

Planning Board
9/22/16
Draft Minutes

Call to Order:

The session was called to order by Chair Kelly Bergeron at 6:50 pm.

Introductions:

Members present were Don Clement, BOS Representative, Pete Cameron, Clerk, Kelly Bergeron, Chair, Katherine Woolhouse, Vice Chair, Gwen English, and Kathy Corson Alternate. The Chair announced that all members would be voting this evening.

Also present were staff members Dave Sharples, Planner, and David Pancoast, Recording Secretary.

Members of the public and other municipal staff were present as well.

New Business/Public Hearings:

Public hearing on Proposed Amendments to the Town of Exeter Site Plan Review and Subdivision Regulations.

Mr. Clement moved to open the hearing, seconded by Mr. Cameron, and the vote was unanimous.

There were no public comments.

Mr. Clement moved to close the public hearing, Seconded by Mr. Cameron and the vote was unanimous.

Mr. Sharples reported that the requisite public hearings were held on this matter, some comments received, so now Board should decide the language on the proposed draft. This set of amendments deals with post-approval improvements. Mr. Cameron asked if the only explanatory memo was the

June 8th one and Mr. Sharples said yes. He said the only change since June 8th was on Item #2 where an alternative was suggested to the Board and it decided to go with the annual reporting requirement. Ms. English asked if, on Page 2, Item #4, midway through paragraph, was the word misspelled? Should it be “failed? She said it doesn’t seem like it. Mr. Sharples said he would have to think about it, if it’s not a substantive an issue, he could just fix it as a typo, but if substantive, then it would need an additional public hearing. Ms. Corson offered that it might be read to say “changes supplied to the Town.” Mr. Sharples responded that it was best to table the amendments to next session, but the Board could just strike the phrase and if the language exclusion was dire, he would come back to the Board for an amendment.

[Langdon Plumer arrived at 6:57 pm.]

Motion to Table or Adopt.

Mr. Clement made a comment on Section #14 on page 8, regarding changes for an approved plan, where the Town Planner and Town Engineer may authorize changes in approved projects, suggesting that the language should state that it not allow changes in any of the buffers? For example, changes to parking configurations might be allowed, but those might get into the buffer. Ms. Bergeron said she thought that concern was covered by Section #3. Mr. Sharples added that the language allows such things as the Town Planner and Town Engineer to change the size of an approved building, but it is strictly limited to the authority they currently have, not new authority.

Ms. Corson said what if the Board had already waived the particular encroachment into the buffer, then could the two officials go beyond the proposed authority? Mr. Sharples said that he would never approve moving something into or even farther into a buffer zone beyond what the Board had approved. Ms. Corson said that she is concerned that the next Planner might do it differently, or an applicant’s attorney could be manipulative. Mr. Clement said that maybe they should add the same language into #1 that is in #3, and that would cover it. Ms. Bergeron said those changes would fix the issue. Ms. English said it’s a segue to further comments. Mr. Sharples said that he would look at it and come back to the Board. He said that if there was to be a proposed change to parking, access, etc. that change would trigger a

return to the Board for re-approval and that is what he would do. Ms. Bergeron said that in that case, perhaps don't strike that language now after all, the regulations might need it per Ms. English's comments. The safety net was to put these types of matters onto the next agenda as minor field modification report items from the Planner and the Board had already agreed to that. Mr. Sharples said that it should be more specific on Item #1, that he would look at Item #4 and be back to the Board with clarifications. Mr. Plumer asked how often such post-approval changes happen? Mr. Sharples said there are quite a few, probably almost every plan, and they were not being documented now.

Mr. Cameron moved to table the matter to 10/13/16 for clarifications prior to approval, seconded by Ms. English, and the vote was unanimous.

The Chair stated that since it was after the regular session starting time of 7:00 pm, she was going to move the agenda into regular order without closing the prior hearing on Regulations only. Mr. Sharples agreed with that.

NEW BUSINESS: PUBLIC HEARINGS:

[Ms. Corson excused herself at 7:06 pm and left the session to attend another matter. Mr. Clement also excused himself at 7:06 pm and left the session temporarily to attend another matter.]

Continued public hearing on the application of Ted Boschetto (on behalf of East Coast Ventures, Inc.) for a site plan review and Conditional Use Permit (Wetlands) for the proposed construction of a 30,000 square foot addition to an existing building and associated site improvements on the property located at 22 Industrial Drive. The subject property is located in the I-Industrial zoning district. Tax Map Parcel #48-5. Case #21612:

Christian Smith of Fields Associates and Applicant Ted Broschetto were there to present the matter. Mr. Smith reported that they finalized their response to Underwood Engineering's peer review, made some clarifications and a typo was corrected and minor modifications were made to the drainage analysis. They also went to the ConCom on Tuesday night 9/20/16 and it voted to support the waiver requested of the Board, and also the conditional

use application. The only other piece unresolved was that Mr. Clement had asked if they could move the forebay back out of the buffer a bit but they couldn't do that after looking at it carefully as they would lose too much native vegetation in trying to do it at all, due to slope changes that result.

Ms. Bergeron said that the ConCom memo on this matter is in the materials.

Ms. English asked if this was the plan that was proposing the tree plantings? Mr. Smith said yes, but they were intending to meet with the planner on it to assure his satisfaction. Mr. Sharples asked then to be more specific in their proposal. Mr. Smith said they would plant more deciduous trees and other types too-assuring their survival. Ms. English would like to see a more concrete plan. Mr. Sharples said he would at least like a number of plants from the Board. He said probably a dozen trees would work that the applicant needs good locations for them with thoughtful plantings. Ms. Woolhouse asked the applicant to summarize the project at the map. Mr. Smith did that: all of the proposed building is on old parking area. They are cleaning up the area of parking. The TRC wanted to have no salt zones in buffer areas. Other areas of possible additional parking are to be built only as they become necessary. The smaller building is a phase II only proposition. There is to be landscaping in front and to left of the entrance, around bioretention ponds. Stormwater is being improved greatly. Old drainage has become wetlands area. This site coming into the 21st century with the improvements.

Ms. English said that if the Board can come up with a tree planting number and size caliper, then she would be comfortable. Mr. Sharples suggested 12 deciduous trees of minimum 3" caliper dbh and additional shrubbery. If the Board approved and required that, Mr. Sharples would then be able to move things around but not add or subtract to the numbers. Mr. Boschetto said he had a professional landscaper who works onsite and he will have some input from him on that. He also said he bought this a year ago and wants improve it aesthetically, and will want his landscaper's suggestions on the plantings.

There was discussion on the ConCom decision as an "approval," versus "no objection," and whether there was any problem with this matter at ConCom. Mr. Sharples said there was none, the form they used was his suggestion and used for first time. The ConCom doesn't have statutory authority to approve

or disapprove, so kt simply marked off no objection. Mr. Smith recanted his use of the word “approval” on That issue.

7:36 pm-Mr. Clement returned to the session during this matter.]

Mr. Smith went over the change Mr. Clement had asked for, they can't do it with the resulting 3 foot vertical change, losing too many trees, after several iterations it results in tree losses. He did speak to the ConCom about it.

There was discussion on curbing and the dropoff near it and whether drivers were at risk and it was decided to be unlikely.

There were n o public comments.

Ms. Bergeron said there were two more waivers and other motions. Mr. Sharples presented the waivers again that weren't approved last time.

Mr. Sharples reiterated his proposed conditions, most being standard ones. Because of the discussion he changed #11 to 2.5" DBH caliper trees instead of 3" because as he thought about it, that is the standard commercial product.

Condition #11 was new, so he renumbered them accordingly: #11 to #12, #12 to #13, which is the total.

Ms. Bergeron raised the Sect 9.9 waiver for buffer zone disturbance: no cut no disturbance. Mr. Cameron said if Mr. Sharples' letter is part of the record, he's fine with it. It is part of the record.

Ms. Woolhouse moved a waiver of Sect 9.9 in this case, Mr. Plumer seconded, and the roll call vote was unanimous.

Ms. Bergeron read the Conditional Use Permits (“CUP”), one for wetlands, one for shorelands, into the record.

Mr. Plumer moved approval of a CUP for wetlands: Sect 9.9.6b, Mr. Clement seconded. The roll call vote was unanimous after clarification of affirmation of the applicant of Mr. Sharples' letter.

On the Shorelands CUP: Sect. 9.9.3.c.2, Ms. English moved approval, Mr. Plumer seconded and on discussion Mr. Cameron again said that if the applicant reaffirms the same letter, then that will be good enough. The roll call vote was unanimously approved.

On the Site Plan approval and suggested conditions of approval by Mr. Sharples, Mr. Plumer moved approval, Ms. Woolhouse seconded and it was unanimously approved.

Final public hearing on the 2017 Capital Improvements Program (CIP) projects as presented by the Town Departments. Copies of the proposed document(s) will be available at the Planning Department Office prior to the meeting.

Mr. Sharples summarized that last CIP session where all department heads were present and presented. The Board wanted a couple of clarifications, which were in the packets. The CIP decision will have a transmittal letter, which the Chair will sign. The Rec and Parks project now included a site development budget. Project costs decreased because Director Favreau made some decisional changes. Discussion on drought conditions/water availability was held.

Mr. Clement said that the Rec and Parks project is still very general and broad and needs a much more detailed breakdown to go forward. Last night the BudCom was presented with draft budget for 2017. Some remarks made for CIP projects. Does that change how the Board views the CIP for next 5 years. One issue is the new force main up to Newfields Rd. Another issue is Town has done a great job of taking care of infrastructure. He said emphasis by the Planning Board for CIP 2017 should still be on infrastructure and wait on other things. Mr. Plumer said the water system bubbler/aerator issue is an emergency and the Town needs to do that. Ms. English agreed that is critical. Mr. Dean, the Town Manager spoke on the TTHM issue, the Town might not have a choice on that due to NH DES involvement. If their intended action doesn't bear fruit, then they might be forced into compliance. They could do a Fire Pond at the new Waste Water Treatment facility for fire treatment. The Fire Department preferred a new water line. Mr. Dean said he wanted

everyone to be on the same page on these things. The water line pipe is too old, need to work through all those issues and prioritize within the bandwidth of money available. He did not recommend that Board worry about deferred items, it will be hashed out in the specific budget process.

Mr. Plumer said that the Fire Department substation was a worthwhile project for the Town.

Ms. Bergeron said that for infrastructure, the Town should pay careful attention to water and sewer. The Town needs careful attention to the considerations for the new Fire Department substation. She suggested that the Board would like to see careful prioritization of all the projects within CIP. The Budget Committee may prioritize differently than the Board does. Mr. Clement said that a few years ago the Board and Town had ranked the projects. But the list was often ignored and that approach was later abandoned. So for that reason, it's better to use broad categories. TTHM is a health issue that must be addressed.

Ms. Bergeron recapped that she was hearing infrastructure, TTHM resolution, water and sewer and the new Fire Dept. Substation were the priorities of the Board. She then moved that the list of CIP for 2017-2022 be forwarded to BOS as endorsed with following points: that the Town should pay careful attention to accomplishing the above mentioned four items in the order presented. Mr. Plumer seconded and the roll call vote was unanimous. Mr. Sharples was to draft the letter of this decision for the Chair to sign.

The application of The RiverWoods Company at Exeter for a Conditional Use Permit for proposed drainage and landscape improvements within the Wetland Conservation Overlay District and its buffer. The subject property is located at Pinkham Village, 7 River Woods Drive in the R-1, Low Density Residential zoning district. Tax Map Parcel #97-23. Case #21614

[Mr. Cameron recused himself at 8:27 pm as a resident of the project.]

Mr. Sharples reported the application complete for review purposes.

Ms. English moved to open the case for review, seconded by Mr. Plumer, and the vote was unanimous.

Jeff Clifford presented. He discussed drainage improvements and he went over the parcel plan orientation. There is a landscaped area with groups of residences between and a walkway in center area with an ADA (physically challenged) ramp and steps. Area is subject to snow staying longer due to little sun and meltwater is affecting the walkway, hence this proposal to fix it. Want to replace the drip strips and pick up drainage and outlet it to a level spreader at the forested wetlands near the driveway and outfall it into a ditch. Doesn't go directly to Exeter River. A "Tree Box" filter is proposed. The overflow system covers the water outletting if a storm is too intense. There is a 40 ft setback and they propose to be working within it. This would be for a Conditional Use Permit not a Site Plan approval.

Due to the impact into buffer zone, which is now undisturbed area, the applicant voluntarily went to ConCom on 9/20 and that memo is included in the packets. There were no recommendations by ConCom. A Conditional Use Permit has to have a waiver, which is the wetlands setback waiver, and he had no suggested conditions of approval. There was clarification on the Tree Box filter.

There were no other comments board.

On public comments, Mr. Robert Landon said he owns some property there but this work isn't near his property so he is fine with it. There were no other public comments.

Ms. English moved a waiver from Sect. 9.9.2 of Site Plan review and subdivision regs, seconded by Mr. Plumer and the roll call vote was unanimous.

Mr. Clement moved approval of the CUP, Mr. Plumer seconded and there was unanimous approval.

[Mr. Cameron resumed his seat at 8:40 pm.]

Approval of minutes of 8/25/16 and 9/8/16:

After discussion of Minutes matters related to 8/25/16, Mr. Cameron moved to table those minutes. After more discussion Mr. Clement moved to table both the site walk and regular 8/25/16 minutes. Mr. Plumer seconded and the vote was unanimous.

Mr. Clement moved approval of the Sept 8, 2016 Minutes as presented and Mr. Plumer seconded and after abstentions by both Ms. Bergeron and Ms. Woolhouse due to non-attendance at that session, the vote was unanimous for approval.

Town Planner Items:

Mr. Sharples reported that he attended the BOS 9/12 session for approval of the contract to update Town Master Plan. Then they met with MPSC the following Thursday. One comment that would change the Contract. They want public engagement in the MP process. Wanted consultant to promote the Master Plan provide materials and a script for a table at the election.

Update on new construction: 2 Hampton Rd moving ahead. Second entrance is going away.

On Epping Rd: Aroma Joes being built, second building foundation coming. No Certificants of Occupancy yet, but he got a sidewalk design last week, correct width and along entire site. DPW is looking at it.

If the TAP grant is successful, will connect all that.

PEA preconstruction meeting is coming up.

Mr. Plumer said the new MP logo is a shadow view of spires of downtown buildings. A member is a graphic artist and will do that logo.

Mr. Sharples reported no applications for the 10/13 meeting. Rose Farm will come later than that. Would like to talk about amendments that night. He will

reach out to land use boards with any concerns and desires. Accessory dwelling units are on the list. Also want to look at frontage and private ROWs, etc. Probably Class V accepted streets.

Ms. Bergeron said a work session would be good on regular time.

Other Business:

Ms. English reported there is an accessory dwelling unit workshop next Thursday at 7 pm at the Library.

Early reminder Hazardous Waste drop off day is 10/15 at DPW 8am to 1 pm.

Adjournment:

There being no other business before the Board, Mr. Clement moved to adjourn, seconded by Mr. Plumer and the vote was unanimous. The session was adjourned at 9:08 pm.

Respectfully submitted by David Pancoast, Recording Secretary.