in accordance with RSA 6:11-a.

(e) Licensing fees shall not be transferable to any other application(s).

(f) Following an inspection, conducted pursuant to RSA 143:4 and in accordance with 1204.5 (He-P 2305), a provisional license shall be issued if the department determines that an applicant is in full compliance with RSA 143, RSA 143-A, and these rules.

(g) Pursuant to RSA 143-A:6, I:

(1) A provisional license shall expire 90 days after the date of issuance; and

(2) If a license is not issued following the expiration of a provisional license, the food establishment shall cease operation the day after the provisional license expires and not operate until a license is obtained.

(h) If, within 45 days of issuance of a provisional license the department conducts an inspection in accordance with 1204.5 (He-P 2305) and determines that an applicant is in full compliance with RSA 143, RSA 143-A, and these rules, the department shall issue to the applicant a license valid for a time period of one year following the date of issuance of the provisional license.

(i) All licenses and provisional licenses issued in accordance with RSA 143-A shall be issued for a specific license classification and category under 1204.4.04(He-P 2304.04).

(j) License holders shall operate in accordance with the class of license issued.

(k) All licenses and provisional licenses issued in accordance with RSA 143-A shall be non-transferable by person or location.

(l) Licenses shall be posted at all times in an area of the food establishment that is conspicuous to patrons.

1204.4.03(He-P 2304.03) License Expirations and Procedures for Renewals.

(a) All licenses issued shall be valid for one year following the date of issuance, or one year following the date of issuance of a provisional license, as applicable.

(b) Each licensee shall apply to renew their license via an application form pursuant to 1204.4.01(a)(1) (He-P 2304.01(a)(1)) at least 30 days prior to the expiration of the current license.

(c) The licensee shall submit with the renewal application:

(1) The materials required by 1204.4.01(a)(1),(2), and(3) (He-P 2304.01(a)(1), (2), and (3)); and

(2) A request for renewal of any existing variances previously granted by the department, in accordance with 1204.14 (He-P 2304.14), if applicable.

(d) A license shall be renewed if the department determines that the licensee:

- (1) Submitted an application containing all the items required by (c) above, as applicable, at least 30 days prior to the expiration of the current license;
- (2) Has submitted a CAP that has been accepted by the department and implemented by the licensee if deficiencies were cited at the last licensing inspection; and
- (3) Is found to be in compliance with RSA 143, RSA 143-A, and 1204/FDA Food Code/He-P 2300 at a renewal inspection, as applicable.

(e) If a license holder fails to submit a complete application for renewal as required under (b) and (c) above, the food establishment shall cease operation the day after the license expires, and shall not operate until a license is obtained.

(f) Any food establishment wishing to submit an application for a renewal license whose previous license has been expired in excess of 90 days shall apply in accordance with the requirements of an initial license in 1204.4.01 (He-P 2304.01).

1204.4.04(He-P 2304.04) License Classes.

(a) For the purpose of licensure, food establishments shall be divided into the following classes:

(1) Class A which shall include:

- a. Category A-1, food processing plants which commercially process 100,000 packages of food or more, per year;
- b. Category A-2, food service establishments with 200 or more indoor seats; or
- c. Category A-3, retail food stores with 4 or more food preparation areas;

(2) Class B which shall include:

- a. Category B-1, retail food stores with 2 to 3 food preparation areas; or
- b. Category B-2, food service establishments with 100 to 199 indoor seats;

(3) Class C which shall include:

- a. Category C-1, retail food stores with one food preparation area, including, but not limited to, an area for cutting cheese or fudge;
- b. Category C-2, caterers serving food off-site;
- c. Category C-3, food service establishments with 25 to 99 indoor seats;
- d. Category C-4, bars/lounges with a food preparation area, excluding areas used for preparing garnish such as limes and lemons; or
- e. Category C-5, food processing plants which commercially process less than 100,000 packages of food per year;

(4) Class D, which shall include:

- a. Category D-1, food service establishments with 0 to 24 indoor seats, including, but not limited to, bakeries;
- b. Category D-2, mobile food units which cook or prepare food;
- c. Category D-3, retail food stores that allow self-service of food, including, but not limited to, coffee, hot dogs, or soft drinks;
- ~~d. Category D-4, Level 2 homesteads a homestead that sells its products at farmers' Markets, farm stands, residences or retail food stores or on-line; or ((MOVE THIS SECTION TO CLASS F-7))~~
- e. Category D-5((RE-NUMBER TO D-4)), servicing areas;

(5) Class E which shall include:

- a. Category E-1, bed and breakfasts;
- b. Category E-2, lodging facilities serving continental breakfasts; or
- c. Category E-3, ice cream vendors who scoop ice cream;

(6) Class F which shall include:

- a. Category F-1, home delivery services of packaged frozen food;
- b. Category F-2, pushcarts and other mobile food units, including, but not limited to, those serving packaged food and non-TCS/PHF unwrapped foods only;
- c. Category F-3, retail food stores with no food preparation areas;
- d. Category F-4, wholesalers/distributors of TCS/PHF food;
- e. Category F-5, on-site vending machines, which serve TCS/PHF food;
- f. Category F-6, bakeries which do not serve TCS/PHF food and have no seats;
- g. *Category F-7, Level 2 homestead-sells products at farmers' markets, farm stands, residents, retail food stores, on-line; ((MOVED FROM CLASS D- TO ADJUST FEE))*

(7) Class G shall include:

- a. Category G-1, bars/lounges without a food preparation area;
- b. Category G-2, sellers of pre-packaged frozen meat or poultry that is processed in a USDA -inspected plant;
- c. Category G-3, canteen/theater concessions serving non-TCS food;

- d. Category G-4, ice cream vendors/retail food stores serving pre-packaged ice cream;
- e. Category G-5, institutions whose food service is operated by a private, for-profit business, including but not limited to schools/public and private, colleges, hospitals, long term care facilities, fraternities and sororities;
- f. Category G-6, food processing plants that package non-TCS(PHF) bulk food;

(8) Class H, Category H-1, shall include:

- a. Category H-1, level 1 homesteads-homestead that sells products only at farmers' markets, farm stands, or residences;
- b. Senior meal sites;
- c. Institutions who prepare their own food, including but not limited to schools/public and private, colleges, hospitals, long term care facilities, fraternities and sororities

(b) When a food establishment operates more than one type of business, the higher class shall determine the class of license, with Class A being the highest.

(c) When a food establishment has an additional food processing business, each shall be licensed separately, requiring separate applications and separate fees.

(d) When a hospital or school offers food to the general public in addition to its population, then the license class shall be determined by the number of seats the food service establishment has.

1204.4.05(He-P 2304.05) Fees.

(a) For each class of license requested, the applicant shall pay the following annual fees:

- (1) Class A: \$875;
- (2) Class B: \$450;
- (3) Class C: \$350;
- (4) Class D: \$225;
- (5) Class E: \$175;
- (6) Class F: \$150;
- (7) Class G: \$100;
- (8) Class H: \$50

(b) Licensees shall be charged up to, and shall pay up to \$100 for each inspection conducted after the second inspection conducted in any licensing period, except that the inspections conducted during the provisional license period shall not be included in this count.

(c) An applicant or licensee shall pay a fee of \$75 for each plan review submitted under 1204.4.12(He-P 2304.12).

(d) All fees shall be non-transferable and non-refundable.

(e) Payment of any fee to the department shall meet the following requirements:

(1) Payment shall be made in the form of check or money order made payable to the "Town of Exeter, Health Dept." in the exact amount due;

(2) Money order or certified check shall be required when an applicant or licensee has issued payment to the department by check, and such check was returned for insufficient funds; and

(3) Any payment made to the department by check which is returned for insufficient funds, and which an individual, applicant, or licensee has not made good by submitting a money order or certified check within 2 business days of notification by the department, including any penalty assessment allowed by RSA 6:11-a, shall be grounds for denial of the license.

1204.4.06(He-P 2304.06) Water System Requirements.

(a) Food establishments which own and operate their own public water systems, as defined by RSA 485:1-a, XV, shall indicate, as part of their application for a license, the Public Water System (PWS) identification number which has been assigned by the New Hampshire department of environmental services (DES).

(b) For an application to be approved, food establishments which own and operate their public water systems regulated by DES shall:

(1) Be in compliance with all applicable water quality standards and monitoring and reporting requirements of Env-Dw 717 or successor rules in Subtitle Env-Dw; or

(2) Be in compliance with the requested actions in a letter of deficiency, or the required actions of an administrative order, issued by DES and established to obtain compliance with the regulations cited in (1) above.

(c) Food establishments which are classified as public water systems, as defined by RSA 485:1-a, XV, but whose water system infrastructure is owned by another party, shall indicate, as part of their application for a license, the PWS identification number which has been assigned by DES.

For an application under this paragraph to be approved, the owner of the water system infrastructure shall:

(1) Be in compliance with all applicable water quality standards and monitoring and reporting requirements of Env-Dw 717 or successor rules in Env-Dw; or

(2) Be in compliance with the requested actions in a letter of deficiency, or the required actions of an administrative order, issued by the DES and established to obtain compliance with the regulations cited in (1) above.

(d) Food establishments which purchase their water from other public water systems, as defined by RSA 485:1-a, XV, and therefore do not fall under (a) above, shall indicate this information on the application.

(e) Food establishments which do not fall under (a) through (d) above, and are instead served by a water source other than a public water system, shall submit with the initial and renewal application the written results of a laboratory analysis of the water intended for use, which tests the level of the following:

- (1) Bacteria;
- (2) Nitrates; and
- (3) Nitrites.

(f) The analyses required by (e) above shall be conducted not more than 6 months prior to the date of the application by a laboratory accredited by DES to perform such tests in accordance with Env-C 300.

(g) For an application to be approved, the results of the water analysis shall be as follows:

- (1) The bacteria test required under (e) above shall not exceed the maximum contaminant level (MCL) for drinking water prescribed by Env-Dw 700 and
- (2) The nitrate and nitrite tests required under (e) above shall not exceed the MCL for drinking water prescribed by Env-Dw 700 for those 2 contaminants.

1204.4.07(He-P 2304.07) Wastewater System Requirements.

(a) Food establishments which discharge their wastewater to either public or private wastewater systems which hold either a state surface water discharge permit or a groundwater discharge permit issued by the New Hampshire department of environmental services (DES), shall indicate this information on the application.

(b) Food establishments which do not discharge their wastewater as described in (a) above shall submit, as part of their application, one of the following:

- (1) Both:
 - a. A copy of the construction approval for the sewage or waste disposal system that indicates that the system is sufficient in capacity to serve the subject food establishment issued by DES in accordance with RSA 485-A:29 and Env-Wq 1000; and
 - b. A written statement signed by the applicant containing the following language: "I certify that there has been no increase in the loading on the wastewater system which would cause an exceedance of the capacity of the system approved by the NH department of environmental services under the provisions of Env-Wq 1000;" or

(2) A written statement signed by the applicant containing the following language: "I certify that the private sewage or waste disposal system serving this food establishment was constructed prior to 1971 and is presently not in failure. I further certify that I have not been notified by either the NH department of environmental services or the local health officer that the system serving this food establishment is in violation of any state or local statute, administrative rule, ordinance or bylaw."

(c) If there is no increase in the loading of the waste disposal system serving the food establishments in (b) above, and the applicant is unable to produce the documentation required, the department shall inform DES that the applicant has not complied with (b)(1) above. In this case, the requirement of (b)(1) above shall be waived.

(d) Any increase in seating capacity in a licensed food establishment which has a private wastewater system shall comply with Env-Wq 1000.

1204.4.08(He-P 2304.08) Change in Ownership of a Food Establishment.

(a) When there is a change of ownership of a food establishment, the new owner shall submit the items required for initial license applicants under 1204.4.01 (He-P 2304.01) to the department at least 30 days prior to the change of ownership.

(b) Upon receipt and processing of the items required by (a) above, and after an inspection conducted in accordance with 1204.5 (He-P 2305) which shall also determine compliance with Chapters 4, 5, and 6 of the Food Code, the department shall issue a provisional license reflecting the change in ownership.

(c) The issuance of a provisional license due to a change in ownership shall void the license of the previous owner on the date the change of ownership occurs.

1204.4.09(He-P 2304.09) Change in Name of a Food Establishment.

(a) When a license holder intends to change the name of a food establishment, that license holder shall submit a written request to the department for a new license at least 30 days prior to the intended date of change in name.

(b) The written request shall include:

- (1) The reason for requesting a new license;
- (2) The name of the food establishment as it appears on the existing license;
- (3) The name of the food establishment as the license holder requests it to appear on the new license; and
- (4) The date upon which the change in name is intended to occur.

(c) Following receipt of the items required by (b) above, the department shall issue a revised license reflecting the change in name. The establishment number and expiration date shall remain the same as it was on the immediately preceding license.

1204.4.10(He-P 2304.10) Change in Location of a Food Establishment.

(a) When there is a change of location of a food establishment, the license holder shall submit the items required for initial license applicants and plan review under 1204.4.01 (He-P 2304.01) to the department at least 45 days prior to the change of location.

(b) Upon receipt and processing of the items required under (a) above, and after an inspection conducted in accordance with 1204.5 (He-P 2305), the department shall issue a provisional license reflecting the change of location.

(c) The issuance of a provisional license due to a change in location shall void the previous license on the date the change of location occurs.

(d) This section shall not apply to mobile food units, pushcarts or vehicles used to sell retail food.

1204.4.11(He-P 2304.11) Change in License Class.

(a) A license holder wishing to request an upgrade to a higher-level class of license listed in 1204.4.04 (He-P 2304.04) shall:

- (1) Be treated as an applicant for a new license; and
- (2) Apply for a new license in accordance with 1204.4.01 (He-P 2304.01).

(b) The issuance of a provisional license due to an upgrade in license class shall void the previous license on the date the upgrade occurs.

(c) A license holder wishing to request a downgrade to a lower level class of license listed in 1204.4.04 (He-P 2304.04) shall submit a written request for downgrade to the department.

(d) The written request in (c) above shall include:

- (1) The reason for requesting a downgrade; and
- (2) The date upon which the downgrade is intended to occur.

(e) Following receipt of the request under (c) above the licensee shall be issued a revised license reflecting the downgrade in class of license. The establishment number and expiration date shall remain the same as it was on the immediately preceding license.

1204.4.12(He-P 2304.12) Submission of Plans and Specifications for New or Remodeled Food Establishments.

(a) An applicant or license holder shall complete and submit a "Plan Review Application" to the department for review and approval at least 45 days prior to:

- (1) Constructing a new food establishment; mobile or pushcart unit;
- (2) Converting an existing structure for use as a food establishment;
- (3) Remodeling a food establishment; or

- (4) Relocating a food establishment when the relocation also involves (1), (2), or (3) above.
- (b) Homesteads, and bed and breakfasts shall be exempt from submitting a plan review application.
- (c) An applicant or licensee shall pay a fee of \$75, for each plan review application submitted.
- (d) The department shall review plans for construction, renovation or structural alterations of a food establishment for compliance with all applicable sections of RSA 143, RSA 143-A, and Town 1204(He-P 2300) and notify the applicant or licensee as to whether the plan complies with these requirements.

1204.4.13(He-P 2304.13) Hazard Analysis and Critical Control Point (HACCP) Plan Requirements.

- (a) The following applicants or licensees shall submit to the department a complete HACCP plan for approval prior to engaging in an activity that requires such a plan; such as but not limited to:
- (1) Food processing plants;
 - (2) Any food establishment engaging in an activity that requires a variance as specified under Food Code subparagraph 3-401.11(D)(3)((CORRECTED NUMBER FROM 4)), § 3-502.11, or ¶ 4-204.110 (B);
 - (3) Any food establishment engaging in a food preparation or processing method that the department determines requires a variance, based on the submission of plans and specifications in accordance with 1204.4.12(He-P 2304.12), an inspection finding, or a variance request; and
 - (4) Any food establishment engaging in an activity specified under Food Code § 3-502.11 and 3-502.12.
- (b) A complete HACCP plan shall include the following:
- (1) A categorization of the types of TCS foods that are specified in the menu
 - (2) A flow diagram by specific food or category type identifying critical control points and providing information on the following:
 - a. Ingredients, materials, and equipment used in the preparation of that food; and
 - b. Formulations or recipes that delineate methods and procedural control measures that address the food safety concerns involved;
 - (3) Food employee and supervisory training plan that addresses the food safety issues of concern;
 - (4) A statement of standard operating procedures for the plan under consideration including clearly identifying:
 - a. Each critical control point;

- b. The critical limits for each critical control point;
- c. The method and frequency for monitoring and controlling each critical control point by the food employee designated by the person in charge;
- d. The method and frequency for the person in charge to routinely verify that the food employee is following standard operating procedures and monitoring critical control points;
- e. Action to be taken by the person in charge if the critical limits for each critical control point are not met; and
- f. Records to be maintained by the person in charge to demonstrate that the HACCP plan is properly operated and managed; and

(5) Additional scientific data or other information, as needed by the department to make its determination under (c) below, supporting the determination that food safety is not compromised by the proposal.

(c) The department shall review HACCP plans for compliance with all applicable sections of RSA 143, 143-A, and Town 1204(He-P 2300) and notify the applicant or licensee as to whether the plan complies with these requirements.

1204.4.14(He-P 2304.14) Variances.

(a) Applicants or license holders seeking variances from specific rules or Food Code items shall submit a "Variance Request" to the:

Exeter Health Department
20 Court St
Exeter, NH 03833
603-773-6132

(b) The variance request shall include:

- (1) Specific reference to the rule or Food Code item for which a variance is being sought;
- (2) Full explanation of why a variance is necessary;
- (3) Full explanation of alternatives proposed by the applicant or license holder, which shall be equally as protective of public health as the rule or Food Code item from which a variance is sought; and
- (4) A HACCP plan if required under 1204.4.13(He-P 2304.13).

(c) The department shall approve a request for variance if:

- (1) The department concludes that authorizing deviation from strict compliance with the rule or Food Code item from which a variance is sought does not contradict the intent of the rule or Food Code item; and

- (2) The alternative proposed by the applicant or license holder ensures that the objective or intent of the rule or Food Code item from which a variance is sought will be accomplished.
- (3) An approved variance may not be applicable if there is a change in class and/or menu item(s) change.

(d) If a variance is approved, the license holder's subsequent compliance with the alternatives approved in the variance shall be considered equivalent to complying with the rule or Food Code item from which a variance was sought.

(e) A variance shall be approved for one year or until the expiration of the current license or unless specified by the department. The variance is not transferable.

(f) No request for a variance concerning the rules of other state agencies which are referred to in this chapter shall be approved.

1204.4.15(He P 2304.15) Trade Secrets and Confidentiality.

(a) The department shall treat as confidential, in accordance with RSA 350-B, information that meets the criteria specified in RSA 350-B for a trade secret and is contained on inspection report forms, in the plans and specifications submitted as specified under 1204.4.12(He P 2304.12), and in any HACCP plans submitted.

(b) Consumer complaints received regarding illness or sanitation of a food establishment shall have their name, address, and phone number or other identifying information of the individual making the complaint maintained as confidential and such information shall not be released without written permission of the complainant.

1204.5(PART He-P 2305) INSPECTIONS AND COMPLIANCE

1204.5.01(He-P 2305.01) Inspections.

(a) For the purpose of determining compliance with RSA 143, RSA 143-A, and Town 1204(He-P 2300), as authorized by RSA 143:4 and RSA 143-A:6, II, the applicant or licensee shall admit and allow any department representative at any time to enter and inspect the following:

- (1) The licensed food establishment, including any mobile food units or vehicles used by the licensee for the transportation or retail sale of food; and
- (2) Any records required by RSA 143-A and Town 1204(He-P 2300), or pertaining to food and supplies purchased and distributed by the food establishment.

(b) At the time of inspection, or upon request, the applicant or licensee shall provide the department with the following:

- (1) A list of persons employed; and
- (2) Samples of food for bacteriological, chemical, and physical examination.

(c) The department shall conduct an inspection to determine full compliance with RSA 143, RSA 143-A, and Town 1204(He-P 2300), prior to:

- (1) The issuance of a provisional license;
- (2) The issuance of a full license;
- (3) A change in ownership;
- (4) A change in the licensee's physical location;
- (5) An upgrade in the license class;
- (6) Occupation of space after construction, renovations or structural alterations; or
- (7) The renewal of a license.

(d) In addition to (c) above, the department shall conduct an inspection:

- (1) Whenever the department has reason to believe a condition exists that places the food establishment in non-compliance with RSA 143, RSA 143-A, or Town 1204(He-P 2300); and
- (2) As necessary to verify compliance with any corrective action plan (CAP) and/or Risk Control Plan accepted by the department as part of an inspection.

(e) The applicant, owner, or person in charge shall be present at time of inspection.

(f) Upon completion of the inspection, the department shall complete a written inspection report in accordance with Food Code Annex 7, Form 3-A and Guide 3-B, or in the case of food processing plants and homesteads a "Food Processing Plant Inspection Report".

(g) The inspection report shall contain:

- (1) Specific factual observations of deficiencies which violate Town 1204(He-P 2300) and/or the Food Code and which require correction; and
- (2) For all food establishments except food processing plants, a color designation, described in (i) below, based on the results of the inspection findings.

(h) The applicant, owner, or person in charge shall acknowledge receipt of the inspection report by signing the inspection report.

(i) Color Score Designation shall be as follows:

- (1) Green if there are no priority item violations identified ~~or if all priority/critical item violations identified are corrected immediately and permanently at the time of the inspection~~ (no priority/critical = no further action) *((ELIMINATE TO BE IN-LINE WITH THE FDA CODE))*
- (2) Yellow if there are priority/critical item violations and/or repeat violations ~~are not corrected immediately and permanently at the time of inspection; and~~ (priority/critical item

will trigger a follow-up inspection)((DELETE AND REWORD FOR COMPLIANCE WITH FDA CODE))

(3) Red if it is determined that an imminent health hazard exists at the time of the inspection or if the food establishment is found to be operating without a current, valid license.(follow-up inspection triggered *and closure of facility possible*)(WORDING CHANGED TO ACCORD WITH DEFINITION OF IMMINENT HEALTH HAZZARD))

1204.5.02(He-P 2305.02) Correction of Deficiencies Identified During an Inspection.

(a) All deficiencies identified in the inspection report shall be corrected at the time of inspection, as practicable.

(b) For all food establishments except food processing plants and homesteads, if a priority item violation and/or a priority foundation violation is found during an inspection and cannot be corrected immediately and permanently in the presence of the inspector, the applicant or licensee shall:

(1) Agree to temporarily correct the priority item violation and to permanently correct it in a specified time frame, not to exceed 10 calendar days after the inspection; or

(2) Complete a CAP in the presence of the inspector in accordance with 1204.5.03 (He-P 2305.03) Repeat violations of the same code #violation will be placed in a corrective action plan, or a Risk Control Plan for repeat risk factor violations and lack of proper public health interventions

(c) For all food establishments except food processing plants and homesteads, if a violation of any items in Chapter 4, 5, or 6 of the FOOD CODE is found during an inspection for an initial license or change of ownership license, and it cannot be corrected immediately in the presence of the inspector, the applicant or licensee shall:

(1) Agree to temporarily correct the deficiency and to permanently correct it in a specified time frame, not to exceed 10 calendar days after the inspection; or

(2) Complete a CAP in the presence of the inspector in accordance with 1204.5.03 (He-P 2305.03).

(d) All core items shall be corrected in a timely manner; ~~not to exceed 90 days; unless~~ (a CAP is *may be* completed and accepted by the inspector); not to exceed a 6 month period for corrective action.(ELIMINATE TO ALLOW ADEQUATE TIME FOR CORRECTIONS AND REWORD))

(e) For food processing plants and homesteads, if any violation is found during an inspection and cannot be corrected immediately and permanently in the presence of the inspector, the applicant or licensee shall:

(1) Agree to temporarily correct the violation and to permanently correct it in a specified time frame—Priority items not to exceed 10 calendars days after the inspection
Priority foundation items not to exceed 10 calendar days after the Inspection
Core items shall be corrected in a timely manner, not to exceed 90 days

(2) A CAP may be completed for a core item violation or a priority foundation item, at the discretion of the inspector

1204.5.03(He-P 2305.03) Corrective Action Plan.

(a) When a deficiency identified in the inspection report cannot be corrected either immediately and permanently in the presence of the inspector or permanently within 10 calendar days after the inspection, pursuant to 1204.5.02(b), (c),(d), or (e) (He-P 2305.02(b), (c), or (d)), the licensee shall complete, date, and sign, at the time of inspection, a Corrective Action Plan form provided by the inspector, including:

- (1) How the licensee intends to correct each deficiency;
- (2) The date by which each deficiency shall be corrected; and
- (3) What measures will be put in place to ensure that the deficiency does not recur.

(b) The department shall review and accept each CAP that:

- (1) Achieves compliance with RSA 143, RSA 143-A, and Town 1204(He-P 2300);
- (2) Addresses all deficiencies and deficient practices as cited in the inspection report;
- (3) Prevents a new violation of RSA 143, RSA 143-A, or Town 1204(He-P 2300) as a result of the implementation of the CAP; and
- (4) Specifies the date upon which the deficiencies will be corrected.

(c) The department shall verify the implementation of any CAP that has been accepted by:

- (1) Reviewing materials submitted by the licensee;
- (2) Conducting a follow-up inspection; or
- (3) Reviewing compliance during a renewal inspection.

(d) If the department finds the licensee to be out of compliance with the CAP by the specified completion date at the time of the next inspection, the department shall:

- (1) Impose applicable fines, in accordance with 1204.6.02(a)(13) (He-P 2306.02(a)(13));
- (2) Revoke the license in accordance with 1204.6.03(a)(7) (He-P 2306.03(a)(7)); and
- (3) Deny the application for a renewal of a license, as applicable, in accordance with 1204.4.03(d)(2) (He-P 2304.03(d)(2)).

1204.5.04 RISK CONTROL PLAN AS PART OF THE CAP 1204.5.03(a)-(d)

(a) The Risk Control Plan will be indicated for repeat violations of the:

- (1) 5 CDC Risk Factors: improper holding temperatures; inadequate cooking; contaminated equipment; food from unsafe sources; and poor personal hygiene and/or

- (2) 5 Key Public Health Interventions: demonstration of knowledge; employee health; controlling hands as a vehicle of contamination; time and temperature parameters for controlling pathogens; and consumer advisory

(b) The Risk Control Plan will identify the risk factors, the uncontrolled process step or CCP, the hazard, the critical limit and the corrective action when the critical limits are not met: to establish active managerial control of the identified uncontrolled/repeat hazards.

(c) The Risk Control Plan delineates what needs to be controlled and how it will be controlled, along with necessary records and responsible personnel. It should also indicate what training is necessary.

1204.6(PART He-P 2306) ENFORCEMENT ACTIONS

1204.6.01(He-P 2306.01) Enforcement Actions and Notice of Right to Appeal.

(a) The department shall impose enforcement actions for violations of RSA 143, RSA 143-A, or Town 1204(He-P 2300), including the following:

- (1) Imposing fines upon an applicant, licensee, or unlicensed individual;
- (2) Denying a license application;
- (3) Revoking a license; or
- (4) Immediately closing the food establishment.

(b) When imposing a fine, denying a license application, or revoking a license, the department shall send to the applicant or licensee a written notice that sets forth:

- (1) The action to be taken by the department;
- (2) The reasons for the action, including the identification of each deficiency as applicable; and
- (3) The right of the applicant or licensee to request a hearing in accordance with RSA 541-A, He-C 200, and 1204.6.04 (He-P 2306.04) prior to the enforcement action becoming final.

(c) No ongoing enforcement action shall preclude the imposition of any remedy available to the department under RSA 143, RSA 143-A, RSA 541-A:30, III, or Town 1204(He-P 2300).

1204.6.02(He-P 2306.02) Administrative Fines.

(a) The department shall impose fines as follows:

- (1) For providing false or misleading information on or with an application, in violation of 1204.4.01(a) (He-P 2304.01(a)), 1204.11.01(a) (He-P 2311.01(a)), or 1204.4.12(a) (He-P 2304.12(a)), the fine shall be \$1,000;

- (2) For failure to operate a food establishment only in the manner in which licensed to do so, in violation of 1204.4.02(j) (He-P 2304.02(j)), the fine shall be \$500;
- (3) For failure to cooperate during an inspection of a food establishment, including but not limited to failing to allow department representatives or inspectors to inspect food establishment premises, vehicles, and records at all times, in violation of 1204.5.01 (He-P 2305.01), the fine shall be \$2,000;
- (4) For failure to notify the department by telephone within 24 hours of any fire or other disaster that jeopardizes the safety or sanitation of food provided in food establishments, in violation of 1204.6.06(a) (He-P 2306.06(a)), the fine shall be \$250;
- (5) For failure to notify the department pursuant to 1204.4.08(a) (He-P 2304.08(a)) at least 30 days prior to a food establishment ownership change, the fine shall be \$500;
- (6) For failure to notify the department pursuant to 1204.4.10(a) (He-P 2304.10(a)) at least 45 days prior to the change of location of a food establishment, the fine shall be \$500;
- (7) For failure to submit a plan for review as required in 1204.4.12(a) (He-P 2304.12(a)), the fine shall be \$300;
- (8) For failure to discard food as required by Food Code 3-701.11, and in the manner instructed to do so by the department, the fine shall be \$500;
- (9) For failure to cease operation upon notification by the department to do so, the fine shall be \$1000. Each day that a license holder fails to cease operation shall be considered a separate offense subject to an additional \$500 fine;
- (10) For failure to cease operation after a license has expired, when an application has been denied, or when a license has been revoked, the fine shall be \$1,000. Each day that a license holder fails to cease operation shall be considered a separate offense subject to an additional \$500 fine;
- (11) For a violation of the same priority item on more than 2 consecutive inspections, the fine shall be \$500;
- (12) For failure to pay an administrative fine within 30 days of its imposition, or within 30 days of the decision to uphold the imposition of a fine that was appealed, the fine shall be \$500. Each day until the expiration of the current license, that a license holder fails to pay such a fine shall be considered a separate offense subject to an additional \$500 fine;
- (13) For a failure to comply with any CAP or Risk Control Plan that has been accepted by the department, the fine shall be \$500;
- (14) For operation of a food service establishment without obtaining a food service license, as required by RSA 143-A:4, the fine shall be \$1,000. Each day that a food establishment operates without a license shall be considered a separate offense subject to an additional \$500 fine;

- (15) For failure to submit a HACCP plan for review if required by the department in accordance with 1204.4.13 (He-P 2304.13), the fine shall be \$500;
- (16) For failure to display a valid license, in accordance with 1204.4.02(1) (He-P 2304.02(1)), the fine shall be \$200;
- (17) For failure of an applicant, owner, or person in charge to be present at the time of inspection and demonstrate the knowledge required by section 2-102.11 of the Food Code which are pertinent to the risks inherent to the specific food establishment, in violation of 1204.5.01(e) ((He-P 2305.01(e)), the fine shall be \$250; and
- (18) For violating a variance approved in accordance with 1204.4.14 (He-P 2304.14), the fine shall be \$500.
- (b) Each day that an individual or licensee continues to be in violation of the provisions of RSA 143, RSA 143-A, or Town 1204(He-P 2300) shall constitute a separate violation and shall be fined in accordance with this section.
- (c) Payment of any imposed fine to the department shall meet the following requirements:
- (1) Payment shall be made in the form of check or money order made payable to the "Town of Exeter" in the exact amount due;
 - (2) Money order, or certified check shall be required when an applicant or licensee has issued payment to the department by check, and such check was returned for insufficient funds; and
 - (3) Any payment made to the department by check which is returned for insufficient funds, and which an individual, applicant, or licensee has not made good by submitting money order or certified check within 2 business days of notification by the department, including any penalty assessment allowed by RSA 6:11-a, shall be grounds for revocation of the license.

1204.6.03(He-P 2306.03) Denial or Revocation of a License.

- (a) The department shall deny an application or revoke a license if:
- (1) The operation of the licensed establishment immediately endangers public health or safety;
 - (2) An applicant or licensee has failed to pay any applicable fee in accordance with 1204.4.05 (He-P 2304.05) or any administrative fine imposed under 1204.6.02 (He-P 2306.02) or any other court authorized sanction or fee;
 - (3) An applicant or a licensee has had a check returned to the department for insufficient funds and has not re-submitted the outstanding fee and additional charges in the form of money order or certified check within 2 business days of notification by the department;
 - (4) After being notified of and given an opportunity to supply missing information, an applicant or licensee fails to submit an application that meets the requirements of 1204.4.02(c) (He-P 2304.02(c));

- (5) An applicant, licensee or any representative or employee of the applicant or licensee:
- a. Provides false or misleading information to the department;
 - b. Prevents or interferes, or fails to cooperate with any inspection or investigation conducted by the department; or
 - c. Fails to provide, upon request, information or documents to the department;

(6) There is a deficiency identified in the inspection report and the applicant or licensee does not either correct it or complete a CAP in accordance with 1204.5.02(b) or (c) (He-P 2305.02(b) or (c));

(7) The licensee fails to implement or continue to implement a CAP that has been accepted by the department in accordance with 1204.5.03(d) (He-P 2305.03(d));

(8) The licensee is cited 2 or more times under RSA 143, RSA 143-A, or Town 1204(He-P 2300) for the same critical/priority violation within the last 12 months or the last 5 inspections;

(9) A licensee has had a license revoked and submits an application during the 3-year prohibition period specified in (b) below; and

(10) A food establishment fails to implement an approved HACCP plan in accordance with 1204.4.13 (He-P 2304.13);

(b) When a food establishment's license has been denied or revoked, the applicant or licensee shall be prohibited from reapplying for a food establishment license for 3 years at a different location, if the enforcement action pertained to their role in the food establishment.

(c) The 3-year period referenced in (b) above shall begin on:

(1) The date of the department's decision to revoke or deny the license, if no request for an administrative hearing is requested or if the request is withdrawn; or

(2) The date a final decision upholding the action of the department is issued, if a request for a hearing is made and a hearing is held.

(d) Notwithstanding (b) and (c) above, the department may consider an application submitted after the decision to revoke or deny becomes final, if the applicant provides proof that circumstances have changed and that the applicant has obtained the requisite degree of knowledge, skills and resources necessary to maintain compliance with the provisions of RSA 143, RSA 143-A, and Town 1204(He-P 2300).

(e) Reapplication for a license after revocation, pursuant to RSA 143-A:6, I, shall require submission of:

(1) A written application for a license to the department, completed in accordance with 1204.4.01 (He-P 2304.01);

(2) A corrective action plan, completed in accordance with 1204.5.03 (He-P 2305.03); and

(3) Written proof that subsequent to the revocation, the person in charge has taken and passed a food safety class that meets the standards of The Conference for Food Protection.

1204.6.04(He-P 2306.04) Request for an Administrative Hearing.

(a) An applicant or licensee shall have 10 calendar days after receipt of the notice of an enforcement action to request in writing a hearing to contest the action.

(b) If a written request for a hearing is not received pursuant to (a) above, the applicant or licensee waives his right to a hearing and the action of the department shall become final.

(c) Hearings under this section shall be conducted in accordance with RSA 541-A and He-C 200.

(d) For administrative fines, the fines shall be paid to the department no later than 30 days from the receipt of the notice, unless a hearing has been requested.

1204.6.05(He-P 2306.05) Effect of Denial of License Application, Revocation of License, or Expired License.

(a) Any applicant who has been denied a license or renewal license shall not operate or shall cease operation of the food establishment for which the license or renewal license was denied within 10 calendar days after receipt of the denial notice, unless a timely appeal is submitted.

(b) If a license is revoked by the department, the food establishment shall cease operation of the food establishment within 10 calendar days after receipt of the revocation notice, unless a timely appeal is submitted.

(c) If a food establishment is subject to immediate closure as defined in RSA 143:5-a, the food establishment shall immediately cease operation pending reinspection and pursuant to the adjudicative proceedings provisions of RSA 541-A.

(d) If a license expires without a timely application for renewal having been made, the food establishment shall immediately cease operation of the food establishment.

1204.6.06(He-P 2306.06) Closure.

(a) A licensee shall immediately discontinue operations and notify the department at 603-773-6132, or if at night or during weekends at 603-772-1212, if an imminent health hazard may exist because of an emergency such as, but not limited to:

- (1) Interruption of water service that lasts for 2 or more hours;
- (2) Whenever a drinking water sample is found to have E.coli bacteria or exceed the MCL for nitrates or nitrites described by 1204.4.06(f) (He-P 2304.06(f));
- (3) A failed sewer system or a sewage backup into the food establishment;
- (4) Interruption of electrical service for 2 or more hours;

- (5) A fire affecting a food establishment;
- (6) Flooding in a food establishment;
- (7) Chemical exposure in a food establishment;
- (8) Any other natural disaster or catastrophic event that could result in contamination of the food supply;
- (9) An employee has been found to be infected with a communicable disease as described in Food Code subparagraph 2-201.11 (A)(2); or
- (10) Any other severe unsanitary conditions that threaten to contaminate the food establishment and its food supply.

(b) A licensee shall not be required to discontinue operations in an area of the food establishment that is unaffected by the imminent health hazard.

(c) If operations are discontinued as specified in (a) above, the licensee shall obtain approval from the department before resuming operations.

(d) The department shall approve the resumption of operations if the imminent health hazard no longer exists or the licensee has offered a plan to mitigate all threats to health and safety

(e) The failure to include other violations, practices, circumstances, or events in this section shall not be construed as a determination that other violations, practices, circumstances, or events are not or shall not be considered an imminent health hazard.

(f) The commissioner's (Exeter Health Department) order of an immediate closure of a food establishment shall be in accordance with the provisions of RSA 143:5-a.

1204.7(PART He-P 2307) EMPLOYEE HEALTH

1204.7.01(He-P 2307.01) Suspected or Confirmed Foodborne Disease Outbreaks.

(a) Pursuant to RSA 141-C:9, II, during a suspected or confirmed foodborne disease outbreak, as determined by the department, all food employees in the implicated food establishment shall submit biological specimens upon department request.

(b) During a suspected or confirmed foodborne disease outbreak, as determined by the department, any food employee who has had any of the symptoms specified in Food Code subparagraph 2-201.11 (A)(1) within the previous 2 weeks shall be excluded from work until the appropriate biological specimens requested by the department under RSA 141-C:9, II, are submitted and found to be negative.

1204.7.02(He-P 2307.02) Reporting by the Person in Charge.

(a) The person in charge shall notify the department's bureau of communicable disease control at 603-271-4496, or if at night or during weekends at 603-271-5300; the person in charge will also notify the Exeter Health Department at 603-773-6132, of a food employee, or a person who applies for a job as a food employee, who is diagnosed with, or suspected of having, an illness or condition specified in Food Code subparagraph 2-201.11 (B), including:

- (1) Jaundiced;
- (2) Norovirus;
- (3) Hepatitis A virus;
- (4) Shigella spp.;
- (5) Enterohemorrhagic or shiga toxin-producing Escherichia coli; or
- (6) Salmonella Typhi.

(b) The person in charge shall report infectious and communicable disease as required by He-P 301 Communicable Disease rules, as applicable.

1204.8(PART He-P 2308) SPECIAL REQUIREMENTS FOR BED AND BREAKFAST FACILITIES

1204.8.01(He-P 2308.01) Application Requirements. Food service establishments applying for a license as a bed and breakfast facility shall comply with all of the application requirements of 1204.4.01 (He-P 2304.01), except that they shall not be required to submit a plan review application as required under 1204.4.01(a)(5) (He-P 2304.01(a)(5)) and wastewater items as required under 1204.4.01(a)(4) (He-P 2304.01(a)(4) and 1204.4.07(He-P 2304.07).

1204.8.02(He-P 2308.02) Basic Requirements. A bed and breakfast facility shall comply with 1204.2 through 1204.7 (He-P 2302 through He-P 2307), however the following exceptions to the Food Code shall apply:

- (a) Commercial equipment shall not be required;
- (b) The kitchen shall be equipped with either:
 - (1) A 2-compartment sink; or
 - (2) A residential model dishmachine and a one-compartment sink;
- (c) A sink used for food preparation shall not be required to be equipped with an indirect wasteline;
- (d) A backflow device shall not be required for kitchen sinks provided with a spray hose;
- (e) Coved base at the juncture of the floor and wall shall not be required;
- (f) Only those bathrooms which open directly into the kitchen or into any hallway leading into the kitchen shall be required to have self-closing doors and mechanical ventilation;
- (g) The kitchen shall not be required to be separated from any living area or sleeping area by complete partitioning or solid, self-closing doors; and
- (h) Laundry facilities shall:
 - (1) Be allowed in the kitchen; and

(2) Not be used during processing, preparing, serving, or packaging of foods related to the business.

1204.8.03(He-P 2308.03) Sanitization. Dishes, utensils, and food contact equipment and surfaces shall undergo sanitization as required in Food Code 4-703.11, except that sanitization, if done in the 2 compartment sink, shall occur in the second compartment after the dishes, utensils, and food contact equipment have been rinsed with clean water.

1204.9(PART He-P 2309) SPECIAL REQUIREMENTS FOR FOOD PROCESSING PLANTS

1204.9.01(He-P 2309.01) Application Requirements. Food service establishments applying for a license as a food processing plant shall:

- (a) Comply with all of the application requirements described in 1204.4.01 (He-P 2304.01);
- (b) Submit with their application a list of all food products to be produced in the food processing plant; and
- (c) Submit a HACCP plan as part of the application as required by 1204.4.13 (He-P 2304.13).

1204.9.02(He-P 2309.02) Basic Requirements. Food processing plants shall:

- (a) Provide an updated list of food products to the department whenever new products are added;
- (b) If thermally processing and packaging low-acid foods in hermetically sealed containers, comply with applicable federal regulations under the Code of Federal Regulations in 21 CFR 113 and 21 CFR 110;
- (c) If processing acidified foods, comply with applicable federal regulations under Code of Federal Regulations in 21 CFR 114 and 21 CFR 110; and
- (d) Maintain production records and distribution records of all products produced.

1204.9.03(He-P 2309.03) Food Processing Plant Standards.

- (a) Those food establishments licensed as food processing plants shall be exempt from the requirements of the Food Code and shall instead comply with the requirements in this section.
- (b) All food shall be from an approved source-as defined 1204.1.01(b)(1)(2)(3)
- (c) All food products shall be stored in original containers. If food products are removed from the original container, they shall be stored in labeled and closed containers. Containers shall be of a material that will not cause the food to become adulterated.
- (d) All food shall be in sound condition, free from spoilage, filth, or other contamination, and shall be safe for human consumption.
- (e) All TCS food shall be refrigerated at 41°F or lower, or held at 135°F or higher, to control bacterial growth.

(f) Food storage facilities shall be kept clean and located to protect food from unsanitary conditions or contamination from any source at all times.

(g) The floors, walls, ceilings, utensils, machinery, equipment, and supplies in the food preparation area and all vehicles used in the transportation of food shall be kept thoroughly clean.

(h) All food contact surfaces shall be kept clean and undergo sanitization as frequently as necessary to protect against contamination of food—maximum 4 hour intervals

(i) All food contact surfaces shall be easy to clean, smooth, nonabsorbent, and free of cracks or open seams. Sanitation shall comply with applicable federal regulations under the Code of Federal Regulations in 21 CFR:110.

(j) All food shall be protected against insects and rodents at all times. Outside doors, windows, and other openings shall be fitted with screens and self-closing doors, if not otherwise protected. No dogs, cats, or other pets shall be allowed in the room where food is prepared or stored.

(k) All garbage and refuse shall be kept in containers and removed from the premises regularly to prevent insects and rodents, offensive odors, or health or fire hazards. Garbage and refuse containers shall be durable, easy to clean, insect- and rodent-resistant, and of material that neither leaks nor absorbs liquid.

(l) Employees shall be free from contagious or communicable diseases, sores, or infected wounds, and shall keep their hair covered and restrained.

(m) Employees shall keep themselves and their clothing clean. Hands shall be washed as frequently as necessary to maintain good sanitation.

(n) Employees shall not smoke while handling or preparing food or in food preparation or storage areas.

(o) All establishments shall have an adequate supply of hot and cold potable water under pressure from an approved source.

(p) All establishments shall have toilet facilities, which do not open directly into food processing areas, equipped with a hand washing lavatory, complete with hot and cold potable water under pressure and hand soap. A supply of sanitary towels or a hand-drying device providing heated air shall be conveniently located near the hand-washing facility.

(q) Poisonous or toxic materials shall be stored so they cannot contaminate food, equipment, utensils, linens, and single-service, and single-use articles.

(r) Hand sinks shall be conveniently located to all food processing areas.

(s) Adequate lighting shall be provided where food is stored, processed, or examined

(t) Adequate ventilation shall be provided to eliminate objectionable odors and vapors, including steam and constructed in such a manner as to avoid possible contamination.

(u) Food processing plants shall comply with all provisions of the state plumbing code as included as part of the state building code defined in RSA 155-A:1, IV, as amended by the Building Code Review Board pursuant to RSA 155-A:10, V.

1204.9.04(He-P 2309.04) Labeling of All Packaged Foods. All packaged food shall bear a label showing:

- (a) The common or usual name of the product;
- (b) The name and address of the manufacturer's, packer's, or distributor's business which shall:
 - (1) In the case of an individual, partnership, or association be the name under which the business is conducted;
 - (2) In the case of a corporation, be the name of the parent corporation; or
 - (3) Where the food is not processed by the person whose name appears on the label, the name on the label shall be qualified by a phrase which reveals the connection such a person has with the food, including but not limited to, "Manufactured for _____", "Distributed by _____", or any other wording which expresses the facts;
- (c) The ingredients in descending order of predominance by weight; and
- (d) The net weight, volume, or numerical count in both U.S. customary and metric; and
- (e) A product code which includes date of manufacture, container size, and product lot or batch number to aid in a recall of product in case of a public health hazard; and
- (f) **Allergen information ie; WHEAT, SOY ...((NEW ADD REQUIRED BY CODE))**
- (g) **Directions as needed; reheat, refrigerate, cook....((NEW REQUIRED BY CODE))**

1204.9.05(He-P 2309.05) Recall Procedure.

(a) The food processing plant shall develop and maintain on file a written procedure for the recall of their product, including procedures for the notification of the department and consumers and the removal of the product from commerce.

(b) Production and distribution records shall be used to enable location of products if a recall is initiated.

(c) A food processing plant shall recall any product which the food processing plant or the department knows or has reason to believe might adversely affect the health and safety of the public.

(d) A food processing plant that knows that the standard of quality has been violated or has reason to believe that circumstances exist which might adversely affect the safety of the product shall notify the department within 24 hours of learning of the violation or circumstances.

(e) Circumstances in (d) requiring notification shall include, but are not limited to, source contamination, spills, accidents, natural disasters, or breakdowns in treatment processes.

(f) If the department determines that the circumstances present an imminent health hazard and that consumer notification and/or product recall can significantly minimize the threat to health and safety of the public, the department shall advise the food processing plant to initiate a product recall.

(g) In cases of a product recall, the food processing plant shall disseminate notification of the recall to all wholesale and retail outlets to which the product was distributed.

(h) If directed by the department, the food processing plant shall issue notification to consumers who might be affected by the recall using such methods, including the media, as will assure timely notification to the consumers.

1204.10(PART He-P 2310) SPECIAL REQUIREMENTS FOR LEVEL ONE AND LEVEL TWO HOMESTEADS PRODUCING FOOD IN A RESIDENTIAL NON-COMMERCIAL KITCHEN((ELIMINATE REFERENCE NOT ACCURATE))

1204.10.01(He-P 2310.01) Application Requirements. ((ELIMINATE REFERENCE))

(a) Food service establishments applying for a license as a level one or level two homestead shall comply with all of the application requirements of 1204.2.04 (He-P 2302.04) except that they shall not be required to submit the plan review application required under 1204.4.01(a)(5) (He-P 2304.01(a)(5)) and wastewater items required under 1204.4.01(a)(4) (He-P 2304.01(a)(4) and 1204.4.07(He-P 2304.07).

(b) Level One Homestead license holder-offers product only at a farm stand, farmers' market or from the holder's residence/Class H-1 license

(c) Level Two Homestead license holder-may offer product to other food establishments and retail food stores, as well as farmers markets, farm stands, or license holder's residence/Class D-4 license

(d) Finished product label

1204.10.02(He-P 2310.02) Approved Products. Only the following food products shall be produced and sold from a homestead:

(a) Baked items, including, but not limited to, breads, rolls, muffins, cookies, brownies, and cakes;

(b) Double-crust fruit pies;

(c) Candy and fudge;

(d) Packaged dry products, which include, but are not limited to, spices and herbs;

(e) Acid foods, including, but not limited to, vinegars and mustards; and

(f) Jams and jellies-process review required(1204.10.06/He-P 2301.05)

1204.10.03(He-P 2310.03) Prohibited Products. License holders producing food in a homestead shall not produce or sell TCS food, including any food which requires refrigeration.

1204.10.04(He-P 2310.04) Basic Requirements.

(a) Homesteads shall comply with all requirements of Town 1204.9.04(He-P 2309.04) and 1204.9.05(He-P 2309.05) regarding labeling of products and recall of products respectively.

(b) Homesteads shall label each product with the following statement: "This product is made in

a residential kitchen". Labels shall contain ingredients list in order, Name and address for identification, as (a) above

- (c) Level Two Homesteads selling to retail shall also submit:
- (1) Copies of all finished product labels
 - (2) A list of sources of all ingredients to be used
 - (3) A flow chart describing the manufacturing steps for each product to be made
 - (4) A description of how each product is packaged; and
 - (5) A description of the records that are maintained during production including but not limited to temperatures and pH readings, where applicable

1204.10.05(He-P 2310.06) Homestead Standards.

(a) Those food establishments licensed as homesteads shall be exempt from the requirements of the Food Code, and shall instead comply with the requirements of 1204.9.03(He-P 2309.03) and the requirements in this section.

(b) Commercial equipment shall not be required.

(c) The kitchen shall be equipped with either:

- (1) A 2-compartment sink; or
- (2) A residential model dishmachine and a one-compartment sink.

(d) A sink used for food preparation shall not be required to be equipped with an indirect wasteline.

(e) A backflow device shall not be required for kitchen sinks provided with a spray hose.

(f) Coved base at the juncture of the floor and wall shall not be required.

(g) Only those bathrooms which open directly into the kitchen or into any hallway leading into the kitchen shall be required to have self-closing doors and mechanical ventilation.

(h) The kitchen shall not be required to be separated from any living area or sleeping area by complete partitioning or solid, self-closing doors.

(i) Laundry facilities shall:

- (1) Be allowed in the kitchen; and
- (2) Not be used during processing, preparing, serving, or packaging of foods related to the business.

1204.10.06(He-P 2310.05) Process Review Required

(a) Level One or Level Two homesteads producing foods listed in 1204.10.02(f) that do not use recipes approved by the National Center for Home Food Preservation shall comply with the following:

- (1) A process review shall be conducted by a food processing authority on each product prior to its being produced by the license holder. If the food processing authority declares in writing that there are no biological concerns with the food after evaluating the scheduled process, the food shall be allowed to be produced;
- (2) License holders shall keep records of all pHs on file and available for review by the regulatory authority upon request;
- (3) A process review shall be conducted for a product that has been previously tested if the ingredients are altered or the process changes;
- (4) License applicants shall submit process review documentation with the license application in accordance with Town 1204.10.01;
- (5) License holders shall keep all process review information on file and available for review by the regulatory authority upon request.

1204.11(PART He-P 2312) OUT-OF-STATE FOOD PRODUCERS IN RESIDENTIAL, NON-COMMERCIAL KITCHENS

1204.11.01(He-P 2312.01) Registration of Out-of-State Producers in Residential, Non-Commercial Kitchens.

(a) All applicants registering their products in accordance with RSA 143:29 shall submit the following to the department:

- (1) A completed "Application for Registration of Out-of-State Producers in Residential, Non-Commercial Kitchens" (OSPAPP, 01-01-11);
- (2) One of the following:
 - a. A copy of a sanitary inspection conducted within the previous 12 months by the regulatory authority with jurisdiction;
 - b. A letter from the regulatory authority confirming compliance with local regulations; or
 - c. A health certificate for the facility issued within the previous 12 months; and
- (3) A fee in the amount of \$25, pursuant to RSA 143:29, payable by check or money order, in the exact amount of the fee made payable to the "Town of Exeter".

1204.11.02(He-P 2312.02) Processing of Registrations.

(a) The registration application required by 1204.11.01(He-P 2312.01) shall be processed in accordance with RSA 541-A:29.

(b) If the registration application does not contain all of the items required by 1204.11.01(He-P 2312.01), the department shall:

(1) Not process the registration application; and

(2) Notify the registrant in writing that all required items shall be submitted within 30 days in order for the registration application to be processed.

(c) If all the items required by 1204.11.01(He-P 2312.01) are received, the application shall be deemed to be complete.

1204.11.03(He-P 2312.03) Registration Issuance and Duration.

(a) A registration shall be issued if the registration application meets the requirements of 1204.11.01(He-P 2312.01).

(b) All registrations shall remain in effect until the first day of January of the year following issuance unless revoked prior to that date.

(c) Registrations shall not be transferable with respect to persons or locations.

1204.11.04(He-P 2312.04) Denial of Registration Applications. The department shall deny a registration application when the application submitted is incomplete and any information requested in accordance with 1204.11.02(b) ((He-P 2312.02(b)) is not provided.

1204.11.05(He-P 2312.05) Renewal of Registrations.

(a) Registration applications for renewal of registrations shall be completed as required in 1204.11.01(He-P 2312.01).

(b) There shall be no fee for renewal of registrations.

(d) Registration renewal applications shall be processed and issued or denied in accordance with 1204.11.02(He-P 2312.02) through 1204.11.04(He-P 2312.04).

NEW SECTION TO BE ADDED TO CONFORM TO WHAT IS ACTUALLY DONE

1204.12 TEMPORARY FOOD SERVICE EVENT PERMIT REQUIREMENTS

RSA143-A:3 VIII “Temporary food service establishment means any food service establishment which operates at a fixed location for a temporary period of time not to exceed 2 weeks, in connection with a fair, carnival, circus, public exhibition, or similar transitory gathering”

The event may be held indoors or outdoors. Vendor types may include, but not limited to one selling or offering any prepared, prepackaged potentially hazardous or non-hazardous foods, as well as cooking.

The *Coordinator* of the event must submit a completed *Coordinator's Application* at least one month prior to the event to the Exeter Health Department.

All *vendors* must submit a completed *Temporary Food Service Application* at least 14 days prior to the event to the Exeter Health Department.

Applications not received in the Health Department by the deadline date will not be considered for permitting.

Vendor and event requirements may include, but not limited to the following; having a current food service license, commissary agreement, foods from an approved source, hand wash station, ground covering, overhead protection, food thermometers, sanitize solution, hot/cold hold equipment, single service customer items, extra utensils, disposable gloves, garbage and trash disposal. This is not a complete listing.

The Health Department may impose additional requirements to protect against a health hazard related to the conduct of the temporary food service establishment, prohibit the sale of some or all potentially hazardous foods, and when no health hazard will result, may modify requirements of the regulations when warranted.

PART He-P 2313-He-P 2331 RESERVED

PART He-P 2350 NEW HAMPSHIRE COLD STORAGE RULES

1204 Town Health Ordinance Sanitary Production and Distribution of Food

Adopted 08-12-1998

Revised 09-11-2001

Revised 09-2003

Revised/renumbered 01-2011

Revised -2014

APPENDIX

<u>RULE</u>	<u>STATUTE RULE IMPLEMENTS</u>
He-P 2301.01	RSA 143-A; RSA 143-A:3
He-P 2302.01	RSA 143-A:4; RSA 143-A:5; RSA 143-A:12, II
He-P 2302.02	RSA 143-A:5-a
He-P 2303.01	RSA 143-A:9, V
He-P 2304.01	RSA 143-A:6, I, V
He-P 2304.02	RSA 143-A:4, II; RSA 143-A:6, I-V
He-P 2304.03	RSA 143-A:6, I-V
He-P 2304.04	RSA 143-A:9, I; RSA 143-A:12, II
He-P 2304.05	RSA 143-A:6, V; RSA 143-A:9, I-a; RSA 143-A:13, V
He-P 2304.06	RSA 143:3; RSA 143-A:9, V
He-P 2304.07	RSA 143:3; RSA 143-A:9, V
He-P 2304.08	RSA 143-A:6; RSA 143-A:9, V
He-P 2304.09	RSA 143-A:6; RSA 143-A:9, V
He-P 2304.10	RSA 143-A:6; RSA 143-A:9, V
He-P 2304.11	RSA 143-A:6; RSA 143-A:9, V
He-P 2304.12	RSA 143-A:9, V
He-P 2304.13	RSA 143-A:9, V
He-P 2304.14	RSA 143-A:9, V
He P 2304.15	RSA 143-A:9, V
He-P 2305.01	RSA 143:4; RSA 143-A:6
He-P 2305.02	RSA 143:4; RSA 143-A:6
He-P 2305.03	RSA 143:4; RSA 143-A:6
He-P 2306.01	RSA 143:5-a; RSA 143-A:6; RSA 143-A:7; RSA 143-A:9-a, I
He-P 2306.02	RSA 143:7-a; RSA 143-A:10-a
He-P 2306.03	RSA 143-A:6; RSA 143-A:7; RSA 143-A:9-a, I
He-P 2306.04	RSA 143-A:9, IV-c
He-P 2306.05	RSA 143-A:4; RSA 143-A:6; RSA 143-A:11
He-P 2306.06	RSA 143:5-a; RSA 143-A:9, V
He-P 2307.01	RSA 141-C:9, II; RSA 143:5
He-P 2307.02	RSA 141-C:6, III
He-P 2308.01 – He-P 2308.03	RSA 143-A:9, V
He-P 2309.01 – He-P 2309.05	RSA 143-A:9, V
He-P 2310.01 – He-P 2310.05	RSA 143-A:12-13
He-P 2311.01 – He-P 2311.05	RSA 143:29

**TOWN OF EXETER
MEMORANDUM**

TO: Board of Selectmen
FROM: Town Manager
RE: 2015-2020 CIP
DATE: August 25, 2014

Included in this week's packet is the master list of capital improvement projects requested for the CIP for the years 2015-2020. The CIP is a six year plan per state law.

It is important to note the following with respect to the column titled "decisions" on the project/program review sheet for 2014:

- An item can be deferred for a number of reasons. It may be by department request, it may be due to funding limitations, or other desires to delay a project for a specific reason.
- Items that been "moved to budget" typically means the items have been moved into the town's operating budget going forward. One time capital items moved to the budget are just that – one time. An example on the list is the exterior paint and repair at the Recreation Building and Senior Center.

Vehicle/Equipment Notes

- The total of all vehicles listed on the vehicle and equipment replacement review for 2014 does not include all vehicle/equipment funding, but only that in the capital improvement program. The Town has several multi-year leases on large and some smaller scale vehicles/equipment still active including:

Fire Ladder 1 - \$123,912
Fire Engine 3 - \$50,394
Fire Engine 4 - \$67,038
Police Motorcycle - \$3,000

In addition the following vehicles were approved in the 2014 budget for cash purchase:

Police Cruisers - \$75,396
Building Inspections Vehicle Replacement - \$16,000

In addition the sewer enterprise fund is carrying the following lease/purchase:

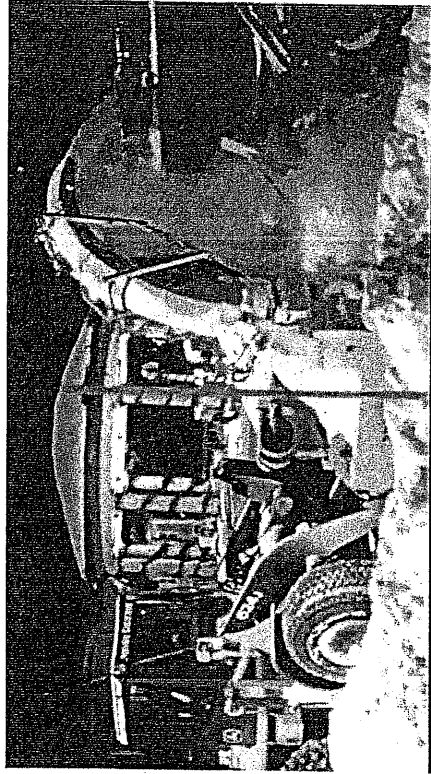
Sewer Vactor Truck - \$79,449

One of the reasons for these differences is the baseline cost of a piece of equipment or a vehicle to be considered in the CIP is \$25,000. In addition, police cruisers were recognized several years ago as an annual operating cost and each year those replacements are part of the Town's vehicle budget.

EXETER CAPITAL IMPROVEMENT PROGRAM



Exeter and surrounding communities respond to a barn fire at Beech Hill Road – August 2013



DPW's SnoGo in action downtown Exeter

2015 - 2020

Capital Improvement Projects

Includes:
Town Manager, Fire Dept, Library, DPW,
and Water/Sewer

**Capital Improvement Program
Project and Program Review for 2014**

Dept.	Project No.	Project Title	Project Cost	Decisions
Manager	M1	Townwide Facilities Plan	\$50,000	Funded
Manager	M2	Exeter Train Station Welcome Center (Baggage Building) Restoration Project		Deferred
ConCom	CC1	Elliot Property Acquisition	\$26,490	Funded
Fire	F1	Sub-Station Design and Construction		Deferred
Fire	F2	Communications Improvements		Deferred
Maint.	A1	Municipal Storage Facility		Deferred
Maint.	A2	Exterior Paint and Repair for Rec & Senior Center		Moved to Budget
Maint.	A3	Public Safety Complex Heating Boilers Replacement		Deferred
Eng	D1	Supplemental Pavement Management Funds		Moved to Budget
Eng	D2	Linden St. & Court St. Culvert Repairs		Deferred
Eng	D3	Great Dam Modifications	\$1,786,758	Funded
Eng	D4	String Bridge (funding authorized in 2008)		In design
Eng	D5	Sidewalk Program	\$80,000	Funded
Total Cost General Fund Projects			\$1,943,248	
Water	G1	Hampton Rd. Tank Asset Management Program		Moved to Budget
Water	G2	Water Line Rehabilitation Program	\$1,400,000	Funded
Sewer	H1	New Wastewater Treatment Facilities	\$5,000,000	Funded
Sewer	H2	Infiltration/Inflow Abatement		
Sewer	H3	WWTP Heating Replacement		Deferred
Sewer	H4	Replace/Upgrade Sewer Televising Equipment		Deferred
Sewer	H5	Sewer Line Rehabilitation	\$200,000	Funded
Total Cost Sewer and Water Fund Projects			\$6,600,000	
TOTAL COST OF APPROVED 2014 PROJECTS			\$8,543,248	

The following table is included in the CIP to provide information on the past year's CIP. At a glance, the reviewer can see last year's department requests, the cost, and how it was handled.

Capital Improvement Program Proposed Project Summary for 2015

Project No.	Project Title	Project Cost	Notes
M1	Exeter Train Station Welcome Center (Baggage Building) Restoration Project	TBD	
F1	Fire Sub-Station Design and Construction	\$2,500,000	
F2	Communications Improvements	\$399,484	
A1	Public Safety Complex Heating Boilers Replacement	\$122,100	
A2	Town Hall Egress Staircase	\$80,000	
A3	Town Office Wiring Replacement	\$75,000	
L1	Library Renovation	\$50,000	
D1	Sidewalk Program	\$580,000	
D2	Linden St. & Court St. Culvert Repairs	\$670,000	
D3	Pickpocket Dam-Breach Analyses	\$35,000	
D4	Lincoln Street Project-Phase II Street	\$170,000	
D5	Drain Line Rehabilitation	\$40,000	
Total Cost General Fund Projects		\$4,721,584	
G1	Water Line Rehabilitation Program	\$100,000	
G2	Surface Water Treatment Reservoir Cleaning	\$50,000	
G3	River Pump Station Upgrade	\$300,000	
H1	Infiltration/Inflow Abatement	\$737,500	
H2	Sewer Line Rehabilitation	\$100,000	
Total Cost Sewer and Water Fund Projects		\$1,287,500	
		\$6,009,084	

**Capital Improvement Program
Vehicle and Equipment Replacement Review for 2014**

Dept.	Project No.	Project Title	Project Cost	Decisions
Fire	F3	Utility 1 (Pick-up) - Replacement		Deferred
Fire	F4	Fire Alarm Bucket Truck- Replacement		Deferred
Maint.	A6	Plumbing/HVAC Van #12		Deferred
Highway	D8	6 Wheel Dump Truck (#30)	\$151,846	Funded
Highway	D9	Replace Truck #29	\$48,813	Funded
Total Cost of General Fund Vehicles			\$200,659	
Water	G3	Backhoe #53	\$96,499	Funded
Water	G4	Pick Up Truck #3	\$17,942	Funded
Water/Se wer Vehicles			\$114,441	
TOTAL COST OF ALL 2014 Vehicles			\$315,100	

The following table is included in the CIP to provide information on the past year's CIP. At a glance, the reviewer can see last year's department requests, the cost, and how it was handled.

**Capital Improvement Program
Vehicle and Equipment Replacement for 2015**

Dept.	Project No.	Project Title	Project Cost	Life to Date Maintenance Cost
Fire	F3	Fire Alarm Bucket Truck- Replacement	\$93,796	
Fire	F4	Utility 1 (Pick-up) - Replacement	\$36,468	
Fire	FA1	Ambulance 1 Replacement	\$218,675	
Maint.	A6	Plumbing/HVAC Van #12	\$21,500	
Highway	D7	Replace Street Sweeper #48	\$245,575	
Highway	D8	Replace SnoGo	\$141,799	
Highway	D9	Replace 2 Large Sand/Salt Machines	\$31,350	
Total Cost of General Fund Vehicles			\$789,163	
Water	G5	Pick Up Truck #32	\$57,426	
Sewer	H7	Replace Water & Sewer Utility Vacuum System	\$35,000	
Cost of Water/Sewer Vehicles			\$92,426	
TOTAL COST OF ALL 2014 Vehicles			\$881,589	

**Town of Exeter
Capital Improvement Program - Summary of Projects, Programs, and Vehicles by Year**

Project / Equipment Description	Program Year	Priority Ranking	Department Request	Funded 2014	FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	6-Year Total Cost
General Government/Town Manager												
M1 Town Wide Facilities Plan	2014	\$ 50,000		50,000								
M1 Exeter Train Station Welcome Center	2015	TBD			TBD							
Conservation Commission												
CC1 Elliot Property Acquisition	2014	\$ 26,490		26,490								
TOTAL - GENERAL FUND - Town Office												
				76,490								
Fire Dept./Buildings & Infrastructure												
F1 Fire Sub-Station Construction	2015	1 of 2 \$ 2,500,000	Deferred		2,500,000							2,500,000
F2 Communications Improvements	2015	2 of 2 \$ 399,484	Deferred		399,484							399,484
Fire Department/Vehicles												
F3 Fire Alarm Bucket Truck Replacement	2015	2 of 3 \$ 93,796	Deferred		93,796							93,796
F4 Utility 1 Replacement (Pick-up)	2015	3 of 3 \$ 36,468	Deferred		36,468							36,468
F5 Engine 4 Replacement	2017	\$ 492,107				492,107						492,107
F6 Command Car 2 Replacement	2018	\$ 33,172					33,172					33,172
F7 Forestry 1 Replacement	2018	\$ 26,922					26,922					26,922
F8 Command Car 3 Replacement	2020	\$ 35,040							35,040			35,040
TOTAL - GENERAL FUND - Fire												
				310,297	310,297		492,107		60,094		35,040	3,039,988
Ambulance Revolving Fund												
FA1 Ambulance 1 Replacement	2015	1 of 3 \$ 218,675			218,675							218,675
FA2 Ambulance 2 Replacement	2018	\$ 237,147					237,147					237,147
TOTAL - AMBULANCE REVOLVING FUND												
					218,675		237,147					455,822
A. Town-Owned Property/Building-Maintenance-Department												
A1 Municipal Storage Facility	2014	\$ 240,000	Deferred									
A2 Exterior Painting and Repair to Parks & Rec. Building	2014	\$ 40,000	Moved to Budget									
A3 Riverwalk Replacement Grant Supplement	2015		Deferred									
A4 Swazey Parkway Revetment Repair	2015		Deferred									
A1 Replacement of Public Safety Complex Heating Boilers	2015	1 of 5 \$ 122,100			122,100							122,100
A2 Town Hall Rear Egress Staircase	2015	2 of 5 \$ 80,000			80,000							80,000
A3 Town Office Wiring Replacement	2015	3 of 5 \$ 75,000			75,000							75,000
A4 Public Works Garage Bay Expansion	2016	4 of 5 \$ 250,000				250,000						250,000
A5 Public Works Administration Office Expansion	2018	5 of 5 \$ 250,000					250,000					250,000
A6 Library Renovation/Repurpose	2015	\$ 50,000			50,000							50,000
Maintenance Vehicles												
A6 Plumbing/HVAC Van (#12)	2015	\$ 21,500	Deferred		21,500							21,500
A7 Maintenance Carpenter Pick-Up (#4)	2016	\$ 19,970				19,970						19,970
A9 Replace Truck #23	2016	\$ 34,616				34,616						34,616
TOTAL - GENERAL FUND - Building Maintenance												
				348,600	348,600		250,000		250,000			903,186
D. Public Works Department-Engineering & Highway Supplemental Pavement Management Funds												
D1 Great Dam Modifications	annual 2014	\$ 250,000	Moved to Budget									
D1 Sidewalk Program	2015	\$ 580,000	80,000		580,000			120,000	120,000			1,180,000
D2 Linden St & Court St Culvert Repairs	2015	2 of 6 \$ 670,000	Deferred		670,000							1,560,000
D3 Pickpocket Dam-Breach Analyses	2015	3 of 6 \$ 35,000			35,000							35,000
D4 Lincoln Street Project-Phase II Street	2015	4 of 6 \$ 170,000			170,000							1,500,000
D5 Drain Line Rehabilitation	2015	5 of 6 \$ 40,000			40,000							40,000
D6 Portsmouth Ave Reconstruction-Phase II	2020	6 of 6 \$ 150,000								150,000		150,000

**Town of Exeter
Capital Improvement Program - Summary of Projects, Programs, and Vehicles by Year**

Project / Equipment Description	Program Year	Priority Ranking	Department Request	Funded 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	6-Year Total Cost
Vehicles/Heavy Equipment											
Replace Six Wheel Dump Truck #30	2014		\$ 151,846	151,846	-	-	-	-	-	-	-
Replace Truck #29	2014		\$ 48,813	48,813	-	-	-	-	-	-	-
Replace Street Sweeper #48	2015	HV-1	\$ 245,575	245,575	-	-	-	-	-	-	245,575
Replace SnoGo	2015	HV-2	\$ 141,799	141,799	-	-	-	-	-	-	141,799
Replace 2 Large Sand/Salt Machines	2015	HV-3	\$ 31,350	31,350	-	-	-	-	-	-	31,350
TOTAL - GENERAL FUND - DPW Highway				280,659	1,913,724	2,340,000	120,000	120,000	120,000	270,000	4,883,724
Water Department											
Water Line Rehabilitation	Ongoing	2 of 4	\$ 100,000	1,400,000	100,000	1,730,000	1,400,000	1,400,000	1,400,000	1,400,000	4,630,000
SWTP Reservoir Cleaning	2015	3 of 4	\$ 50,000	50,000	TBD	-	-	-	-	-	50,000
River Pump Station Upgrade	2015	4 of 4	\$ 300,000	300,000	-	-	-	-	-	-	300,000
Vehicles/Heavy Equipment											
Backhoe #53	2014		\$ 170,379	96,499	-	-	-	-	-	-	-
Pick Up Truck #3	2014		\$ 17,942	17,942	-	-	-	-	-	-	-
Pick Up Truck #32	2015	1 of 8	\$ 57,426	57,426	57,426	43,237	-	-	-	-	57,426
Truck #11	2016	4 of 8	\$ 43,237	43,237	43,237	-	-	-	-	-	43,237
Truck #33	2018	5 of 8	\$ 167,425	167,425	167,425	-	-	-	-	-	167,425
Sedan #51	2018	6 of 8	\$ 21,000	21,000	21,000	-	-	-	-	-	21,000
Truck #14	2020	8 of 8	\$ 34,148	34,148	34,148	-	-	-	-	34,148	34,148
TOTAL - WATER FUND				1,514,441	507,426	1,773,237	1,588,425	1,434,148	1,434,148	1,434,148	5,303,236
Sewer Department											
Replace/Upgrade Sewer Televising Equipment	2014		\$ 60,000	60,000	-	-	-	-	-	-	-
WWTP Heating Replacement	2014		\$ 69,500	69,500	-	-	-	-	-	-	-
Infiltration/Inflow Abatement	Ongoing	1 of 6	\$ 737,500	737,500	737,500	176,000	136,000	TBD	TBD	TBD	1,049,500
Sewer Line Rehabilitation	Ongoing	2 of 6	\$ 100,000	100,000	100,000	1,050,000	850,000	850,000	850,000	850,000	2,850,000
New Wastewater Treatment Facilities	2014	3 of 6	\$ 4,000,000	5,000,000	4,000,000	40,000,000	241,000	246,000	251,000	251,000	40,738,000
Webster Pump Station Expansion	2016	4 of 6	\$ 100,000	100,000	100,000	100,000	TBD	-	-	-	100,000
Riverbend Pump Station Rehabilitation	2017	5 of 6	\$ 300,000	300,000	300,000	300,000	-	-	-	-	300,000
Squamscott River Syphons Upgrade Project	2018	6 of 6	\$ 100,000	100,000	100,000	100,000	TBD	TBD	TBD	TBD	300,000
Vehicles/Heavy Equipment											
Replace Water & Sewer Utility Vacuum System	2015	2 of 8	\$ 35,000	35,000	35,000	-	-	-	-	-	35,000
Truck # 2	2016	3 of 8	\$ 50,010	50,010	50,010	50,010	-	-	-	-	50,010
Truck #16	2020	7 of 8	\$ 37,416	37,416	37,416	-	-	-	-	37,416	37,416
TOTAL - SEWER FUND				5,000,000	872,500	41,376,010	436,000	1,011,000	246,000	1,387,116	45,259,926

General Fund - Existing and Proposed Debt Service and Lease Payments, 2015-2020

DRAFT

GENERAL FUND (Existing Debt Service)

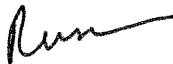
Description	Authorized	Issued	1st Pmt	Years	Int. Rate	Funding Source	Original Amt	FY14	FY15	FY16	FY17	FY18	FY19	FY20
Train Station Storm Sewer Separation	2001	2002	2002	15	4.00%	Bond	881,000	65,430	62,944	60,401	PAID			
Conservation Land Purchase	2003	2005	2005	10	3.90%	Bond	3,000,000	323,400	311,700	PAID				
Engine 3 Replacement	2006	2006	2006	10	4.29%	LPA	503,942	50,394	50,394	PAID				
Water Tank/Distribution Systems/Epping Road	2006	2009	2009	20	3.97%	Bond	2,200,000	182,678	179,356	175,759	172,162	162,740	158,519	154,298
Great Dam Design/Engineering	2008	2012	2012	10	2.29%	Bond	377,000	43,830	42,438	41,742	40,350	39,306	37,914	36,870
Great Dam Removal	2014	2014	2015	10	2.30%	Bond	1,786,758	-	244,968	231,655	223,495	210,335	202,430	194,525
Engine 2 Replacement	2010	2010	2010	7	4.92%	LPA	469,267	67,038	67,038	67,038	PAID			
Fire SCBA Equipment	2010	2010	2010			LPA	243,003	48,601	48,601	PAID				
Norris Brook Culverts	2011	2013	2013	7	3.19%	Bond	411,250	70,913	68,513	66,713	64,913	58,713	56,513	
Jady Hill Area Phase II (Drains Only)	2012	2013	2013	7	3.19%	Bond	193,800	35,038	33,837	27,938	27,188	26,688	25,688	
Replace 1994 Fire Ladder Truck	2013	2014	2014	10	2.52%	LPA	854,097	123,912	110,488	110,488	110,488	110,488	110,488	110,488
Total General Fund Existing							10,920,117	1,011,233	1,220,276	781,733	705,633	608,269	591,551	496,181

Tax Rate
Impact - Existing Debt
275K Home

LPA = Lease/Purchase Agreement

	0.63	0.76	0.48	0.43	0.37	0.36	0.30
	173.11	207.85	132.49	119.00	102.07	98.77	82.43

**TOWN OF EXETER
MEMORANDUM**

TO: Board of Selectmen
FROM: Town Manager 
RE: Acting Pay Policy
DATE: August 25, 2014

I am requesting the Board review an acting pay policy for consideration. The need for an acting pay policy is standard in many towns and organizations, and is normally required for situations when a position is vacant for an extended period of time.

If an individual is appointed to fill a higher level position on an interim basis for a length of time, that person should be entitled to some form of additional compensation related to the duties/responsibilities of the higher position. This is standard practice in many organizations, however Exeter has no such policy outside its collective bargaining agreements.


In the past, we have had circumstances where certain positions have been vacant for an extended period with no policy to move individuals up into a temporary long term assignment. This would set proper parameters and procedures to follow in the event a situation arises.

I appreciate the Board's consideration. If adopted, these provisions would be added to the Town's Personnel Policy. Thank you.

Acting Pay

1. Employees shall be compensated for assuming, on a temporary basis, some or all of the duties of another position from which the incumbent is absent, when all of the following conditions have been met:
2. The employee is assigned by the appointing authority to perform a majority of the significant duties of a budgeted, higher paid position from which an incumbent is absent;
3. The duties of the higher paid position are assigned to, and performed by, the designated employee for fifteen (15) or more consecutive work days; and
4. The assignment is approved by Human Resources and the Town Manager.
5. Employees who perform the duties of a higher paid position under the above provision shall receive acting pay beginning on, or retroactive to, the first day of the assignment.
6. Employees shall be paid acting pay at the first step of the compensation grade of the position being filled, or that rate which is at least one step (2.23%) higher than the employee's current rate of pay, whichever is greater. In no case shall an employee receive a salary greater than the top step of the salary range of the higher classification.
7. Acting pay may not be requested by the appointing authority if the departmental budget has insufficient appropriation to meet the expense.
8. Acting pay may be requested by the appointing authority for absence due to termination or extended leave, whether paid or unpaid, if sufficient appropriation exists.
9. If insufficient appropriation exists, the appointing authority must either distribute the responsibilities evenly among several employees or assume the majority of the responsibilities him/her/them self(ves).
10. Acting pay shall not be authorized for employees in Grade 4 or below to assume the responsibilities of vacant management level positions. In exceptional circumstances, and at the recommendation of the town manager, the Board of Selectmen may authorize the payment of acting pay for employees in Grades 4 and below.
11. Acting pay may be requested by the appointing authority for partial absences when the incumbent of the higher rated position is absent from his/her position for more than 50% of his/her regularly scheduled hours for more than fifteen (15) working days.
12. In the case of partial acting pay, the employee shall be compensated at the authorized higher rate only for that portion of the regularly scheduled hours that the incumbent of the higher paid position is absent.
13. Acting pay shall not apply to any paid leave taken or accrued during the assignment.

**TOWN OF EXETER
MEMORANDUM**

TO: Board of Selectmen
FROM: Town Manager 
RE: Goals Review/Master Plan
DATE: August 25, 2014

Included in the packet this week are several items related to the Board's goals for 2014/2015, including:

1. The Goals Report from the April 19, 2014 session with Primex;
2. Master Plan Chapters 1 and 2
3. All Boards 2 Notes from RPC Executive Director Cliff Sinnott from the May, 2014 All Boards 2 meeting. These notes are in draft form at this point.

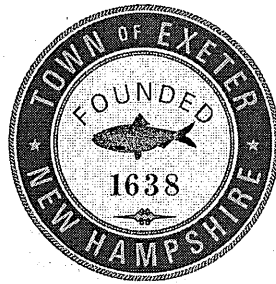
In addition, the Town Planner has provided a memo outlining certain chapter updates of the master plan that are on the list. The Board's goals were to support updates of Chapters 1 and 2, so those are included in the packet.

The land use chapter was last updated in 2002. Certain notations and predictions were made back in 2002 based on the climate at the time – however since 2002 many changes have occurred including the 2010 census that form a good basis for review by the Planning Board and the Select board.

Working together is success.
— Henry Ford



GOAL SETTING



Town of Exeter
New Hampshire

April 19, 2014

PrimexSM
NH Public Risk Management Exchange

Center for
Public Sector
Advancement

Promoting Excellence in the Public Sector

Purpose and Intended Result of the Session

The purpose of the session was for the Board and Town Manager to come together to lay the horizon for the Town and establish goals and strategies that will help guide the Town over the next twelve (12) months.

Participants

Julie Gilman, Chairman

Dan Chartrand, Vice-Chairman

Anne Surman, Clerk

Nancy Belanger, Board of Selectmen

Donald Clement, Board of Selectmen

Russ Dean, Town Manager

The exercise was facilitated by:

Rick Alpers, Member Services Consultant, Primex³

Danielle Krause, Administrative Assistant, Primex³

2013 Goal Review Discussion

The session began with the Board of Selectmen and Town Manager reviewing the successful goals for 2013 and to identify any goals to continue working on along with the goals identified for 2014.

- Facilities plan – Goal Achieved (approved at Town Meeting)
- Communication and Technology improvements
- Housing and Development
- Population Growth
- Transportation
- Natural Resources
- Economic Development – Goal Achieved (approved at Town Meeting)
- 2014 Budget
- Natural Resources

All Board Meeting - Goal Achieved

In 2013, the Board of Selectmen, held an all boards meeting for the Town of Exeter and will be holding a second meeting on May 21, 2014. The Board of Selectmen and Town Manager were asked the following questions.

- What was the focus of last year's meeting?
- What is the focus of this year's meeting?

The focus of the 2013 all boards meeting was a meet and greet, and a review of regulations and process. Below are the topics to discuss for the upcoming all boards meeting.

Topics to Discuss

- Regulations vs. Development
- True road map for permitting (what are the steps?)
- Board of Selectmen and Planning Board
 - ✓ Discussion on TRC process
- Education of roles for all Boards
- What is the vision for the Town of Exeter?
- Master Plan update
- Zoning Regulations review

Steps for TRC as of Current Day

1. Idea and intake meeting (potential meeting with Economic Development Director)
2. Project Review (internal meeting to review zoning)
3. Application to land use boards
4. TRC
5. Informal consult of planning board
6. TRC - work session with planning board

Economic Development Position

The Board of Selectmen and Town Manager discussed what the goals should be for this position day 1. The Board of Selectmen and Town Manager, agreed to have the position be the Economic Development Administrator instead of a Director. The following goals were discussed for this position.

Economic Development Position Goals

- Outreach and introduction to existing businesses
- Initial Developer intake for businesses
- Commercial growth (non-residential)
- Downtown Czar (related growth)
- Liaison of revitalization efforts
- Bring business community together

Top 2-3 Priorities

Julie Gilman

1. Education of roles for all Boards and Commission members
2. Master Plan Update
3. Process of Economic Development Administrator into TRC

Dan Chartrand

1. Overall plan for the Downtown Revitalization
2. Balancing vision of land use policy
3. Regionalization (specific and comprehensive)

Don Clement

1. Stadium Well (Philips Exeter Academy)
2. Waste Water Municipal Agreement
3. Operations efficiency study

Anne Surman

1. Great Dam Removal
2. Communication amongst town officials and boards
3. Commercial and light industrial development

Nancy Belanger

1. Economic Development Administrator
2. Master Plan Update
3. Affordable housing analysis

Russ Dean

1. Organizational Alignment
2. Execution of Projects
3. Economic Development Administrator

Top 2014 Goals

The Board of Selectmen and the Town Manager identified the top goals for the Town of Exeter and to develop a work plan. The goals and deadline for an update or completion are listed below.

Goal #1: Lead the update of the Master Plan with pro-development strategies and the following chapters to be reviewed and updated.

Chapter 1

Chapter 2 and add economic development chapter

Deadline: March 2015

Goal #2: Develop strategies to diversify tax base

Deadline: October 2014

Goal #3: Review current land use rules and process to ensure efficiency and ease

Outcomes: Changes, improvement, recommendations and joint meeting with boards

Deadline: March 2015

Goal #4: Organizational Alignment

Outcomes:

- ✓ Review the efficiency of delivery of services
- ✓ Classification of non-union employees
- ✓ Grants

Deadline: June 2014

Goal #5: Project Execution

- ✓ Stadium Well
- ✓ Great Dam removal
- ✓ Downtown Revitalization (Draft Charge May 2014 2nd meeting)
- ✓ Waste Water Municipal Agreement
- ✓ Groundwater Plant
- ✓ Organizational Alignment
- ✓ Housing Analysis

Thank you again for the opportunity to participate in this process. Primex³ appreciates the opportunity to provide assistance to members with goal setting, and to help governing bodies create a vision for their communities and paths to achieve those visions. A forward-looking community that is deliberate and disciplined in accomplishing its goals illustrates how "good management is good risk management."

Center for
Public Sector
.....
A d v a n c e m e n t

Primex[®]
NH Public Risk Management Exchange

Bow Brook Place
46 Donovan Street
Concord, NH 03301

603-225-2841
800-698-2364

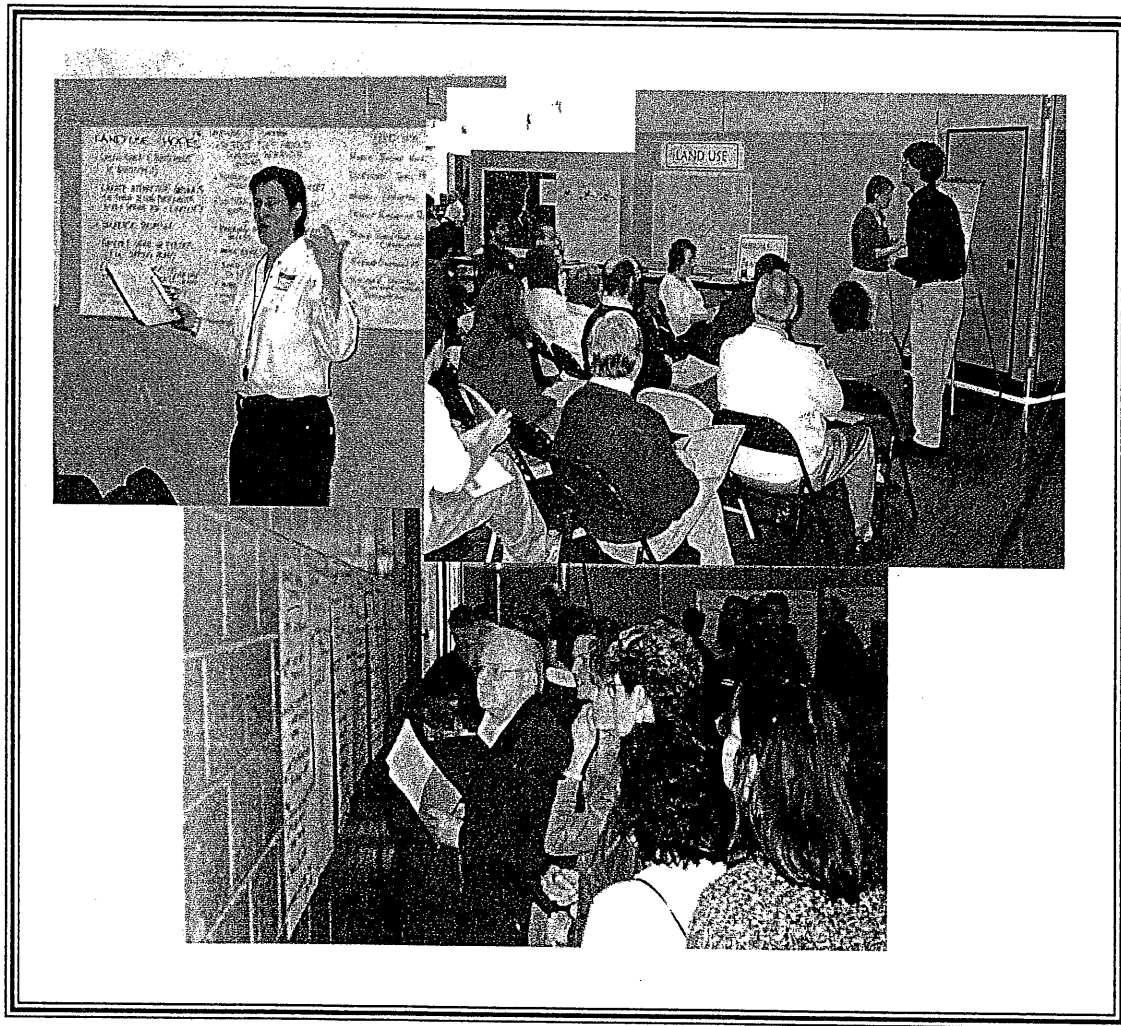
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CHAPTER 1

EXISTING AND FUTURE LAND USE

EXETER MASTER PLAN
2002 UPDATE



OCTOBER, 2002

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Existing and Future Land Use

PART I: Existing Land Use

1. Introduction

Land use can be thought of as our point of physical interaction with the environment. More than that, though, it plays a vital role in defining the physical, economic, social and cultural development of the community. The consideration of both existing and future land use is, therefore, among the most important subjects to consider in the master planning process.

The first part of this chapter will examine past and present land uses in Exeter and will analyze the trends that are changing the way land is used. It will also examine the results of the Town's build-out analysis which has been updated as part of this master plan revision.

Land Use plays a vital role in defining the physical, economic, social and cultural development of the community.

2. Existing Conditions

As part of the Master Plan update, a new existing land use map (*Map LU-1 2002 Land Use*) was prepared by the Rockingham Planning Commission to serve as an inventory of the present day development patterns in Exeter. The purpose of this map is to provide an understanding of the extent and distribution of the Town's current development. In addition, by comparing the current maps with past land use maps, development trends can be identified.

The Existing Land Use map was prepared using a combination of the 1994 Land Use Map (prepared for the 1994 Master Plan), 1998 U.S.G.S. aerial photography (1:4800 scale), and a "windshield" survey to identify changes that have occurred since 1998. It is important to note that the map is not intended to depict parcel-based land uses. Rather, it is a land-cover based land use map. In other words, the information shown is not based on property boundaries, but rather on how the land use appears from an aerial perspective. The result will differ when compared with the land's parcel classification according to Town Assessor records. Land cover mapping is more useful in understanding the physical extent and impacts of various land uses.

The land use information as originally collected includes 30 separate classifications. For simplicity of discussion and analysis, these have been condensed into 12 categories (plus open water) described as follows:

Residential – Single Family: includes all single family and duplex structures that contain up to two dwelling units;

Residential – Multifamily: includes attached multiunit condominiums, apartments, congregate care units;

Residential – Manufactured Housing: includes mobile home park and mobile home subdivisions.

Commercial: encompasses all retail establishments (including shopping centers), service and professional offices;

Industrial: includes manufacturing and other industrial building and warehousing facilities;

Government/Educational/Institutional: includes town, county and state government facilities, public and private schools, hospitals

Mixed: Exeter downtown with mixed residential, commercial, office and institutional uses

Transportation/Utilities: includes major highway right of way (e.g. 101), railroads, gas and electric utility corridors.

Outdoor Recreation: includes parks, landings, and nature centers regardless of ownership; it excludes recreation facilities associated with the Exeter and PEA schools;

Undeveloped Land: forested, land, regardless of ownership or status of protection;

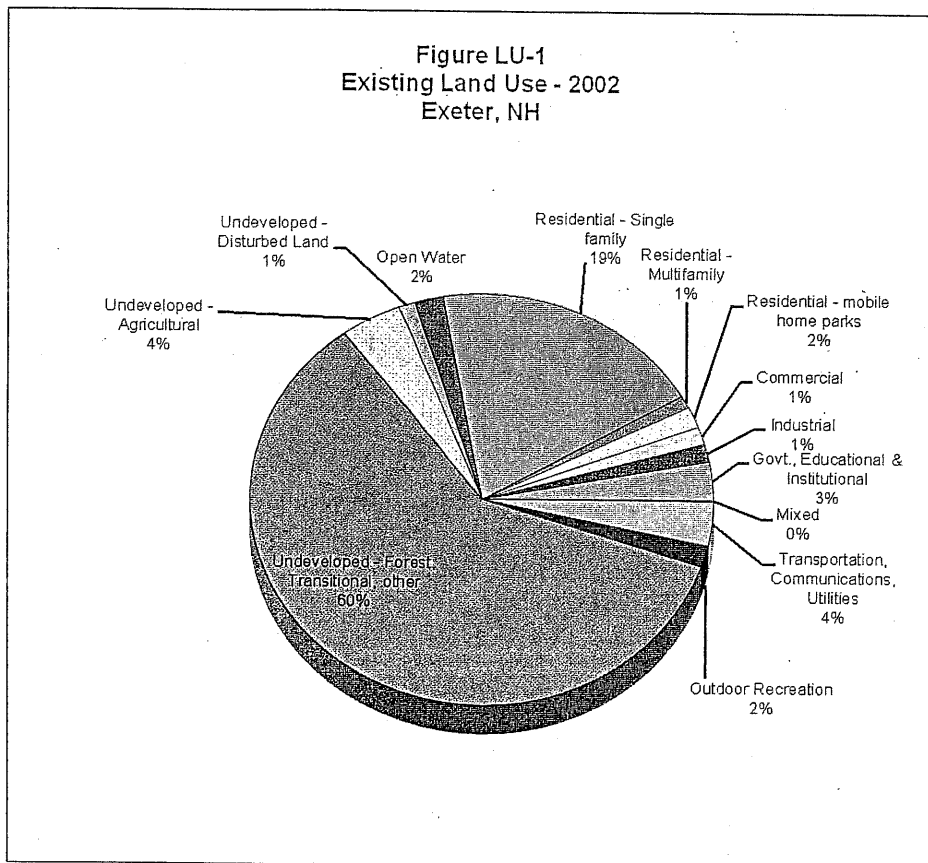
Undeveloped Land: includes active tilled agricultural land, and what appear as pasture and hayfields.

Undeveloped- Disturbed Land: includes active or abandoned gravel pits and land under development.

An estimate of the number acres for each category was calculated for each of these 12 categories based on GIS (geographic information system) acreage computations for each year in which comparable information was available: 1992, 1998 and 2002. The results are shown in the accompanying **Tables L-1 and L-3 and in Figure L-1.**

Table LU-1
Existing Land Use, 2002
Exeter, NH

Land Use Category	Acres 2002	% of Total
Residential - Single family	2467.9	19.3%
Residential - Multifamily	128.4	1.0%
Residential - mobile home parks	211.8	1.7%
Commercial	174.9	1.4%
Industrial	180.5	1.4%
Govt., Educational & Institutional	381.7	3.0%
Mixed	14.4	0.1%
Transportation, Communications, Utilities	438.3	3.4%
Outdoor Recreation	214.0	1.7%
Undeveloped - Forest, Transitional, other	7631.8	59.7%
Undeveloped - Agricultural	542.5	4.2%
Undeveloped - Disturbed Land	144.6	1.1%
Open Water	262.3	2.0%
Total	12793.0	100.0%



The largest single category of land use is "undeveloped" land, which accounts for two-thirds of the Town's land area. The second largest is "residential" which makes up about 22% of the land area.

As is indicated, the largest single category of land use is undeveloped land (including agriculture, excavations, old fields) which together account for two-thirds of the town's land area. The second largest category is residential, with a combined total (single family, multi-family and mobile home park) of about 22% of the land area. Transportation and utilities account for 3.4%; government/institution/educational make up 3% and commercial and industrial each represent 1.7% of existing land use.

The distribution of land uses, as depicted on the Existing Land Use map shows a comparatively concentrated pattern of development in and around the downtown area, with mixed and commercial uses located in the center, surrounded by residential neighborhoods and institutional uses. This pattern is reinforced by the service area for the sewer and water district. The remainder of the town is dominated by three types of uses: lower density residential use, including roadside homes and outlying residential subdivisions, highway corridor commercial, office and industrial development, and undeveloped forested land.

Compared to many of the surrounding communities which have developed without a well defined downtown center (and without sewer and water systems) Exeter has a significant number of relatively large unfragmented parcels that remain undeveloped.

3. Land Use Trends

The pace of population growth has moderated somewhat since the 70s, however, the amount of land consumed for many residential developments, especially those in outlying areas, has increased.

As the Town's population has grown over the past several decades, land uses have changed to accommodate that growth. **Table LU-2 Land Use Change, 1953-1982**, which was included in the 1994 Master Plan, summarizes the broad change that has occurred in land use patterns from after World War II to the early 1980s. This was the period of greatest recent population growth for the Town. The information shows that during that time the amount of developed area grew more than 200%, while the land in agriculture and forestry declined by 86% and 31% respectively.

The pace of population growth has moderated somewhat since the 70s; however, the amount of land consumed for many residential developments, especially in outlying areas, has increased. **Table LU-3 Land Use Change 1992-2002**, looks at more recent changes, and in much finer detail. It should be noted that data presented in the previous table uses less accurate data and generalizes land uses to a much greater degree. Therefore, the total acreage reported in the major categories do not agree and are not comparable. Nevertheless, the trends shown are clear and useful to understanding the changes that have occurred and continue to occur.

Table LU-2 Land Use Change, 1953-1982 Exeter, NH (units in acres)				
LAND USE	1953	1974	1982	% Change
Agriculture	1380	864	195	-85.9%
Forest	8525	7805	5885	-31.0%
Developed	1970	3690	5960	202.5%
Idle	185	55	185	0.0%
Other	135	175	135	0.0%
Water	150	150	150	0.0%

"Idle" land is defined as land which was formerly used in agricultural production but is now unused.

"Other" means all other lands that don't fit in the other classifications, such as gravel pits, exposed ledge, etc.

Source: Land Use Change, Rockingham County, Luloff, University of New Hampshire, 1984
Total acreage according to study: 12,345 acres

Table LU-3
Land Use Change, 1992-2002
Exeter NH

Land Use Category	Acres					
	Acres 1992	Acres 1998	Acres 2002	1992-2002	% Change 92-98	% Change 98-02
Residential - Single family	2249.8	2344.4	2467.9	218.1	4.2%	5.3%
Residential - Multifamily	105.1	128.4	128.4	23.3	22.2%	0.0%
Residential - mobile home parks	211.8	211.8	211.8	0.0	0.0%	0.0%
Commercial	184.0	174.4	174.9	-9.1	-5.2%	0.3%
Industrial	145.5	145.5	180.5	35.0	0.0%	24.1%
Govt., Educational & Institutional	338.7	366.1	381.7	43.0	8.1%	4.3%
Mixed	14.4	14.4	14.4	0.0	0.0%	0.0%
Transportation, Communications, Utilities	324.4	437.7	438.3	113.9	34.9%	0.1%
Outdoor Recreation	209.6	214.0	214.0	4.4	2.1%	0.0%
Undeveloped - Forest, Transitional, other	8111.5	7921.5	7631.8	-479.7	-2.3%	-3.7%
Undeveloped - Agricultural	636.0	569.2	542.5	-93.5	-10.5%	-4.7%
Undeveloped - Disturbed Land	0.0	3.6	144.6	144.6	NA	NA
Open Water	262.3	262.3	262.3	0.0	0.0%	0.0%
Total	12793.0	12793.0	12793.0	0.0	NA	NA

(Acreages are based on land cover, not parcel usage)

Since 1992, slightly less than 480 acres has been converted from some form of undeveloped land to some form of developed land. About half (220 acres) of this conversion has resulted from new residential development. Nearly a quarter (114 acres) resulted from NHDOT acquisition and construction of land for NH 101. Total developed area rose from 31% to 35% in that period.

Over the past 10 years, on the average, approximately 50 acres of open/undeveloped land has been converted to developed land each year in Exeter. If that pace continues, the remaining acreage of unprotected and developable land (which equaled approximately 3300 acres in 2002), will be exhausted about 60 years. In all likelihood, available land in most zoning districts will be exhausted well before that. (See Maps LU-1A Land Use Compared and LU-2 Land Use 2005)

4. Future Development Potential

*Build-out Analysis
The 2002 Buildout
Analysis completed for the Master Plan update estimates the land area potentially available for new development in each zoning district. This information can be useful in identifying where future development is likely, and where additional land may be needed to accommodate future land uses.*

As part of the 2002 Master Plan Update, the 1996 *Residential Build-out Analysis* was updated and expanded to include all land use categories. This analysis was carried out in a manner that tabulates acreage available for development in each zoning district. Within each district, the acreage of developable land is shown both within and outside the sewer district, and within and outside the Town's flood hazard boundary. This information can be useful in order to assess the potential for future development, both in an aggregated form and in specific zones. As such it can assist the Town in identifying potential need or surplus of land for various uses. It should be noted that the "development potential" as used here refers only to the physical potential for development, not to the desirability for development based on other factors.

The development potential was derived from a subtractive process by which the total land area of the town was reduced according to land availability and development constraints, as follows.

A. Land Not Available for Development

In preparing the build-out analysis, the following land areas were considered **unavailable for development**:

- (1) Land that is already developed (already in use with buildings or structures), and
- (2) Land that cannot be developed due to easements or ownership restrictions (e.g. conservation land, other town owned land, other protected land).

B. Physical Constraints

The following land areas were incrementally subtracted from available land:

- Very poorly drained soils (wetlands with the most severe development limitations)

- Poorly drained soils (wetlands with somewhat less limitations)
- Soil with very low rating for development potential (relevant outside sewer district)

The full results of this analysis, including the results for each zoning district, are included in the Appendices of this chapter. Two summary tables are provided below. **Table LU-4 - Development Potential by Development Constraint** shows the total acreage of the town and for each of the constraint categories described above. **Table LU-5 - Development Potential By Zoning District** shows the acreage of potentially developable land for each zone. Due to accumulated rounding error, the total developable acreage differs.

Table LU-4
Development Potential by Development Constraint
 (units = acres)

	<i>Development Constraint Land which is...</i>	TOTAL Acres	Outside 100 Year Flood Plain			Within 100 Year Flood Plain		
			<i>Sewered</i>	<i>Non-Sewered</i>	<i>All</i>	<i>Sewered</i>	<i>Non-Sewered</i>	<i>All</i>
All Zones	All Land (non-water)	12534.8	1907.3	8793.2	10700.5	148.0	1686.3	1834.3
	...Undeveloped	8187.8	229.7	6442.9	6672.6	46.5	1468.6	1515.1
	...and Not Conservation Land	5659.4	194.6	4560.6	4755.2	44.0	860.3	904.3
	...and Not Wetland (Hydric A Soils)	5173.0	187.9	4288.6	4476.5	36.6	659.9	696.5
	...and Not Wetland (Hydric B Soils)	3345.9	113.1	3057.9	3171.0	6.6	168.3	174.9
	...and Not Steep or with Very Low Potential for Septic	3295.4	113.1	3007.4	3120.5	6.6	168.3	174.9
	Total Developable	3295.4	113.1	3007.4	3120.5	6.6	168.3	174.9

Table LU-5

Development Potential By Zoning District

(units = acres; acreage totals are based on land cover, not on parcel boundaries)

Zoning District	All Land	Total Developable	% Re-maining	Outside 100 Year Flood Plain			Within 100 Year Flood Plain			
				Sewered	Non-Sewered	All	Sewered	Non-Sewered	All	
C-1	Central Area Commercial	65.0	0.0	0.0%	0.0	0.0	0.0	0.0	0.0	0.0
C-2	Highway Commercial	173.6	46.5	26.8%	9.8	32.4	42.3	0.1	4.2	4.2
C-3	Epping Rd. Highway Commercial	269.0	112.7	41.9%	0.5	111.4	111.9	0.0	0.8	0.8
NP	Neighborhood Professional	136.7	16.9	12.4%	2.3	13.2	15.6	0.0	1.4	1.4
WC	Waterfront Commercial	9.4	0.0	0.0%	0.0	0.0	0.0	0.0	0.0	0.0
CT	Corp. Technology Park	145.0	61.9	42.7%	4.4	56.2	60.6	0.0	1.3	1.3
CT-1	Corp. Technology Park 1	333.7	80.6	24.1%	0.0	78.8	78.8	0.0	1.8	1.8
PP	Professional Technology Park	98.4	28.4	28.8%	8.2	19.6	27.8	0.0	0.6	0.6
I	Industrial	488.9	135.6	27.7%	5.2	127.3	132.4	0.0	3.2	3.2
H	Healthcare	44.6	2.2	5.0%	0.0	2.2	2.2	0.0	0.0	0.0
RU	Rural	2836.3	952.6	33.6%	0.0	922.3	922.3	0.0	30.3	30.3
R-1	Single Family	5388.4	1544.1	28.7%	25.8	1413.2	1439.0	1.3	103.8	105.2
R-2	Single Family	2150.2	270.6	12.6%	47.6	179.6	227.2	23.7	19.8	43.4
R-3	Single Family	70.1	2.3	3.3%	1.8	0.0	1.8	0.0	0.5	0.5
R-4	Multi-Family	157.0	25.1	16.0%	5.9	19.2	25.1	0.0	0.0	0.0
R-5	Multi-Family/Elderly	33.7	1.3	3.8%	0.4	0.0	0.4	0.9	0.0	0.9
R-6	Retirement Planned Community	45.2	32.4	71.5%	0.8	31.5	32.4	0.0	0.0	0.0
M	Mobile Home Park	180.5	1.8	1.0%	0.2	0.4	0.6	0.2	1.1	1.3
MS	Mobile Home Subdivision	19.7	0.2	1.1%	0.1	0.1	0.2	0.0	0.1	0.1
TOTAL	Developable Land	12645.6	3315.4	26.2%	113.1	3007.4	3120.5	26.1	168.8	194.9

The analysis shows that approximately 3300 acres of land are potentially available for future development in Exeter. Of that total...

- 47% is in R-1*
- 29% is in RU*
- 08% is in R-2*

The analysis shows that approximately 3300 acres of land remain that are potentially available for development in Exeter. This represents about 26% of the total land area of the Town. It is unlikely that the full amount would actually be available in any of the zones.

Nearly half of the developable land (47%) is found in the R-1 Single Family district. Most of the rest (29%) are in the RU Rural zone and the R-2 (8%) zones. The zones with the least amount of land remaining on a percentage basis tend to be the smaller zones with a highly specialized purpose: mobile home park and subdivision, healthcare, R-5 Elderly, and waterfront commercial. For all practical purposes, these zones are fully built-out.

The next revision of the land use chapter should incorporate a further analysis of this information to estimate the amount of future development that could result from the full utilization of the remaining land.

PART II: Future Land Use

1. Introduction

The Future Land Use section of the Exeter Master Plan is intended to describe and establish the Town's broad vision for its future land development. Its preparation requires a careful evaluation and synthesis of all other parts of the Master Plan. This evaluation must take into account many factors, including community goals, the capability of the land to support development, existing land use patterns and zoning, expectations of property owners, the location of utilities and public services, and local land use laws and regulations.

The Future Land section is intended to be both general and specific. As a policy document, the Master Plan establishes general policies and goals with which to guide development. As a Plan it must go further and specify the types of uses appropriate for various areas of Town, as well as the specific measures that will help bring about desired future development. Such measures may include changes in zoning and site development regulations, new initiatives in land protection, facility development or changes in Town policy. In addition, the future land use chapter provides guidance to private and public entities in their land use decisions. For example, we hope that private developers as well town government and school officials will reflect upon the needs, values and goals outlined in this chapter in making their land use decisions.

Interim Update for 2002

The Town Planning Board began the process of updating the 1994 Master Plan in 2001 with the intention of updating the document incrementally, revising 2 to 4 Chapters each year. The topic of Future Land Use is ordinarily undertaken up as the final element of the Master Plan, in that it represents the synthesis of much of the other parts of the Plan. However, because of the age of the existing Plan and number of years required to complete the present update cycle, the Board decided to prepare an interim update of the Future Land Use section.

The objectives of the Interim Update are twofold: (1) to verify the land use policies and recommendations of the 1994 Plan and amend them as necessary to reflect current policies and changes in zoning, and (2) to incorporate new elements of the Town's long term vision for future land development that came to light during the 2002 Community Visioning process. The resulting Interim Update shows that some important changes in the Town's development policy have occurred since the drafting of the 1994 Plan. Future Land Use will be reviewed and revised again in 2004 or 2005 when all other Chapters of the Master Plan have been revised.

The Future Land Use section is divided into separate sections:

*Objectives of the
Interim Future Land
Use Update:*

*1. To verify and
update the policies
and recommenda-
tions of the 1994
Plan, and*

*2. To incorporate
policies and rec-
ommendations that
came to light dur-
ing the 2002
Community Vision-
ing process.*

- Goals for Future Land Use;
- Land Suitability for Development;
- Future Land Use by Type;
- Other Future Land Use Issues.

2. Future Land Use Goals

How land is used affects our community in a variety of ways. To truly reflect and protect the aspects of our community that are most valued by our citizens, our decisions about land use need to support not only the provision of “built infrastructure,” but also protect and support Exeter’s “green infrastructure” and “social infrastructure.”

Built Infrastructure: Buildings, roadways, other man-made structures and systems constitute our “built infrastructure.” Considerations about land use must address what is built on the land, such as residential, commercial, and industrial buildings, as well as other ways in which land is used for built infrastructure, including roadways, sidewalks and bike paths, and the provision of communication systems, electrical service, public water and sewer systems, and other services upon which our community depends.

Green Infrastructure: Less developed and undeveloped areas also have great value to our community. The network of parks, open spaces, natural areas, and protected buffers provides the “green infrastructure” that supports human life as well as many important ecological functions in our community. The Green infrastructure provides values that we can readily recognize such as opportunities for outdoor recreation, scenic views and a sense of place afforded by the landscape of Exeter. More importantly, the green infrastructure provides ecological services which are vital to all life, such as clean water, breathable air and the habitats and natural communities which support a diversity of life.

Green infrastructure provides values that we can readily recognize such as opportunities for outdoor recreation, scenic views and a sense of place afforded by the landscape of Exeter.

Social Infrastructure: Finally, in examining future land use, we must keep in mind that the characteristics, pattern and mixture of land use across the community will also affect our community’s character and how people interact within our community. These important aspects of our community represent our “social infrastructure.”

Reflecting on the various ways in which land use affects a community, we offer the following three over-arching goals for future land use in Exeter:

- (1) Ensure that our built infrastructure (i.e., all man-made land uses including buildings, roads, parking areas, and service systems) addresses and balances our existing and future community de-

velopment needs while protecting our historic community character and natural environment.

- (2) Protect and enhance Exeter's natural resources and the ecological services they provide (e.g., clean water, clean air, wildlife habitat, recreational opportunities) and protect and maintain a connected network of parks, open spaces, natural areas, and undeveloped buffers throughout our community.
- (3) Preserve and enhance our sense of community by supporting an active civic life through the network of human interaction and by maintaining the cultural, historic and other social resources of our community.

The Community Visioning sessions conducted at the start of the Master Plan update strongly reinforced additional goals specific to the Town's land use policies. These included:

- The Town should do more to encourage the development of more affordable housing;
- Future town development should balance the need for additional development with the need to preserve open space to help ensure that large areas of the community will remain open and undeveloped, and that Exeter's "small town" character is retained. Linkages between major conservation areas should be secured.
- Maintain the existing historic and aesthetic integrity of the downtown; and continue redevelopment of the waterfront;
- Future commercial development, especially along the major corridors entering Town, should occur such that it compliments the Town's character, creates attractive gateways to the community, and does not result in the additional "strip" development along these roadways. In other words, it should not look like "anywhere USA".
- Future development of roads and buildings should fully consider the needs of pedestrians in their design, and should connect public spaces with sidewalks and bike paths.
- Greater attention should be placed on architectural standards, landscaping and overall development aesthetics for commercial development.
- Significant planning effort in the short term should be focused on creating a comprehensive zoning and development plan for the Epping Road Corridor. One objective of this plan should be to avoid zoning conditions or incentives that will lead to commercial strip development.

- Balance residential, business development and conservation uses to support a stable tax base and fully consider the fiscal impact of various kinds of development.
- Ensure that the water resources and public water supplies of the town are well protected and conserved.

3. Land Suitability and Development

Since at least the 1974 Master Plan, a principal land use policy of Exeter has been that land development should occur in those areas that present the fewest possible constraints and will result in the least harm to the environment.

Since at least the 1974 Master Plan, a principal land use policy of Exeter has been that land development should occur in those areas that present the fewest possible constraints and will result in the least harm to the environment. While most land presents some limitations to development, the use of sound development practices designed to minimize environmental impact can result in acceptable development in many areas. There are other areas, however, which pose such great limitations or which contain such sensitive environmental conditions that development should be severely limited or completely prohibited. It continues to be the policy of Exeter to strongly discourage development in areas that have poor natural development suitability or which have significant resource values which should be protected. In general, these areas include wetlands, steep slopes, flood hazard areas, immediate shoreland environments and aquifer recharge areas. The rationale for limiting or prohibiting development from these areas is well established in other sections of this Plan. In addition, in the portions of the town outside the sewer and water service area in which new development will rely on on-site septic disposal and on-site wells, soil conditions must play a dominant role in determining suitability for development. In these areas especially, natural development suitability forms the basis of the future land use policy.

To help visualize the areas which are generally suitable for future development an analysis map was prepared. **Map FLU-1 "General Development Suitability"** shows degrees of development suitability classified into three general categories:

- 1) Land not **suitable** for development;
- 2) Land with **limited suitability** for development; and
- 3) Land **generally suitable** for development.

In addition, the map also shows existing conservation land and existing development, neither of which are considered in this analysis. The elements of each category are explained below. This map is useful in indicating the general areas where land which is not yet developed can

potentially support development. It is most relevant outside the water and sewer service area. It is important to note that the suitability categories shown on Map FLU-1 are useful for town-wide planning purposes, but are not accurate enough for site specific assessments at the parcel level.¹ It should also be noted that areas which are defined as poorly suited for development may be partially used in achieving a minimum lot size for development. It should be noted that land already developed could be re-developed within existing constraints.

Map FLU-1 General Development Suitability- is useful for town wide planning purposes, but is not accurate enough for site specific assessments at the parcel level.

3.1 Land Not Available for Development

Some land is not available for development, regardless of physical suitability. There are two categories:

- a. **Protected Land:** Existing conservation land which is protected from future development is also included within the area depicted as “not suited for development.” This includes land owned for conservation purposes by the Town as well as land for which development rights have been acquired by the Town or by a conservation organization. This includes common open space land associated with open space developments.
- b. **Existing Developed Land:** Existing developed land is considered in the analysis to be unavailable for development. However, it is possible and even likely in some places that the existing uses on this land may be replaced or “redeveloped” with new and/or different uses as allowed by zoning.

3.2 Land Not Suitable for Development

Land not suited for development includes wetlands, buffer areas around wetlands, shoreland buffer areas and, in those areas not served by sewer and water, with soils which have very low potential for the siting of septic systems (such as poorly and very poorly drained soils and steep slopes). The significance of these areas is described as follows:

- a. **Wetlands:** The importance of preserving and protecting wetlands is well established in the Town of Exeter Water Resources Management Plan (1991). They are generally recognized to contribute vital natural resource and ecological functions.

Land not suited for development: includes wetlands, buffer areas around wetlands, shoreland buffer areas and areas with very low potential for the siting of septic systems

¹ Parcel boundaries shown on Map FLU-1 are intended for orientation purposes and should not be used to infer the development suitability of a specific property.

- Functions and Values of Wetlands:**
- Providing habitat areas for plants, fish and wildlife;
 - Absorbing polluting nutrients from adjoining lake and streams;
 - Helping to maintain groundwater levels during dry seasons;
 - Storing flood waters during wet seasons; and
 - Absorbing and settling out silt and other sediments caused by erosion.

In addition to these benefits, wetlands also have aesthetic value for open space and passive recreation. Future land uses should be directed away from wetland areas to the greatest extent possible. It is equally important to prevent building in such areas because of the potential negative impact on water quality, public health and protection from flood hazards. The Town's existing Wetlands Ordinance will continue to regulate future development with regards to wetlands.

b. **Buffer Areas around Wetlands:** A wetlands ordinance which prohibits development in wetlands does not necessarily protect wetlands from harmful uses occurring immediately adjacent to them. For those uses permitted within close proximity to wetlands, adequate buffers are necessary in order to insure the protection of the wetland. In 2000, the Town's Zoning Ordinance was amended to include a protective buffer around prime wetlands of 100 feet. In additions, the Town's Subdivision and Site Plan Regulations include a 25 foot "no-cut" setback and a 75 foot setback for structures. Structures that are potentially harmful to wetlands, such as septic systems, waste, and salt storage facilities are excluded from these areas. As much as possible, natural vegetation should be protected or restored in these areas to control erosion and sediment from contaminating wetlands.

Structures that are potentially harmful to wetlands, such as septic systems, waste, and salt storage facilities are excluded from buffer areas.

c. **Buffer Areas Along River Corridors:** The establishment of buffers along rivers and streams is important for many of the same reasons as for wetlands. Protecting river shorelines helps preserve wetlands, reduces flooding damage, serves to maintain important wildlife travel corridors and preserve scenic beauty of the river. In 1989, (and revised in 1999) the Town established the "Shoreland Protection District" which establishes an overlay protection district prohibiting most structures and land alteration between 150 and 300 feet of the shoreline of major rivers, streams and other surface water bodies. Shorelands need such

protection from development for many of the same reasons that hold for wetlands, including water quality protection, flood storage, and wildlife habitat. In 1991, the Comprehensive Shoreland and Protection Act (RSA 483-B) was adopted by the State Legislature. The law requires that a 150 foot natural woodland buffer be maintained along public waters. The State ordinance is less restrictive than the Town's in some instances, but allows local ordinances to be more restrictive as necessary.

The Town's ordinance appropriately establishes varying levels of protection depending on the environmental sensitivity of the river or stream. Greatest protection is afforded to water bodies providing drinking water supply, and having the highest water quality.

- d. **Areas with Very Low Potential for Septic Systems:** The ability to adequately place a septic system on parcels where sewage disposal will be handled on-site is a critical consideration for determining development suitability. The Rockingham County Conservation District (RCCD) has developed a system to indicate the relative potential of a soil for siting a septic system. This system objectively and scientifically rates the soil's potential on a five level scale ranging from very high to very low. Any land classified as having *very low potential* is determined to be not suitable for development under any reasonable standard. Area with *low potential* may be unsuitable depending on other factors.

Poorly-suited areas present difficulties in permitting development without causing harm and therefore are best suited for low density development.

3.3 Land with Limited Suitability for Development

Land with limited suitability for development includes the following categories:

- a) Aquifer recharge zones;
- b) 100-year flood hazard zones;
- c) Areas with low potential for septic systems; and
- d) Water supply protection areas.

All of these areas are considered to pose important limitations to development. However, unlike the area classified as *not suited for development*, these limitations are not serious enough to justify a prohibition of all construction. Poorly-suited areas present difficulties in permitting development without causing harm and therefore are best suited for low density development. Carefully developed land use regulations are required to safely guide future development in these areas.

- a. **Aquifer Recharge Zones:** In 1988, the Town created an "Aquifer Protection Overlay District" which regulates the type and intensi-

ty of development within areas that overly aquifers. The Aquifer Protection Overlay District is designed to protect, preserve and maintain potential ground water supplies and related ground water recharge areas associated with a known aquifer identified by the Town. It is vital to protect these resources for potential use as public water supply for the Town.

Stratified drift aquifers are recharged from precipitation and runoff that infiltrates from land directly above the aquifer. They are therefore not suited for any type of development that carries a high risk of contamination. Stratified drift aquifers are especially vulnerable to contamination from the land above due to the high permeability of the associated sandy soils. Once they have leaked into the ground, contaminants can spread rapidly through an aquifer and destroy it as a water supply. Several of the aquifer's within the Town feed the Exeter River, the Town's principal water supply. Numerous private wells in Town also depend on these aquifers. Therefore it is vital that they continue to receive protection from uses which carry a high risk of contaminating groundwater. In general, development that involves the use of chemicals or materials that could contaminate the groundwater if spilled or discharged, or which creates large areas of impermeable surface should be prohibited from locating in these areas.

- b. **100-Year Flood Hazard Zones:** Floodplains are undesirable locations for development because the associated risks to life and property. In addition, construction in the floodplains worsens flood hazards downstream and the inundation of subsurface sewage disposal systems can cause water pollution and a public health hazard. As part of its Zoning Ordinance, the Town of Exeter has adopted specific regulations for development in special flood hazard areas, as prescribed by the Federal Emergency Management Agency (FEMA). FEMA has prepared "Flood Insurance Rate Maps" for the Town which depict, among other things, the location of flood hazard areas for the 100-year flood. Development should be limited within these flood hazard areas to those land uses compatible with areas prone to flooding and in conformance to the regulations imposed by FEMA.
- c. **Areas With Low Potential for Septic Systems:** These areas contain soils that have low potential for the successful siting of septic systems. The soils are limited due to one or more of the following factors: slope, shallow depth to bedrock, depth to seasonal high water table or slow percolation rate. In most instances, these natural limitations can be overcome by modifying the site to comply with minimum state and local septic system regulations, but only at high cost. These areas are suited for low density development only, with densities determined by the soil type lot size requirements.

- d. **Public Water Supply Protection Areas:** Areas immediately adjacent to the Town's public water supply wells and surface water intake sources should remain free of development to reduce the potential threat of water supply contamination. This includes the state-mandated 400 ft. "sanitary well radii" around municipal wells within which all development is prohibited. In addition, the Town should consider defining broader wellhead protection for active groundwater wells, surface water withdrawals, and for the Dearborn reservoir watershed in which development is limited.

3.4 Areas Generally Suited for Development

All other areas not specifically identified are likely to pose no unusual natural resource-related limitation to development. This does not mean that all land is equally suitable. The source maps do not have sufficient detail to show the location of all physical limitations described above. Other factors not related to land capability should also be considered in determining the overall suitability for development. These include factors such as highway access, compatibility with surrounding uses, the need for municipal services, conservation and open space objectives, existing zoning regulations and the Town's overall vision for the location of future development of various types.

Other factors should also be considered in determining the overall suitability for development such as highway access, compatibility with surrounding uses, the need for municipal services, conservation and open space objectives, existing zoning regulations and the Town's overall vision for the location of future development of various types.

4. Future Land Use by Type

In this section, future land use findings and recommendations are presented for major categories of land use. These include: Residential; Commercial/Retail; Industrial; Corporate and High Technology; Government/Institutional; Downtown; and Open Space/Conservation. In addition a "general" category is included which presents additional recommendations which affect multiple land use types. Refer to **Map FLU-2 "Future Landuse"** regarding specific zoning district recommendations.

4.1 Residential

FINDINGS

Residential land use in Exeter can be classified in one of the five following categories:

- Older single and two family homes located along older Town roads and the center of Town;
- Newer single family homes in planned subdivisions;

It is evident from regional and state comparisons that Exeter has among the most diverse housing supplies in the region.

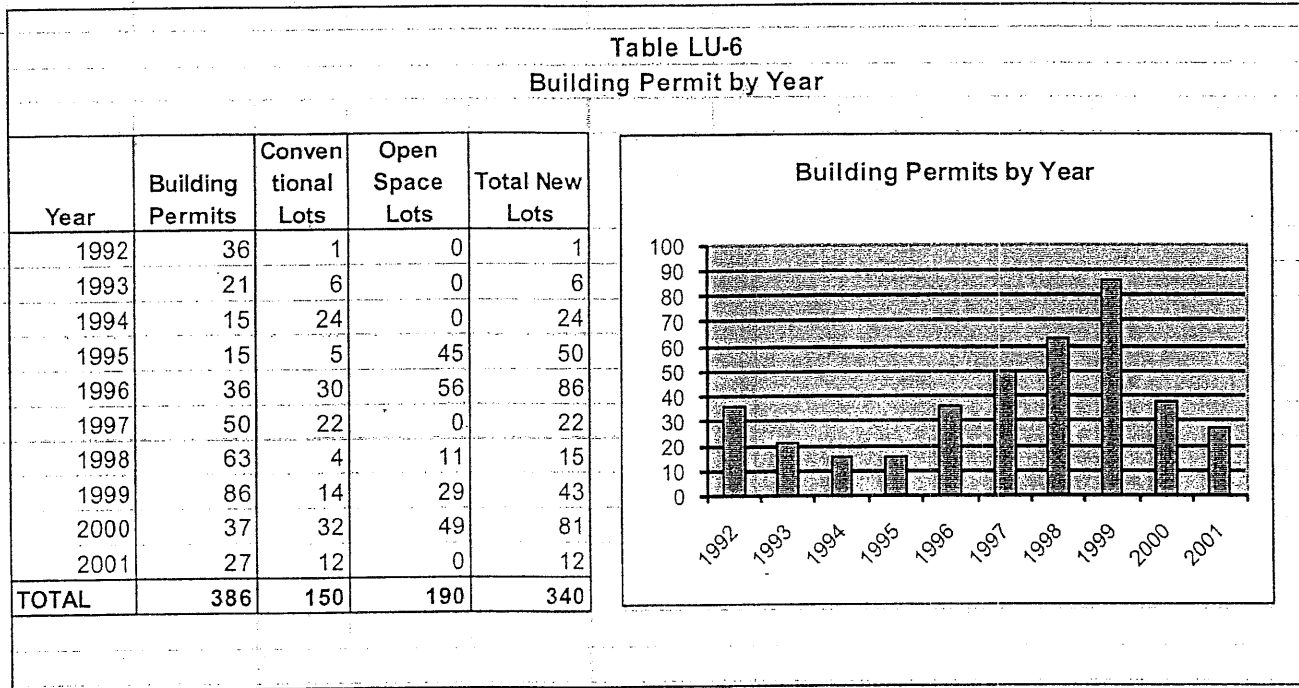
A close look at the table and graph shown as Table LU-6 reveals a discernable gap between the time when subdivision lots are created and when building commences on those lots.

- Multi-family housing served by Town water and sewer;
- Mobile home parks, and
- Senior or age-restricted multifamily housing.

It is evident from regional and state comparisons that Exeter has among the most diverse housing supplies in the region, having a far higher percentage of both multi-family and mobile homes than any other town in the surrounding area.

Currently, there are eight (8) residentially zoned districts in Exeter as follows:

- RU, Rural;
- R-1, Low Density Residential;
- R-2, Single Family Residential;
- R-3, Single Family Residential;
- R-4 Multi-Family Residential;
- R-5, Multi-Family;
- M, Mobile Home; and
- MH, Mobile Home Subdivision.



The majority of land area zoned residential is either RU or R-1. These districts require a minimum lot size of two (2) acres and 40,000 square feet, respectively (on Town water and sewer). In areas without Town water and sewer services, both of these districts require a minimum lot

size of two (2) acres. In looking at future development potential by zoning district as shown in **Table LU-5**, it is apparent that there is a scarcity of land area zoned for smaller single family lots, relative to the less densely zoned areas of Town, as well as for multi-family uses. Residential growth in Exeter over the past decade was driven by several key factors, including the reputation of the school system, the beauty of the town and surrounding area, proximity and accessibility to both the Boston metropolitan area and major recreational attractions. In short, the Town offers its residents a high quality of life.

While residential growth slowed considerably in the early 1990's (in the aftermath of a national recession) it has increased in the later years of the decade. Of the 386 new homes built in the 10 year period between 1992 and 2001, only 123 were constructed in the first five years. Since mid-decade, an average of just over 50 new homes have been added to the Town each year. Recent development of single family residential units has been a mixture of both conventional and open space (cluster) subdivisions. Of the 34 new lots created over these ten years, 190 or 55% were created in open space subdivisions. While most Seacoast towns saw little construction of multifamily units, Exeter saw significant growth over the last 10 years, totaling 242 units (including accessory dwellings and conversions). The large majority of these (201), however are attributed to a single development – the Riverwoods retirement community. Data regarding recent residential development activity is summarized in **Table LU 6**. Not included in these data are an additional 128 age-restricted units at the Sterling Hill development now under construction.

Significant additional growth is not anticipated for mobile home parks or mobile home subdivisions due to high land cost and a real estate market which is unfavorable to this type of development. From the standpoint of the Town's zoning, ample opportunity exists for the construction of manufactured housing subdivisions which are a principal permitted use in the R-1 district -- the largest residential district.

Additional multi-family development, except for elderly/congregate care and age-restricted development is also unlikely to expand significantly under existing market conditions. An exception to this may be in-fill, redevelopment and conversion of large single family homes. Multi-family development is a permitted principle use only in the R-4, R-5 and R-6 zones; however, when all forms of multi-family housing are considered (including conversions, multi-family open space development, elderly, congregate care and residential health care facilities) multi-family uses are allowed either as principal use or by special exception in nearly all residential zones. Except for age-restricted development, very few multi-family units have been added to the Town's housing stock over the past decade. Slow growth of these housing types is primarily due to the market conditions which strongly favor high-end single development. The past decade has seen a dramatic decline in the production of

To address concerns about impacts on traffic from new residential development, new subdivisions and roadways also should be designed to increase connections within our local road network to minimize impacts on major roadways and better support alternative modes of travel (e.g., biking and walking).

multi-family housing for the entire region. This trend has further exacerbated the lack of affordable housing.

Regionally, there is a significant need to expand the supply of affordable and moderate-priced housing. Local residents confirmed this need at the 2002 visioning session. Housing prices for both rental and owned homes have risen dramatically over the past five years. This appears largely to be the result of an expanding employment base in the region without a corresponding increase in housing supply. In general, Exeter residential zoning is highly flexible and provides ample opportunities for a diverse mix of new housing development and redevelopment. Despite historically low mortgage rates, other market conditions, especially high land costs and a strong demand for high end homes, have proven unfavorable toward the creation of lower cost single and multi-family housing. In recognition of this the Town has recently taken steps to make the inclusion of below market rate housing units more attractive to developers. More steps may need to be taken, along with actions in other communities, to make the construction of lower cost housing units more attractive to developers.

Participants at Exeter's 2002 visioning session expressed general concerns about the impact residential growth can have on the community. These concerns included loss of community character, loss of open space, increased traffic and congestion, impact on the tax base and the risk of undermining the community's quality of life. To address some of these concerns, participants recommended encouraging more cluster/conservation development and requiring subdivisions to provide adequate facilities to support walking and biking as alternatives to driving.

To address concerns about impacts on traffic from new residential development, new subdivisions and roadways also should be designed to increase connections within our local road network to minimize impacts on major roadways and better support alternative modes of travel (e.g., biking and walking). To address the growing need for recreational options, the Town should continue to require new residential developments to provide for local recreation opportunities for residents or otherwise support the provision of such facilities by the town (e.g., through the payment of impact fees). Finally, every development project should employ minimum impact development practices to reduce run-off, increase energy efficiency, protect important habitat, and generally minimize potential impacts on environmental quality.

RECOMMENDATIONS:

The recommendations of the 1994 Master Plan are affirmed, with the following additions, modifications or exceptions:

1. Expand one or more of existing multi-family zones and/or designate additional areas as multi-family to accommodate the need for additional moderate priced housing.
2. Include additional incentives within the zoning ordinance to encourage development of more moderately priced housing, both single and multi-family units.
3. Rezone the existing Industrial Zone located to the west of Epping Road and south of the Conner Farm to RU designation; rezone the adjoining R-1 District south to Brentwood Road to RU.
4. Rescind the recommendation made in the 1994 Master Plan to rezone the land along NH 27 (Old 101) west of Beech Hill Rd. from R-1 to "limited commercial."
5. Amend the permitted use definitions in the "NP" (Neighborhood Professional) zone to allow multi-family residential use by special exception.
6. Clarify or define residential uses allowed by special exception in the WC and C-1 Districts.
7. Make open space/conservation design residential development mandatory in certain areas where the existence of important natural resources or proximity to conservation lands warrants this requirement.

4.2 Commercial/Retail

FINDINGS

There are four (4) commercial zoning districts in Exeter at this time. These districts are: C-1, Central Area Commercial; C-2, Highway Commercial; C-3, Epping Road Commercial and WC, Waterfront Commercial. As previously noted, Exeter's commercial development is located in the downtown, along Lincoln Street, outer Front Street and on the Portsmouth Avenue and Epping Road. The Town's downtown, including its retail development is one of the community's greatest assets. Maintaining the integrity of the historic downtown and the vitality of its retail businesses was strongly voiced at the Community Visioning Sessions.

The completion of NH 101 as a 4 lane limited access highway has brought renewed commercial development pressure at the highway interchanges in Exeter, especially at the Epping Road and Portsmouth Avenue interchanges (the Portsmouth Avenue interchange itself is located in Stratham, but is immediately adjacent to the Town line). In the case of Portsmouth Avenue, this new pressure will most likely come in the form of re-development of previously developed land. This presents the Town with a significant and rare opportunity to implement im-

proved development standards in this area to address landscaping, architectural and access management standards as properties are redeveloped. In the case of Epping Road, the existing zoning (C-3) combined with the availability of vacant land in proximity to the interchange is likely to result in proposals for large scale or mixed use commercial development in this location. Prior studies and community input regarding Epping Road have suggested that -

- (1) A substantial build-out of the available land in the Epping Road corridor under existing zoning will overwhelm the capacity of the road to carry the resulting traffic without a major widening and related roadway improvements;
- (2) Access management principles and provisions to maintain good traffic flow should be employed in all new development;
- (3) Consistent landscaping and architectural standards should be an integral part of the commercial site plan review process to help establish attractive "gateway" roads into and out of the community; and
- (4) Alternative zoning and site design requirements should be researched and implemented where feasible to discourage continuous "strip commercial" development.

Participants at the 2002 visioning session also expressed concern about the extension and nature of commercial activities along other major corridors beyond Epping Road. Additionally, participants wanted to improve Portsmouth Avenue and Lincoln Street, along with Epping Road, to create attractive gateways to town (e.g., by adding more street trees and green space) and provide stronger connections between these "gateways" and downtown (e.g., through consistent land uses, and the provision of walking and biking connections).

Overall, existing commercial zoning districts appear to be adequate to serve the current needs of Exeter residents as well as those of surrounding communities; therefore, no expansion is proposed in the geographic extent of the existing commercial zoning districts. Instead, efforts should be placed on preventing the linear extension of commercial development on the major roadways leading into the town center.

RECOMMENDATIONS:

1. As soon as practical, the Planning Board should sponsor a community visioning / design "charette" session to help develop community consensus on the desired future land use and corridor plan for Epping Road. It is recommended that this process specifically consider: the potential mixed use development; encouraging development to occur in clusters or "nodes" rather than as continuous commercial develop-

ment; site and building design and aesthetics; comparative traffic impacts of future development; and related issues.

2. Review zoning along the remaining highway corridors (Hampton Rd. (NH 27); Kingston Rd (NH 111); and Court St. (NH 108) to ensure that adequate measures are in place to discourage any further linear extension of highway/retail-commercial development. To the extent additional commercial development is needed within these corridors, the zoning ordinance should be amended to encourage development to occur in a second tier behind existing development to be accessed by secondary service roads.
3. Rezone the "C-2" section of Epping Rd. into a new zone which allows mixed uses compatible with residential, limited commercial and neighborhood services. The intention is to promote a better transition of land uses from the highway-commercial uses on Epping Road to the mixed commercial/professional/residential uses which become more common closer to the town center.
4. Rezone the C-2 section of Portsmouth Ave. south of Green Hill Rd. to C-1 to promote a better transition of land uses from the highway-commercial uses on Portsmouth Ave. to the mixed commercial/ residential uses which become more common closer to the town center.
5. The Planning Board, Chamber of Commerce, local businesses, and others should continue steps to improve Lincoln Street and the train station to provide an attractive gateway to town.
6. Consider developing provisions in the zoning ordinance to permit limited neighborhood commercial uses.

Participants in the 2002 Visioning Sessions suggested providing allowances in the Zoning Ordinances for smaller "Mom and Pop" style grocery stores.

4.3 Industrial, Corporate and High Technology, Office

FINDINGS

At the present time, Exeter has a strong but small industrial base, comprised primarily of light manufacturing and assembly operations such as OSRAM Sylvania (electrical and lighting components); Celestica (computer electronics manufacturing); Continental Microwave (electronics manufacturing); Sigarms (handgun assembly); Wall Industries (assembly of power supply units for mainframe computers); and several other smaller manufacturers. With the exception of OSRAM and Celestica, these operations are located off Epping Rd. (Exeter Corporate Park and the REDC Industrial Park) and along Holland Way (Old Spur Rd.). OSRAM is located off Portsmouth Avenue and Celestica is off Route 111 at 101 Exit 12. Exeter is also home to several corporate headquarters such as Tyco, Shafmaster Company and Exeter Health Resources.

There is currently one conventional industrial district in Town, designated as "I", Industrial. The I district permits traditional industrial type uses such as manufacturing, assembly, research and development and truck terminals as well as those uses permitted in the CT-1 district. Within the I district, there are a number of manufacturing and assembly operations, including several startup companies. Existing industrial development is principally located in the Industrial Park off of Epping Road, with several facilities in non-industrial zones. A large portion of the I zone was effectively removed from market circulation in 1992 when the State purchased approximately 300 acres of land in conjunction with the Route 101/51 expansion project. Although this had the effect of greatly reducing the amount of available industrially zoned land, much of the area was of poor quality and unsuitable for development. In recognition of this, the 1994 Master Plan recommended that "I" Zone on the west side of Epping Road be rezoned to residential use. That recommendation has not yet been carried out but is reiterated in the 2002 Interim Update. Within the remaining land zoned Industrial, there are approximately 80 acres that could be developed, located on the east side of Epping Road. While this is not an abundant supply, it is adequate for the near term, particularly given the fact that over 300 acres were re-zoned from residential to corporate/high technology use in 1993. This rezoning is a reflection of the desire by the Town to redirect development away from heavy industry and toward light industry, high technology and corporate office uses.

The Town has seen a significant expansion of Professional / Office space development over the past decade, including the redevelopment of the old Rockingham County Courthouse and development of new medical office building at the site of the Exeter Hospital. The market for such development has been somewhat limited by the rapid expansion of the Pease International Trade port over the past half dozen years. However, the greater access to the more affordable housing in interior Rockingham County provided by easy access to NH 101 may create additional demand to this type of development in Exeter due to a more favorable location.

Currently, there are three (3) corporate and high technology zoning districts in Exeter: CT, Corporate Technology Park; CT-1 Corporate Technology Park - 1; PP, Professional/Technology Park. The addition of the CT and CT-1 districts in 1993 served to significantly increase the amount of land area zoned for corporate/high technology uses. At this time, there are no recommendations regarding the rezoning of additional land areas for corporate/technology uses. However, the Town should continue to monitor the need for any additional rezoning in the future.

RECOMMENDATIONS:

No specific recommendations to these land use categories in the 1994 Master Plan, except to rezone the "I" Zone on the west side of Epping

Road be to residential use and to monitor the need for rezoning. The following recommendations are made in the interim update (2002):

1. Rezone the existing Industrial Zone located to the west of Epping Road and south of the Conner Farm to RU designation; rezone the adjoining R-1 District south to Brentwood Road to RU. (*From Residential*).
2. Amend the permitted use definitions in the "NP" (Neighborhood Professional) zone to allow multi-family residential use by special exception.

4.4 Government/Institutional

FINDINGS

Government, education, healthcare and other institutional land uses make up a significant portion of the Town's total land area. Governmental/institutional facilities are expected to continue to represent a significant portion of land use within the Town for the foreseeable future. As the community grows and existing community facilities are stressed beyond capacity, additional land will be required to accommodate new facilities. In seeking sites for government and other public facilities, it should be the goal of the Town to locate them close to where people live. Doing so will maximize opportunities to access these facilities without using a car, will reinforce Exeter as a compact town center, will avoid unnecessary conversion of undeveloped land and discourage development sprawl.

Finding suitable property for public facilities has become increasingly difficult and therefore it is advisable for the Town and School Districts to acquire suitable property in anticipation of future needs.

RECOMMENDATIONS:

1. Encourage that the proposed community center be located within reasonable walking distance of the downtown.
2. Encourage that the development of new or rehabilitated elementary schools and school facilities be located close to the existing town center.

4.5 Downtown

FINDINGS

Exeter's Downtown is one of the Town's greatest assets. It creates and provides commercial, retail and visitor services, adds to the tax base, is the Town center for social and civic interaction and helps establish and

reinforces the “sense of place” of the Town. Its importance has been well recognized by the town government and its citizens, as well as the Chamber of Commerce, American Independence Museum and other organizations. As a result, many important improvements and investments to the downtown have been made in recent years, including:

- The creation of two waterfronts parks, waterfront boardwalk and boat ramp;
- Creation of two downtown “pocket parks” including the Town House Common and Founder’s Park;
- Landscaping and drainage improvements behind Water Street;
- Upgrading and separating the sewer and stormwater infrastructure;
- Major repairs to the Town hall;
- Reconstruction of the Swasey Park seawall; and
- Drainage improvements and installation of traffic calming elements to Swasey Parkway;
- Reconstruction of numerous sidewalks leading into the downtown.

There was particularly strong interest expressed at the 2002 visioning session in maintaining and strengthening Exeter’s downtown and surrounding residential neighborhoods. Participants at the visioning session offered the following recommendations:

- Ensure that the downtown is pedestrian-friendly by providing adequate sidewalks and pedestrian facilities;
- Designing buildings and other structures at a human-scale;
- Providing alternatives to driving for people to access downtown (e.g., trolley);
- Maintain the historic character of downtown;
- Provide more green space and street trees throughout downtown, especially around the bandstand;
- Improve parking options;
- Encourage more night use of downtown; and
- Continue to develop the waterfront area, especially the area behind the Water Street buildings.

Presently, one special committee lead by the Chamber of Commerce has been established to recommend solutions to downtown parking limitations; a second committee was established at Town Meeting to study improvements to the historic downtown.

Although much has been done to ensure the continued health of Exeter's downtown, significant challenges remain. Building vacancy rates and business turnover rates are higher than optimum and few businesses remain which sell staple goods. Like many downtowns, Exeter's is increasingly catering to visitors and leisure shopping – a logical and perhaps appropriate response to competing with mega-scale retail establishments.

An important step to address building vacancy was taken in 2000 when the Waterfront Commercial zone was amended to allow residential use in upper floors of downtown buildings. This allows an appropriate mixing of complementary uses which should improve the economic value of downtown properties, while adding customers for downtown business without adding their cars.

A second concern regarding the downtown involves traffic congestion, as well as the mixing of motor vehicles, pedestrians and bicyclists. Located at the confluence of three major state highways (111, 108 and 27), downtown Exeter will never be free of traffic congestion. Although the elimination of congestion is not a realistic goal, the Town should continue to investigate alternative traffic patterns, traffic calming measures and improved pedestrian facilities design.

RECOMMENDATIONS:

1. Support mixed residential, commercial and office uses in the downtown, with specific allowance for residential uses on upper floors of downtown buildings.
2. Review existing building standards in the WC district, including parking, setback and building height to determine their adequacy to support, and not discourage appropriate development density in the downtown.
3. Evaluate future participation of the Town in the New Hampshire Main Street Program, to further support the social, cultural and economic health of the downtown
4. Develop a green space and street tree plan for downtown.
5. Develop recommendations for ensuring a pedestrian-friendly environment, including developing a standard pedestrian crossing design to enhance visibility and safety, and instituting traffic calming measures that do not create unreasonable maintenance burdens. Evaluate specific conflict areas for possible re-design, including the Bandstand and Spring St./Main St. /Water St.

6. Encourage the Chamber of Commerce to develop further recommendations for continued improvement of the waterfront area behind the Water Street buildings.
7. Consider acquisition of additional land for providing more downtown parking, possibly including a portion of The Mill parking lot.
8. Conduct a feasibility study for the transition/conversion to underground utilities in the downtown area.

4.6 Open Space and Conservation

As noted at the beginning of this chapter, the Town's undeveloped lands, or its "green infrastructure" provides important benefits and values to the community – ones which are often difficult to measure in monetary terms. These benefits include flood storage and control, maintenance of water and air quality, wildlife habitat and ecological diversity, as well as recreational opportunities and scenic enjoyment.

Participants at the 2002 visioning session ranked as a high priority the support for expanded conservation efforts in town, the establishment of connections or "greenways" between existing blocks of conserved land, the management of open lands and conservation areas for natural resource protection, and the inclusion recreational activities where appropriate. Participants also expressed a need to provide sufficient land to support some specific open space recreation needs, including hiking/biking trails, sports fields and dog parks.

The Town of Exeter has made a substantial effort to protect vital natural resources and preserve open space through innovative zoning. Ordinances such as wetland setbacks, aquifer protection zones and shoreland districts have helped to minimize impacts from potentially harmful development in sensitive environmental land areas.

The importance of preserving larger blocks of conservation land, as well as providing natural greenways or corridors between them, is recognized and having been a major consideration in recent land protection efforts by the Conservation Commission. Further, widespread development in the Town will incrementally diminish the ecological value of the green infrastructure. The acquisition of land (either through purchase or easement) can be an important tool in protecting that natural resources infrastructure as well as providing open space for its citizens. Future open space land use should build on the following principles:

- Protect the natural resources that support wildlife and important ecological functions;
- Protect waterways, especially those that contribute to the public drinking water supply;

- Preserve parcels of land that add to large contiguous parcels of open space;
- Develop green ways to connect open space lands; and
- Develop passive recreational uses within certain open space areas where they are compatible with conservation objectives.

The Conservation Commission proposes that the above-mentioned principles be accomplished primarily by two methods. The first method is to continue to review zoning and sub-division regulations in order to provide maximum protection of the "green infrastructure". The second method is through the protection of important conservation areas which can occur through a variety of land protection techniques, including conservation easements, fee simple acquisition, partial development or other land protection measures. Both will require a well financed Conservation Fund. The town should look at ways to augment the fund or consider a bond for the purpose of open space acquisitions.

RECOMMENDATIONS:

1. Expand the land conservation fund to allow for the acquisition or other protection of high priority conservation properties.
2. In land protection efforts, emphasize the preservation of large blocks of undeveloped land, and the preservation of "greenway" linkages between them.
3. The Planning Board should make open space development mandatory in certain areas where warranted due to the existence of important natural resources, the proximity to existing conservation lands, or where significant efficiencies in the delivery of their services can be gained.
4. Consider the establishment of a water supply protection overlay zone in proximity to public water supply wellheads, intake areas, as well as the Dearborn Reservoir Watershed to prohibit land uses which carry unreasonable risk to public water supplies.
5. Evaluate and implement appropriate land use recommendations of the forthcoming Dearborn Brook Watershed Management plan being prepared by the Town to ensure the integrity of the water supply.
6. The Planning Board, Conservation Commission and Recreation Department should work together to identify appropriate areas of land to support the open space recreational needs and desires of the community (e.g., dog parks, sports fields, hiking/biking/cross country ski trails).
7. The Conservation Commission in concert with recreation interest groups, should identify a range of uses that are suitable

for the lands they manage. This may include both high and low impact uses and active or passive recreation, as appropriate to each parcel.

4.7 General

The following recommendations are made which have general applicability to future land use in Exeter.

- As part of the next update of the Future Land Use Chapter, the Planning Board should undertake a complete review and evaluation of existing zones, especially regarding permitted uses and uses allowed by special exception.
- Through appropriate zoning and development approval, the Planning Board should act to discourage the linear extension of existing water and sewer service lines but encourage the in-filling of the service area between existing extensions.
- Where appropriate, the Town should allow mixed uses (residential, limited retail, office/professional) as special exceptions within zoning districts, especially where they can lead to the creation of neighborhood-oriented business and services.
- Implement impact fees as determined to be appropriate and cost effective to address the need to supplement facility expansion costs that are associated with growth.

APPENDIX A

VISIONING SESSION RESULTS

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Master Plan Visioning Session, January 2002
Land Use – Condensed Summary of Comments

Votes	Comments
	Growth Related
14	Impact of development: Fully consider the impact of resident development on schools, concern of over-crowding, sufficient space/land/services. Other development impacts: traffic congestion and noise. Keep small town feel: limit development
6	Build-out analysis – what is Exeter’s capacity
-	Regional approach to growth management
-	Phase development (certain # of homes per year)
-	Impact fees
	Residential Land use
25	<i>Affordable housing: Promote affordable housing development (middle and low income) with 2, 3, and 4 family units (See CF)</i>
13	Concerns over single family home development: over building, large lot (wasted land), need more cluster development, avoid cookie cutter approach
3	Enforce property upkeep
2	<i>Expand opportunities for senior (55+) housing development: change ordinance to ease congregate living. (Possibly on Epping) (See CF)</i>
1	Restrict expansion of mobile homes
	Commercial Land use
27	<i>Supermarket/grocery store in town (See CF)</i>
23	Commercial/retail should not look like “Anywhere USA” (no strip malls/big box stores), develop architectural design standards for commercial buildings.
11	Epping Road Development: No strip malls, encourage office complexes, commercial or light industry not to compete with downtown, extend sewer.
5	Industrial development: Encourage industrial development in appropriate zones (don’t extend zone) and attract low impact businesses.
2	<i>Hotel/conference center on Epping Road (See CF)</i>
-	Ensure strip development is segregated from downtown
	Downtown Vitality and Business
18	<i>Downtown: Keep historic character of Exeter, maintain downtown area, encourage reuse/redevelopment of existing commercial/retail areas, more night use. (See CF)</i>
15	<i>Waterfront: Develop waterfront like Portsmouth (back of Water St.) Further develop and maintain the harbor area (behind Water Street) (See CF and P&R)</i>
1	Increase Tourism
?	<i>Train Station: Town should acquire all or part of Gerry’s Variety, need more parking, better connection with Water Street (transportation such as trolley and with land use)(See CF)</i>
	Access / Traffic
11	Create alternate roads to avoid downtown congestion: third span over river, southern connection between Hampton Road and Front St.
5	<i>Trolley: connection between train station and Water Street (See CF)</i>
	Non Motorized Access
20	<i>Bicycles: More bike paths and sidewalks connecting public spaces, build more on-road bike shoulders, separated bike paths, and signage marking routes, encourage use of bicycles. (See CF and P&R)</i>
17	<i>Pedestrian travel: Preserve existing sidewalks and build more to create a pedestrian friendly</i>

Land Use: Summary of Participant Comments

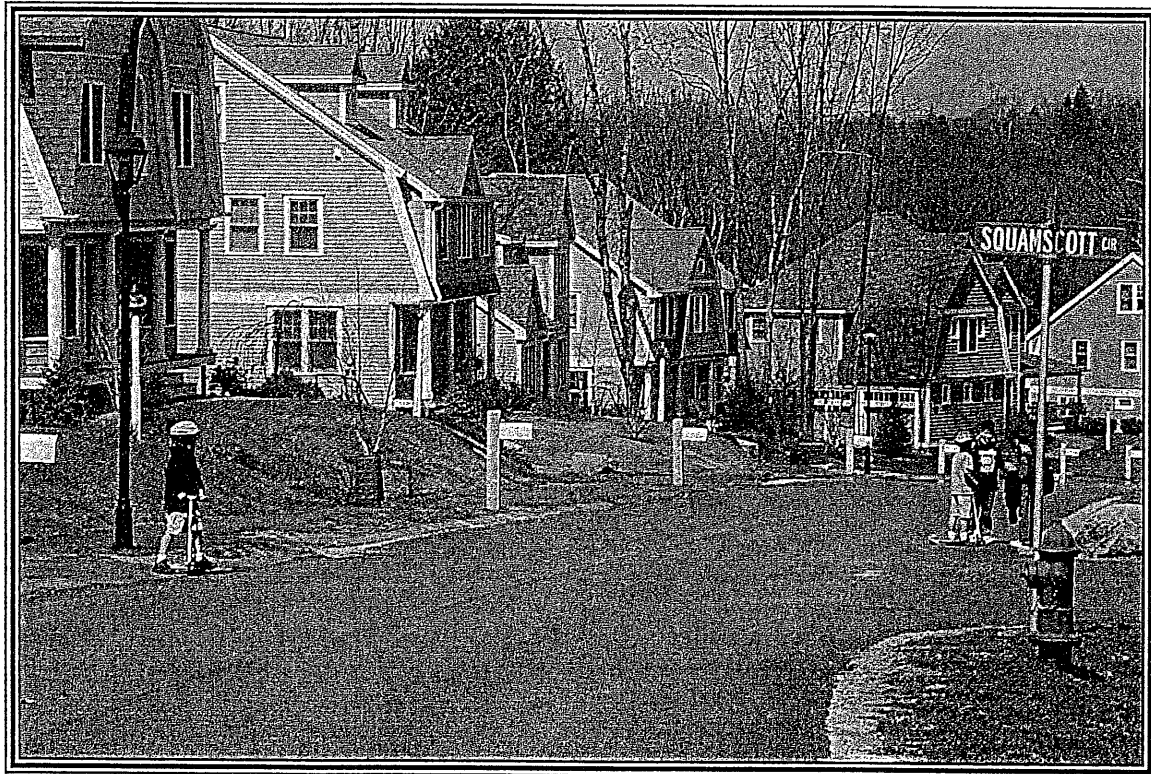
	<i>environment, make downtown walkable with option to not drive – in-town trolley service including Portsmouth Avenue. (See CF and P&R)</i>
	Parking
15	<i>Downtown parking: improve parking options (too limited), build a parking garage downtown, expand parking downtown, create sufficient convenient parking. (See CF)</i>
	Environment (Water protection)
13	<i>Water Supply: concern regarding quality/safety (impact of gun club), town must ensure water quality and quantity, acquire land/easements at waterworks pond and Dearborn Brook, restrict development around Dearborn Reservoir (Holloway) (See CF and P&R)</i>
9	Water resource protection throughout town
	Environment (other)
1	Consider pollution impacts of new development
1	Enforce wetlands regulations
1	Light pollution
-	Contaminated lands need to be cleaned up
	Open Space
30	Conservation land/open space: need more land, more town funds to acquire land, link existing lands to create green belt, maintain existing open space, allow some recreational uses ie, hiking, create more mechanisms for putting land into conservation, continue getting easements, publicize public open space and make more accessible (maps, trails, information distribution).
9	Require developers to keep a minimum area of every lot in natural condition
2	Conservation commission needs land management plan
-	Incorporate open space plan in Master Plan and reflect in zoning ordinance
	Parks and Recreation
18	Create attractive gateways to town along Portsmouth Ave. & Epping Rd. & Lincoln St. Plant more street trees and green space (Portsmouth Ave, Lincoln Street)
8	<i>Downtown green space and gardens: need more green space and gardens, more street trees, green space (round-about at bandstand") (See CF and P&R)</i>
3	<i>Build dog parks (See P&R)</i>
3	<i>Make greater use of Connor Farm (See P&R)</i>
1	Parking areas for bike trail access
-	More benches
-	Dispersed small recreational areas
-	<i>More recreation areas in town (See P&R)</i>
	Policy
13	Balance residential and business development to support the tax base
3	Need to have a process for cooperation with Academy on land use issues
2	Allow mixed-use development in industrial zones (residential in unused industrial land)
2	Update zoning ordinance to support mixed use, compact development
1	Mix housing and retail (traditional small town model)
1	Loss of streetlights is a security issues
1	Town should not own land solely to prevent development

Note: *Italicized font indicates the topic was mentioned in one or other topic session.*

CHAPTER 2

HOUSING AND RESIDENTIAL LIFE

EXETER MASTER PLAN
2010 UPDATE



MAY, 2010



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Housing

1. Introduction

Housing and the qualities of residential life are important considerations in the development of the Town's Master Plan. The location, quality, and affordability of housing are strongly influenced by community planning. For example, the opportunity to build housing of various types is influenced by zoning ordinances and planning regulations, which determine where and what type of housing are allowed and at what densities. Likewise, the way in which residential areas function as neighborhoods and are connected to the life of the community are also influenced by planning and zoning which determines things like where new residential areas be located, what kind of buildings will be encouraged, how they will be connected to one another and to various centers of community activity. These are all subjects of review in this master plan chapter.

The Housing Chapter will focus primarily on two areas: the housing needs of Exeter, including present and future, and the quality of residential life in the community. The evaluation of housing need will include the examination of quality, type and affordability of the existing housing stock. As required by state statute, the chapter will also examine the housing needs of the surrounding region and evaluate Exeter's role in supplying a share of that need. The examination of residential life will examine the quality and diversity of neighborhoods in Exeter, and their connections internally and externally to other centers of activity in the community. The major sections of the chapter include:

- Housing Policies Goals and Objectives
- Housing Demographics
- Existing Housing Stock and Neighborhoods
- Exeter Housing Authority
- Evaluation of Housing Need
- Future Residential Development Potential
- Residential Life
- Recommendations

Definitions

First, it is important to define some of the basic terms that are used throughout this chapter.

Affordable Housing - Housing that is obtained either through sale or rent that is within the means of low to moderate income households. Low to moderate income households are further defined as those with a total income between 40% and 80% of median income for the County or metropolitan area, adjusted for household size. Affordable Housing as referenced in the open space development section of the Exeter Zoning Ordinance (regarding density bonuses) considers households with incomes below 80% of the median family income and with income below 120% of the median. Housing is considered 'within the

means' of a household if housing costs do not exceed 30% of household income.

Median Household Income – The median mid-point of all incomes of households in Exeter as reported in the most recent decennial Census. That number for the 2000 Census is \$49,618.

Condominium (residential) – A building or group of buildings in which dwelling units are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

Housing Unit - A house, apartment, mobile or manufactured home, group of rooms or even a single room that is occupied as separate living quarters.

Rental Units – A housing unit that is occupied for living purposes under a rental or lease contract in exchange for a fee or other compensation.

Owner Occupied Units - Accommodation that is either owned outright, owned with a mortgage or loan, or shared ownership (paying part rent and part mortgage).

Single Family - A separate building that either has open spaces on all sides, or is separated from other structures by dividing walls that extend from ground to roof.

Multi-family – A residential structure containing three or more housing units.

Workforce Housing – Housing that is affordable to a household with an income at or below median income for the area. New Hampshire's workforce housing law, SB342, further specifies that the affordability for homeowners is set at 100% of median income for a 4 person household, and for renters, it is for a 3 person household and based on 60% of the median income.

Background

When the Master Plan was last updated in 1994, New Hampshire's economy had just begun to turn around from the 1989-1991 recession. Since that time, many new jobs have been created in the region. While housing has been built during that time, regionwide, housing production has lagged job growth.

In part, as a result of this jobs-housing imbalance, housing costs in southern New Hampshire have escalated rapidly over the past decade, and in many communities exceed the ability of many wage earners to keep pace with the increases. Indeed, housing affordability has become a major issue for the entire region once again as steep housing costs put home ownership out of the reach of even middle income households. For the past several years, vacancy rates in the Seacoast area have been at historic lows, while housing costs for both owned and rented units have reached historic highs.¹ While housing values and rental costs have retreated slightly from those highs

¹ The State of Housing in New Hampshire. NH Housing Finance Authority, 2003

in 2008 and 2009, they remain near all time highs in the Seacoast region and can be expected to resume the upward trend when the current recession ends.

The affordability of housing has been a concern in southern New Hampshire, and especially the Seacoast Region, for many years. All previous editions of the Town's Master Plan have identified affordability of housing as an important local concern as well. The Town's policies have been adjusted from time to time to attempt to respond to this issue, and they have had a positive effect. Unlike many surrounding communities, Exeter has a very diverse housing stock and supplies a disproportionate share of multifamily and rental housing in the area.

Legal Context

The legal obligation of municipalities, with respect to housing have been defined both by case law and by statute. Since the 1980s several southern New Hampshire communities received legal challenges to their zoning ordinances and land use regulations. In several cases (*Lewis Builders v. Atkinson* and *Britton v. Town of Chester and Soares*) local land use regulations were found to be exclusionary in that they did not sufficiently allow for the development of a range of housing types to meet future needs. These cases lead, in turn, to further definition and clarification of the state's planning statutes, which now require the housing section of a Master Plan to address "the future housing needs of residents of all levels of income and ages." (RSA 674:2 (l)). Further, the declaration of the purpose of planning and zoning within the statute has been amended to state explicitly:

All citizens of the state benefit from a balanced supply of housing which is affordable to persons and families of low and moderate income. Establishment of housing which is decent, safe, sanitary and affordable to low and moderate income persons and families is in the best interests of each community and the state of New Hampshire, and serves a vital public need. Opportunity for development of such housing, including so-called cluster development and the development of multi-family structures, should not be prohibited or discouraged by use of municipal planning and zoning powers or by unreasonable interpretation of such powers;" [RSA 672: 1 IIIe]

State statute further defines the general subject matter of the housing section of a master plan. It says that such a section is one that, "...assesses local housing conditions and projects future housing needs of residents of all levels of income and ages in the municipality and the region as identified in the regional housing needs assessment performed by the regional planning commission pursuant to RSA 36:47, II, and which integrates the availability of human services with other planning undertaken by the community."

SB342 – The New Hampshire Workforce Housing Law

In 2008 the New Hampshire Legislature enacted SB342 which requires that each community allow workforce housing in at least half of its residentially zoned land. While few, if any, communities prohibit workforce housing per se, but in many cases, the net effect of zoning and land use regulations, combined with market and other factors make the construction of workforce housing infeasible. Overall, SB342 requires Towns to provide "reasonable and realistic opportunities for the development of work-

force housing.” There is no obligation in the law for the Town to take an active role in causing the development of workforce housing, but it does require it that not erect barriers against its development that have no basis in need. The only standards established are as follows:

- Allow Work Force Housing on >50% of residentially zoned land area;
- Provide reasonable and realistic opportunities for multi-family (5+ dwelling units), including rental multifamily units.
- Lots sizes and density requirements for WFH “shall be reasonable”

It should be noted that SB342 states that if a Town demonstrates that it has met its regional fair share of work force housing need, both current and foreseen, then it “shall be deemed to be in compliance with” the law, see Section 5.0 Regional Housing Needs Assessment.

The net effect of SB342 and prior housing related laws is to establish the obligation to carefully consider the housing needs, both within the town and the surrounding area, of a broad range of individuals, and further, to ensure that reasonable opportunities exist in Exeter for the development or redevelopment of housing to meet its share of those needs.

Previous Housing Studies

Over the years the Town of Exeter has been cognizant of the importance of housing issues and from time to time has undertaken studies and initiated actions to address perceived problems. The Sounding Board process utilized in the development of the 1976 Master Plan was one of the first such efforts. Many of the Towns current housing policies have their roots in that effort. The 1985 Master Plan Update continued this process and included a statistical review of the housing stock, projected future needs, and addressed several issues regarding growth management. In 1989 and 1991, the Town established an Affordable Housing Committee and a Master Plan Subcommittee, respectively, which each reviewed current housing issues and problems and made recommendations. These efforts were incorporated into the 1994 Master Plan update. Many of the recommendations made then have been acted upon; many others appear equally relevant today. They are summarized as follows:

Housing Subcommittee, Exeter Master Plan (1991-1992):

- Review all residential zones for proper alignment;
- Retain the existing balance of zones but identify additional areas for multifamily housing, commercial and industrial uses;
- Provide incentives for the rehabilitation and development of affordable housing, including the adoption of an affordable housing ordinance; and
- Support the efforts of the Affordable Housing Committee to obtain housing financing for low and moderate income people.

Exeter Affordable Housing Committee (1989)

- Encourage Affordable Housing: The Town of Exeter should encourage the development of decent, safe housing which can be purchased or rented by low, moderate or middle income households.
- Master Plan for Town Buildings: It is recommended that when the town prepares a master plan for the future use of the town-owned buildings and/or land, affordable housing should be considered as an option.
- The Committee supported the efforts of the Exeter Housing Authority to construct seven, 2 and 3 bedroom low income units on the Lindenfields properties and urges the town to do all it can to facilitate the approval of all aspects of this project.
- Incentive Ordinance: It was recommended that the Town of Exeter adopt an affordable housing incentive ordinance (such as proposed by the New Hampshire Housing Finance Authority), but modified to meet the needs of the Town of Exeter.
- Employee Benefit Program: It was recommended that an innovative revolving fund be established through which town and/or local employees who are first time home buyers and in need of assistance for down payments and closing costs may obtain such assistance.
- Appoint Standing Affordable Housing Committee: Because the issue of affordable housing is an ongoing concern, the Committee recommended that the Selectmen appoint a permanent standing committee on affordable housing which would disseminate information on affordable housing; act as a liaison with area organizations working on affordable housing, and help promote all forms of affordable housing for Exeter residents.

Several of these recommendations were incorporated into the 1994 Master Plan and subsequently acted on.

Visioning Exeter (2005)

The 2004 "Visioning Exeter" focused in part on the issue of housing. The following is a summary of the major recommendations that received the greatest public support over the two sessions.

- Insure good connections between neighborhoods and community activity centers and destinations (ex: maintain and expand sidewalks, bicycle paths, and make them part of new development);
- Maintain and develop the Exeter Downtown as the focus of community interaction;

- Consider appropriate ways of mixing small scale commercial uses in or convenient to neighborhoods (ex.: neighborhood grocery stores);
- Encourage the conversion of older underutilized buildings to affordable residential uses;
- Consider the conversion of the old High School/Jr. High School complex to a mix of residential, social service and business uses;
- Encourage conservation development in outlying areas; include conservation land set-asides with new residential development, and
- Encourage the creation of new development clusters or villages in the more remote areas of town.

Progress on Housing Issues since the 2004 Visioning Process

Over the years, Exeter's zoning ordinance has been revised and augmented with various innovative zoning changes. The Planning Board has been particularly committed in providing opportunities to create diverse and affordable housing. Prior to 2007, representatives from various boards along with the town planner, met in the fall of each year to develop potential zoning amendments which the full board reviewed. Amendments were based on issues that came up for the different land-use boards over the course of the prior year. Some were supported and then voted affirmatively at Town Meeting.

Examples of past amendments included:

1. Expansion of the Historic District along High Street- promoted by High Street residents to preserve the character of the neighborhood.
2. Reduction in the height restriction within R-3 zoning district (residential single family) to ensure home remodeling from "tear-downs" would not alter the appearance within the district.
3. Creation of an affordable housing component to both elderly congregate health care facilities and to open space subdivision to promote construction of new affordable housing.
4. Reduction to required acreage needed for open space subdivision development to promote affordable housing (one of New Hampshire's first inclusionary housing incentive ordinances).
5. Creation of "mixed use" as an allowable use in specific commercial districts with the intent of allowing retail, offices and the like on the street level and residential uses on other levels. Mixed use was considered the best method to create a daytime/nighttime use synergy as well as means to develop apartment style housing.
6. Extension of R-4, multifamily zoning district off of Epping Road to increase the existing area reserved for multifamily.

Zoning Ordinance Review Committee (ZORC)

In the winter of 2007, the Planning Board created a subcommittee with the intent to conduct a complete review of the full zoning ordinance, including residential districts. This group, the Zoning Ordinance Review Committee (ZORC), has met year-round since that time. Members consist of representatives of all land-use boards as well as staff; town planner, natural resource planner, code enforcement officer and deputy code enforcement officer. The original focus of ZORC was to address specific problem areas. Some examples of ZORC's contributions to the zoning ordinance (Z.O.) include:

- Full review of allowed uses (Z.O. Article 4) within all districts in order to verify actual uses within the districts and to allow for additional uses as deemed appropriate.
- Full review of definitions in order to ensure uses described in Article 4 were defined. (Z.O. Article 2),
- Review and revisions of criteria for residential housing conversions and accessory dwelling units (Z.O. Article 4),
- Review and revisions of parking requirements (Z.O. Article 5),
- Review and revisions of all signage regulations (Z.O. Article 5),
- Allowances for limited retail use in transition and other zones,
- Addition of wind energy regulations.

Some of the revisions recommended by ZORC were to address recommendations that came out of the master plan visioning process. One such recommendation suggested an allowance for "mom and pop" grocery stores. Although the concept was favorable, actual regulations for creating such uses seemed impractical. ZORC's answer was to allow for limited retail space within existing transition districts, specifically neighborhood professional (NP), corporate technology park (CT), professional park (PP) as well as a more isolated corporate technology park district, CT-1. This allowance was intended to create convenient pocket eateries or other very small convenient stores so that employees within those districts would have the opportunity to shop or eat near their work places.

2. Vision, Goals and Objectives

Based on policies established in previous Master Plan updates, and on the responses from Exeter residents attending the 2004 'Visioning Exeter' Master Plan sessions, the following Vision Statement, goals and objectives were developed:

Vision Statement

Exeter will be a community with a high quality housing supply that is diverse in type, ownership and affordability; that is reflective of the Town's history and culture, that is safe and attractive, and that is designed to foster a high quality of life as experienced in our residential neighborhoods.

Goals & Objectives

1. To maintain a diverse housing supply that includes a variety of types and styles, including opportunities for owned and rental housing, and housing that is appropriate and affordable for individuals and families from a full range of ages and incomes.
 - Ensure that reasonable opportunities are created for the development of a full range of housing types, including housing for the elderly and workforce housing.
 - Create incentives for the creation of affordable and workforce housing, such as density bonuses for developments containing a fixed percentage of affordable units.
 - Promote downtown housing options on upper floors for smaller households.
 - Maintain the ability of senior residents on a limited or fixed income to remain in Exeter.
 - Support efforts by residents of manufactured housing parks to acquire and cooperatively own their parks if and when they are offered for sale.
 - Create partnerships with private and public organizations such as The Housing Partnership, Habitat for Humanity, Seacoast School of Technology and the Workforce Housing Coalition of the greater Seacoast, as well as with private developers to stimulate development and construction of affordable housing.
2. Create housing patterns that result in well-designed neighborhoods, streets and paths that encourage neighborhood interactions and provide connections between adjacent neighborhoods and other community destinations. (Also see Chapter 1, Existing and Future Land Use.)
 - Maintain zoning, subdivision and site plan review regulations that encourage residential development on smaller lots within walking distance of neighborhood services (e.g. convenience stores, florists, cleaners).
 - Encourage mixed use development in appropriate locations, allowing low impact small scale commercial and service uses to occur within neighborhoods.

- Encourage the inclusion of amenities in residential design, including pocket parks, sidewalks, walking or bicycle paths, landscaping; fully consider the needs of pedestrians in residential development design, and ensure adequate connections through roadways, sidewalks and bike paths to adjacent neighborhoods public spaces and community destinations.
 - Encourage open space development combined with traditional neighborhood residential design over conventional subdivision design.
 - Support flexible street width and setback standards for residential subdivisions of varying sizes.
 - Fully consider the needs of pedestrians in the design of streets and roads and ensure pedestrian connections to public spaces with sidewalks and bike paths.
 - Consider a variety of traffic management techniques in reviewing street design, including the addition of traffic calming devices and designs in residential street, especially those subject to 'cut-through' traffic.
3. Create an environment of residential development review and approval that ensures the full understanding of development costs, and minimizes the negative fiscal, environmental, aesthetic and social impact of development on the community.
- Maintain appropriate impact fees to offset capital costs to municipal services;
 - Require thorough environmental review and mitigation of residential subdivision in non-sewered areas;
 - Support fiscal impact analysis² when a major development, due to its size or scope may have a significant impact on the town's local tax burden; and
 - Establish and maintain residential design review standards, as appropriate to different residential development types, which incorporate, as appropriate, minimum impact development principles, traditional neighborhood and/or village design elements, and desired architectural features.
4. Use zoning and land use regulations to favor compact residential development designs which discourage sprawl. (See also Conservation/Preservation and Existing and Future Land Use Chapters)
- Encourage new residential development to be located within or adjacent to the existing sewer service districts;

² The analysis of expected local tax revenues against expected municipal expenses generated by a development.

- Encourage all residential development located outside the sewer district to be designed as open space or conservation development;
 - Balance the need for additional development with the need to preserve open space and work with the Exeter Open Space Committee and Conservation Commission to identify and protect green belts, wildlife habitats and other linkages with existing open space and conservation lands in the development process; and
 - Ensure that realistic opportunities continue to exist for the construction or redevelopment of new multifamily housing in Exeter, and make zoning adjustments as needed.
5. Consider regional needs for housing in developing and acting on local housing policies
- Consider and incorporate available information pertaining to the broader regional need for housing into the Master Plan as it is made available for the Rockingham Planning Commission, the NH Housing Finance Authority, Workforce Housing Coalition, and others;
 - Consider housing policies and actions that will ensure that Exeter continues to provide its share of regional housing need.
 - Encourage and participate in regional efforts to address the need for additional affordable and workforce housing.

3. Housing Demographics

The following section reviews current information relative to housing growth, type, ownership, cost and other information. For comparison purposes, and as a way of understanding regional needs, this information is also presented for other communities in the region where appropriate. Comparison communities include those immediately adjacent to Exeter as well as the larger urban communities in the RPC region, including Newmarket, Portsmouth and Salem, which have a housing mix that is more similar to Exeter's. The data presented in the tables comes from various sources, including the US Census (1990 and 2000 housing data), the Office of Energy and Planning (2007 unit estimates and annual building permit data) and the NH Housing Finance Authority (rental and purchase price data).

3.1 Housing Growth

As of one of the four original settlements in New Hampshire, houses have been constructed and renovated in Exeter for more than 350 years. As a result, it has a wide variety of type and styles, built in a variety of locations in Town. As it developed as a successful 'mill town' in the 1800s and early 1900s and created the necessary infrastructure, Exeter developed the kind of town center and surrounding higher density neighborhoods that characterize it today. As a result, compared to most of its neigh-

boring Towns, housing in Exeter is relatively dense and much of its population concentrated near the town center. Although some of the more recent growth has spread out from the center, in-town locations remain highly sought after for housing development. For some older neighborhoods in Exeter, the downtown remains a walkable destination.

According to the U.S. Census, there were a total of 6107 housing units (of all types) in Exeter in 2000. Of these, 5898 or nearly 97% were occupied year-round, up from about 93% in 1990. Between 1990 and 2000, 761 units were added to the Town's housing supply, representing a 14% increase and averaging 76 units per year. This closely matches the population increase of 13% during the same period and hence to a stabilized 'persons-per-unit' measure of 2.3. From 2000 to 2007, 511 units were added, which maintains a similar average annual growth level 73 housing units per year.

From 1990 to 2000 Exeter grew at a significantly faster rate (1.3% per vs. 0.9%) than the average of the surrounding communities. As shown in **Figure H-1**, single family residential construction permits were at a very low level during and after the recession of the early nineties, then grew at a rapid rate through the remainder of the 90s. Single family construction has since receded to the level of 20 to 30 permits per year, on average, through 2007. Multifamily construction spiked with the renovation of the Mill Apartments and the opening of the first phase of Riverwoods in 1993-1995. Since 2002, multifamily construction permits have equaled or exceeded single family permits, averaging about 45 per year. Of the 511 new homes built since 2000, 280 of them, or 55% were multifamily units.

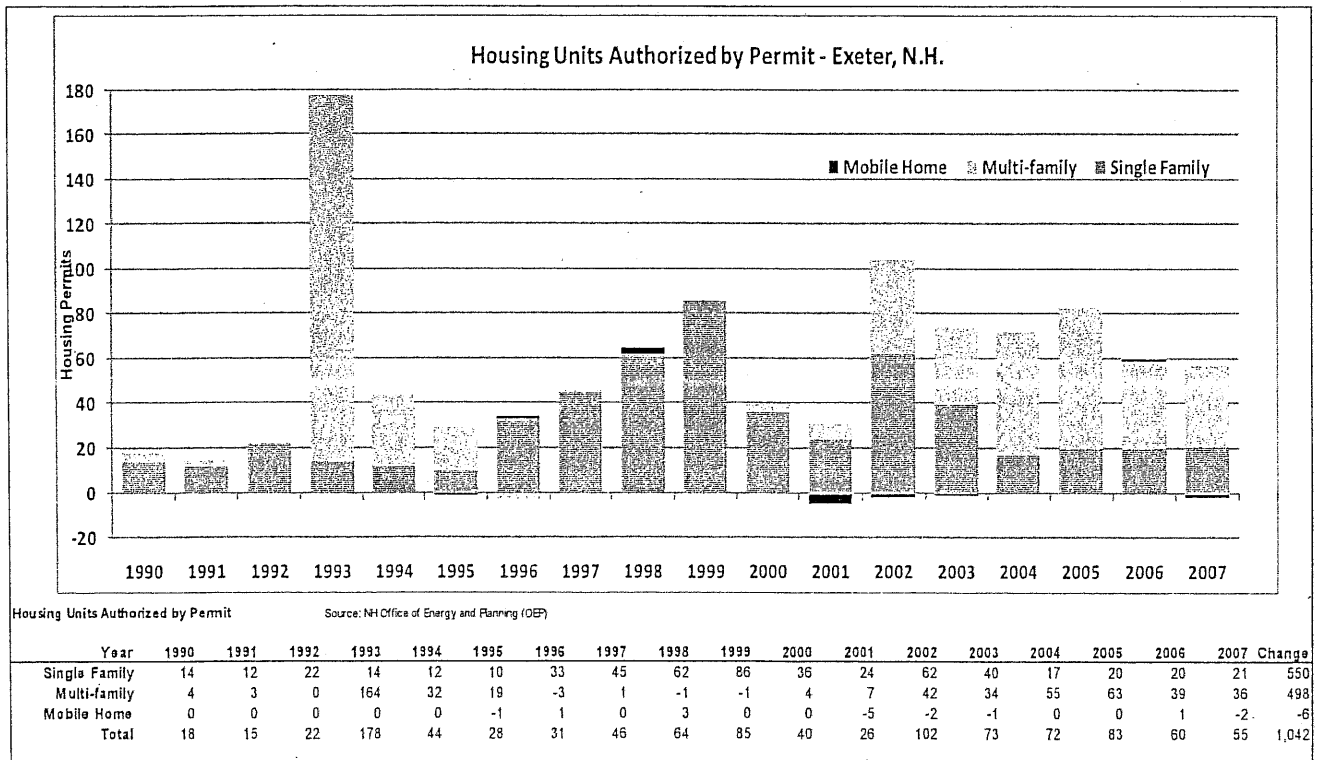
Compared to the region as a whole, Exeter's large share of multifamily unit growth is unusual. Of all residential units added from 1990 to 2007 in Exeter, nearly half (48%) have been multifamily units, compared to about 20% for the area communities. Growth in multifamily homes in the region averaged only 9.7% from 1990 to 2007 compared with 30% in single family homes. More than half of the multifamily unit growth in Exeter has been associated with a few large multifamily development, including assisted living housing developments. The largest one year additions came when the Mill Apartments opened in 1993.

Table H-1
Housing Growth and Persons per Unit -- 1980-2007

TOWN/AREA	Housing Units (all units)				Avg. Annual Housing Growth			Avg. Persons per unit		
	1980	1990	2000	2007	1980-1990	1990-2000	2000-2007	1980	1990	2000
EXETER	4406	5346	6107	6618	2.0%	1.3%	1.2%	2.5	2.3	2.3
Brentwood	598	778	920	1280	2.7%	3.1%	4.8%	3.4	3.3	3.5
East Kingston	362	494	648	871	3.2%	3.5%	4.3%	3.1	2.7	2.8
Epping	1181	2059	2215	2565	5.7%	1.3%	2.1%	2.9	2.5	2.5
Hampton	4437	8599	9349	9873	6.8%	0.9%	0.8%	2.4	1.4	1.6
Hampton Falls	483	591	729	847	2.0%	2.2%	2.2%	2.8	2.5	2.6
Kensington	450	585	672	777	2.7%	1.7%	2.1%	2.9	2.8	2.8
Kingston	1518	2115	2265	2488	3.4%	1.0%	1.4%	2.7	2.6	2.6
New fields	301	324	532	594	0.7%	3.8%	1.6%	2.7	2.7	2.9
New market	1832	3285	3457	4181	6.0%	1.5%	2.8%	2.3	2.2	2.3
North Hampton	1255	1495	1782	1930	1.8%	1.6%	1.1%	2.7	2.4	2.4
Portsmouth	8634	11369	10186	10548	2.8%	-0.5%	0.5%	3.0	2.3	2.0
Salem	8425	9897	10866	12094	1.6%	1.2%	1.5%	2.9	2.6	2.6
Stratham	844	1917	2371	2806	8.5%	1.1%	2.4%	3.0	2.6	2.7
Area Total	34726	48854	52099	57472	3.5%	0.9%	1.4%	2.8	2.3	2.3
Rock. County	69375	101773	113023	125608	3.9%	1.3%	1.5%	2.7	2.4	2.5
New Hampshire	349001	503541	546524	606292	3.7%	1.1%	1.5%	2.6	2.2	2.3

Source: 1980, 1990 & 2000 Census; Annual Estimates of Housing Supply, OEP, 2008

Figure H-1



Both owing to its size and percent growth, it appears that Exeter has been absorbing more than its proportional regional share of growth over the decade. This is likely due to a combination of factors, including desirable location, good school system, renewed interest in communities with downtowns or town centers, and the relative availability of building opportunities, especially for assisted living and multifamily developments.

Residential growth in Exeter over the past decade was driven by several key factors, including the reputation of the school system, the beauty of the town and surrounding area, proximity and accessibility to both the Boston metropolitan area and major recreational attractions. In short, the Town offers its residents a high quality of life.

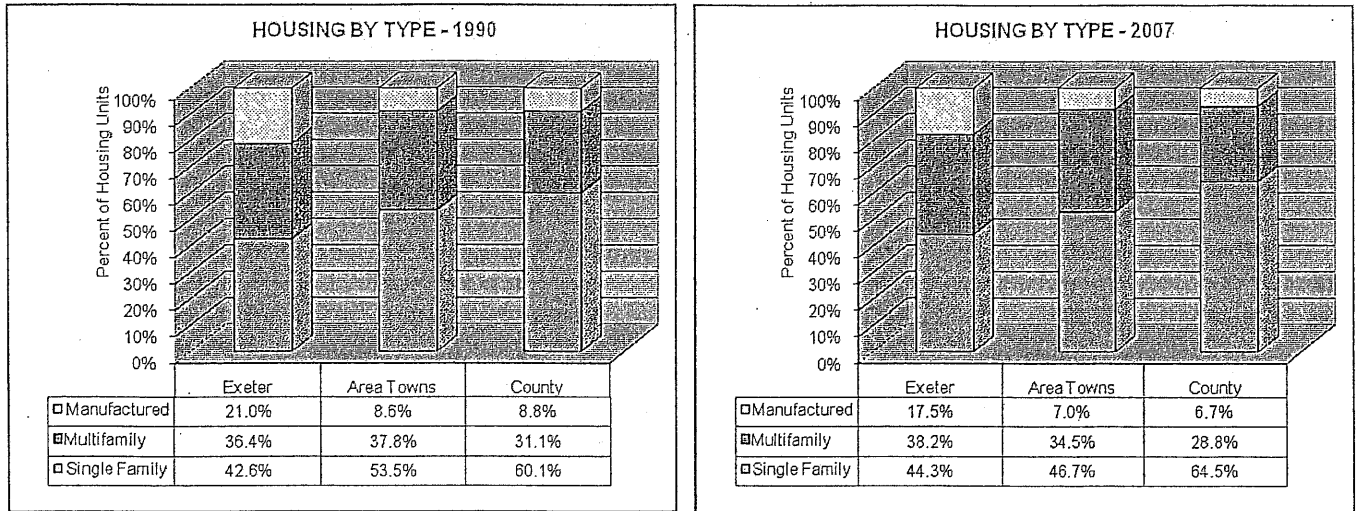
While residential growth slowed considerably in the early 1990's (in the aftermath of a national recession) it increased in the later years of the decade, particularly in single family development.

3.2 Housing Type

As was noted earlier, Exeter has a very diverse housing supply, and perhaps one of the most diverse for its size to be found anywhere in the state. As seen in **Figure H-2**, less than 45% of the residences in Exeter are defined as single-family homes, whereas for the County as a whole, almost 65% are single family. The average of the area towns is lower (55%) largely because those towns include and are somewhat dominated by the larger urban communities of Portsmouth, Hampton, Exeter and Salem. In general, the older more heavily populated communities have an older, more diverse housing stock and higher numbers of multifamily housing than do the suburban communities that experienced much of their growth after World War II. Among the more suburban towns of the region, it is not uncommon to communities to have 75% to 80% of their housing stock in the form of single family homes.

Exeter gets some of its diversity from an unusually high proportion of mobile homes and manufactured housing. At 21% of all housing units (in 1990), it ranks as having the second highest proportion of mobile homes in the surrounding communities behind Epping, and nearly three times higher than the County average of 6.7%. Manufactured homes reached a high point of about 1100 units in 1990 (21% of the housing stock), and have declined slightly since then. The Town has very limited land areas zoned for manufactured housing. Very little further growth in the mobile home type of manufactured housing is anticipated due to the very high price of land in the area.

Figure H-2
Housing Distribution by Type – Exeter & Surrounding Communities
1990 & 2007



Source: US Census and NH Office of Energy and Planning – “Annual Estimates of Housing Supply 2008”

Table H-2
Housing Distribution by Type
1990, 2000 & 2007

TOWN/AREA	1990							
	Total	Single Family		Multi-Family		Manufactured		
		number	%	number	%	number	%	
EXETER	5346	2279	42.6%	1945	36.4%	1122	21.0%	
Brentwood	778	640	82.3%	46	5.9%	92	11.8%	
East Kingston	494	423	85.6%	12	2.4%	59	11.9%	
Epping	2059	1252	60.8%	407	19.8%	400	19.4%	
Hampton	8599	4437	51.6%	3736	43.4%	426	5.0%	
Hampton Falls	591	539	91.2%	39	6.6%	13	2.2%	
Kensington	585	511	87.4%	22	3.8%	52	8.9%	
Kingston	2083	1673	80.3%	267	12.8%	143	6.9%	
Newfields	324	260	80.2%	50	15.4%	14	4.3%	
Newmarket	3249	1199	36.9%	1852	57.0%	198	6.1%	
North Hampton	1495	1106	74.0%	125	8.4%	264	17.7%	
Portsmouth	11369	3854	33.9%	6957	61.2%	558	4.9%	
Salem	9831	6710	68.3%	2321	23.6%	800	8.1%	
Stratham	1917	1193	62.2%	659	34.4%	65	3.4%	
Area Total/Avg.	48720	26076	53.5%	18438	37.8%	4206	8.6%	
Rock. County	101773	61147	60.1%	31688	31.1%	8938	8.8%	
New Hampshire	503541	297474	59.1%	164178	32.6%	41889	8.3%	

Source: "Current Estimates & Trends in New Hampshire's Housing Supply, 2008",
N.H. Office of Energy & Planning

TOWN/AREA	2000						
	Total	Single Family		Multi-Family		Manufactured	
		number	%	number	%	number	%
EXETER	6107	2707	44.3%	2330	38.2%	1070	17.5%
Brentwood	920	833	90.5%	31	3.4%	56	6.1%
East Kingston	648	565	87.2%	19	2.9%	64	9.9%
Epping	2215	1390	62.8%	397	17.9%	428	19.3%
Hampton	9349	5207	55.7%	3872	41.4%	270	2.9%
Hampton Falls	729	665	91.2%	54	7.4%	10	1.4%
Kensington	672	602	89.6%	40	6.0%	30	4.5%
Kingston	2265	1825	80.6%	300	13.2%	140	6.2%
Newfields	532	467	87.8%	54	10.2%	11	2.1%
Newmarket	3457	1416	41.0%	1845	53.4%	196	5.7%
North Hampton	1782	1349	75.7%	146	8.2%	287	16.1%
Portsmouth	10186	4097	40.2%	5815	57.1%	274	2.7%
Salem	10866	1527	14.1%	2395	22.0%	788	7.3%
Stratham	2371	1682	70.9%	674	28.4%	15	0.6%
Area Total/Avg.	52099	24332	46.7%	17972	34.5%	3639	7.0%
Rock. County	113023	72944	64.5%	32500	28.8%	7579	6.7%
New Hampshire	546524	340878	62.4%	170128	31.1%	35518	6.5%

TOWN/AREA	2007						
	Total	Single Family		Multi-Family		Manufactured	
		number	%	number	%	number	%
EXETER	6618	2947	44.5%	2610	39.4%	1061	16.0%
Brentwood	1280	1119	87.4%	108	8.4%	53	4.1%
East Kingston	871	746	85.6%	61	7.0%	64	7.3%
Epping	2565	1672	65.2%	440	17.2%	453	17.7%
Hampton	9873	5391	54.6%	4204	42.6%	278	2.8%
Hampton Falls	847	765	90.3%	70	8.3%	12	1.4%
Kensington	777	707	91.0%	41	5.3%	29	3.7%
Kingston	2488	1935	77.8%	413	16.6%	140	5.6%
Newfields	594	529	89.1%	55	9.3%	10	1.7%
Newmarket	4181	1682	40.2%	2277	54.5%	222	5.3%
North Hampton	1930	1483	76.8%	146	7.6%	301	15.6%
Portsmouth	10548	4216	40.0%	6053	57.4%	279	2.6%
Salem	12094	8170	67.6%	3024	25.0%	900	7.4%
Stratham	2806	2069	73.7%	724	25.8%	13	0.5%
Area Total/Avg.	57472	33431	58.2%	20226	35.2%	3815	6.6%
Rock. County	125608	81104	64.6%	36442	29.0%	8062	6.4%
New Hampshire	606292	383795	63.3%	183436	30.3%	39061	6.4%

Source: "Current Estimates & Trends in New Hampshire's Housing Supply, 2007",
N.H. Office of Energy & Planning

Since 1980, multifamily housing in Exeter has grown at nearly 3% per year, compared to 0.7% for single family homes and 2% for manufactured housing. Census data on housing actually shows an absolute decline in the number of

single family homes from 2355 in 1980 to 2279 in 1990 (table not shown). In this period, a large number of large single family homes were divided into multi-family homes, to create either condominium or rental units. Since 1990 however, the Town has seen an average net addition of about 75 housing units per year, of which 42 have been single family and 39 multi-family. There has been a net loss of manufactured housing during the period.

3.3 Housing Ownership and Occupancy

Housing 'tenure' (the owner vs. rental status of homes) is correlated with housing type and income. Multifamily units have a higher percentage of occupants who rent and therefore house individuals and families with a wider range of income. In Rockingham County, slightly over three quarters of all occupied homes are owned by their occupants and one quarter are rented – which is high by state standards. In many of the towns surrounding Exeter, that percentage of ownership is even higher, topping 90% in Brentwood, East Kingston and Kensington. In Exeter the percent of owned homes is 67.5%. This reflects the higher percentage of multi-family homes and greater income diversity of residents. (See Table H-3)

Table H-3
Housing Ownership and Occupancy, 2000

Town / Area	Total	Occupancy						Tenure			
	All housing units	All Occupied # units	Vacant Housing Units				Owner-occupied		Renter-occupied		
			Non-Seasonal		Seasonal		# units	%	# units	%	
			#	%	#	%					
Exeter	6107	5898	209	3.4%	50	0.8%	3980	67.5%	1918	32.5%	
Brentwood	920	911	9	1.0%	1	0.1%	849	93.2%	62	6.8%	
East Kingston	648	629	19	2.9%	9	1.4%	582	92.5%	47	7.5%	
Epping	2,215	2,047	168	7.6%	130	5.9%	1,574	76.9%	473	23.1%	
Hampton	9,349	6,465	2,884	30.8%	2,471	26.4%	4,402	68.1%	2,063	31.9%	
Hampton Falls	729	704	25	3.4%	8	1.1%	629	89.3%	75	10.7%	
Kensington	672	657	15	2.2%	8	1.2%	597	90.9%	60	9.1%	
Kingston	2,265	2,122	143	6.3%	91	4.0%	1,825	86.0%	297	14.0%	
Newfields	532	516	16	3.0%	3	0.6%	463	89.7%	53	10.3%	
Newmarket	3,457	3,379	78	2.3%	20	0.6%	1,779	52.6%	1,600	47.4%	
North Hampton	1,782	1,671	111	6.2%	52	2.9%	1,456	87.1%	215	12.9%	
Portsmouth	10,183	9,874	311	3.1%	80	0.8%	4,936	50.0%	4,939	50.0%	
Salem	10,866	10,402	464	4.3%	273	2.5%	8,132	78.2%	2,270	21.8%	
Stratham	2,371	2,306	65	2.7%	20	0.8%	2,057	89.2%	249	10.8%	
Area Total/Avg.	45,989	41,683	4,308	9.4%	3,166	6.9%	29,281	70.2%	12,403	29.8%	
Rock. County	113,023	104,529	8,494	7.5%	6,031	5.3%	78,992	75.6%	25,537	24.4%	
New Hampshire	547,024	474,606	72,418	13.2%	56,413	10.3%	330,700	69.7%	143,906	30.3%	

Source: 2000 U.S. Census

Of the 6107 housing units reported in Exeter by the 2000 Census, all but 159 were occupied, equating to a vacancy rate of 2.6%. Vacancy rates in the region were at historic lows at this time and have moderated only slightly since then. The desired or nominal vacancy rate in a community is commonly considered to be two percent for owner occupied units and six percent for renter occupied. If the vacancy rate is lower, there is less choice for the occupant and costs tend to increase in response to high demand. Low vacancy rates such as those experienced throughout the region are another indication of the constrained housing supply in the region, in both the owned and rental housing markets. It is not surprising to note that Exeter has a much smaller number of seasonal homes (0.8%) than most of its neighbors.

3.4 Housing Costs

High housing cost, both for owned and rented units is a significant challenge affecting the entire Seacoast region. As discussed in the previous section, housing rents and purchase prices have risen dramatically through the first half of the decade, due to a number of factors, including desirability of locale, a limited supply, favorable mortgage rates and the growing affluence in the region.

Several sources of data were compiled to use in evaluating current housing cost conditions in Exeter, and the surrounding area. Although now nine years out of date, the 2000 Census provides the most comprehensive and comparable (town-to-town) source of information. The Census reports both owned-home value and rental cost information. In the case of home value, therefore, this number is not based on market appraisal or sales information, but rather based on the owner's perception of the value of the home. To supplement this information, real estate sales information compiled by the Rockingham Planning Commission has been used for owned home value, and NH Housing Finance Authority rental cost survey data has been used to compare rental cost information.

In general, housing costs in Exeter fall somewhere between those of the surrounding Seacoast towns and those of the County as a whole. For owned homes, the median value of \$170,000 as reported in the 2000 Census is significantly below the area average of 189,175, but is slightly higher than the County average of \$164,900; similarly, real estate sales figures show homes sales price in Exeter at only 90% of the area average.

Town / Area	2000 Census (Owner/Renter Reported)					Real Estate Sales Data All Homes 2008	2008 Rent Survey
	Median Value, owner- occupied housing	% of County Avg.	Median Contract Rent (\$/month)	% of County Avg.	Median Mortgage (\$/month)	Average Residential Sales Price	Median Rental Cost (\$/month)
Exeter	\$ 170,000	103%	\$ 702	98%	\$ 1,426	\$305,000	\$1,348
Brentwood	\$ 182,900	111%	\$ 654	91%	\$ 1,448	\$355,000	N/A
East Kingston	\$ 185,800	113%	\$ 819	114%	\$ 1,355	\$367,500	N/A
Epping	\$ 132,600	80%	\$ 602	84%	\$ 1,191	\$229,900	\$861
Hampton	\$ 190,400	115%	\$ 682	95%	\$ 1,456	\$295,000	\$932
Hampton Falls	\$ 266,300	161%	\$ 821	115%	\$ 1,656	\$525,000	N/A
Kensington	\$ 201,900	122%	\$ 825	115%	\$ 1,468	\$389,900	N/A
Kingston	\$ 156,600	95%	\$ 644	90%	\$ 1,259	\$250,000	\$1,042
Newfields	\$ 196,500	119%	\$ 656	91%	\$ 1,563	\$410,000	N/A
Newmarket	\$ 141,300	86%	\$ 706	98%	\$ 1,235	\$245,000	\$918
North Hampton	\$ 211,300	128%	\$ 706	98%	\$ 1,575	\$414,900	N/A
Portsmouth	\$ 168,600	102%	\$ 727	101%	\$ 1,354	\$299,900	\$1,226
Salem	\$ 168,900	102%	\$ 706	98%	\$ 1,402	\$292,000	\$912
Stratham	\$ 207,200	126%	\$ 865	121%	\$ 1,526	\$375,000	N/A
Area Total/Avg.	\$ 184,307	112%	\$ 723	101%	\$ 1,422	\$ 339,579	\$1,034
Rock. County	\$ 164,900	100%	\$ 717	100%	\$ 1,390	\$285,000	\$1,042
New Hampshire	\$ 133,300	81%	\$ 646	90%	\$ 1,226	\$240,000	\$969

Source: 2000 U.S. Census and NHHFA - Purchase Price Trends

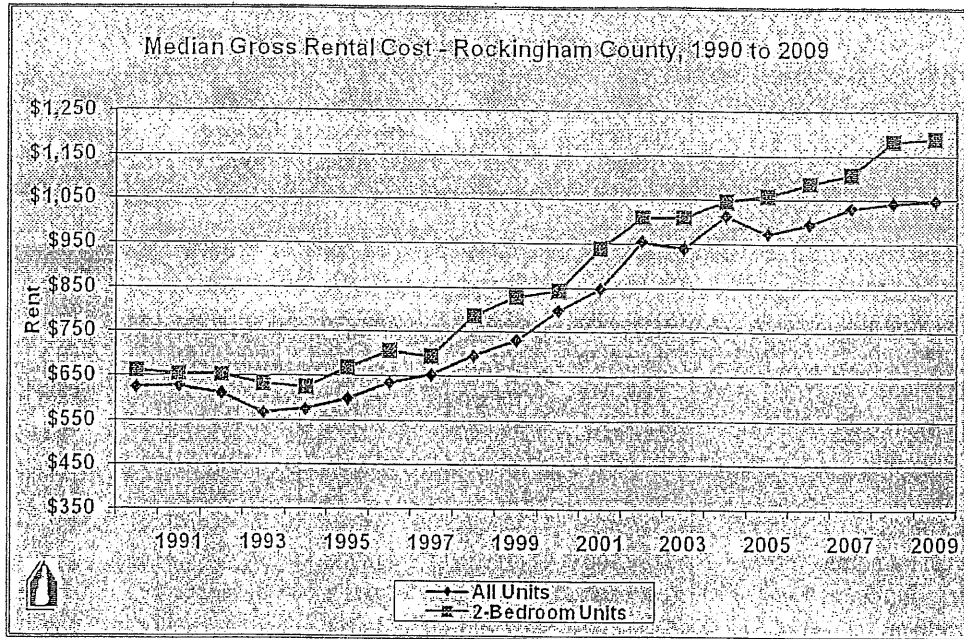
Table H5 compares the rise of housing value and rental costs from 1990 to 2000. In that period, rental costs rose more rapidly than housing prices, but both show lower rates of increase than the consumer price index for the period. This data seems contrary to the experience in housing costs in the region, but may be explained by the timing of the Census data collection. The 1990 Census was collected before the 1989-1992 recession truly took hold in this region. As shown in Figure H-3 and H-4, housing and rental prices actually declined between 1990 and 1993 before rising slightly in the mid and late nineties. Between 2000 and 2005, housing and rental prices continued to rise sharply, but have moderated somewhat in the last several years. In Rockingham County, the average sales price for houses (all homes) peaked in 2005 at \$307,000; as of the end of 2008 average prices had fallen 7.2% to \$285,000.

Table H-5
Housing and Rental Cost Change -- 1990 - 2000

Communities	1990 Median Price	2000 Median Price	Percent Change 1990-2000	1990 Median Rent	2000 Median Rent	Percent Change 1990-2000
Housing Cost						
<i>Exeter</i>	<i>\$153,200</i>	<i>\$170,000</i>	<i>11.0%</i>	<i>\$608</i>	<i>\$ 702</i>	<i>15.5%</i>
Brentwood	\$174,400	\$182,900	4.9%	\$640	\$ 654	2.2%
East Kingston	\$160,300	\$185,800	15.9%	\$725	\$ 819	13.0%
Epping	\$124,100	\$132,600	6.8%	\$574	\$ 602	4.9%
Hampton	\$161,200	\$190,400	18.1%	\$599	\$ 682	13.9%
Hampton Falls	\$220,100	\$266,300	21.0%	\$713	\$ 821	15.1%
Kensington	\$169,800	\$201,900	18.9%	\$585	\$ 825	41.0%
Kingston	\$148,500	\$156,600	5.5%	\$590	\$ 644	9.2%
Newfields	\$146,400	\$196,500	34.2%	\$650	\$ 656	0.9%
North Hampton	\$184,500	\$211,300	14.5%	\$669	\$ 646	-3.4%
Portsmouth	\$137,800	\$168,600	22.4%	\$555	\$ 661	19.1%
Stratham	\$180,100	\$207,200	15.0%	\$791	\$ 808	2.1%
Area Total/Avg	\$163,367	\$189,175	15.8%	\$ 642	\$ 710	10.7%
Rockingham County	\$149,800	\$164,900	10.1%	\$ 614	\$ 646	5.2%
New Hampshire	\$129,300	\$133,300	3.1%	\$ 549	\$ 566	3.1%
Consumer Price Index - Boston Metro Area						
	1990	2000	% Chg.			
Boston CPI - Shelter only	159.0	210.3	32.3%			
Boston CPI - All Items	137.6	183.2	33.1%			

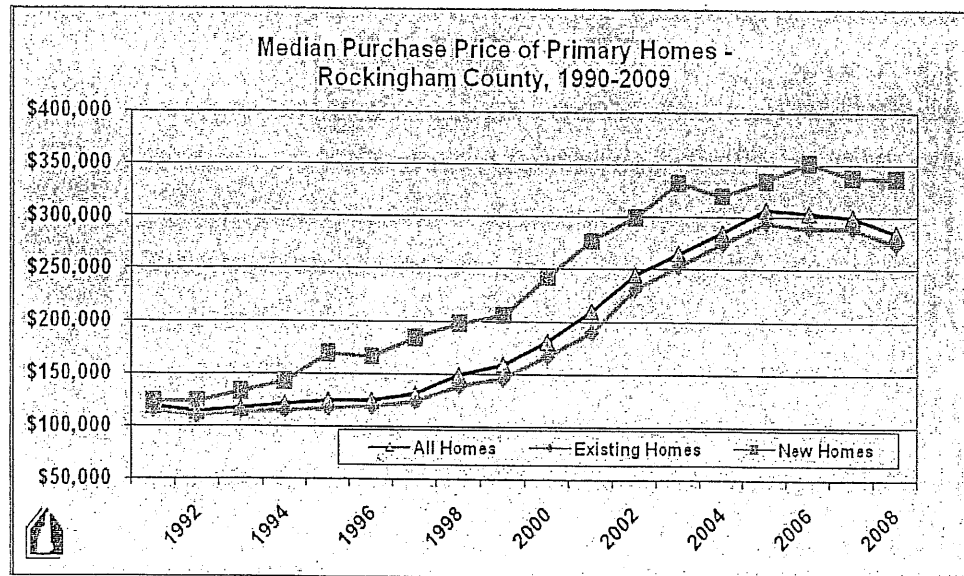
Source: US Census 1990 & 2000; US Bureau of Labor Statistics

Figure H-3



Source: NH Housing Finance Authority, April 2009

Figure H-4



Source: NH Housing Finance Authority, April 2009

3.5 Income and Poverty Status

Household income for Exeter residents falls below both the average of the surrounding communities and the County. Exeter's median household income reported in the 2000 Census (reported as income in April of 1999) was \$63,088, significantly below the area average of \$70,000 and below the County average of \$66,345. Per capita income ranked 10th lowest of the 12 area communities.

Although lower than the County average, Exeter is by no means a community of low income. Rockingham County, after all, has among the highest incomes in the nation as reported by the 2000 Census. However, Exeter is not the 'wealthy' community as is commonly perceived. As indicated by the diversity of housing type, number of multifamily and rental units, housing cost and by income statistics themselves, Exeter is a very diverse community, and is more similar in characteristic to the County as a whole than to many wealthier Seacoast communities.

3.6 Other Housing and Household Characteristics

Table H-7 shows additional household characteristics including household size, households with children, with elderly and others. In brief, compared to the surrounding communities Exeter has a smaller average household size, fewer households with children, and more households with elderly. In fact the Town has the highest percentage of elderly households than any of the surrounding communities.

Table H-6
Income and Poverty Status

TOWN/CITY	1989		1999		1999	
	Median Household Income	Per Capita Income	Median Household Income	Per Capita Income	Per Capita Income Rank	% Households below Poverty
EXETER	\$36,121	\$18,531	\$49,618	\$27,105	10	2.9%
Brentwood	\$43,654	\$16,112	\$68,971	\$22,027	11	3.3%
East Kingston	\$43,654	\$15,713	\$65,197	\$28,844	6	3.2%
Epping	\$36,860	\$14,208	\$50,739	\$21,109	12	2.6%
Hampton	\$40,929	\$18,371	\$51,149	\$29,878	4	4.5%
Hampton Falls	\$55,682	\$23,736	\$76,348	\$35,060	1	2.2%
Kensington	\$44,773	\$17,645	\$67,344	\$29,265	5	3.4%
Kingston	\$46,867	\$18,382	\$61,552	\$28,795	7	1.8%
Newfields	\$42,237	\$15,821	\$71,375	\$28,687	8	2.5%
North Hampton	\$47,072	\$23,672	\$66,696	\$34,187	2	1.6%
Portsmouth	\$30,591	\$15,557	\$45,195	\$27,540	9	6.4%
Stratham	\$51,567	\$23,104	\$76,726	\$33,270	3	0.5%
Area Total/Avg.	\$43,334	\$18,404	\$62,576	\$28,814	NA	2.9%
Rock. County	\$41,881	\$17,694	\$58,150	\$26,656	NA	3.1%
New Hampshire	\$36,329	\$15,959	\$49,467	\$23,844	NA	4.3%

"Median Income" refers to the mid-point of incomes for all households; "Per-capita" is total income per person.

Source: 1980, 1990 & 2000 US Census

Table H-7
Household Data for Exeter and Surrounding Communities
(2000 Census)

	Average House- hold Size	Households w Children (%)	House- holds w Elderly (%)	Median Household Income (\$)	Families below poverty (%)	Lived in same house in '95 (%)	Units built <1940 (%)
EXETER	2.53	32.5	27.3	49,618	2.9	54.2	27.5
Brentwood	3.03	48.2	17.8	68,971	3.3	59.8	17.3
East Kingston	2.90	40.7	15.9	65,197	3.2	66.6	20.2
Epping	2.79	38.3	18.6	50,739	2.6	54.3	20.9
Hampton	2.45	27.9	24.2	54,419	4.5	52.1	16.5
Hampton Falls	2.74	36.5	24.4	76,348	2.2	67.2	17.7
Kensington	2.95	43.2	19.5	67,344	3.4	66.6	21.0
Kingston	2.86	39.3	18.5	61,522	1.8	67.0	21.4
Newfields	3.08	51.4	16.1	71,375	2.5	58.1	26.7
Newmarket	2.62	30.5	14.6	46,058	5.7	43.0	28.9
North Hampton	2.61	31.4	25.8	66,696	1.6	61.2	18.9
Portsmouth	2.87	21.3	23.4	45,195	6.4	47.5	39.9
Salem	2.86	36.9	22.2	58,090	3.1	65.8	7.5
Stratham	2.81	42.2	17.5	76,726	0.5	58.2	7.3

Source: 2000 Census

4.0 Existing Housing and Residential Neighborhoods

The Master Plan subcommittee working on the Housing Chapter has identified over 40 'neighborhoods' in Exeter. (See **Map H-1 – Observed Neighborhoods**) Some are traditional residential neighborhoods consisting of the dense settlements in and near the downtown, while others are discrete subdivisions or groups of connected subdivisions. Previous Master Plans did not identify or inventory neighborhoods, but given the emphases in the Vision section of this chapter on quality of residential life, neighborhood amenities, and the connection to community, it is appropriate for the Town's Master Plan to take into consideration the identity and needs of discrete residential areas. This is particularly important with respect to consistency of design of lighting, signage and sidewalks, and also for the provision of pedestrian interconnection between neighborhoods, which may be close by but not connected.

The 40-odd neighborhoods identified can be roughly grouped into seven areas. These areas may be useful to identify discrete neighborhood planning areas as defined by their "character," including attributes such as physical location and topography, housing and development type, building style, signage, and development density. This may be useful to the Planning Board when they are evaluate the consistency of development plans and zoning proposals with that of the surrounding neighborhood character. They may also be the subject of specific planning studies or neighborhood master planning in the future.

It is recognized that there is significant overlap between the defined neighborhood areas. The transition areas between on area and the next could be placed in either. Following are listed those areas, as well as the discrete neighborhoods within them.

1. Downtown/Town Center area: This encompasses the central downtown and surrounding dense residential neighborhoods of Exeter. It represents between 5-10% of the land area of the town, but likely contains over half of the Town housing units. It is characterized by an urban center with mixed commercial, office, institutional, and multi-family residential uses surrounded by relatively dense residential neighborhoods. This area includes:
 - 1.1. Water Street
 - 1.2. The Mill and Chestnut Street (and Lower High St?)
 - 1.3. South/Bow/Daniel Street area
 - 1.4. Centre Street
 - 1.5. Hall Place and Lower High Street to Marlboro Street.
2. Academy Neighborhood: Encompasses areas from the edge of the downtown westward including the PEA Academy Campus and surrounding residential streets. It is characterized by large and small older and historic homes on small lots, on relatively narrow streets, with sidewalks. Other features include the Academy campus, including academic buildings and dormitories, and the Lincoln and Main Street School. It also includes some commercial uses on Lincoln Street and the historic and modern train stations. This area includes:
 - 2.1. Front Street
 - 2.2. Water/Main Street
 - 2.3. Elm and Spring Streets
 - 2.4. Eliot to Pine Streets
 - 2.5. to Crawford Ave & Gilman Park
 - 2.6. Lincoln Street
3. Downtown West: Includes the area west and north of downtown, encompassing Swasey Park, Park Street area and the West End. It is characterized by small older, predominantly single family one and two-story homes on small lots, some very old homes on the Town's original settlement area. A dominant physical feature is the very active B&M (Pan Am) railroad line which bisects the neighborhood. A significant amount of commercial development exists in and around the Downeaster passenger rail station on Lincoln Street. Most of the streets are narrow streets and some have relatively high traffic volumes dues to traffic cut-through patterns (Park, Winter, Columbus, Washington). The neighborhood also features pocket parks and

sidewalks on most of the larger streets. The subsection of the neighborhood include:

- 3.1. West End (incl. Washington, Wentworth, Columbus, Hobart & Westside Drive)
 - 3.2. Park Street area (from Swasey Park to Epping Road)
 - 3.3. Ash and Tremont Streets
4. Portsmouth Ave./Jady Hill: This is a relatively small group of neighborhoods confined between the Squamscott River and Exeter Golf Course to the west and to the commercial strip on Portsmouth Avenue to the east. It is characterized by mixed commercial and residential uses with the former all located on Portsmouth Ave. To the west, the neighborhood is bounded by the Exeter Golf Course, conservation land and the Squamscott River and offer several scenic viewpoints. The homes are mostly small single story 'cape' and 'ranch' style residences on small lots. Portsmouth Avenue is a commercial gateway into Town from the north and west, though the neighborhood is largely setback from the highway and hidden from view. It consists of three discrete neighborhoods:
- 4.1. Jady Hill
 - 4.2. Allen Street
 - 4.3. Hayes Mobile Home park
5. High Street: This area extends from the intersection with Portsmouth Ave and Hampton Falls Road (NH88), where the character of the road changes to include professional and medical offices. It is defined as consisting of the residential neighborhoods surrounding hospital, large stately home on High Street itself and small early subdivisions branching off both sides of the road. The character of lower High Street, the neighborhood around the Hospital, and the upper sections of High Street are distinctly different and encompass a full range of housing types. The High Street area includes:
- 5.1. Lower High Street (including Buzzell/Auburn Street area)
 - 5.2. Colonial heights
 - 5.3. Folsom/Fox Chapel
 - 5.4. Pleasantview Estates
 - 5.5. Whipperwill
 - 5.6. Windemere
 - 5.7. Appledore/Langdon
6. East End: The section begins with the transition from High Street to Hampton Road as the road designation which occurs at the juncture with Hampton Falls Road. It encompasses the developments off Hampton Road, Hampton Fall Road and Ashbrook Rd., which connects them. The section of Hampton Road closest to town has transitioning to a cluster of mixed medical and professional office uses. The neighborhoods are mostly separate and distinct from one another and include both suburban style single family home subdivisions and multifamily and age-restricted condominium developments. The development density is less than areas closer to Town. The area is also 'host' to the Town's main outdoor recreation area. Hampton Road itself is a major arterial into the Town center. As described here the East End includes:

- 6.1. Folsom Acres
 - 6.2. Bayberry
 - 6.3. Carriage Drive
 - 6.4. Pine Meadow
 - 6.5. Exeter Farms
 - 6.6. Exeter/Hampton Mobile Home Park
 - 6.7. Exeter Falls Estates
7. Drinkwater Road: More a road than a neighborhood or discrete area, the development along Drinkwater road is more rural than the surrounding areas, in part because it is bounded by a large PEA conservation land area to the west. The houses are of mixed type on relatively large lots with large frontage.
8. Court St./Linden Street: This area is loosely defined to include the neighborhoods between the B&M railroad and the Exeter River as is approached the downtown, and between Linden Street and Court Street. It includes some very high density development in four distinct mobile home parks off Linden Street and several small lot subdivisions off Court Street. It also includes two popular campgrounds. In part because of the large neighborhoods served, Linden Street is very busy but lacks sidewalks and shoulder for safe pedestrian travel.
- 8.1. Exeter River Cooperative Mobile Home Park (formerly Lindenshire)
 - 8.2. Linden Fields
 - 8.3. Deep meadow
 - 8.4. Exeter River Landing (formerly Sherwood Forest)
 - 8.5. Riverbend/Academy Estates (Gary Ln./Patricia Av.)
9. West End: This area consists of a predominantly rural land area extending roughly between Kingston Road to the south and Brentwood Road to the north. It encompasses several large lot residential subdivisions, mixed with several multifamily condominium development and the three phases of the Riverwoods retirement/assisted living complex. The newer residential developments in this area are predominantly in low density, large lot subdivisions with large homes, however there are significant exceptions, including multi-units development at Riverwoods and Marshall Farms. Developments are interspersed with older original homes along the roads. The area has a predominantly rural character except for the area around Riverwoods.
- 9.1. Marshall Farm (Single Family and Condominium sections).
 - 9.2. Tamarind Dr. and Cullen Way
 - 9.3. Riverwoods, including the Boulders and Ridge retirement communities
 - 9.4. Juniper Ridge
 - 9.5. Pickpocket Woods
 - 9.6. Greystone
 - 9.7. Brentwood Road
 - 9.8. Garrison
 - 9.9. Greenleaf
 - 9.10. Dogtown Rd.
 - 9.11. Brookside Drive
 - 9.12. Hartmann Place/Garrison

- 9.13. Christina Estates/Dogtown
- 9.14. Louisberg Circle
- 10. Epping Road: The Epping Road neighborhood extends from the intersection of Brentwood Road west and north to NH 101. It encompasses the multifamily residential developments of Brookside Drive as well as the "Oaklands", the mobile home subdivision of Colcord Ponds Estates and several single family homes interspersed among commercial development along the roadway. An additional multifamily development called "The Meeting Place" has been approved near the southerly/easterly end of the neighborhood.
- 11. Northwest: This is catch-all grouping of both rural roadside residential neighborhoods and discrete subdivisions on the north side of NH 101, primarily off Newfields Road, NH 27, Watson Road and Beech Hill Road.
 - 11.1. Captain's Meadow
 - 11.2. Sloans' Brook
 - 11.3. Walter's Way
 - 11.4. Deer Run
 - 11.5. Exeter highlands
 - 11.6. Watson Woods
 - 11.7. Cragmere
 - 11.8. Rock Creek Place
 - 11.9. Chapman Woods

New Hampshire's Master Plan statute (RSA 674:2) anticipates that some communities may need to develop a neighborhood plan section that focuses on specific planning needs of subsets of the community. Such needs might include pedestrian infrastructure, architectural design standards, neighborhood connectivity, neighborhood safety, historic preservation, traffic calming, and many more. When such needs arise, the groupings described here or some variation of them, will be useful in defining logical neighborhood planning areas. Neighborhood plans should be adopted as component of the Master Plan.

5.0 Regional Housing Needs Assessment

The following section provides a summary of the Regional Housing Needs Assessment maintained by the Rockingham Planning Commission as well as an analysis of the results as they pertain to Exeter. Per the requirements of RSA 674:2(1), the information contained in the regional assessment has been used to evaluate projected housing supply needs for Exeter as it relates to the wider region, with particular attention to workforce housing needs.

5.1 Background and Purpose

NHRSA §36:47 requires that each regional planning commission compile a regional housing needs assessment, including an assessment of the regional need for housing for persons and families of all levels of income. Municipalities are, in turn, required

(RSA 674:2(1)) to assess the need for housing not only in their community but in the wider region. The Rockingham Planning Commission, the regional planning commission within which Exeter falls, has prepared regional housing needs assessments since 1989. The purpose of these assessments is not to prescribe a fixed number of housing units or types that are needed in each municipality, but rather to quantify the need for housing in the overall region to meet future requirements for housing for various income, age and tenure households. As such, it is intended to provide guidance and context to individual communities as they assess their own future need for housing.

*A definition for **workforce housing** was established by SB342 and is now codified in statute in RSA 674:58 as follows: "Workforce housing" means housing which is intended for sale and which is affordable to a household with an income of no more than 100 percent of the median income for a 4-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. "Workforce housing" also means rental housing which is affordable to a household with an income of no more than 60 percent of the median income for a 3-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development.*

5.2 Previous Assessments

The RPC developed its first Regional Housing Needs Assessment in 1989 as a component of its regional master plan. The assessment was updated in 1994 to incorporate updated income and household data from the 1990 US Census. It was substantially replaced in 2004 with a new Needs Assessment which employed a different method to estimate housing needs and omitted the town-by-town fair share allocation of new affordable units needed in each community that had been in the prior versions.

The basic methodology used in 2004, which remains in effect, was developed as a joint effort of the NH Housing Finance Authority, the NH Office of State Planning and the NH Regional Planning Commissions. This analysis differed from past attempts which were based on a "backwards looking", census-derived estimate of housing overpayment which tied the estimate of future regional housing need on projected future economic development, as indicated by employment growth. This revised method did not include town-by-town estimates of housing "fair share", but focused instead on regional needs for housing for households of different incomes, age groups and tenure (owner vs. renter). It did, however, include town-by-town profiles showing how each community's housing stock compared to regional averages with respect to housing affordability and tenure (owned vs. rented).

5.3 2008 Regional Housing Needs Assessment

The 2008 housing needs assessment is an update of the RPC's 2004 Regional Housing Needs Assessment and is based on the same "housing production model" methodology that was released by the NHHFA in 2004. It uses 2006 as the base year and 2015 for the projection year. It was updated in part to incorporate currently available housing, employment and income data, and in part to respond to the enactment of SB342, the

New Hampshire workforce housing law, which was passed in June 2008. The new law includes new income based definitions for workforce housing and requires certain zoning and regulatory standards be met if a community does not meet its “fair share” of the regional housing need.³ To be consistent with these provisions, the 2008 Update uses the legislatively defined income levels to determine workforce housing thresholds and expands the regional housing needs estimates to the town level in order to derive a proportionate fair share estimate. For additional details see *Regional Housing Needs Assessment, Rockingham Planning Commission, October 2008*.

5.4 Summary of Regional Housing Need

As explained in the full document, the Regional Housing Needs Assessment is driven primarily by projections of employment growth in the region. The logic is that housing need is directly related to, and a consequence of job growth. The assessment assumes that every job provided in the region generates the need for 0.73-0.74 housing units. This ratio incorporates vacancy rates of 1.5% for owned and 5% for rented units, which are needed to allow a fluid, balanced housing marketplace. It also incorporates the existing distribution of jobs internal to the region and external to the region, and assumes that ratio will remain the same in 2015.

Employment is projected to grow in the region from 106,868 workers in 2006 to 120,181 (by 13,363 or 12.5%) in 2015. According to the Assessment, these employment numbers translate to a current regional need for housing of 78,313 units, of which 58,306 (74%) are owned homes and 20,007 (26%) are rented units. By 2015 the total regional need is projected to grow by 10,775 to 89,088, with the same owned/rented split. (See Table H-8)

Table H-8
Total Regional Housing Need – RPC Region
2006 & 2015

Tenure	Existing Housing Stock, 2006	2015 Projections	Projected Net Housing Need 2006-2015
Owner	58,306	66,644	8,338
Renter	20,007	22,444	2,437
Total	78,313	89,088	10,775

The Regional Assessment also estimates housing need by income ranges which are based on a regional household income distribution, for both owner-households and renter-households derived from the 2000 Census. Using these income bands, the number of owner and renter households that fall within the “workforce housing” thresholds in 2006 and 2015 are estimated. As shown in Table H-9, the total workforce housing need for the region equals the housing need for owner-households below 100% of the Median Area Income (MAI), plus the housing need for renter households

³ As discussed in Section 2, town's that demonstrate that they already provide their fair share of workforce housing, both existing and projected, are “deemed to be in compliance with the law.”

below 60% of the MAI. Total current (2006) regional workforce housing need is 35,053, including 25,944 owner occupied housing and 9,109 in rental units. By 2015 the need is projected to be 39,438 total, with 29,189 owners and 10,129 rentals.

The income ranges shown in **Table H-9** can be translated into housing affordability numbers, based on the area's median family income and certain assumptions about housing expenses as a percentage of income. Workforce affordability for the region is calculated based on the definitions provided in the law. For home ownership, "workforce-affordable" housing includes housing that can be purchased by a household of 4 with an income that is 100% or less of the median for the area without spending more than 30% of their income for housing costs (mortgage, taxes and insurance). For rental households it means that the rent is affordable to a family of three who has 60% of the median area income (see sidebar) and spends less than 30% of that income on rental costs (including utilities). Exeter falls within the Portsmouth-Dover fair housing market area which has a median area income of \$77,333 for a family of four.

**Table H-9
Regional Workforce Housing Need – RPC Region
2006 & 2015**

Total Housing Demand by Income Band Rockingham Planning Commission Region		
Housing Type and Income Range	2006 (existing)	2015 Projected Demand
Homeowners		
Under 30% MAI	4,259	4,792
Under 50% MAI	9,381	10,554
Under 60% MAI	12,291	13,828
Under 80% MAI	18,870	21,231
Under 100% MAI	25,944	29,189
Under 120% MAI	33,077	37,215
All Homeowners	57,477	64,667
Renters		
Under 30% MAI	4,059	4,567
Under 50% MAI	7,462	8,395
Under 60% MAI	9,109	10,249
Under 80% MAI	12,106	13,621
Under 100% MAI	14,183	15,958
Under 120% MAI	16,050	18,058
All Renters	18,664	20,999
Total Households		
Under 30% MAI	8,318	9,359
Under 50% MAI	16,842	18,949
Under 60% MAI	21,400	24,077
Under 80% MAI	30,977	34,852
Under 100% MAI	40,127	45,147
Under 120% MAI	49,128	55,274
All Households	76,141	85,666
Total Workforce Housing Need	2006	2015
Owner	25,944	29,189
Renter	9,109	10,249
TOTAL	35,053	39,438

MAI = Median area family income

Source: Regional Housing Needs Analysis, Rockingham Planning Commission, 2008

**Table H-10
Workforce Housing Purchase and Rent Cost Limits
2007-2008**

INCOME LIMIT CALCULATION			
HOME OWNERSHIP			
		Est. Max Purchase	
100% MAI, 4 pers. Hsld		10% down	20% down
Bos-Q-C	\$85,833	\$265,540	\$287,985
Lawr MA-NH	\$80,667	\$249,624	\$271,701
Ports-Roch	\$77,333	\$239,236	\$259,069
HOME RENTAL			
60% MAI, 3 pers. Hshld		Estimated Max Rent/mo.	
Bos-Q-C	\$46,400	\$1,160	
Lawr MA-NH	\$43,600	\$1,090	
Ports-Roch	\$41,800	\$1,045	

5.5 Exeter's Share of Regional Housing Need

As indicated above, in response to the workforce housing law, the regional needs analysis has been expanded to include estimates of each community's fair share of workforce housing. Fair share has not been part of the regional needs analysis since 1994. Previous fair share analyses had used a fairly complex allocations process using a set of 5 variables (income, employment, size of community, assessed value and amount of developable land) to produce a regional redistribution of housing need and an estimate of the number of additional affordable rental housing needed in each community to address the regional need for affordable housing. The results, while technically sound, were not well accepted or used by the communities in the region. Given this history and in the absence of guidance from the Legislature defining how to determine fair share, the RPC has elected to use a simple proportionate fair share to distribute the total regional need to each community, based its total number of occupied (non-seasonal) housing units. The results of this distribution place Exeter's workforce housing fair share need at 2,891 and 3,253 housing units in 2006 and 2015, respectively. Although the RPC's analysis does not show an owner/renter distribution by Town, one is included here based on the region's owner/renter housing split (75.5%: 24.5%) as of the 2000 Census:

<u>Exeter</u>	<u>2006</u>	<u>2015</u>	<u>Change 06-15</u>	
Workforce Housing Need: Total		2,891	3,253	+362
Owner	2,183	2,456	+273	
Rental	708	797	+ 89	

The housing identified above represents total need, including what is already being met by the existing housing stock. What this "boils down" to is that, of the 6,280 existing households in Exeter in 2006, 2891 or about 46% of them need to be affordable under workforce housing definitions provided in SB342 (and quantified in **Table H-10**) – whether owner, rental or combination of both.

In Exeter's case, owner-occupied 'affordability' would be met by units costing less than \$239,000 (assuming a 10% down payment), or \$259,069 (assuming 20% down payment). Renter-occupied units would be affordable if the monthly gross rent cost less than \$1045.

A method for estimating whether or not a community is currently meeting its fair share using these affordability thresholds is suggested in the regional housing needs analysis as follows:

- **Owner housing:** Town assessor records can be used to estimate the number of homes that have an assessed value that is less than the maximum purchase price (**from Table 10**) of homes needed to qualify as "workforce housing"
- **Rental housing:** Use the NH Housing Finance Authority's current rental price survey data to estimate the portion of the rental properties in the region that meet the affordability criteria and multiply that by the number of rental units in the Town (using 2000 Census or assessor local data if available)

- If the number of units qualifying as affordable exceed the estimated need both for 2006 and 2015, then the community may be considered exempt for the regulatory requirements of the law.

These methods were applied for Exeter with the following results:

Estimate of Existing Workforce-Affordable Housing in Exeter:

1. Owned housing:

(From Exeter Assessing Dept. Database (2008))

- Total Residential Properties (single fam. & condo): 5,061 units \Rightarrow 100%
- Workforce/Affordable (Owned) Residences*: 2,420 units \Rightarrow 47.5%

* In 2008, all housing units in the Seacoast region with assessed a value of \$239,000 or less were defined as workforce-affordable. This is based on the definition established in state statute. It assumes a monthly housing cost based on a 30 year mortgage with 10% down-payment, and includes property taxes and insurance. If a 20% down payment is assumed, the affordable price increases to \$259,000 and the number of workforce-affordable units in Exeter increases to 2775 or 54%.

2. Rental housing:

(From NHHFA Rental Price Survey (2008))

- Estimated Total Rental Units (2007): 2,133 units \Rightarrow 100%
(Based on 2000 Census 32.5% renter split)
- Estimate of affordable rental units: 936 units \Rightarrow (43.9%)
(43.9% x 2,133)

** The estimate of workforce-affordable rental units is based on the 2008 New Housing Finance Authority rental price survey for the Portsmouth-Dover-Rochester housing market area (which includes Exeter). That survey found that 43.9% of the rental households surveyed paid less than \$1045/month (including utilities). This is the threshold rent amount for workforce-affordable housing based on the definition established in state statute.

3. Total Workforce Affordable units: 3,356 units
(2420 owned + 936 rented)

Based on these calculations, which were carried out in accordance with RPC guidance, Exeter has 3356 workforce affordable units and is therefore meeting its total regional fair share workforce housing obligation of 2,891 today and 3,253 in 2015. Under the language of the workforce housing statute, the Town may be considered exempt from the requirement of that law.

While this is a favorable outcome, it does not suggest the Town should alter its policies of planning for a diverse, multi-density housing supply affordable to household with a wide range of incomes. In fact, past policies that have encouraged multifamily and denser housing development have contributed to meeting the Town's fair share goal. The advantage now is that the Town has greater flexibility in determining its best course in housing policy instead of being required to follow prescribed zoning

standards as dictated in the workforce housing law. The Town should endeavor to maintain this status.

6.0 Housing Development Potential

6.1 Existing Residential Development and Zoning

Residential land use in Exeter can be classified in one of the five following categories:

- Older single and two family homes located along older Town roads and the center of Town;
- Newer single family homes in planned subdivisions;
- Multi-family housing served by Town water and sewer;
- Mobile home parks; and
- Senior or age-restricted multi-family housing.

Currently, there are eight (8) residentially zoned districts in Exeter. Standard as well as open space developments are encouraged in most of these districts. On lots of 20 acres or more, open space development is required. The single family zoning districts (RU, R1, R2 and R3) make up most of the residentially zoned areas, yet there are some multi-family districts as well (R4, R5 and R6). The districts are described as follows:

Rural District (RU): single family residential and agricultural uses; located in the northern outlying areas of town; zoning regulations call for low density development, requiring a minimum lot size of two (2) acres.

R-1 Low Density Residential: single family residential dwellings, manufactured housing and agricultural uses; multi-family open space developments are allowed by special exception; the R-1 District creates an outer ring of lower density development in all quadrants of town; zoning regulations call for, a minimum lot size of two acres in non-sewered areas and 40,000 sf in sewered areas.

R-2 Single Family Residential: single family residential uses, but excluding manufactured housing subdivisions; two-family homes permitted by special exception; the R-2 District is located closer to the town center as well as along major arterial roads to the east and to the south. Also, it is more densely developed than the R-1 District; zoning regulations call for moderate density development, requiring a minimum lot size of 15,000 sf per dwelling in sewered areas and one (1) acre per dwelling in non-sewered areas.

R-3 Single Family Residential: same as R-2 except that multi-family uses are only allowed as part of an open space development; zoning regulations require a minimum lot size of 12,000 sf with all lots required to be on town water and sewer. The R-3 zone is a small area, located wholly within the sewered area, has moderate to high density of development, and is almost completely built-out.

R-4 Multi-Family Residential: single family, duplexes and multi-family units are allowed in this compact area off Epping Road. The area is somewhat of a transition area between less dense R-2 and the commercial/industrial zones of Epping Road. The entire area is on town water and sewer and within walking distance of elementary schools, downtown, and the train station.

R-5 Multi-Family Residential: multi-family attached dwellings; there are three separate R-5 zones which accommodate specific residential uses; the zone is essentially fully built-out.

M - Manufactured Housing: manufactured housing is the only permitted use; the dwellings must be located in manufactured housing (mobile home) parks.

MS - Manufactured Housing Subdivision: manufactured housing is the only permitted use; the dwellings must be located in manufactured housing subdivisions on individual lots; the zone encompasses an existing mobile home development which has little room for expansion.

The majority of land area zoned residential is either RU or R-1. These districts require a minimum lot size of two (2) acres and 40,000 square feet, respectively (on Town water and sewer). In areas without Town water and sewer services, both of these districts require a minimum lot size of two (2) acres.

6.2 Residential Buildout Analysis

As part of the Master Plan Update, the 1996 *Residential Build-out Analysis* was updated to incorporate 2005 land use data and expanded to include all land use categories. This analysis was carried out in a manner that tabulates acreage available for development in each zoning district. Within each district, the acreage of developable land is shown both within and outside the sewer district, and within and outside the Town's flood hazard boundary. This information is important, especially in evaluating future residential development potential, in specific zones in order to assess the adequacy of existing zoning. As such it can assist the Town in identifying the potential need to expand or reduce certain residential zoning opportunities as appropriate to meet future needs. It should be noted that the "development potential" as used here refers only to the physical potential for development, not to the desirability for development based on other factors.

The development potential was derived from a subtractive process by which the starting point is the total physical land area of the town, and the ending point is the approximate amount of land available for development in each of the Town's zoning districts. Land unsuitable for development due to steep slopes, floodplains and wetlands, as well as land that is already under conservation easement was removed from the estimate of available land in each district. The availability of land was determined through the identification of development constraints. The process is more fully described in Section 4 of the Existing and Future Land Use chapter.

Two summary tables are provided below. The final summary of results from the Chapter is shown here in **Table H-11 – Land Area and Developable Land by Zone**. The numbers indicate the acreage of potentially developable land for each zone. (Due to accumulated rounding error, the total developable acreage differs.) This analysis shows that an adequate quantity of land exists for residential development needs in the RU and single-family districts (R-1 and R-2). The R-3 has very little developable land remaining, and the same is true for R-5, Mobile Home Park and Mobile Home Subdivision. The R-4 zone (Multi-family) has a significant percentage of land remaining, but relatively little acreage due to the limited area of the zone.

**Table H-11
Land Area and Developable Land by Zone**

All Zones	Development Constraint	All Land	% of All Land by District	TOTAL Developable	% Remaining
C-1	Central Area Commercial	65.0	0.5%	0.0	0.0%
C-2	Highway Commercial	173.6	1.4%	46.5	26.8%
C-3	Epping Rd. Highway Commercial	269.0	2.1%	112.7	41.9%
NP	Neighborhood Professional	136.7	1.1%	16.9	12.4%
WC	Waterfront Commercial	9.4	0.1%	0.0	0.0%
CT	Corp. Technology Park	145.0	1.1%	61.9	42.7%
CT-1	Corp. Technology Park 1	333.7	2.6%	80.6	24.1%
PP	Professional Technology Park	98.4	0.8%	28.4	28.8%
I	Industrial	488.9	3.9%	135.6	27.7%
H	Healthcare	44.6	0.4%	2.2	5.0%
RU	Rural	2836.3	22.4%	952.6	33.6%
R-1	Single Family	5388.4	42.6%	1544.1	28.7%
R-2	Single Family	2150.2	17.0%	270.6	12.6%
R-3	Single Family	70.1	0.6%	2.3	3.3%
R-4	Multi-Family	157.0	1.2%	25.1	16.0%
R-5	Multi-Family/Elderly	33.7	0.3%	1.3	3.8%
R-6	Retirement Planned Community	45.2	0.4%	32.4	71.5%
M	Mobile Home Park	180.5	1.4%	1.8	1.0%
MS	Mobile Home Subdivision	19.7	0.2%	0.2	1.1%
TOTAL	Developable Land	12645.6	100.0%	3315.4	26.2%

Sources for Table H-11: Town Assessor data and RPC GIS analysis; table derived from the 2005 Exeter Master Plan Draft Future Land Use Chapter.

6.3 Adequacy of Existing Residential Zoning to Meet Future Needs

In looking at future development potential by zoning district as shown in Table H-11, it is apparent that there is a scarcity of land area zoned for smaller single-family lots (R-3), for multi-family uses (R-4 and R-5), as well as in manufactured housing districts (M & MS). Also looking at a Table H-11, it appears that more single family units than multi-family units were built from 2004 to 2007. One may conclude that Exeter needs more area dedicated to creating multi-family units.

However, in reviewing the Exeter Planning and Building files from 2000 to 2009 a different scenario was uncovered. As seen below, multi-family units built in the past ten years made up 63% of the total number of residential units.

**Table H-12
Ten Years Of Residential Development In Exeter
2000-2009**

Year	House Units Approved (Single Family)	House Construction (Single Family)	Multi-Family/Conversions, Approved	Multi-Family Construction	Conversions Original Units/ Total Units
2000	81	37	0	0	2 / 4
2001	12	27	8	0	4 / 10
2002	8	63	128 total (All Senior)	32 units-Senior	2 / 4
2003	10	42	147 (All Senior)	174 total units (All Senior)	3 / 6
2004	84	21	50 (20 Affordable)	50 total units (37 Senior)	4 / 9
2005	2	21	150 total (120 Senior)	62 total units (32 Senior)	5 / 8
2006	6	25	0	34 total units	0
2007	2	22	4	37 units (32 Senior)	0
2008	0	11	140 (Senior)	122 units (All Senior)	0
2009	15	9	122 (24 Senior)	4 units	0
Ten Year Total	220 units (202 lots)	278	749 (599 Senior) (35 Affordable)	515 (428 Senior) (35 Affordable)	18 / 44
819 new units built		34% of total was single family		63% of total was multi-family (52% Senior) (4% Affordable)	3% of total was Conversions

Sources for Table H-12: Town Planner and Planning Office Information.

During inspection of the records, it was revealed that the reason the numbers were different from those reported to the state agencies was that multi-family units have often been filed under the jurisdiction of site plans verses subdivisions. As a site plan, the multi-family units are linked with commercial development rather than residential. Therefore, reporting has been inconsistent and at times, incorrect.

The table reveals the following:

- Between 2000 and 2004 approximately 34 single family homes were constructed per year. During that same time 51 multi-family units per year were constructed. Of those, 95 % were designated as senior housing units.
- Between 2005 and 2009 approximately 18 single family homes were constructed per year. During that same time 52 multi-family units per year were constructed. Of those, 84% were senior housing units.

While most Seacoast towns which saw little construction of multi-family units, Exeter experienced significant growth, over the last 10 years, totaling 541 units (including accessory dwellings and conversions). Riverwoods retirement community and a large age restricted multi-family development called Sterling Hill.

Multi-family development is a permitted principle use only in the R-4, R-5 and R-6 zones; however, when all forms of multi-family housing are considered (including conversions, multi-family open space development, elderly, congregate care and residential health care facilities) multi-family uses are allowed either as principal use or by special exception in nearly all residential zones. Except for age-restricted development, limited multi-family units have been added to the Town's housing stock over the paste decade (10% of the total).

It appears that the possible future for residential development in Exeter may follow the trend of consistent multi-family construction while experiencing a steady decline in single family homes. Naturally these predictions can change depending on the availability of land, the creative capacity of developers, changes in zoning regulations and market influences.

Outside the borders of Exeter, the past decade has seen a dramatic decline in the production of multi-family housing. This trend coincides with the lack of affordable housing.

Furthermore, significant additional growth is not anticipated for mobile home parks or mobile home subdivisions due to high land cost and a real estate market which is unfavorable to this type of development. However, the standpoint of the Town's zoning, ample opportunity exists for the construction of manufactured housing subdivisions which are a principal permitted use in the R-1 district, the largest residential district.

As discussed above, there is a significant need to expand the supply of affordable and moderate-priced housing in the region. Local residents confirmed this need at the 2002 and 2004 visioning sessions. Housing prices for both rental and owned homes have risen dramatically over the past five years. This appears largely to have been the result of an expanding employment base in the region without a corresponding increase in housing supply. In general, Exeter residential zoning is highly flexible and provides ample opportunities for a diverse mix of new housing development and redevelopment. Despite historically low mortgage rates, other market conditions, especially high land costs and a strong demand for high end homes have proven unfavorable toward the creation of lower cost single and multi-family housing. In recognition of this the Town has recently taken steps to make the inclusion of below market rate housing units more attractive to developers. Along with actions in other communities, more steps may need to be taken to make the construction of lower cost housing units more attractive to developers.

Participants at Exeter's 2002 and 2004 visioning sessions expressed general concerns about the impact residential growth can have on the community. These concerns included loss of community character, loss of open space, increased traffic and congestion, impact on the tax base and the risk of undermining the community's quality of life. To address some of these concerns, participants recommended encouraging more cluster/conservation development and requiring subdivisions to provide adequate facilities to support walking and biking as alternatives to driving.

To address concerns about impacts on traffic from new residential development, new subdivisions and roadways also should be designed to increase connections within our local road network to minimize impacts on major roadways and better support alternative modes of travel (e.g., biking and walking). To address the growing need for recreational options, the Town should continue to require new residential developments to provide for local recreation opportunities for residents or otherwise support the provision of such facilities by the town (e.g., through the payment of impact fees). Finally, every development project should employ minimum impact development practices to reduce runoff, increase energy efficiency, protect important habitat, and generally minimize potential impacts on environmental quality.

7. Special Housing Needs

7.1 Exeter Housing Authority

Exeter is one of only a handful of communities in Rockingham County that has established a local housing authority. The Exeter Housing Authority offers two programs in which lower income individuals and families may apply for rent subsidy: Public Housing and the Section 8 Existing Housing Program. These programs are critically important to maintaining affordable housing opportunities to lower income residents.

Public Housing is designed to help elderly (62 years of age or older), disabled, and families with special needs. Squamscott View Apartments, located at 277 Water Street, houses 85 apartments consisting of 81 one bedroom units and 4 two bedroom units. Of the 85 apartments, 10 units are designed for the handi-capped.

In addition to the 85 units for the elderly and disabled located at Water Street, the Exeter Housing Authority also owns and operates three family sites: Linden Fields, Portsmouth Avenue and Auburn Street. Linden Fields is located off Linden Street and includes fifteen apartments of two, three and four bedroom units. Of the fifteen units, three are designed for handicapped families.

The Portsmouth Avenue location consists of four (4) units of two (2) and three (3) bedrooms. Auburn Street is a "townhouse" design of three (3) apartments, each containing two (2) bedrooms, for a total of 107 apartments on our Public Housing Program.

Section 8 Existing Housing Program is designed to help elderly (62 years of age or older), disabled, and families with special needs. The Exeter Housing Authority subsidizes rents for 169 apartments throughout the Town of Exeter owned by private landlords. Since 1992, the Section 8 program began utilizing "portable certificates" which enables a resident on the Section 8 Program for one year, to relocate to another locality within the State which has a similar program, while maintaining eligibility.

The Authority's rent subsidy and public housing programs make an important contribution toward making housing affordable in Exeter for those unable to pay full market rents and those with special housing needs. Without the availability of these subsidies it is highly likely that some residents now in subsidized housing would become homeless.

7.2 Homelessness

The Exeter Welfare Director works with people who are homeless or about to become homeless. The primary circumstances which lead to homelessness are lack of employment, and illness, often permanent in nature. Homelessness can be invisible to the general public. The Welfare Department has individuals living in regional shelters, such as Crossroads House, in campgrounds in the warmer months, staying with staying temporarily with family and friends. While they are not visible on the streets of downtown Exeter, there are homeless individuals in our community.

The relatively high unemployment and related loss and disruption of household income that is occurring as a result of the current recession has caused an unusually high number of evictions and foreclosures.

In a single year, from October 2008 to October 2009, the seasonally adjusted unemployment rate in Rockingham County rose from 4.1% to 6.9%. If a proportionate share of the increase in unemployment affected Exeter, the number of unemployed people here will have increase by about 250 people and over

100 households. As a consequence the Town's Welfare office has experienced a significant increase in housing and homeless referrals.

Part of the role of the Town's Welfare Director is to try to prevent homelessness before it happens. The circumstances causing homelessness, however, are often beyond the control of the Welfare office. Once it occurs, the Director's role then becomes one of facilitating the placement of people with the various organizations that can provide emergency housing, temporary housing or permanent housing.

In the past, the Town has paid for temporary shelter for homeless individuals or family in local motels. With the closing of the Best Western several years ago, that option is no longer available. From 2002 through 2004, when this was common practice, the Town's annual cost for this temporary lodging from about \$7500 \$15,000. As a replacement mechanism, the Welfare office now coordinates the placement of the homeless with homeless shelters in the area, such as with Crossroads House in Portsmouth. The Town in turn as asked to contribute to the funding of several of these organizations and has done so annually. These organizations include: New Hampshire Housing Finance Authority, Rockingham Community Action Program based in Portsmouth, the Exeter Housing Authority, the Local Churches in Exeter, Crossroads of Portsmouth, My Friends Place in Dover, New Horizons in Manchester, New Generations in Greenland, the Salvation Army overflow in Rochester, as well as other New Hampshire, Massachusetts, and Maine homeless shelters. In some situations the Town utilizes the local campgrounds, motels, and hotels with in the area on a short-term basis.

Shelters like Crossroads House require local Welfare Office referrals prior to accepting the homeless for shelter. This referral process involves screening the individual's or family's financial circumstance to verify need. The Town Welfare Office works with individuals, disabled individuals, and families (very young mothers, 15 thru 22, with children). Few elderly seek help from the Welfare Office.

The Welfare Director believes that the lack of affordable housing contributes significantly to the background problem of homelessness, though much of the current increase is directly related to rising unemployment.

8.0 Residential Design and Quality of Life

A common theme expressed at the vision sessions conducted in preparation of updating this chapter was the desire to maintain and enhance the quality of residential life in Exeter. Many of the elements which contribute to quality of life in the community and in neighborhoods were identified at the visioning session and further explored in updating the chapter. This section summarizes some of the factors which help make healthy neighborhoods and the overall community a good place to live, work and visit. They should be incorporated, to the extent possible, in future residential developments.

A diversity of housing options. Not only do towns need a diversity of housing options to provide affordable housing, but also to provide more vibrant and diverse neighborhoods, that meet the needs of citizens throughout the stages of life. For example, a young single person, a young couple, an elderly person, or a large family may all require different kinds of housing, ranging from small accessory apartments to single family homes. Similarly, a neighborhood with a mix of housing allows a mix of ages in the people who live there. This allows for volunteering, mentoring, inter-generational communication, and caretaking of elderly residents to occur; all of these processes help to meet the social needs of residents and increase the social capital of a town.

Good public spaces. The Project for Public Spaces has shown in its research that good public spaces provide many benefits to a town, including support for local economies through farmer's markets, tourism, and an increase in support of local businesses located near the public space. Good public spaces also provide cultural opportunities for small concerts, sporting events and games, festivals, as well as a place for residents of a neighborhood to meet and gather.

A walkable neighborhood. Sidewalks and other pedestrian connections through neighborhoods such as paths or boulevards provide many benefits to a town. Walking enhances health and recreation opportunities for residents. Walkable areas in mixed-use neighborhoods mean that there are always "eyes on the street" which enhance safety for all residents. Sidewalks enhance the safety of parents with strollers, the elderly, and in fact, all pedestrians who from time to time need to travel on foot between destinations. Finally, sidewalks and other pathways provide something planners call "neighborhood connectivity" which knits together the social fabric of neighborhoods to create a vibrant town, rather than the socially and physically isolated sprawl of conventional development. The visioning sessions for this chapter produced the specific suggestion that neighborhoods, including cul-de-sac subdivisions should be interconnected with pathways useable by pedestrians and bicycles.

Mixed-use neighborhoods. Living in town may not be for everyone, but many people would choose to live in an area that was closer to their workplace, or even to have a live/work arrangement where their business was located in the same building as their residence. Mixed-use areas that include small-scale retail as well as residential areas can provide a higher quality of life to those who no longer drive due to age or infirmity. A person can walk to the corner grocery, the dry cleaner, or the barber shop to accomplish their daily errands.

Parks and conservation areas. Central greens do double duty as great public spaces for recreation and gathering as well as a counterbalance to the pavement and other impervious surfaces of towns and cities. Larger parks can provide wildlife habitat and opportunities for hiking, fishing, canoeing, and other outdoor pursuits.

A network of safe streets. Conventional modern subdivision development with spaghetti-like patterns of curving streets, cul-de sacs, and dead end lanes increase municipal costs and diminish the ability of towns to provide essential public services such as fire, rescue, and police. In towns that experience in-

clement weather, it is easier to provide snow removal in a town with street patterns laid out in a logical, predicable, connected pattern. Residents and visitors have a much easier time finding their way around in a network of streets that have patterns, reference points, and more than one way to get from A to B. A good street pattern is not only easier to navigate; it is safer for drivers because it is more predictable. Multiple routes also decrease traffic congestion and ease the frustrations and reduce commuting time for drivers. Most importantly for those who live in town, a logical network of streets, good signage, and clear pedestrian crossings helps to ensure that pedestrians can travel safely throughout the town as they cross streets and navigate their neighborhoods.

Parking. The simple act of requiring businesses to locate their parking to the rear of the building goes a long way to enhance the overall aesthetics of a town, avoiding the “sea of cars” that has unfortunately become the dominant vista of the commercial strips of America. Parking can be landscaped to enhance aesthetics, control non-point pollution, and provide safer areas for pedestrians within parking areas. Parking along the street provides a safety barrier between cars and pedestrians.

Signs. Good signage is not only an aesthetic issue, but also a public safety issue. The race to create bigger, taller signs creates a safety hazard for drivers. Billboards destroy scenic vistas that are part and parcel of the desirability of the marketability of the rural, natural character of New Hampshire. One of the things most people notice about towns and cities that have real character is how unobtrusive, yet still creative the signage in the town is. The focus is on the architecture of the buildings, the beauty of the surrounding areas, and the overall effect of the neighborhood, rather than on a giant sign.

Lighting. The dark, starry skies are part of the rural character of a place like New Hampshire. Shielded fixtures and lighting controls can go a long way towards enhancing the aesthetics of a neighborhood, reducing glare and light pollution, and providing an attractive town. Architectural streetlights with shielded fixtures help to define a town center, and make the place destination, rather than just a place to drive through.

Architecture. Great towns follow time-tested principles of design that are based on livability for people. Good architecture means that buildings reflect the scale and style of the region where they are. Buildings have windows, light, definition, and materials to enhance their appearance, provide stability, and invite residents or customers to come in. Porches, streetside tables, and balconies connect the buildings to the community of passersby on the street. Good architecture preserves privacy in homes and residential areas and promotes community in the village.

The right mix of the above elements doesn't happen overnight. But the simple, incremental changes a town makes discussed above through community involvement in zoning, planning, and the actual design and construction of new or existing neighborhoods can, over time, help to create a healthy, diverse, and vibrant place to live, work, and visit. Many of Exeter's older neighborhoods already have these qualities; these same qualities can be built-in to new residential development with the implementation of good residential design standards.

9.0 Recommendations

1. Continue to review zoning and land use regulations to ensure that reasonable opportunities are created for the development of a full range of housing type, including single family, duplexes and multi-family, as well as housing suitable to various household income ranges.
2. Conduct a comprehensive audit of zoning and land use regulations to ensure that existing regulations and zoning requirements that may add to the cost of residential development are reasonable and necessary.
3. Periodically evaluate the availability of workforce housing in Exeter, as defined in RSA 674:58-59, to determine if the Town is meeting its regional fair share as estimated by the RPC regional housing needs assessment.
4. Consider additional incentives within the zoning ordinance to encourage development of more moderately priced housing, both single and multi-family units; evaluate whether or not the existing inclusionary incentive ordinance should also apply to conventional residential development and age-restricted development.
5. Incorporate applicable residential design elements and considerations as identified in Section 8 of this chapter in the town's subdivision regulations and zoning ordinance.
6. Investigate the availability of appropriate surplus town or state-owned land for creating affordable housing.
7. Maintain existing regulations permitting the conversion of older single-family homes to limited multifamily use in order to meet the demand for a diverse and affordable housing supply.
8. Investigate the EPA Brownfields Program and inventory potential "brownfields" sites for residential or mixed use redevelopment close to the town center.
9. Reexamine development density requirements in all residential districts to ensure adequate opportunities exist for diverse housing types..
10. Investigate the use of fiscal impact analysis for major development proposals; develop standards for the application of such analyses.
11. Develop a comprehensive neighborhood pedestrian and bicycle path plan that will eventually create a network of pedestrian connections between neighborhoods and connections from residential areas to Exeter's downtown and other destinations; integrate this plan with a sidewalk master plan for the town.
12. Develop and implement appropriate and acceptable traffic calming measures for the following residential streets: Columbus Ave., Washington St., Gary Lane, and Summer, Oak, Park and Winter Streets.
13. Investigate the feasibility and advisability of creating village overlay district to encourage 'new village' development in outlying areas of town, incorporating compact development and neighborhood oriented commercial development;
14. Review residential development intensity (height and mass) standards and regulations, especially with regards to neighborhood compatibility.

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APPENDIX A
VISIONING SESSION RESULTS

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2004 MASTER PLAN VISIONING SESSION
HOUSING AND RESIDENTIAL LIFE
(Combined Sat. and Wed.)

Topic	Total Votes
COMMUNITY	
Make downtown a destination and maintain its character. Encourage more practical mix of stores. Support downtown businesses and encourage occupancy of buildings.	39
Build a community center.	8
Encourage small neighborhood grocery stores.	7
Establish a dog park.	6
Create second "town center".	4
Encourage block parties. Advertise to encourage more neighborhood groups.	4
Discourage segregation of neighborhoods (Use old high school fields as rec. area, rotate recreational events between neighborhoods, institute neighborhood sports teams, hold intergenerational activities, encourage block parties, community events)	5
Consider centralization and maintain downtown	3
Encourage Downtown businesses to stay open later	3
Pursue Main Street program	2
Establish a community garden or "victory" garden plots.	2
Hold community yard sales.	2
Continue to support teen center.	1
Maintain quality schools to attract young families.	1
Offer businesses incentives to locate in a second town center near the new high school.	0
NEIGHBORHOOD CONNECTION	
Connect neighborhoods by installing more sidewalks. Require developers to build walk/bike paths with signage. Expand them out from Downtown into outlying areas.	28
Encourage people to get out of their cars and walk.	9
Build more sidewalks/bike paths.	6
Implement a Downtown shuttle/trolley	4
Create underpasses (especially under Rte. 101) for existing walking and biking paths.	2
Establish neighborhood care groups including daycare.	2
Build/encourage neighborhood "pocket parks" and playing fields	2
Encourage small neighborhood schools.	0
Encourage neighborhood association websites	0
Create a "Best Walking Routes of Exeter" map. Integrate with HDC tour.	0
Create an identity by naming neighborhoods.	0
HOUSING NEEDS	
Improve street lighting, especially in rural areas	3
Review sign ordinances. Signs are too big and too ugly.	1
Consider parking for converted buildings	0
Slow down traffic.	0
Reduce encroachments of businesses into residential areas (High Street).	0

Topic	Total Votes
Consider "transition zones" between residential and commercial zones to allow certain businesses to act as buffers to the residential zones.	0
AFFORDABLE HOUSING	
Amend zoning ordinance to allow conversions for multi-family (affordable) units, also consider incentives for elderly to convert and still reside there.	23
Investigate incentives for affordable/work force housing.	18
Convert old high school into a mix of affordable residential units & support services (doctors, daycare, etc.)	17
Encourage more opportunities for senior housing for all income levels. (a level between 277 Water St. and Sterling Hill, Riverwoods) Flexible pricing.	6
Convert old high school into affordable senior housing	5
Work with local banks to provide financing assistance (low % rates) for first-time homebuyers.	4
Build on smaller lots to maintain affordability	4
Offer co-generational affordable housing.	3
Change zoning ordinances to allow more affordable multi-family housing in areas with water & sewer.	3
Set priorities. Affordable housing may conflict w/desire for slow growth	2
Investigate the use of town-owned land for manufactured housing neighborhoods. Work with Habitat for Humanity to develop small homes in market-rate neighborhoods. Housing Partnerships seeking land.	2
Encourage in-law apartments to keep a mix of generations in the home.	1
Review tax situation and its impact on affordability for seniors (abatements).	1
Encourage affordable housing for young people.	1
Consider rent control	0
Encourage more manufactured housing neighborhoods (on own lots). Keep prices affordable.	0
Inequitable tax system. If elderly are given tax relief, young people shoulder the burden. Need affordable housing.	0
MIX OF HOUSING	
Be cautious about conversions. Maintain balance between the integrity of historic homes and multi-family conversions (High Street).	5
Strive for balance in mix of housing (elderly, families, etc.)	4
Make conversions of homes an allowable use for all homes, regardless of age of home	4
Attract and retain young workers.	3
Consider tax impact of different types of housing	2
Increase manufactured housing options	1
Institute a penalty for reversing a conversion.	1
Maintain mix of housing, including high-end	0
Encourage conversion of single family homes to multi-family homes, especially downtown.	0
Encourage density bonus	0
Encourage manufactured housing subdivisions (on small lots)	0
Encourage high-end housing vs. subsidized housing.	0
Concern over tax subsidies of lower cost housing by other taxpayers	0
Maintain mix of elderly and young families.	0

Topic	Total Votes
CONSERVATION/OPEN SPACE	
Encourage more conservation lands	14
Encourage open-space developments- incentives for developers	9
Encourage development close to Downtown	5
Create a Conservation Overlay zone	3
Investigate incentives to preserve open space.	3
Decrease sprawl by decreasing lot size	0
Close density (i.e. cluster developments) fosters neighborly interaction	0
Build paths to connect conservation lands.	*
HOUSING STYLES	
Reduce scale of homes (trophy homes on small lots) in cluster developments	5

EXETER HOUSING AND COMMUNITY DEVELOPMENT PLAN
Re-adopted July 15, 2013

An essential first step in the master planning process is the setting of goals and objectives for the proper physical and socioeconomic development of the community. As these goals and objectives will provide the necessary guidance for preparation of the various sections of the Master Plan, and ultimately serve as a blueprint for residential, commercial and industrial development within the Town, it is vital that they reflect the priorities of the community as a whole.

The following goals and objectives reflect the input, received from six (6) master plan subcommittees, representing over sixty (60) Exeter residents and a citizen survey completed by 136 Exeter households. The goals listed can be viewed as "targets" and the objectives as specific steps required for reaching these targets.

LAND USE

GOAL – The Town of Exeter should seek to preserve and enhance its rich natural, cultural and historical heritage as a largely residential community supported by commerce and industry. (Short and long term goal.)

Objective: The Town should continue to pursue a careful balance between preserving the unique characteristics of Exeter and responsible well planned growth and development.

Objective: The Town should encourage the creation and retention of employment opportunities. Also, the Town should promote and pursue commercial and industrial development which reinforces Exeter's status as a regional high technology, medical and professional/corporate office center.

Objective: The Town should continue to promote those measures which preserve and enhance the vitality of the downtown.

Objective: The Town should support the efforts of the Conservation Commission to protect and preserve those natural resource areas of significant value to the Town.

Objective: The Town should support the efforts of the Exeter Development Commission in the retention, expansion and development of business, trade and industry in the town

GOAL – The Town of Exeter should seek to promote a well balanced land use pattern which will meet the present and future needs of its residents. (Short and long term goal.)

Objective: Current zoning should be reviewed to insure that there is an adequate supply of suitably zoned land area to permit the necessary expansion of all land uses in the Town.

Objective: The Town should prepare a "vision" representing a community consensus of what Exeter should look like at full development. A careful review of current land use regulations, as well as a "build out" analysis projecting the full development potential of the Town, should be conducted to determine what, if any, adjustments need to be made to achieve this "vision".

GOAL – The Town of Exeter should seek to encourage environmentally sound and economically productive residential, commercial and industrial growth and development that is both functional and aesthetically pleasing through the use of innovative planning, zoning and development techniques. (Short and long term goal.)

Objective: The Town should continue to review and modify its regulations, as needed, to insure the continued promotion of the highest quality development possible.

Objective: The Town's future growth should occur at a planned rate, commensurate with the Town's ability to provide services and in those areas most appropriately suited to the nature of proposed development.

Objective: The Town should discourage "strip" commercial development, along major corridors, such as Epping Road.

Objective: The Town should require that all commercial and industrial development along major corridors provided substantial landscaping buffers both along street frontages and within parking areas.

Objective: The Exeter Development Commission should prepare a cost/benefit analysis for development of a Town owned office/industrial park.

HOUSING

GOAL – The Town of Exeter should seek to promote an environment within which each resident can secure adequate affordable housing in safe, healthy and attractive neighborhoods. (Short and long term goal.)

Objective: The Town should undertake an assessment of its housing needs and revise its zoning map accordingly to provide for such needs.

Objective: The Town should continue to encourage the conversion of older single family homes to multifamily use in order to meet the demand for affordable housing.

Objective: The Town should support incentives for the creation of affordable housing (as defined by the State Housing Finance Authority), such as density bonuses for developments containing a fixed percentage of affordable units.

Objective: The Town should modify its Zoning, Subdivision and Site Plan Review regulations to encourage residential development on smaller lots on narrower, tree-lined streets within walking distance of neighborhood services (e.g. convenience stores, florists, cleaners).

Objective: The Planning Board should require the submission of both "cluster" and standard subdivision design plans for all proposed residential subdivisions over ten (10) lots which will involve road construction, in order to assist the Board in determining which of these two approaches will be more beneficial in furthering the protection of environmentally sensitive areas and the preservation of open spaces.

Objective: The Town should support the introduction of flexible street width standards for residential subdivisions of vary sizes.

TRANSPORTATION

Goal – The Town of Exeter should promote a multi-modal transportation system which promotes the safe, efficient and effective movement of people and goods into, around and through the Town. (Short and Long-term Goal)

Objective: The Town should conduct a comprehensive analysis of existing and projected traffic volumes on Town roads for the purpose of identifying necessary modifications (i.e. street widenings, repairs, signalization and new roads) to accommodate such growth.

Objective: The Town should prepare both a short and long range plan for the maintenance of all Town roads along with a cost estimate for capital planning purposes.

Objective: The Town should encourage the use of alternate modes of transportation (i.e. mass transit,

carpooling, bicycling, walking) through all available means in order to achieve reductions in both vehicular traffic and air pollution, consistent with the Clean Air Act of 1990 and the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991.

Objective: The Town should seek to promote the creation of transportation "corridors" along all major arterial streets. Such corridors would include requirements for substantial landscaping along rights-of-way, underground utilities, and combined access points to reduce the number of curb cuts.

Objective: The Town should continue to actively support the resumption of rail passenger service from Portland, Maine to Boston, Massachusetts, including the capital funding for construction of a rail station in Exeter as proposed by the Exeter Station Committee.

Objective: The Town should promote an integrated sidewalk network, connecting both new and existing residential neighborhoods with the downtown and other commercial corridors.

Objective: The Town should support the proposed improvements to Portsmouth Avenue, to be constructed in conjunction with the 101/51 expansion project, as recommended by the Portsmouth Avenue Committee.

Objective: The Town should continue to support the COAST subsidized taxi service for senior citizens.

Objective: The Town should request that COAST investigate the possibility of bus or van service between Exeter and the Pease International Tradeport.

Objective: The Town should appoint a study committee to investigate the need for additional downtown parking and make recommendations as appropriate.

UTILITIES AND PUBLIC SERVICES

Goal – The Town of Exeter should work together with all interested parties to insure the continued adequate provision of public and private utility services to the residential, commercial and industrial sectors. (Short and Long Term Goal)

Objective: The Town should identify those areas where town sewer and water service could be extended, either through municipal or private funding and encourage development in these areas.

Objective: The Town should prepare a long range plan to insure the continued provision of an adequate, safe drinking water supply for residential and commercial users.

Objective: The Town should conduct a comprehensive assessment of its water distribution and wastewater collection system for the purpose of establishing a long range plan for the maintenance and replacement of existing lines.

Objective: The Town should continue to actively enforce all local regulations which will insure the protection of the Town's drinking water supply.

Goal – The Town of Exeter should continue to plan for the solid waste needs of the community. (Short and Long Term Plan)

Objective: The Town should continue to pursue plans for the closure of the existing Town Landfill.

Objective: The Town should investigate all available options for future waste disposal in preparation for closure of the Town's landfill.

Objective: The Town should seek to expand its recycling program in order to further reduce the volume

of waste currently being disposed of.

COMMUNITY FACILITIES

Goal – The Town of Exeter should appoint a committee to investigate the future space requirements for all “municipal” community facilities and prepare a long range plan to address these needs. (Short and Long Term Plan)

Objective: The Town should conduct a survey of its residents to determine the demand for additional or expanded community facilities.

Objective: The Town should update its “Capital Improvement Program” per RSA 674:7.

RECREATION

Goal – The Town of Exeter should continue to promote and provide for both active and passive recreation opportunities for all residents of the community. (Short and Long Term Goal)

Objective: A study committee should be appointed to investigate the long term recreation needs of the community and identify strategies for addressing these needs.

Objective: The Town should promote and foster mutually beneficial cooperation between the Recreation Department and the School District in order to meet the recreation needs of both entities.

Objective: The Town should continue to promote the set aside of land by developers for future Town recreation needs.

Objective: The Town should seek to provide sidewalk, bikepath and/or trail connections between all residential neighborhoods and recreational facilities.

Objective: The Town should continue to support the maintenance of all recreation and park facilities.

CONSERVATION AND PRESERVATION

Goal – The Town of Exeter should continue to actively promote the conservation and preservation of its natural and manmade resources for the enjoyment and use of its residents through a variety of techniques, including regulatory measures, current use tax, open space set asides and land acquisition. (Short and Long Term Goal)

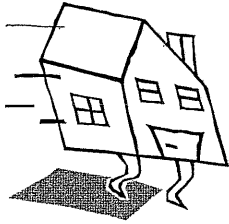
Objective: The Town should seek to conserve the quantity of both surface and groundwater resources and protect the quality of such resources from, detrimental land alteration, excessive development and point and non-point pollution sources.

Objective: The Town should encourage the preservation of significant and vital farmland areas for future agricultural production and the maintenance of rural character.

Objective: The Town should seek to preserve significant woodlands and forest areas for future resources protection, animal habitat and environmental quality maintenance.

Objective: The Conservation Commission should promote public use of existing conservation lands through preparation of a map depicting such lands and undertake a public education effort to provide this information to Town residents.

Objective: The Town should support the preservation and protection of habitats of rare and endangered plant and animal species, as identified by State and Federal law.



Town of Exeter
Planning and Building Department
MEMORANDUM

TO: Board of Selectmen
FROM: Sylvia von Aulock, Town Planner
DATE: August 22, 2014
RE: Master Plan (MP) Update

In an effort to move forward with the MP update, I have met with Cliff Sinnott of RPC to review a possible scope of work. We have come up with the following outline for a *draft* strategy to update the oldest chapters.

Chapter	RPC Scope	Department Input	Other Consultants
Existing and Future Land Use (2002)	Writing, Facilitating Public Outreach, and Mapping	Planning, Building, DPW, Economic Development	CAPE team
Community Facilities (2003)	Facilitating Public Outreach, and Mapping	All	
Utilities (2002)	Facilitating Public Outreach, and Mapping	DPW, Planning	
Parks and Recreation (2002)	Mapping	Parks, Planning	Dr. Barcelona

I am hoping to receive the scope of work including fees and schedule from Cliff within the next few weeks.

Please note that Parks and Rec. Director, Mike Favreau has been working out a scope of work with Dr. Barcelona of UNH to update the Parks and Rec. chapter.

**EXETER ALL BOARDS
MEETING NOTES
May 21, 2014**

EPPING ROAD

Extend sewer and water to 101 - ✓✓✓✓✓✓✓✓✓✓✓✓✓✓✓✓
Epping Road as Gateway – develop both Exeter Road and Portsmouth Avenue as gateways thru traffic control
As development occurs – make more attractive – greenway between roadway and S/W ✓✓✓
Traffic controls, third lane
Zoning as impacting development
Solar collector for welcome to Exeter sign
Make more attractive
Incentive sewer extension by creating private/public partnership ✓✓✓✓
Large undeveloped land – EDA to work with property owners

EPPING

Review zones/new look
Site plan regulations to be reviewed
Incentive zoning
EDA meet with property owners and with state
Epping Road zoning
Developer agreements
Lack of clarity of regulations and increases in regulations may be hindering development
Stop regulating the zone we are not in “hyper-growth” we don’t need to contain growth
Property taxes for on-road too high make development along roadway impossible

LINCOLN STREET

Train as asset bringing visitors daily – 10 total train stops
Gateway to Exeter
Encourage people to come and visit, stop, dine, etc
Welcome center/parking must be addressed (2nd story to parking lot)
Train stop as economic engine
Revisit Plan NH – bring together resident/businesses/school ✓✓✓✓
Traffic/pedestrian flow study due to large uses – safety ✓✓
2 hour parking on Lincoln – Street temporary solution
Long term/full service station
Reach out to property owners / encourage development/redevelopment / commercial is ripe for vendors
Interview property owners / reg why no investment
Reconsider Lincoln Street as own zoning district
79E as platform to reach out to property owners
When resurfacing road doesn’t need to go back to same alignment/stripping (also Portsmouth Avenue)
West exit, diamond in rough revitalize – encourage economic growth
Confusing street with multiple uses what is the vision for street

Church
symbol

Residents	train	
Baseball/school	commercial	vets

Although dense commercial – vibrant

PORTSMOUTH AVENUE

Connect to downtown (visually)
Development opportunities
Create one-way traffic downtown to reduce backup
Flexibility on regulations
Light at intersection causes backups
Pedestrian friendly = crosswalks

PORTSMOUTH AVENUE – HIGH STREET-GREEN STREET

From based code ✓✓✓✓✓✓
Bottle neck connections – bridge/High
Limitations – “it is what it is” car/pedestrian conflict exists
Parking garage
Feasibility for improvement good
Intersection at High Street/Portsmouth Avenue ✓
Redevelopment incentives west side not changing ✓✓✓
Pedestrian improvements/safety concerns ✓✓
Create a draw to bring people there
Create buffer with tree line separate S/W from lane

DOWNTOWN

Different rules/regulations for downtown
Replace sidewalks and curbing ✓✓✓✓
Creative funding
Parking – possible parking structure or fee to create funding source
Review of commercial district
More cycling and pedestrian facilities
Visible crosswalks
Maintain social capital to support all part of community including those aging in place
Put it on map – revitalization of downtown be competitive, especially waterfront ✓✓✓✓, lighting S/W
Opportunities with dam removal
River front opportunities
Water front opportunities where parking at boat area
No study/design without asking voters first
Parking relief requires ZBA action – burden
Commercial corridor review
- What do we permit
- Success/failures
Traffic concern
Historic assets – connection to economic development
Façade program

Utility – bury wires
Public/private coordination to make imp.
Get message out on 79E
New EDA work with EEDC
No new study, maintain what we have, put imp. in budget
Shame that we have let downtown go falling apart

AUDIT ON DEVELOPMENT POLICIES

2014 goals (Board of Selectmen)
Master Plan – predevelopment strategies chapter 1, 2, & economic development, goal 3/15
Strategies to diversify tax base
Process/rules review efficiency and ease
Wetlands not all equal revisit based on function/values
Should commercial districts be treated differently
Redundancy in regulation package wetlands
What do we waive consistently – look at those
Impact of new floodplain
Planning Board reviews each case – Exeter encourages good eng.g – can go a long way
What is not in regulations
- Financial hardship
Historic district guidelines, Master Plan chapter and guidelines and application to be reviewed and revised
80K now obsolete?
Planning Board/ZBA coordination on cases where density is considered

NEXT STEPS

Regional audit > redundancy/major changes
Master Plan update may guide audit – priority setting
Plan NH and look at updating station as economic engine
Planning Board, Historic District Commission to make initial review
Master Plan for recommendations (SVA to email this)
79E – marketing campaign (EEDC & EDA)
Exeter is open for business
Board of Selectmen input possible BOS/PB/EEDC to review process, work session, timeline, review potential changes at next all boards meeting
Economic development Master Plan chapter
Planning Board subcommittee to work on these items
ZORC to possibly take on ZORC to be more transparent
- What is their mission
W/S extension on Epping Road
Next meeting – October ?
Thanks volunteers
Thanks Cliff

List for Selectmen's meeting August 25, 2014

Discretionary Preservation Easement

Map/Lot	Address
112/9	137 Linden Street



Application for Use of Town Facility

Forms can be mailed: Town of Exeter, 10 Front Street, Exeter, NH 03833

Faxed #: 603-772-4709 or emailed: sriffle@exeternh.gov

Facility: Town Hall (Main Floor) Bandstand Parking - # Spaces _____ Location _____

Signboard Requested: Poster Board Week: _____ Plywood Board Week: _____

Representative Information:

Name: Heather Robicheau Address: 125 Water Street
Town/State/Zip: Exeter NH 03833 Phone: 603.778.9731
Email: heather@waterstreetbooks.com Date of Application: 8/15/14

Organization Information:

Name: Water Street Bookstore Address: 125 Water St
Town/State/Zip: Exeter, NH 03833 Phone: 603.778.9731

Reservation Information:

Type of Event/Meeting: Children's Author Event Date: Oct 8th
Times of Event: @ 6pm Times needed for set-up/clean-up: 4pm - 9pm
of tables: 3 tables # of chairs: 100+ Will food/beverages be served? ~~Yes~~ maybe
List Town equipment you request to use: mic & speakers, projector & screen
Comments: _____

Requirements:

Cleaning Deposit: A cleaning deposit of \$100 is required of any user serving food or beverages. If the town determines after use that the building was acceptably cleaned, the deposit fee will be returned to the user. No food is allowed in Main Hall of the Town Hall. If food is to be served and/or prepared in foyer of Town Hall, the electrical outlet cannot exceed 20 amps. For more information call Kevin Smart, Maintenance Superintendent at 773-6162 prior to use.

Liability Insurance Required: The Town requires liability insurance to be submitted with this completed application. Required insurance amounts: General Liability/Bodily Injury/Property Damage: \$300,000/\$1,000,000. The Town of Exeter must be listed as additional insured.

Rental Fee: For Town Hall use there is a fee of \$75.00 per day, a payment of \$250 may be required for use of main floor and stage for more than a single day. You may request a waiver of the rental fee in writing.

Keys: Access to a town building after normal business hours requires a key sign out. Forms and keys can be obtained from the Town Manager's office at the Town Office during normal business hours (there is no other option for obtaining a key). A key can be collected up to 24 hours before your event (with the exception of Sunday events).

Signing below acknowledges receipt of and agreement to all rules, regulations and requirements pertaining to the use of a town facility. Permit approvals are contingent upon proper insurance and fees paid to the Town of Exeter.

Applicant signature: [Handwritten Signature] Date: 8/15/14

Authorized by the Board of Selectmen/Designee: _____ Date: _____

Office Use Only:

Liability Insurance: On file In-process Will receive by _____

Fee: Paid Will pay by _____ Non-profit fee waiver requested



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/18/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Cross Insurance-Exeter PO Box 248 Exeter NH 03833	CONTACT NAME: Maryann Plass	
	PHONE (A/C No. Ext): (800) 536-4080	FAX (A/C No): (603) 772-8339
	E-MAIL ADDRESS: mplass@crossagency.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Great American Ins Group	16691
INSURED Water Street Book Store 125 Water Street Exeter NH 03833	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER: CL1481817094** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			SPP0311217-02	8/9/2014	8/9/2015	EACH OCCURRENCE \$ 2,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	<input checked="" type="checkbox"/>					MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 2,000,000
							GENERAL AGGREGATE \$ 4,000,000
							PRODUCTS - COMP/OP AGG \$ 4,000,000
							\$
	GEN'L AGGREGATE LIMIT APPLIES PER:						
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS					PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> OCCUR					AGGREGATE \$
		<input type="checkbox"/> CLAIMS-MADE					\$
							\$
	DED						
	RETENTION \$						
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WC0484119-01	5/28/2014	5/28/2015	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input checked="" type="checkbox"/> OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	N/A				E.L. EACH ACCIDENT \$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 500,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Refer to policy for exclusionary endorsements and special provisions.

CERTIFICATE HOLDER heather@waterstreetbooks.c Town of Exeter 10 Front Street Exeter, NH 03833	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Maryann Plass/SF4 <i>Maryann Plass</i>



Town of Exeter, NH
10 Front Street
Exeter, NH 03833
Phone: 773-6103 Fax: 772-4709
Email: sriffle@exeternh.gov

Parking Permit Request

Permission to block off parking spaces near the Bandstand will include blocking off parking spaces from the Bandstand steps to the crosswalk only, not beyond the crosswalk.

Applicant Information:

Name: Heather Robicheau Address: 125 Water Street
Town/State/Zip: Exeter, NH 03833 Phone: 603-778-9731
Email: heather@waterstreetbooks.com

Vehicle Information:

Plate #: _____ State: _____ Registered To: _____
Town: _____ Description: _____

Organization/Company Information:

Name: Water Street Bookstore Address: 125 Water Street
Town/State/Zip: Exeter NH 03833 Phone: 603-778-9731

Description:

Blocking Off 4 Parking Spaces (quantity) Location: in front of Bookstore
Describe Activity: Children's Author Event (to include Farm Tractor)
Date(s) of Activity: Sept 12th Time of Activity: @ 4pm

If permit involves overnight use of blocking off an area, barricades must be in place before dark. This permit is issued for the purpose indicated above and shall be valid only during the times/dates indicated on this permit.

Heather Robicheau 8/15/14
Applicant Signature Date

Window permit issued:

As authorized by the Board of Selectmen/Designee (Dean):

_____ Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/18/2014

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PRODUCER Cross Insurance-Exeter PO Box 248 Exeter NH 03833		CONTACT NAME: Maryann Plass PHONE (A/C No. Ext): (800) 536-4080 FAX (A/C No.): (603) 772-8339 E-MAIL ADDRESS: mplass@crossagency.com	
INSURED Water Street Book Store 125 Water Street Exeter NH 03833		INSURER(S) AFFORDING COVERAGE INSURER A: Great American Ins Group	NAIC # 16691
		INSURER B :	
		INSURER C :	
		INSURER D :	
		INSURER E :	
		INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** CL1481817094 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			SPP0311217-02	8/9/2014	8/9/2015	EACH OCCURRENCE	\$ 2,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 500,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X					MED EXP (Any one person)	\$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER:							PERSONAL & ADV INJURY
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						GENERAL AGGREGATE	\$ 4,000,000
	AUTOMOBILE LIABILITY						PRODUCTS - COMP/OP AGG	\$ 4,000,000
	<input type="checkbox"/> ANY AUTO							
	<input type="checkbox"/> ALL OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> HIRED AUTOS						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB						EACH OCCURRENCE	\$
	<input type="checkbox"/> OCCUR						AGGREGATE	\$
	EXCESS LIAB							\$
	<input type="checkbox"/> CLAIMS-MADE							\$
	DED							\$
	RETENTION \$							\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WC0484119-01	5/28/2014	5/28/2015	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS	<input checked="" type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT	\$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below	Y					E.L. DISEASE - EA EMPLOYEE	\$ 500,000
							E.L. DISEASE - POLICY LIMIT	\$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Refer to policy for exclusionary endorsements and special provisions.

CERTIFICATE HOLDER

CANCELLATION

heather@waterstreetbooks.c Town of Exeter 10 Front Street Exeter, NH 03833	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Maryann Plass/SF4 <i>Maryann Plass</i>
---	---

Town Manager Updates

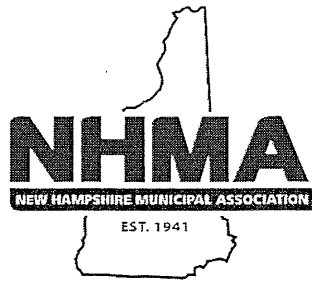
Submitted by: Russell Dean, Town Manager

Week Ending: August 22nd, 2014

- Reviewed condemnation/housing ordinance with code enforcement officer relative to issues identified at Exeter River Landing.
- Continued review of CIP project list and provided feedback to Town Planner on same.
- Met with Chair of Budget Recommendations Committee and BOS Chair to discuss budget issues and assumptions for upcoming 2015 budget.
- Worked with Parks/Recreation on a sponsorship agreement.
- Reviewed budget assumptions for 2015 budget with Finance Department on wages, benefit items and fixed cost items.
- Received town financial statements through December 31, 2013. Financial statements are stronger than in recent years, and the Town has received a clean audit for the second year in a row. In addition, all material weaknesses have been eliminated from the management letter.
- Participated in a cash meeting with the Finance Department and Town Treasurer.
- Participated in a Seabrook drill on August 20th.
- Met with new Economic Development Director and reviewed several issues.
- DPW is in the final steps of the hiring process for the HVAC Plumber/Technician position.
- Fielded an issue on the trash down at Stillwell's from a BOS member and forwarded it to the Economic Development Director for review.
- Met with Bob Hall to discuss train station issues and introduce ED Director to Bob.
- Began review of a multiyear contract proposal for assessing services from MRI.
- Took four days of vacation leave.

AUG 21 2014

Received



TO: Key Officials

FROM: Judy A. Silva, Executive Director
Cordell A. Johnston, Government Affairs Counsel

DATE: August 20, 2014

RE: 2015-2016 Legislative Policy Conference ~ Friday, September 26, 2014

Floor Proposals and Legislative Principles

Enclosed please find a copy of the nine floor policy proposals that have been submitted for discussion and vote at the NHMA Legislative Policy Conference. These floor policies supplement the policy recommendations prepared by the three legislative policy committees, which were mailed to each municipality on June 17, 2014. In addition to the policy recommendations and the floor proposals, delegates at the conference will vote on NHMA's Legislative Principles, which also were included in the June 17 mailing. If you need copies of any of these documents, you can find them on the NHMA website, www.nhmunicipal.org. (Near the top of the home page, click on the "Advocacy" tab, then use the menu on the left to find "Legislative Principles," "2015-2016 Legislative Policy Recommendations," and "2015-2016 Floor Policies.")

Voting Delegate

Each member municipality has one vote at the Policy Conference. Each governing body is asked to appoint a voting delegate to cast the municipality's vote on the policy proposals presented. **We are sending a pre-stamped voting delegate card to the chief administrative officer in each municipality (or the governing body chair if no administrative staff) to return to us indicating the governing body's appointment for voting delegate.** Please mail this card back to us no later than Wednesday, September 17. See the Legislative Policy Process Questions & Answers document, also sent with the June 17 mailing and available on the NHMA website, for a description of who will have voting privileges for a municipality in the absence of any formal designation.

Policy Conference

The Legislative Policy Conference is scheduled for **Friday, September 26, 2014 at 9:00 a.m.** at NHMA's offices at **25 Triangle Park Drive** in Concord.

We urge the governing body of each municipality to discuss the full slate of policy recommendations, along with these floor proposals, and to take a position on each proposal to give guidance to your voting delegate. Otherwise, your voting delegate is free to vote at the Policy Conference as he/she desires! At the conference, delegates may vote to approve, reject, amend, or table a policy proposal. They may also vote to change the order of priority of the various policies.

This is an important opportunity for each member municipality to participate in determining NHMA legislative policy for the 2015-2016 biennium—we count on your input! As always, please do not hesitate to call or e-mail (governmentaffairs@nhlgc.org) the Government Affairs Staff with any questions, comments, or concerns. We look forward to seeing you on September 26th!



New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) Joan Morel Date August 11, 2014

City or Town Town of Hinsdale Title of Person Submitting Policy Selectman

Floor Policy Proposal approved by vote of the governing body on (date) August 11, 2014

To see if NHMA will SUPPORT/OPPOSE: ^{XXXXXX} The modification of RSA 41:18 to read "Each town shall have a deputy town clerk...."

Municipal interest to be accomplished by proposal: RSA 41:18 currently reads "Each town may have a deputy town clerk....". This change will assure that Towns have a deputy town clerk to fill in town clerk absences and serve the public.

Explanation: Previously this statute left the appointment of a deputy town clerk to the elected town clerk with the approval of the selectmen. The current town clerk was absent many times and refused to appoint a deputy town clerk.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentsaffairs@nbmunicipal.org. **Must be received by August 15, 2014.**



New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) Joan Morel Date August 11, 2014

City or Town Town of Hinsdale Title of Person Submitting Policy Selectman

Floor Policy Proposal approved by vote of the governing body on (date) August 11, 2014

To see if NHMA will SUPPORT/OPPOSE: The amendment of RSA 41:9-b, V to add "and officials elected to non-volunteer positions in the municipality".

Municipal interest to be accomplished by proposal: Currently elected officials such as Town Clerk, Tax Collector, and Treasurer are not subject to a background investigation and criminal history record checks. These positions handle the vast majority of funds coming to the municipality.

Explanation: As stated above, an elected Town Clerk, Tax Collector, and Treasurer are not subject to a background investigation and criminal history record checks. Candidates for employment are subject to this procedure. The elected officials stated above should be fiduciary responsible to voters, and to perform a background investigation and criminal history record check prior to being sworn into office would help with some assurance to the voters that the person is responsible for handling of monies.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentsaffairs@nhmunicipal.org. **Must be received by August 15, 2014.**

New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name): Steve Malizia

Date: August 12, 2014

City or Town: Hudson

Title of Person Submitting Policy: Town Administrator

Floor Policy Proposal approved by vote of the governing body on (date)

August 5, 2014

To see if NHMA will SUPPORT/OPPOSE:

To see if NHMA will support legislation to allow municipal library budgets to appear as a separate warrant article on the Town Meeting SB2 ballot.

Municipal Interest to be accomplished by proposal:

To give the voters greater visibility to the appropriations necessary to operate the municipal library when they vote at the Annual Town Meeting.

Explanation:

Currently, in SB2 communities, the operating budget for the Town appears as a separate warrant article. The article raises and appropriates a sum of money for the operation of the Town and also defines a default budget should the proposed budget not pass. In 2014, separate warrant articles were allowed on the ballot to raise and appropriate funds to run a municipal water utility and a municipal sewer utility. Each of these articles also identified a default budget should the article(s) not pass. The Hudson Board of Selectmen believe that it would be appropriate to allow SB2 communities to put municipal library budgets, separate from the Town's general fund budget, so that the voters would have greater visibility into the cost to operate the library as well as the ability to vote for a library default budget. Another strong argument in favor of allowing the library budget to be a separate warrant article is that the Library Trustees are a separately elected body, not subject to the direction of the Board of Selectmen.

NHMA

New Hampshire Municipal Association 2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by: Barrington Board of Selectmen who voted to request and support this floor policy proposal at their meeting July 28, 2014: Town Barrington, NH

Title of Person Submitting Policy: Town Administrator John Scruton on behalf of the Board of Selectmen.

Floor Policy Proposal approved by vote of the governing body on (date) July 28, 2014

To see if NHMA will SUPPORT:

An increase in the amount of a public project before it requires mandatory obtaining of a performance bond so the local governing body could elect to waive the performance bond for any project under \$75,000 in RSA447:16. The proposal would allow the governing board on a case by case basis between \$35,000 and \$75,000 the option to waive the performance bond or to require it.

Municipal interest to be accomplished by proposal:

Inflation has caused many more projects to require a performance bond, including more building repair projects and relatively small road projects. Currently some small companies end up not bidding on these projects because of the challenges of getting a performance bond. If a small company had no subcontractors; the town had assurance the suppliers were paid, and the town did not pay until the work was complete there would be little need for the performance bond, but it is now required regardless of the type of public project.

Explanation:

The provision limits the ability of small local companies to compete for projects. It likely results in higher costs to the community since the cost of the performance bond is passed on to the taxpayers. Allowing the local option for the governing board to waive the bond in this range of project, could save towns money and award the project locally.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentsaffairs@nhmunicipal.org • Must be received by August 15, 2014.



New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) Joan Morel Date August 11, 2014
City or Town Town of Hinsdale Title of Person Submitting Policy Selectman

Floor Policy Proposal approved by vote of the governing body on (date) August 11, 2014

To see if NHMA will SUPPORT/OPPOSE: ~~OPPOSE~~ The amendment of RSA 75:1 so that the last sentence will read "The selectmen shall receive and consider all evidence that shall be submitted to them relative to the value of property upon request, including rental income and expenses, the value of which cannot be determined by personal examination."

Municipal interest to be accomplished by proposal: Taxation of property in an equitable manner so that all taxpayers pay their fair share.

Explanation: Currently assessors ask for income and expenses information but receive very few responses. This results in an inaccurate application of income and expenses to all properties with rentals - for instance apartments, rented homes, rental spaces in businesses, etc. - because assessors use the submitted information to apply average incomes and expense to all similar properties.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governor@nhmunicipal.org. **Must be received by August 15, 2014.**



New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) Joan Morel Date August 11, 2014
City or Town Town of Hinsdale Title of Person Submitting Policy Selectman

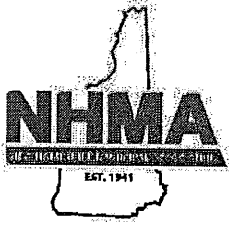
Floor Policy Proposal approved by vote of the governing body on (date) August 11, 2014

To see if NHMA will ~~SUPPORT~~ OPPOSE: Legislation for a penalty for failure to submit requested information relative to the value of property as described in RSA 75:1. The penalty shall be 1% of the assessed value of the property.

Municipal interest to be accomplished by proposal: Collection of information relative to the value of property will be more likely to come in from all property owners, thereby allowing for more equitable taxation of property so that all property owners will pay their fair share.

Explanation: A property owner did not submit income and expenses for a property, then appealed the denial abatement to the BTLA. The case decision is pending.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentsaffairs@nhmunicipal.org. **Must be received by August 15, 2014.**



New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) Scott Dunn Date August 14, 2014

City or Town Gilford Title of Person Submitting Policy Town Administrator

Floor Policy Proposal approved by vote of the governing body on (date) August 13, 2014

To see if NHMA will SUPPORT: Amending RSA 41:9-a to add a new paragraph VI to read: "A Town may, by vote of the governing body, impose a standard fee of no more than ten dollars (\$10.00) and/or require reimbursement for actual postage or shipping costs for any mailing that is provided as a convenience to the public except where such fees or mailings are otherwise prescribed by law. The monies collected under this paragraph shall be transferred to the custody of the treasurer for deposit into the municipality's general fund."

Municipal interest to be accomplished by proposal:

Reimburse municipalities for costs incurred for benefit of others.

Explanation:

Municipalities should have legislative authority to charge for postage when performing services as a convenience.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentaffairs@nhmunicipal.org. **Must be received by August 15, 2014.**



New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by Barrington Board of Selectmen Date June 3, 2014

City or Town Barrington Title of Person Submitting Policy Board of Selectmen

Floor Policy Proposal approved by vote of the governing body, Barrington Board of Selectmen, on June 2, 2014

To see if NHMA will SUPPORT changes to RSA 674:41 to allow as a local option greater flexibility so a landowner who has been through the process once for a building permit for a residence or other building permit, obtained approval from the Governing Body to build, and filed the necessary indemnification for that building, the owner of that property does not then have to go through the entire procedure for additions and accessory structures, decks, etc. if the building permit is not an expansion of use that might increase the community's exposure of liability.

Municipal interest to be accomplished by proposal:

Currently property owners on Class VI roads and Private Roads have to go through the process in RSA 674:41 every time the property owner comes for a building permit, even if they have been through the process before for the main residence and filed the indemnification. This would allow the Governing Body the ability to grant the Building Inspector authority to approve the issuance of future permits without requiring the steps of RSA 674:41 each time a building permit for changes occurred on the previously approved property. This would save town boards' and official's time and money involved in a process that seems unnecessarily duplicative. Any expansion of use or change of use creating greater liability would require Governing Board approval under procedures of RSA 674:41 due to the increase in liability exposure.

Explanation:

RSA 674:41 forbids granting a building permit on Class VI and certain Private Roads (sections 1(c & d)) without following a specified procedure to ensure the Governing Body has approved of that building and that there is an indemnification filed by the owner. Currently second building permits on the same property, even for small projects, require the same process. If the Town has approved the building of a residence or other building on the lot and the owner has filed an indemnification, the Governing Body should have authority to authorize future permits for things like barns, garages, decks, etc. without requiring the entire procedure in 674:41.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentalaffairs@nhmunicipal.org. Must be received by August 15, 2014



New Hampshire Municipal Association 2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) Board of Selectmen

Date: August 13, 2014

City or Town: Fitzwilliam

Title of Person Submitting Policy : Susan Silverman, Chairman Board of Selectmen

Floor Policy Proposal approved by vote of the governing body on (date) August 11, 2014

To see if NHMA will SUPPORT the revision of elements of RSA 12-E as described below to better address the mandatory integration of local and state regulations.

Municipal interest to be accomplished by proposal: (Concerns and proposed changes in response to Judge Kissinger's ruling March 17, 2014 that determined RSA 12-E preempts all local ordinances with regard to mining.) TO enhance the local taxpayers and residents input in the State process of regulating mining within its boundaries. Mining is distinctly different from other activities that serve the public good such as utilities in which the state preempts local regulations. We would suggest a similar relationship between local and state regulations as described in RSA 483-B:3, II (Shoreland Protection) which states: "When the standards and practices established in this chapter conflict with other local or State laws and regulations, the more stringent standard shall control".

Explanation: In addition, the following should be considered for revision:

1. RSA 12-E:1, XIII Pre-application hearing currently allows for only one representative from the town to attend, and does not produce any official record that is covered under 91-A.
2. RSA 12-E:1 IX (a) defines an exemption for mining under 2000 cubic yards per year and less than 5 acres in area. This type of commercial operation should be regulated by local ordinances just as any other business operating in town and should fall under site plan review much as excavation does. Towns should have the ability to create mining regulations that make the operation compatible with the municipality, while not prohibiting mining.
3. RSA 12-E:4 VII: This part of the statute should address more clearly public safety caused by damage to public roads not built for mining vehicle use, and the mining plan defined here should include the filing of an engineering plan of relevant access roads that addresses the condition of the roads before, after and during the operation. This should allow for the town to be compensated for any damage to the roads.
4. RSA 12-E:4 X (d) should be amended to add "or it lies in a residential neighborhood"
5. RSA 12-E:5 There needs to be more time before a public hearing on the application, and it should state clearly that the hearing should be held in the affected community. Under the current regulation, the hearing could be held with as little as 5 days notice, hardly enough time to disseminate or evaluate any propose activity. We would suggest a 10 day notice as a minimum notice period.

6. RSA 12-E:6 The financial assurance plan should include monies for municipal road repair, as well as land reclamation.
7. There should be some consideration of a revenue stream as part of the process to flow from the applicant/operator to the municipality, such as a tax on stone removed (cu yds), similar to the excavation tax and timber tax.
8. The State still has not defined its own rules and regulations surrounding this type of activity and that should be required of DRED and DES, especially as they are now receiving requests for permits, holding pre-application meetings and making determinations on whether or not a proposed operation requires a permit.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentaffairs@nhmunicipal.org. **Must be received by August 15, 2014.**



Comcast Cable
180 Greenleaf Avenue
Portsmouth, NH 03801
www.comcast.com

August 18, 2014

Board of Selectmen
Town of Exeter
10 Front Street
Exeter, NH 03833

RE: Franchise Fee Payment

Dear Members of the Board:

Enclosed is a backup detailed accounting sheet representing Comcast's franchise fee payment for the period from April 1st, 2014 thru June 30th, 2014.

If you have any questions regarding this payment, please contact me at 603-334-3603

Sincerely,

Jay Somers
Sr. Manager of Government and Community Relations

Town Manager's Office

AUG 20 2014

Received



System Name: Comcast of Maine/New Hampshire, Inc.
Email: Patrick_Moore@cable.comcast.com
Phone: 610-650-2999

Vendor ID:	154669
Contract Name:	Exeter NH
Statement Period:	Apr - Jun, 2014
Payment Amount:	\$70,658.70
Statement Number:	171176
CUID:	None
System ID:	8773-2000-1370

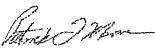
EXETER TOWN OF NH
10 FRONT ST

EXETER, NH, 03833

This statement represents your payment for the period listed above.

Revenue Category	Amount
Expanded Basic Video Service	\$558,417.13
Limited Basic Video Service	\$284,550.21
Digital Video Service	\$309,926.24
Pay	\$126,259.32
PPV / VOD	\$59,077.66
Video Equipment	\$3,480.81
Digital Video Equipment	\$57,105.57
Video Installation / Activation	\$12,492.28
PEG Fees	(\$32.09)
Guide	\$321.01
Other	\$5,607.72
Write-offs / Recoveries	(\$4,032.70)
Total	\$1,413,173.16
Franchise Fee %	5.00 %
Franchise Fee	\$70,658.70

To the best of my knowledge and belief, the above is a true and correct statement for the accounting of the gross revenues received by this corporation for the period.



Pat Moore
Analyst

AUG 20 2014



Federal Emergency Management Agency *Received*
Washington, D.C. 20472

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
APPEAL START

August 19, 2014

Julie Gilman
Chairperson, Board of Selectmen
Town of Exeter
10 Front Street
Exeter, New Hampshire 03833-2737

Case No.: 12-01-1574S
Community: Town of Exeter,
Rockingham County, New Hampshire
Community No.: 330130

Dear Ms. Gilman:

On April 9, 2014, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided your community with Preliminary copies of the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Rockingham County, New Hampshire (All Jurisdictions). FEMA has posted digital copies of these FIRM and FIS report materials to the following Website: <http://www.fema.gov/preliminaryfloodhazarddata>. The Preliminary FIRM and FIS report include proposed flood hazard information for certain locations in the Town of Exeter, Rockingham County, New Hampshire. The proposed flood hazard information may include addition or modification of Special Flood Hazard Areas, the areas that would be inundated by the base (1-percent-annual-chance) flood; base flood elevations or depths; zone designations; or regulatory floodways.

We have published a notice of the proposed flood hazard determinations in the FEDERAL REGISTER and will publish a public notification concerning the appeal process (explained below) in the *Portsmouth Herald* and *Foster's Daily Democrat* on or about August 26, 2014, and September 2, 2014. We will also publish a separate notice of the flood hazard determinations on the "Flood Hazard Determinations on the Web" portion of the FEMA Website (www.fema.gov/plan/prevent/fhm/bfe). We have enclosed copies of the notice published in the FEDERAL REGISTER and the newspaper notice for your information.

These proposed flood hazard determinations, if finalized, will become the basis for the floodplain management measures that your community must adopt or show evidence of having in effect to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). However, before any new or modified flood hazard information is effective for floodplain management purposes, FEMA will provide community officials and citizens an opportunity to appeal the proposed flood hazard information presented on the preliminary FIRM and FIS report posted to the above-referenced Website.

Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) is intended to ensure an equitable balancing of all interests involved in the setting of flood hazard determinations. The legislation provides for an explicit process of notification and appeals for your community and for private persons prior to this office making the flood hazard determinations final. The appeal procedure is outlined below for your information and in the enclosed document titled *Criteria for Appeals of Flood Insurance Rate Maps*.

During the 90-day appeal period following the second publication of the public notification in the above-named newspaper, any owner or lessee of real property in your community who believes his or her

property rights will be adversely affected by the proposed flood hazard determinations may appeal to you, or to an agency that you publicly designate. It is important to note, however, that the sole basis for such appeals is the possession of knowledge or information indicating that the proposed flood hazard determinations are scientifically or technically incorrect. The appeal data must be submitted to FEMA during the 90-day appeal period. Only appeals of the proposed flood hazard determinations supported by scientific or technical data can be considered before FEMA makes its final flood hazard determination at the end of the 90-day appeal period. Note that the 90-day appeal period is statutory and cannot be extended. However, FEMA also will consider comments and inquiries regarding data other than the proposed flood hazard determinations (e.g., incorrect street names, typographical errors, omissions) that are submitted during the appeal period, and will incorporate any appropriate changes to the FIRM and FIS report before they become effective.

If your community cannot submit scientific or technical data before the end of the 90-day appeal period, you may nevertheless submit data at any time. If warranted, FEMA will revise the FIRM and FIS report after the effective date. This means that the FIRM would be issued with the flood hazard information presently indicated, and flood insurance purchase requirements would be enforced accordingly, until such time as a revision could be made.

Any interested party who wishes to appeal should present the data that tend to negate or contradict our findings to you, or to an agency that you publicly delegate, in such form as you may specify. We ask that you review and consolidate any appeal data you may receive and issue a written opinion stating whether the evidence provided is sufficient to justify an official appeal by your community in its own name or on behalf of the interested parties. Whether or not your community decides to appeal, you must send copies of individual appeals and supporting data, if any, to:

Fay Rubin, Project Manager
Earth Systems Research Center
Eight College Road
University of New Hampshire
Durham, New Hampshire 03824
and/or
John Grace, CFM
FEMA Region I
99 High Street, Sixth Floor
Boston, Massachusetts 02110

If we do not receive an appeal or other formal comment from your community in its own name within 90 days of the second date of public notification, we will consolidate and review on their own merits such appeal data and comments from individuals that you may forward to us, and we will make such modifications to the proposed flood hazard information presented on the FIRM and in the FIS report as may be appropriate. If your community decides to appeal in its own name, all individuals' appeal data must be consolidated into one appeal by you, because, in this event, we are required to deal only with the local government as representative of all local interests. We will send our final decision in writing to you, and we will send copies to the community floodplain administrator, each individual appellant, and the State NFIP Coordinator.

All appeal submittals will be resolved by consultation with officials of the local government involved, by an administrative hearing, or by submission of the conflicting data to an independent scientific body or appropriate Federal agency for advice. Use of a Scientific Resolution Panel (SRP) is also available to your community in support of the appeal resolution process when conflicting scientific or technical data are submitted during the appeal period. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide

recommendations for resolution. An SRP is an option after FEMA and community officials have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Please refer to the enclosed "Scientific Resolution Panels" fact sheet for additional information on this resource available to your community.

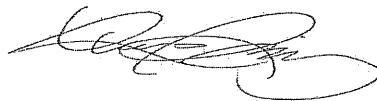
FEMA will make the reports and other information used in making the final determination available for public inspection. Until the conflict of data is resolved and the FIRM becomes effective, flood insurance available within your community will continue to be available under the effective NFIP map, and no person shall be denied the right to purchase the applicable level of insurance at chargeable rates.

The decision by your community to appeal, or a copy of its decision not to appeal, should be filed with this office no later than 90 days following the second publication of the flood hazard determination notice in the above-named newspaper. Your community may find it appropriate to call further attention to the proposed flood hazard determinations and to the appeal procedure by using a press release or other public notice.

If warranted by substantive changes, during the appeal period we will send you Revised Preliminary copies of the FIRM and FIS report. At the end of the 90-day appeal period and following the resolution of any appeals and comments, we will send you a Letter of Final Determination, which will finalize the flood hazard information presented on the FIRM and FIS report and will establish an effective date.

If you have any questions regarding the proposed flood hazard determinations, FIRM panels, or FIS report for your community, please call our FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA MAP (1-877-336-2627) or e-mail the FMIX staff at FEMAMapSpecialist@riskmapcds.com.

Sincerely,



Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

List of Enclosures:

Newspaper Notice
Proposed Flood Hazard Determinations FEDERAL REGISTER Notice
Criteria for Appeals of Flood Insurance Rate Maps
"Scientific Resolution Panels" Fact Sheet

cc: Community Map Repository (w/enclosures)
Doug Eastman, Building Inspector, Town of Exeter (w/enclosures)
Russell Dean, Town Manager, Town of Exeter (w/enclosures)
Sylvia von Aulock, Town Planner, Town of Exeter (w/enclosures)
Richard Verville, FEMA Region I (w/o enclosures)
Jennifer Gilbert, CFM, State NFIP Coordinator, New Hampshire Office of Energy and Planning (w/o enclosures)

DEPARTMENT OF HOMELAND SECURITY

FEDERAL EMERGENCY MANAGEMENT AGENCY

**Proposed Flood Hazard Determinations for Rockingham County, New Hampshire
(All Jurisdictions)**

The Department of Homeland Security's Federal Emergency Management Agency has issued a preliminary Flood Insurance Rate Map (FIRM), and where applicable, Flood Insurance Study (FIS) report, reflecting proposed flood hazard determinations within **Rockingham County, New Hampshire (All Jurisdictions)**. These flood hazard determinations may include the addition or modification of Base Flood Elevations, base flood depths, Special Flood Hazard Area boundaries or zone designations, or the regulatory floodway. Technical information or comments are solicited on the proposed flood hazard determinations shown on the preliminary FIRM and/or FIS report for **Rockingham County, New Hampshire (All Jurisdictions)**. These flood hazard determinations are the basis for the floodplain management measures that your community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program. However, before these determinations are effective for floodplain management purposes, you will be provided an opportunity to appeal the proposed information. For information on the statutory 90-day period provided for appeals, as well as a complete listing of the communities affected and the locations where copies of the FIRM are available for review, please visit FEMA's website at www.fema.gov/plan/prevent/fhm/bfe, or call the FEMA Map Information eXchange (FMIX) toll free at 1-877-FEMA MAP (1-877-336-2627).