

PLANNING BOARD

NOVEMBER 17, 2016

DRAFT MINUTES

1. Call to order:

The session was called to order by Vice Chair Katherine Woolhouse at 7:00 pm.

Members present were Kathy Corson, Don Clement, BOS Representative, Katherine Woolhouse, Vice-Chair/Acting Chair; Langdon Plumer and Aaron Brown.

Staff present were Dave Sharples, Planner and David Pancoast, Recording Secretary. Members of the public/applicants/ consultants were present as well.

2. New Business: Public Hearings:

The application of Paul R. Slemph and JRK Builders NH, LLC for a lot line adjustment between the properties located at 3 Stella Way and 5 Stella Way. The subject properties are located in the R-1, Low Density Residential zoning district. Tax Map Parcels #32-6-2 and \$32-6. Case #21615.

Don Clement moved to accept jurisdiction, seconded by Mr. Plumer and it was unanimously voted.

Mr. Sharples reported that the proposed lot line adjustment is just over an acre, each lot to remain legally sized. One lot loses some area, but is still a legally sized lot. Both are developed house lots and are asking for waivers due to existing contours. One is a 40 acre site and the other is a 2 acre site so they are just following the regulations section for the lot line proposal. Technically this is a subdivision and there is a set of rules for it, but lot line adjustments are differently treated by the Board.

Dennis Quinto, Engineer presented and said that, Kevin Hamm, the lot line surveyor couldn't be there this evening. Both resulting lots still have plenty of frontage. Lot 6-2 280 ft of frontage, lot 6 300+ ft of frontage. It's an even swap of land area. He went over the lot line changes. Paul Slemph was also present with his consultant, Michael Fecteau, realtor.

Ms. Corson asked the rationale for this. Mr. Fecteau, explained the reasoning for this exchange. This cleans up both parcels in terms of logical layout so it's favorable to

both parties. There was an easement for 6-2 (2 acres). This allows both lots to retain the required 2 acre minimum.

Visual explanation and clarification of the lot line adjustment via the presented plan was held. Mr. Plumer asked what the easement's purpose was. Mr. Fecteau said the easement area is being reduced and was a no cut zone.

[Ms. English arrived at 7:13 pm.]

Public comments: There were no public comments, so Ms. Woolhouse closed the public comments for this matter.

Mr. Clement asked about no-cut easement language, which is in the deed. Mr. Quinto explained there was a viewing and maintenance easement as well, for mowing the lawn and such, but that one goes away. The no-cut easement remains in place. A new deed will be created between the parties to accommodate these changes. Ms. Corson asked if waivers were actually needed at all. Mr. Sharples said that the applicant asked for them, that's why he included it, but in future if the Board doesn't need them, the office won't require them. Mr. Brown said that they requested the Board act, so it should act on them. After discussion, the Board was inclined to not require them on this, so Ms. Corson moved that waivers were not required, Mr.

Plumer seconded, Ms. English abstained and all others voted to approve the motion.

Ms. Woolhouse asked if there were any conditions for the lot line adjustment. Mr. Sharples said he recommended a condition per the vote that waivers are not required for this matter, and also recommended that a copy of the DWG file be provided to the Planner before this adjustment is finalized. Mr. Sharples wants the digital file for this to update the tax maps, and the applicant agreed. Mr. Brown moved that request of Paul Slemple and JRK Builders be approved subject to the DWG file submission before finalization and that no waivers are required. Mr. Clement seconded and Ms. English abstained, and the roll call vote of members was otherwise unanimously approved.

3. Other Business:

Storm Water Presentation by Wright Pierce

Mr. Sharples reported that MS4 compliance will be handled by DPW instead. Wright Pierce wanted to come tonight. But he got a memo as to what's required and the staff had questions on it, so they want to get that information offline and the presentation is therefore delayed for tonight. Mr. Sharples believes they should come in January and the Board approved that without a vote. Mr. Clement mentioned that stormwater

issues and regulations are not going to be part of the zoning regulations if they don't present to the Board until after December. Mr. Sharples agreed but said it was already too late to address those in December at this point. In his view, the subdivision and site plan regulations are more of a priority. There was further discussion on this issue, including the upcoming MS4 permit and requirements. The Town's existing drainage system will need a lot of changes to meet compliance requirements. There will be a reasonable timeline for compliance.

Bond Release for YMCA:

Mr. Sharples reported that YMCA asked for its Letter of Credit to be released. A reduction was approved recently and the rain garden was the only thing left. Instead of plantings, they want to do native wildflowers and grass instead. Dover did a roadside rain garden. Jamie Poole of UNH tested it and found that on some pollutants grass is better, but it works out about the same. Paul Vlasich, Town Engineer and Mr. Sharples reviewed it and approved it as a minor modification. It's not stable and established so Mr. Sharples said he can't recommend full release. Jennifer Mates, Asst Town Eng, had recommended retainage of 2% of the Letter of Credit total, plus \$1,000, so by rule it would be \$11,852.28, which is 2% plus \$1,000. But he felt it could go lower if the Board wants to do that.

Cash would be substituted by the YMCA instead of the Letter of Credit and upon receipt of the cash he would release the Letter of Credit in full. In his view, \$3,000 is enough to hold on this matter, if the Board agrees. Mr. Brown said \$3,000 is more than adequate. Mr. Sharples said they should keep something, to be consistent, and the Board agreed. Ms. Corson moved approval of reduction of the Letter of Credit to \$3,000, seconded by Mr. Brown and the roll call vote was unanimous for approval.

Bond Reduction request for Colcord Pond Associates, LLC, Case #21056.

Mr. Sharples reported the original bond amount was for \$1.3M+, reduced by \$659,861.55 to \$681,176.45. DPW agreed this amount was sufficient to retain as surety. Ms. Corson moved approval and seconded by Mr. Plumer. On discussion Mr. Clement said this is a very early release of this bond amount, the project hasn't gone through even one winter yet. Mr. Plumer said DPW was recommending it. Underwood Engineering has also looked at it and approved it. A roll call vote was taken and the vote was unanimous for approval.

Continued Board discussion of potential zoning amendments:

Mr. Sharples said the status of the matter is good for now, he will recap the entire set of amendments at the next session and the Board can deal with it finally at the second

meeting in December. Either one-third existing floor area of the principal dwelling, or 900 sq ft, whichever is less, but in no case can the Board require less than 750 sq ft. Discussion occurred as to the numbers involved. Mr. Clement said this should be clean and simple. Should have it read to only meet the State law of 750 sq ft. Ms. Corson said 900 sq ft is nice size for an accessory dwelling. 750 sq ft is a bit small. There was discussion on the numbers.

Approval of Minutes: October 27, 2016 and November 3, 2016:

Oct 27 mins: After discussion of corrections, clarifications and additions,

Ms. Corson moved approval of the minutes of 10/27/16 as amended, Mr. Plumer seconded, Mr. Brown abstained and the vote was otherwise unanimously approved.

November 3rd: After discussion of corrections, clarifications and additions,

Ms. English moved approval of the minutes of 11/3/16 as amended, Mr. Plumer seconded, Ms. Corson, Mr. Clement and Ms. Woolhouse all abstained and the vote was otherwise unanimously approved.

Town Planner Items:

Minor Modifications:

YMCA as already addressed above.

Other site plan amendments of C3I, silt fencing issue and guard rail, still followed all. Already discussed at last session, so he approved them.

Planning Board Members Other Committees Activities:

Ms. Corson announced the Master Plan Steering Committee meeting is tomorrow night. They had a table at the Town elections and asked people to say what wanted changed. The elections had a good turnout and participation-9500 Voters, and she thought that at least 1000 came to the table. There was discussing about whom is going to be interviewed and other relevant matters. The consultants are great and very enthusiastic. First real public session is in January, which is a visioning session. Big venue needed if a lot of folks appear. High School cafeteria would work well per Mr. Clement.

Mr. Plumer said a large part of the success of the Elections table was to be able to interact with interested folks so they felt there were heard and the poster was easy and quick to read and it worked well.

Mr. Sharples reported that there was a lot of discussion about multi-mobile transportation and sidewalks. He emptied the comments board four times of written suggestions left on it.

Some money had been left over to update statistics in Master Plan, that money was funneled to a white paper summarizing state of housing in Exeter, giving the story of housing in Exeter, there will be a draft at meeting tomorrow.

Mr. Plumer reported that the Rockingham Planning Commission held its annual forum last week. The speaker was the owner of the Smuttynose Brewery who discussed what he went through in Newmarket/Portsmouth and the high costs it cost him. The site he wanted on Route 1 was denied him and now the US Government owns the land and the City is not getting any tax money out of it. It was zoned for business offices and City didn't want it used for that. So Smuttynose appears to now be in a much worse location, which is unfortunate as he is a strong contributor to the City of

Portsmouth. But it was mentioned that he is happy where his company landed.

Ms. Woolhouse: The next meeting is on 12/8.

Adjournment:

There being no further business before the Board, Mr. Plumer moved to adjourn, seconded by Ms. Corson and it was unanimously approved. The Chair adjourned the session at 8:04 pm.

Respectfully submitted by David Pancoast, Recording Secretary.