

Exeter Planning Board Meeting

Exeter Planning Board

Final Minutes

June 25, 2015

1. Chair Woman Kelly Bergeron called the meeting to order at 7:05 pm

BOARD MEMBERS PRESENT: Aaron Brown (Regular Member), Don Clement (BOS Rep), Kelly Bergeron (Chair), Katherine Woolhouse (Vice Chair), Gwen English (Regular Member), Kathy Corson (Alternate Voting Member)

STAFF PRESENT: Glenn Greenwood (Interim Planner), Sarah McGraw (Recording Secretary)

2. NEW BUSINESS

Ms. Bergeron stated that the Tuck Realty Corp. case was postponed to July 23 and the abutters will be re-notified.

The application of Kenneth Ma (J&M Evergreen Realty Trust) for a minor non-residential site plan review of the proposed construction for parking and associated site improvements on the property located at 55 Portsmouth Avenue. The subject property is located in the C-2, Highway Commercial zoning district. Tax Map Parcel #65-139. Case # 21512

The Planning Board must first decide if the application is complete before moving into a public hearing. Mr. Greenwood had reviewed the plan, found deficiencies and recommended not accepting the plan as complete.

Mr. Clement confirmed that the applicant would schedule to return to the Planning Board if declined. Mr. Greenwood said the Board would have to decline.

Ms. Corson asked if the applicant was aware of the deficiencies. Mr. Greenwood said he had not spoken to the applicant about the deficiencies. Ms. Corson said she was concerned that applicants would arrive at Planning Board meetings unaware of any issues with the plan.

Further discussion ensued about the new schedule and reason for having a determination of completeness.

*Mr. Clement motioned to decline jurisdiction of case number 21512 as submitted and issues referred back to applicant, second by Ms. Woolhouse. **VOTE: Unanimous***

The application of Felder-Kuehl Properties LLC for a site plan review of a proposal for the construction of a mixed use (commercial/residential) building and associated site improvements on the property located at 85 Epping Road (corner of Epping Road and Meeting Place Drive). The subject property is located in the C-2, Highway Commercial zoning district. Tax Map Parcel #55-75. Case #21507

Ms. Bergeron said that even though this project has been heard before this has a new case number. Mr. Greenwood said that the plan was in good shape.

*Ms. English moved to accept jurisdiction of the case, second by Ms. Woolhouse. **VOTE: Unanimous***

Michael Donahue of Donahue, Tucker, Ciandella on behalf of Felder-Kuehl Properties discussed the commercial portion of the plan. Dana Lynch of Civil Works would discuss the engineering component. Mr. Donahue said the new building would be four stories of mixed use with an office on the first floor. There were no waiver applications. Mr. Donahue said that the plan had received input from the Conservation Commission on the trail changes. A memo was forwarded to the Planning Board regarding comments from the Conservation Commission dated June 11, 2015.

Mr. Lynch added that the building footprint was smaller than the original approved building in 2006 and parking spaces went down from 97-57. NH Department of Environmental Services gave approval to build and cap over the contaminated material. The Applicant also received an Alteration of Terrain Permit from NHDES.

Mr. Lynch addressed a few of Mr. Greenwoods comments about lighting, that there was very little spill over.

BOARD QUESTIONS:

Mr. Clement asked about the traffic pattern. Mr. Lynch said that there would be two-way traffic and two parking spaces designated for the trail head.

Ms. English asked about the detention pond located near the proposed trail and that they seem to overlap based on the plan. Mr. Lynch said the pond elevation was 66 and the trail clears the limits of the pond. Ms. English said she was concerned for walker's safety. Mr. Clement asked why a trail was being constructed in the area located in the plans. Mr. Donahue responded that the trail connects to Epping Road. Mr. Greenwood said that high plantings would be a deterrent. Mr. Greenwood added that at the southern boarder if the lighting would be turned off at 10pm.

Mr. Felder said that because of the types of dwellings offered that there should not be many children living nearby to go near the detention pond. Mr. Lynch said that soffit lighting would be used for the safety of the tenants. Ms. Corson agreed that some lighting should be left on where residents park their vehicles and enter and exit the property. Ms. Corson asked if there would be a sign on Epping Road signaling the trail head. Ms. English asked why there was no landscaping on the northern side. Mr. Lynch responded that because of ground contamination, that side had to be capped with pavement. Mr. Donahue added that there could be planters added.

Mr. Clement was concerned about the detention pond and proximity to the walking trail. Mr. Donahue said that the Applicant and consultants had spent a considerable amount of time on the location of the trail as well as considered comments from the Conservation Commission.

Mr. Brown asked about the "thumb" mentioned in the Conservation Commission memo. Mr. Donahue said that that was in relation to the comments made by Peter Richardson of the Conservation Commission. Ms. English reiterated her concerns about proximity of the trail to the detention pond and was not sure who would be using the trail. Ms. Corson replied that the trail has access to Morse Brook as well as Colcord Pond. If crossing Epping Road safely, school children could be brought to the trails. Ms. Corson added that Mr. Felder had a vision for the trails from the beginning.

Mr. Lynch described the distance of the trail from the berms.

PUBLIC COMMENT: None

Mr. Greenwood asked for trail signage to be reflected on the plan if the trails are constructed. Mr. Greenwood asked if lighting would remain for residents.

Ms. English inquired about snow storage. Mr. Lynch said that storage will be around the perimeter sometimes on the plantings. Ms. English was concerned about loss of trees. Mr. Lynch said there is a one year warranty on the trees.

Ms. Corson asked if the back of the building would be like the front. Mr. Felder said the front is gabled and the back is for AC and Heating units. Discussion ensued about the look of the back of the building and how it could resemble the front. Screening was suggested.

Mr. Brown added that in relation to the trail that a substation effort was made and the former town planner had advocated for the trail. Ms. Woolhouse said she was also in support of the trail if a connection to the trail system was provided.

Conditions of Approval

- A. The following requests of the Planning Board to be addressed,
 - i. All Waivers and conditions of the approval be put on the plan
 - ii. Trail sign placed on Epping Road and shown on plans.
 - iii. Lighting for residential side of building to be left on with minimal lighting left on commercial side for safety.
 - iv. Applicant to address concerns of Conservation Commission outlined in the memo dated 6/11/15 found on file.
 - v. Provide architectural rendering of building to demonstrate required screening of HVAC units.
- B. All final revisions to the plans or related documents required by Town Departments, Town Counsel and their consultants to be addressed.
- C. All appropriate fees to be paid including but not limited to; Performance bond, sewer/water connection fees, inspection fees, and other agreed upon improvements.
- D. All state permits and their conditions of approval be put on the plans.
- E. Site agreement signed.
- F. All on-site improvements to be completed prior to any issuance of a certificate of occupancy (CO) with the exceptions of the finish course of pavement.

G. A preconstruction meeting be arranged by the applicant and his contractor with the Town engineer prior to any site work. The following must be submitted for review and approval prior to the preconstruction meeting.

i. The SWPPP (storm water pollution prevention plan) be submitted to and reviewed for approval by the DPW prior to preconstruction meeting.

H. All conditions to be met within one year and all site improvements to be completed within two years from the date of final approval.

Mr. Donahue asked for assurance that the memo from the Conservation Commission be included in the conditions specifying that the Applicant address the concerns but may not be able to address all of the concerns. A conditional statement was sent to the Planning Board via email stating: "Proposed Condition Re: Conservation Commission Comments , Subject to Applicant addressing trail reconfiguration comments in the Conservation Commission's Memorandum dated June 11, 2015."

*Ms. Bergeron moved to conditionally approve case # 21507, Mr. Brown asked for the conditions to be read one more time then seconded the motion. **VOTE: Unanimous***

3. OTHER BUSINESS

In relation to a letter dated June 16, 2015 from Beals Associates regarding an approved subdivision plan at 44 & 50 Kingston Road, Tax Map # 97 Lot's 1 & 3 Planning Board Case # 21503, relates to a proposed change in the sewer system.

Mr. Greenwood said that this would be a considerable change to the plan and should require a public hearing.

*Mr. Clement moved to reopen case number 21503 for an amended approval and discussion with the applicant, second by Ms. English. **VOTE: Unanimous***

Portsmouth Avenue Flexible Zoning Overlay District Initiative

Julie Gilman, Chair of the Board of Selectman gave a background and history for how the Flexible Zoning Initiative came to be starting with the Zoning Ordinance Review Committee. The purpose is to calm the change in the development of Exeter reflecting out to the gateways to the community.

Jeff Hyland from Ironwood Design group gave a presentation on the goals and vision of the group.

Discussion ensued about the use of the overlay district. Ms. Gilman described the district as a way for developers to make trades and give options to developers. There were references to Laconia's flexible zoning. Ms. Gilman said she had spoken to the Town Manager and there was money set aside for studies in the budget.

Mr. Clement motioned to allow the Flexible Zoning Initiative as a subcommittee of the Planning Board, second by Ms. Woolhouse. **VOTE: Unanimous**

Ms. Bergeron asked for pertinent materials be send to the Planning Board as regular updates. Ms. Gilman said that Ms. English or Ms. Corson can give regular updates as they serve on the committee.

Ms. Bergeron discussed the revised meeting schedule.

A letter was also received on June 16, 2015 from Mitchell Municipal Group, relating to questions from the Planning Board about certain procedures and policies. A copy of the comments is on file at the Town Offices.

4. MINUTES:

May 14, 2015

*Mr. Clement moved to approve the minutes of May 14, 2015, second by Ms. Woolhouse. **VOTE:** Unanimous*

May 28, 2105

These minutes were tabled pending revision.

June 4, 2015

*Mr. Clement moved to approve the minutes of June 4, 2015, second by Ms. English. **VOTE:** Unanimous*

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

The meeting was adjourned at 9:45 pm.

Respectfully Submitted,

Sarah McGraw, Recording Secretary