

EXETER ZONING BOARD OF ADJUSTMENT

November 17, 2015 MEETING MINUTES

PRESENT:

Regular Members: Chair Rick Thielbar, John Hauschildt, Kevin Baum and Bob Prior
Alternate Members: David Mirsky
Deputy Code Enforcement Officer: Barbara McEvoy

The meeting was convened at 7:00 PM. Chair Thielbar introduced the Board members and explained the protocol for the meeting.

AGENDA:

1. Case #1499: Special Exception: Phillips Exeter Academy
2. Case #1500: Variance Request: Phillips Exeter Academy
3. Case #1501: Variance Request: Phillips Exeter Academy

New Business:

1) *The application of Phillips Exeter Academy for a special exception per Article 4, Section 4.2 Schedule I: Permitted Uses and Article 5, Section 5.2 to permit the proposed construction of a new 56,000 square foot structure (to be known as the "Center for Theater & Dance") and reconstruction of the Field House, both in conjunction with a private school use in the R-2 zoning district. The subject property is located on Court Street, Tax Map Parcel #83-1. Case #1499.*

Chair Thielbar read the application.

Roger Wakeman, Director of Facilities Management, was present to talk about the two proposed projects. He said he would first introduce his team, then give an overview, then give project specific review, then a parking analysis. His team is made up of Mark Leighton PEA Director of Projects & Building, Charlie Tucker from DTC Lawyers, John Skillern from Tod Williams Billie Tsien, Peter Russ from Architectural Resources Cambridge Jeff Clifford from Atlas Engineering, and Stephen Pernaw, Engineer.

Attorney Tucker suggested they would present all their information together, then deal with one application at a time.

Mr. Wakeman showed a map of the campus, in the areas of impact. They are proposed a single level parking garage under the new Field House. They made the selection to pursue developing the current tennis court site, and moving the current tennis courts. They had previously turned Gilman Street into a pedestrian way. They did this for safety purposes. For the new proposed Field House, cars would come in Chadwick Lane to the building and park in the new garage under the proposed building. Mr. Wakeman then showed an aerial view with the proposed changes that the TWBTA developed. He went on to show the tennis court relocation plan. They are proposing renewable energy choices: geothermal for the Center for Theater & Dance and solar for the Field House.

Mr. Wakeman went on to show the project schedule. For the Center for Theater & Dance: November/December 2015- Planning Board/ZBA approval, April 2016- they will start on site, October 2016-March 2018-contruction, and April 2018 it will be open for use. In regards to the Field House and Parking Garage: open for use in November 2017, Planning Board/ZBA approval in February/March 2016, construction of Field House and Parking Garage from Fall 2016-Fall 2017, deconstruction of the Thompson Cage June 2016.

John Skillern talked about the Center for Theater & Dance. He showed a site plan. He showed views from down the former Gilman Street and the building elevation comparison. He showed plans for all three levels of the proposed building and the garden level. He continued his slideshow to show the sections inside the proposed Center for Theater & Dance. Mr. Hauschildt asked what the “fly space” is on the top of the building. Mr. Skillern explained it is an area for the curtains to be pulled up into from the stage.

Peter Reiss talked about the Field House and Parking Garage. He showed the building elevation comparison and maps of different views of the proposed building. He showed a plan of the Parking level, which will enable 169 cars to be parked under the building. The building is large and primarily designed for track and field. It will hold a 200 meter track inside the building. The footprint shows a 73,000 square foot building. Again, the track is determining the size. It will have wrestling space also. Chair Thielbar asked if there will be bleachers, and if so, the capacity. Mr. Weiss said there would be 430 seats.

Mr. Wakeman next discussed the Off-Street Parking Analysis. The analysis first looks at campus-wide parking which includes non-residential PEA parking spaces. The predevelopment total parking supply is 618. The post development total parking supply adds 64 spaces, bringing the total to 682. The peak parking demand is 353. The analysis also looked at project area (South Court Street and Lincoln Street lots). The predevelopment total parking supply is at 374. The post development spots would add 64 spaces bringing the total to 438. The parking demand for the highest volume event day (assumes simultaneous athletic and theater/dance events which has a maximum of 3 times/year) needs 427 spots. Mr. Wakeman also stated that there are 90 seasonal event spaces available, which are not included in the analysis above. Chair Thielbar asked if there is a slide from the slideshow which shows where the parking spaces are located. Mr. Wakeman showed a map which included a parking lot behind the Center for Theater & Dance and the bulk of the parking being located in the proposed Parking Garage. He went on to point out where more spaces are located. He also said if events should expand, they have offered shuttle services from the Water Street lot in the past and could again. There are also 44 spaces on Elm Street. PEA would advertise shuttle services if the need should arise. Mr. Prior asked where the handicapped spaces are. Mr. Wakeman pointed out the areas on the map. Mr. Prior then asked about bus parking. Mr. Wakeman said if there is a big event they will coordinate with buses to park in the Water Street lot and be reached when they are needed back. He went on to say they have three huge events per year that call for a high demand or parking and they could utilize town parking if needed. Mr. Baum asked for some clarity on traffic flow. Mr. Wakeman showed the map of the Master Plan. Mr. Prior asked where employees will be parking. Mr. Wakeman said they are configuring parking and suggesting employees park in the Parking Garage when it is constructed.

Mr. Hauschildt said they do not have anything to determine parking in this application. He asked if there would be any issues with a condition of approval involving ingress and egress. Chair Thielbar said they cannot make the changes the applicant is requesting in the calculation sheet provided, but Planning Board can. Mr. Hauschildt said Planning Board can decrease parking if they have evidence which says they can. He said ZBA can approve the application with conditions the Planning Board approves parking.

Chair Thielbar asked how much seating is in the Thompson Cage. Mr. Wakeman answered it seats 430 and the new building will seat the same.

Mr. Mirsky asked the applicants if they intend on using the buildings for any other use besides school. Mr. Wakeman said yes, outside events would happen when school isn't at full capacity. They also intend on bringing in outside performers.

Mr. Wakeman said in regards to the parking discussion, they would not be having more than two events in the Center for Theater & Dance at one time.

Attorney Tucker then went through Special Exception criteria. He explained how the application satisfies each criteria.

Chair Thielbar asked the public for any public comment.

Sarah James, of 70 Court Street, is concerned with parking. She didn't like the thought of adding 1000 seats and only adding 64 parking spots. She asked to be mindful of the impact of parking on the surrounding area.

With no other public comment, Chair Thielbar closed public comment, and moved to Board discussions.

Mr. Prior said when it comes to parking, he is reluctant to let the Planning Board deal with it. He believes there is a legitimate concern with parking. He said the proposed Field House is an indoor facility which is massive and will create parking issues.

Chair Thielbar said he didn't want to just pass off parking and approve the application based on Planning Board's approval.

Mr. Baum said this regarding this particular issue, he believes Planning Board is better equipped and have better tools to deal with this. Chair Prior said they need to assure themselves that they are in the ballpark.

Mr. Hauschildt said he too would not want to just pass things along for the sake of passing it along, but said this issue he is in favor of passing on. He said the Planning Board are the experts in parking and dealing with abutters.

Motion: *A Motion was made by Mr. Hauschildt and seconded by Mr. Baum to approve the application as presented with the condition that adequate parking, ingress, and egress be reviewed and approved by the Planning Board. Motion carried – all in favor.*

2) *The application for Phillips Exeter Academy for a variance from Article 4.3 Schedule II; Density and Dimensional Regulations to permit the proposed construction of the "Center for Theater and Dance" structure to exceed the maximum height requirement in the R-2 zoning district. The subject property is located on Court Street, Tax Map Parcel #83-1. Case #1500.*

Attorney Tucker talked about the heights for the proposed building. The building will be sloped. He gave dimensions. The building is consistent with other buildings in the area. He went through criteria for a variance. Granting the variance wouldn't affect the public health, safety or welfare. The spirit of the ordinance is observed. Substantial Justice is done. The values of surrounding properties will not be

diminished. Attorney Tucker stated that granting the variance would allow construction of a building that meets all criteria.

Mr. Hauschildt asked how many stories there will be on the proposed building. Mr. Skillern said there will be three stories. Attorney Tucker added there will be a walkout basement too at the back end of the building.

Chair Thielbar called for public comment, of which there was none. He opened Board discussions.

Motion: *A Motion was made by Mr. Hauschildt and seconded by Mr. Mirsky to approve the application as presented to allow a building up to 60' high. Mr. Baum asked why 60 feet. Mr. Hauschildt said it is a round number. He said they wouldn't want to come back for 1-3'. Motion carried – all in favor.*

3) *The application Phillips Exeter Academy for a variance from Article 4.3 Schedule II; Density and Dimensional Regulations to permit the proposed reconstruction of the Field House to exceed the maximum height requirement in the R-2 zoning district. The subject property is located off Court, Tax Map Parcel #83-1. Case #1501.*

Attorney Tucker said the proposed new Field House is a sloped building which is not higher than Love Gym. He went through criteria and explained why all were met. He said relief sought is reasonable.

Motion: *A Motion was made by Mr. Hauschildt and seconded by Mr. Mirsky to approve the application as presented to allow a height variance of 60'. Mr. Prior said this is an R2 district. He said they are looking at a massive building that is 100 yards long. It will not have a peak like the old building. Mr. Hauschildt said this building will be within the campus. Mr. Mirsky said it is a field house, and said he thinks the dimensions are fine. Chair Thielbar said they applicants have taken advantage of the size to put additional parking underneath the building. The Board voted on the Motion. Motion passes – with a 4-1 vote. Prior votes nay.*

Other Business:

Approval of minutes: 9/8/15

Mr. Hauschildt had one amendment on Page 1, and one on Page 2.

Motion: A Motion was made by Mr. Hauschildt and seconded by Mr. Prior to approve the minutes of the 9/8/15 ZBA meeting, as amended. Motion carried – majority vote with Mr. Mirsky abstaining.

Adjournment

A Motion was made by Mr. Hauschildt and seconded by Mr. Baum to adjourn the meeting at 9:17pm. Motion carried – all in favor.

Respectfully submitted,
Nicole Piper
Recording Secretary

*These minutes are subject to possible corrections/revisions at a subsequent
Exeter Zoning Board of Adjustment meeting.*

DRAFT