

These minutes are subject to possible correction/revision at a subsequent Exeter Planning Board meeting

Exeter Planning Board

September 24, 2015

1. The meeting was called to order at 7:00 pm in the Nowak Room of the Exeter Town Offices on the above date.

2. MEMBERS PRESENT: Langdon Plumer (Alternate), Done Clement (BOS Rep), Kelly Bergeron (Chair), Aaron Brown, Robert Mike-Mayer (Alternate)

STAFF PRESENT: Glenn Greenwood (Interim-Town Planner), Sarah McGraw (recording secretary)

Ms. Bergeron announced all members would be voting this evening and that Tuck Realty Corp would be moved to the end because one of the presenters was not present. Bob Felder, owner, objected to moving the case to the end of the agenda. Ms. Bergeron said that it is up to the chair to move items as need be.

3. NEW BUSINESS

**The application of McFarland Ford for a minor site plan review for the proposed construction of a 2,250 square foot service bay building expansion to the rear of the existing building and associated site improvements at 151 Portsmouth Avenue. The subject property is located in the C-2, Highway Commercial zoning district. Tax Map Parcel #51-13. Case #21519**

Mr. Greenwood noted he had no objections to the project.

*Mr. Clement moved to accept jurisdiction for case # 21520, second by Mr. Plumer. VOTE: Unanimous*

Eric Weinrieb with Altus Engineering described the project. He said no Alteration of Terrain permitting would be required and noted that the storm water system would be improved.

Mr. Clement said he appreciated McFarland Ford, for their continued investment in Exeter. Mr. Brown asked if there was anything done about the fire code note on the plans. Ms. English inquired about the placement of ADA accessible spots. Mr. Amato from Jewett Construction explained the spots were placed in the most easily accessible spots. Mr. Amato explained the current building doesn't have the proper fire protection but will be brought up to code.

Possible Conditions of Approval

- a. The following of the Planning Board to be addressed,
- 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.~~ (DOES NOT APPLY)
- d. All conditions to be met within one year.
- e. Requests of Fire Department to be addressed from an email dated 9/16/15

The Applicant reviewed the letter at the meeting and agreed upon the requests.

*Mr. Plumer motioned to conditionally approve case # 21519 as written, second by Mr. Clement. VOTE: Unanimous*

**The application of Maverick Development, Corp. for a Conditional Use Permit for the proposed installation of a single access driveway off of Powder Mill Road to service a new single-family residence proposed for construction on the 5.01 acre parcel. The subject property is located in the R-1, Low Density Residential zoning. Tax Map Parcel #102-7. Case # 21520**

*Mr. Clement moved to open case # 21520, second by Mr. Plummer. VOTE: Unanimous*

Spencer Tate representing Maverick Development described the proposed driveway to the above property. A State wetlands permit has been filed. Mr. Tate read through the actions taken to follow the conditions of the Conditional Use Permit for a Wetland Conservation Overlay District under Article 9.1.6:(A)1 found on file in the Exeter Town Offices.

**BOARD COMMENT:**

Mr. Brown inquired about the amount of disturbance that will occur by the driveway and during construction. Mr. Tate stated that some impacts will be temporary and restored to original condition to the best of their ability. There will be 5,500 square feet of impact in the wetland buffer. Mr. Clement asked about the material for the culverts. Mr. Tate said that they will be made of a black plastic and partially imbedded. Mr. Plumer noted that this area floods frequently. Mr. Clement also asked about the driveway material. Steve Febonio of Maverick Development commented that the owners are in the process of deciding on the driveway material but are considering crushed stone.

Mr. Greenwood said his comments had been sent to the Planning Board but were not printed out for the meeting. Mr. Greenwood said to notice the Shore land Buffer Permit by Notification. Mr. Tate said that this permit had been submitted.

*Mr. Clement moved to approve the Conditional Use Permit for case number 21520 under Article 9.1.6: (A) 1, second by Mr. Plumer. VOTE: 1 opposed: 5 in favor motion carried.*

**Conditions of Approval:**

- a. The following of the Planning Board to be addressed,
  - Obtain Wetlands Dredge and Fill Permit
- 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. (DOES NOT APPLY)~~

Mr. Plumer asked if the Applicant needs a house number. Mr. Greenwood said he did not know the process but it was agreed that this will come later in the process.

*Mr. Clement moved to approve the Conditions of Approval second by Mr. Plumer. VOTE: 1 opposed: 5 in favor motioned was carried.*

**Continued public hearing on the application of Tuck Realty Corp. for a mixed-use site plan review and Conditional Use Permit for the proposed construction of two (2) commercial buildings and two (2) multi-family residential buildings on the property located at 80 Epping Road. The subject property is located in the C-2, Highway Commercial and R-4, Multi-family Residential zoning districts. Tax Map Parcel #55-3. Case #21506**

Jonathan Ring from Jones and Beach Engineers introduced the project. He presented the schedule leading up to this meeting. There were two site walks by both the Conservation Commission and the Planning Board. Mr. Greenwood said he sent a memo to the Planning Board with his comments. One comment was the most recent Epping Road Improvement District agreement that is currently unofficial and unsigned with the Meeting House Development. He said there will be an impact with the Applicant's development proposal. Mr. Greenwood said one of the conditions requires information that Mr. Greenwood can't speak to and he didn't think RCCD could either. Mr. Clement said that building of structures without a CUP was limited to the 150 foot shore land buffer instead of the 300 foot buffer. Mr. Greenwood said there is a building setback. Mr. Clement asked about any legal jurisdiction with the Epping Road Improvement District. Mr. Greenwood said this may have happened at the Meeting Place review in 2010 and he had just been given this information. Mr. Ring commented that on sheet H1 of the plans relates to the Meeting Place. Mike Gerrepy of Tuck Realty said that the regulations were vague as according to his interpretation. Mr. Gerrepy said that he did not think the Applicant needed a CUP because they comply with the 150 foot setback, the closest being 220 feet away.

It was noted that the public works and fire department comments were memorialized in the response letter from Jones and Beach Engineers dated September 16, 2015.

Mr. Gerrepy noted that while the Meeting House agreement has not been finalized, the Applicant will have all site improvements completed. Mr. Ring said he had not seen the Meeting House agreement and Mr. Greenwood said he can supply the agreement as it is a part of public record.

Mr. Clement noted a traffic study completed in 2015 did not include the Aroma Joes and Great Bay Kids Company dynamic. Mr. Ring responded that the traffic study included information about the left and right turning lanes and traffic leaving the development. The original report includes a supplemental traffic report including Aroma Joes.

Mr. Brown inquired about the proximity of the residential units to Colcord Pond Road. Mr. Greenwood noted that the Zoning Board decided on changing the zoning for that area which limits what the Planning Board can require. Mr. Brown said he disagrees with the location of the building and buildable land.

Mr. Mike-Mayer commented on the size of the project and space that it fits into including the number of people to live there and narrow access road that leaves the property. Ms. English noted that the area labeled conservation is now unbuildable.

Mr. Gerrepy said that the Zoning Board variance and conservation land was approved by the ZBA and also went before the Planning Board for approval

There was continued discussion on traffic and the size of the construction. Mr. Gerrepy noted that this project went through a wetlands assessment, environmental consultant and traffic engineer that agreed with the plans.

Ms. English inquired about pedestrian access and room for a sidewalk. Mr. Gerrepy said that there is sidewalk along the access road but not in the plans for along the main road. Mr. Brown commented that in the future the landowners could be responsible for sidewalks. There was discussion on the need for a sidewalk master plan and need for sidewalks along Epping road in general.

Mr. Knowles entered the meeting at 8:41 pm.

Mr. Greenwood said he has been reading the Shore land Ordinance Permit and said that from what he read; land use has to be granted for multiuse development. Mr. Clement recommending bringing the question of this ordinance to Code Enforcement for clarification. Ms. Bergeron agreed that the ordinance was unclear.

**PUBLIC COMMENT:**

David Willson of 7 Millstream Drive commented that he believes if construction occurs then the pond will detrimentally affected which will in turn affect residents of the town. Mr. Wilson has been documenting the high diversity of the pond and noted its importance to the town.

Mr. Greenwood noted that he did not think a request had been made to invite the Rockingham County Conservation District as Ms. English thought they would be present at the meeting. Mr. Gerrepy noted he was concerned the project will be pushed to the next meeting as the Applicant has been compliant and has met with the appropriate boards.

Ms. Bergeron said that some of the questions raised need to be addressed before moving forward with the project.

*Mr. Plumer moved to continue the public hearing to October 8, 2015, second by Mr. Mike-Mayer. **VOTE: Unanimous***

Mr. Knowles entered as a voting member at 9:07 pm.

**Public hearing on proposed changes to the Planning Board's "Rules of Procedure." Draft Copies are available in the Planning Department office.**

Ms. Bergeron went through the current version of the "Rules of Procedure" and addressed questions from the previous meeting. She said that the Planning Board may create a sub-committee at any time and that a steering committee is established by the Board of Selectmen to work on larger projects such as the Master Plan Update.

Mr. Clement commented that the Planning Board is charged with the Master Plan. Mr. Greenwood said that the Planning Department is available as resource for Master Plan development. It was noted that a page was missing from the "Rules of Procedure."

## Other Items Discussed

- 6.3 Alternate members may be appointed to a sub-committee.
- 4. Officers to be appointed by regular members, a quorum must be present to elect officers
- The TRC approved informing the public on plans before the Board.
- The Board decided on keeping the way minutes are approved.

Ms. Bergeron said she will send out the new version of the procedures with the goal of having them approved on October 8.

## 4. OTHER BUSINESS

### 5. APPROVAL OF MINUTES

Mr. Plumer moved to approve the minutes of July 23, 2015, second by Mr. Clement. **VOTE:** 5 in favor 1 abstention. Motion Carried.

Mr. Greenwood said that he needs to review the August 27, 2015 minutes before they can be voted on.

*Ms. English moved to approve the minutes from September 10, 2015, second by Mr. Plumer. **VOTE:** Unanimous*

### 6. TOWN PLANNER ITEMS

Mr. Greenwood shared the new schedule of Review and Public Hearings with the Board. Discussion ensued about the peer review process. Mr. Knowles commented that Underwood Engineering may not have to review every plan.

*Mr. Brown moved to adopt the newly revised schedule, second by Mr. Clement. **VOTE:** Unanimous*

Mr. Greenwood added that the Linden Commons case will be requesting a bond release without planting all of the trees as stated in the plan.

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

The meeting was adjourned at 9:50 pm

Respectfully Submitted

Sarah McGraw, Recording Secretary