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Planning Board Meeting

Exeter Planning Board

Draft Minutes

November 6, 2014

1. Chairman Ken Knowles called the meeting to order at 7:05 pm in the Nowak Room of the Exeter town Offices on the above date.
2. BOARD MEMBERS PRESENT: Don Clement, Langdon Plumer, Katherine Woolhouse, Gwen English, Kathy Corson, and Ken Knowles. STAFF PRESENT: Sarah McGraw (Recording Secretary), Sylvia von Aulock (Town Planner), and Darren Winham(Economic Development).
3. NEW BUSINESS:

The application of Christopher and Rebecca Dillman for a lot line adjustment between the properties located at 10 Walnut Street and 12 Walnut Street. The subject properties are located in the R-2, Single Family Residential zoning district. Tax Map Parcels # 63 -166 and # 63-167. Case # 21424

Mr. Plumer moved to open case #21424 second by Mr. Clement. Christopher Dillman talked about the changes to his property in relation to the lot line adjustment. He noted the enlargement of the garage and the offset requirement.

Mr. Knowles wished to know if there were signatures from both abutters on file.

PUBLIC COMMENT: None

Conditions of Approval:

- A. Case number be added to the plans
- B. That a monumentation certificate be submitted to the Planning Department with the appropriate fees for recording the plan.
- C. All conditions to be met within one year.

*Ms. Corson moved to approve case #21424 with conditions, second by Mr. Plumer. **VOTE:**
Unanimous*

Continued public hearing on the application of Kathleen Mahoney (d/b/a Porches of Exeter,LLC) for a site plan review for the proposed construction of a mixed use building (residential and private social club) and associated site improvements on the property located at 1 Franklin Street. The subject property is located in the C-1, Central Area Commercial and R-2, Single Family Residential zoning districts. Tax Map Parcels # 72-70, #72-71 and # 72-122. Case# 21416

Nicole Duquette from TF Moran Inc, spoke briefly about the project named Porches at Exeter as it was a continued public hearing. Kathleen Mahoney, owner, discussed the project in detail including the community benefit,economic benefit, esthetic, landscaping, lighting, supporting neighbors, and other visual appeals. Benefits to the town: increased property tax revenue,

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eleven new homeowners to the community, rejuvenation of a rundown street, quality and attractiveness, and no impact on the school system.

Ms. Mahoney discussed why the building was proposed to be set in the back corner instead of the front as it would take away green space for the property.

Jeff Demers from Jeff Demers Design talked about detail of the area/context and reiterated the building placement.

BOARD COMMENT:

Ms. English asked about placement of the dumpster. Ms Mahoney said it would have a wooden enclosure.

Ms. Woolhouse asked about the ZBA variance with parking calculations.

Mr. Demers explained was a change to restaurant seating with one parking space for every 3 seats.

Mr. Knowles noted the 1,132 square feet limitation to building space, and the plan has 2,018 square feet described. Mr. Demers described that the recreation space on the lower level has 600 actual square feet. Restaurant seats were taken away and put into recreation space.

There were more questions about the parking from the planning board. Ms.Mahoney described ZBA allowed 31 parking spaces. Eleven spaces were designated for The Long Block building which is noted on the plan. There are two guest spaces. The Long Block has use of spaces after 7 pm and the restaurant will not serve food before 5 pm.

Ms. Mahoney said that eventually tenants will own equity of building with a board of directors made of homeowners. Ms. Mahoney will not be owner of the business.

Mr. Clement asked if code enforcement provides justification for the parking calculations.He continued, there are two parking spots in the one way driveway and access to plowing would be difficult in the winter. Mr. Clement did not agree with the project because, there would be a parking lot to the entrance to Exeter, abutters would be impacted, and it was not a residential home.

Ms. Corson commented that the project is proposed to be in the C1 district within downtown. The applicant had not violated any regulations which would give the Planning Board no reason not to accept the project.

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Mr. Plumer said that the project blocks the back of the Blue Moon to abutters opening up the Blue Moon. He would like to see the dumpster disguised, an arborist look at the trees and look at the lighting.

Mr. Knowles asked if the lighting was recess or flush and if the applicant checked with the fire department for a fire pit.

Ms. Duquette said that a symbol was missing from the lighting plan. Mr. Knowles as for HVAC details.

Mr. Demers said the restaurant vents will probably be vertical or horizontal but are not yet designed. The HVAC would be done to code.

Ms. Woolhouse requested a bike rack be placed on the property. Mr. Plumer asked if the fire pit would be gas powered. Mr. Demers responded the fire pit would be gas.

John DalSanto, an owner of The Long Block building commented on the parking agreement between his building and the applicant. Mr. DalSanto said The Long Block has access to 11 parking spaces plus one with 24-7 access. Monday through Friday there is access between 7AM and 7PM. He noted there was no agreement signed.

Mr. Knowles asked to clarify the agreement. Mr. DalSanto said there was an easement for eleven spaces but it depended on who was asked.

Mr. Knowles asked to specify the easement and asked if there was an agreement on file. Mr. DalSanto said that the new building would run through easement spaces. Mr. DalSanto also expressed his concern for bird droppings landing on cars parked in spaces citing health concerns and suggesting planting shrubs instead.

Mr. Knowles asked about the easement location. Ms. Mahoney said it did not matter to her where the spaces for The Long Block were. She stated the legal agreement was vaguely worded. She also said she was willing to work out where trees are planted.

Mr. Knowles said that a certain landscaping plan was expected.

Mike Dawley, Exeter resident said he was disappointed to see the location of the parking lot and the Historic District Committee has no control of the project. He wished to see a building where the projected parking lot would be. Mr. Dawley said it was normal to have a parking lot out front and said the plan was negative to the Town. He stated he was also confused about the parking arrangements.

Caroline from Franklin Street had concerns about five apartments built. Mr. Knowles said that her concerns did not relate the the current proposed project.

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Darren Winham, Economic Director of Exeter, expressed his approval for the project and stated it would be good for the community.

Mr. Plumer noted the requirement for trees to be planted.

Ms. von Aulock stated that the Planning Board cannot regulate use of the property and there was no regulation for the location of the building. She noted the project was an improvement to what had been there before. Her concerns were for the living fence, to extend the fence to the property line at the Hill property. She also stated The Long Block should have a capital "T" in "The" as it is the formal name.

Ms. Corson said if the Planning Board wanted these kinds of projects to be regulated differently then to support form based code in the future.

*Ms. Corson moved to approve waiver from Section 9.5.1.4 of the Site Plan Review and Subdivision Regulations to allow grading within five (5) feet of the property line, second by Mr. Plumer. **VOTE:** Unanimous, 1 abstention Cathy Corson and Langdon Plumer were the alternates for the night*

Conditions of Approval:

- A. All requests of the Planning Board to be addressed.
 - i. Adding the missing light pole to the site plan.
 - ii. Any HVAC be placed as far away from abutting properties as possible
 - iii. Add a bike rack on site
 - iv. The living fence be extended along abutting property to Lot 72-73 down to Franklin Street.
 - v. If the three trees require removal that three additional trees be planted to screen the abutter.
- B. All required permit information, waivers, and conditions of approval to be put on the plans.
- C. All final revisions to the plans or related documents including homeowner's association documents required by Town Departments, Town Council, and their consultants to be addressed. The DPW has comments about grading still to be submitted.
- D. All appropriate fees to be paid including but not limited to: Performance bond, school impact fees, sewer/water connection fees, inspection fees, recording fees and other agreed upon improvements.
- E. Site Review Agreement signed.
- F. All on-site improvements to be completed prior to any issuance of certificate of occupancy (CO) with the following exceptions.
 - i. Finish course of pavement and sidewalk.
- G. A preconstruction meeting be arranged by the applicant and her contractor with the Town engineer prior to any site work.

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- H. The Applicant shall meet with the Town Assessor to develop a list for location addresses of all new units.
- I. All conditions to be met within one year and all site improvements to be completed within two years from the date of final approval.
- J. A revised easement between the Locust Property and the Long Block Map 72-69 at 8 Franklin Street be recorded at the registry of deeds.

*Ms. Corson moved to approve case number 21416 with conditions, second by Mr. Plumer.
VOTE: 5 In Favor: 1 Not in Favor, Motion Carried.*

Continued public hearing on the application of Wakefield Investments, Inc. for a residential site plan review for the proposed construction of a 6-unit multi-family development and associated site improvements. The subject property is located at 2 Hampton Road, in the PP-Professional/Technology Park zoning district. Tax Map Parcel #69-3. Case #21404

Chris Berry from Berry Surveying and Engineering stated that a site walk was conducted where some questions were addressed. He said there was no new information to present.

BOARD COMMENTS:

Mr. Plumer talked about the site walk and its location from site to the intersection. Mr. Berry commented that the sidewalk will connect with a stop bar at the front with a connection point back at 27 Holland Street.

Mr. Knowles asked about wetland easements. Mr. Berry said in the right of way there was none.

Ms Woolhouse asked about the traffic flow in the morning going eastbound and westbound in the afternoon.

Kim Hazarvartian from TEPP LLC, said the firm had studied the population size and explained the traffic volumes being 40% turning left and 60% turning right. He noted at peak hour there are 44 trips which is small volume.

Ms. Woolhouse asked if the former courthouse was at capacity. Mr. Hazarvartian said they found a 1% growth rate with two projects at the opposite end of Holland Way. Mr. Hazarvartian said hypothetically, with more trips from that location the trip generation would be the same.

Ms. Corson asked about visitor parking and the one in the back if any of them could be gravel. Mr. Berry said that in the plans the phasing is mis-labeled, the rear parking would be phased construction. The parking did not account for peak parking demand. The applicant could meet parking requirements but have sufficient parking with growing demand.

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Ms. Corson commented visitors to the townhouses would find their own parking. Mr. Berry said there were two spaces in front of each unit with the garage being a third space but the garage could not be counted.

Mr. Knowles asked where the phased parking was labeled on the plan. Mr. Berry said it was on page six where it was mis-labeled.

Mr. Knowles said the phased parking would be a waiver request for a reduction in parking. There was discussion about the phased parking with an example being Great Bay Kids Company.

Ms. von Aulock noted under the Zoning Ordinance 5.6.5 it states "The Planning Board may grant reductions in number and size of required off street parking in conjunction with the site plan review.."

Ms. Corson noted to add the phasing on the map. She asked how to protect the homeowner so the parking is the responsibility of the homeowner when the contactors leaves.

Mr. Tucker said as a part of the Homeowners Association the language is built into the documents for future parking to be built. Mr. Tucker said the condo is big enough that the Attorney General's office has to be involved.

Mr. Knowles added another trigger for enforcement for the Code Enforcement be notified if parking demand is higher than what was provided.

Ms. von Aulock said the homeowner docs could say the interior parking spots cannot be anything but garage.

Mr. Knowles asked about dust control with the construction and proximity to the YMCA pool. Mr. Berry said that the project is large enough to fall under the EPA's National Pollutant Discharge Elimination System, where the project is monitored. The notes on the plans require to send reports on dust control and cleanup.

Mr. Clement asked about the drainage plan. Mr. Berry pointed out the gravel wetlands that separate out silt and will be built to withstand a 100 year flood. He noted that the front parking will drain to a rain garden.

Mr. Plumer asked if the trees near "The Flats" were going to be removed. Mr. Berry said that some are being removed while 50% of the woodlands will remain.

Ms. Corson asked about the project name. Mr. Berry said it was named Hanavarian Drive.

PUBLIC COMMENT: None

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Waiver Requests: Ms.English moved to grant waiver 9.13.6 parking aisle width, second by Ms. Corson **VOTE: Unanimous**

Ms. Corson moved to grant waiver 9.5.1.4, grading within 5 ft of a boundary line second by Mr. Plumer. **VOTE: Unanimous**

Waiver 11.3.1

Mr. Berry explained the driveway to be curvi-linear. The difference in elevation between parking areas of sidewalk get closer to building than is allowed. There are more building and foundation plantings to break up foundation and parking.

Mr. Plumer moved to grant waiver 11.3.1, multi-family parking/building separation, second by Ms. Corson. **VOTE: Unanimous**

Waiver 9.9.2

Mr. Berry said the decks and patios are within the 75 foot wetland setback. He explained the rain would be able to move through the structures.

Mr. Clement asked what the patios would be constructed of. Mr. Berry said it was made of patio block. *Ms. Corson moved to grant waiver 9.3.2, second by Mr. Plumer.* **VOTE: Unanimous**

Mr. Berry clarified use of the garage space. It was considered to be used as an uninhabitable space.

Conditions of Approval:

- A. All requests of the Planning Board to be addressed,
 - i. Plan to be revised to clarify that the 8 parking in front and 10 parking lot in the rear are not to be constructed until such time that the homeowners association or town code enforcement officer deem it is necessary.
- B. All required permit information, waivers, and conditions of approval to be put on the plans.
- C. All final revisions to the plans or related documents including homeowners association documents required by Town Departments, Town Council and their consultants to be addressed.
- D. All appropriate fees to be paid including but not limited to: Performance bond, school impact fees, sewer/water connection fees, inspection fees, recording fees and other agreed upon improvements.
- E. Site Review Agreement signed.
- F. All on-site improvements for each phase to be completed prior to any issuance of certificate of occupancy (CO) for that phase with the following exceptions.
 - i. Finish course of pavement and sidewalk.
 - ii. Gravel wetland and conveyance to be constructed as part of phase 1.

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- G. A preconstruction meeting be arranged by the applicant and their contractor with the town engineer prior to any site work. The SWPP must be submitted prior to the preconstruction meeting.
- H. The Applicant shall meet with the Town Assessor to develop a list for location addresses of all new units.
- I. All conditions to be met within one year and all site improvements to be completed within four years from the date of final approval.

There was more discussion about dust control. Mr. Berry said he is also responsible for monitoring dust. Mr. Plumer asked how the noise was going to be controlled. Mr. Berry said they will try to have the equipment away from the YMCA.

*Mr. Plumer moved to approve case number 21404, second by Ms. Corson. **VOTE: Unanimous***

A request by Phillips Exeter Academy for a preliminary conceptual review of a proposal to convert an existing natural grass athletic field into a synthetically surfaced athletic field and associated site improvements. The subject property is located at 2 Gilman Lane, in the R-1, Low Density Residential and R-2, Single Family Residential zoning districts. Tax Map Parcel#71-119. Case #21423

Mark Leighton of Phillips Exeter Academy described the project. He stated the conversion of the field will take place on the east side of Phelps Stadium. It will be constructed to withstand a one hundred year flood. Mr. Leighton said that currently the conditions of the field are not good, there are lots of sports teams using the space, and turf is the current trend for field hockey.

Ken Costello from SMRT architects talked about the architectural design. He explained the natural grass will be converted to synthetic and talked about other changes and improvements. Mr. Costello also explained December 2, 2014 will be the end of the comment period for the project.

Andy Walker from Weston and Sampson Environmental Infrastructure Consultants talked about the improvements to the 100 year flood level. They used elevation data and LIDAR technology to conduct the surveying.

BOARD QUESTIONS:

Ms. English asked about the turf have possible environmental consequences. Ken Costello said the infills were made of a crumb rubber material. He cited scientific studies that examined leachates coming from fields with these materials and there was no impact currently.

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Ms. Corson asked about the walkways around the field. Mr. Costello said that they would be 6 feet wide.

Town Planning Items: Ms. von Aulock commented on an area for a special berm and an area for spectators. She also asked about underground storage for storm water. Mr. Leighton responded the berm was for drainage issues. He said there was a four inch storage underneath the field for stormwater.

Jeff Clifford from Altus Engineering talked explained the drainage for the field. He explained the field needed to be raised above grade because of the elevation of the field.

Ms. von Aulock talked about approving expending 4,500 under line item-studies for form based code. *Mr. Plumer moved to approve the expenditure, second by Ms. Corson. **VOTE:** Unanimous 1 Abstention.*

*Mr. Plumer moved to adjourn the meeting, second by Ms. English. **VOTE:** Unanimous*

The meeting was adjourned at 10:45 pm.

Respectfully Submitted

Sarah McGraw
Recording Secretary