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**TOWN OF EXETER
PLANNING BOARD
DRAFT MINUTES
SEPTEMBER 20, 2018**

6 **1. CALL TO ORDER:** Session was called to order at 7:10 pm by Chair Plumer.

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8 **2. INTRODUCTIONS**

9 **Members Present:** Chair Langdon Plumer, Pete Cameron – Clerk, Aaron Brown, Gwen
10 English, John Grueter – Alternate, Kathy Corson – Select Board, Robin Tyner – Alternate and
11 Nick Gray (@9:59 pm)

12 **Staff Present:** Dave Sharples - Town Planner

13 Chair Plumer indicated that Alternate, John Grueter would be acting as an active member on
14 the first Public Hearing.

15 **3. Public Hearings:**

16
17 **1. Exeter Rose Farm – PB Case #17-27**
18 **Open Space Subdivision**
19 **Oak & Forest Streets**

20 Chair Plumer advised that this was a continuance of the public hearing for Exeter Rose Farm.

21 Mr. Sharples advised that a Site Walk had been performed by the Planning Board yesterday.

22 Public Comment:

23 Jen Briggs stated she was grateful for additional meeting and Site Walk. Plan has maximum
24 impact destroying affordable housing community. Exeter Area Conservancy approached Exeter
25 Rose Farm denied assistance. Seeking a lot of waivers. Can't merely affect environment.
26 Ensure that Master Plan and regulations met.

27 Joanne Gallagher stated she watched Conservation meeting on CUP, vote was no. Proof of
28 maximum damage and impact on wildlife. No existing sidewalks. Lot of disruption. Lot of
29 commuter traffic in surrounding streets. Who is paying for this? Should be developer. Just
30 have to patch roads, then up to taxpayer to resurface roads. Grading issue on her property line.
31 Developer plans to grade within five feet of her property line. Developer must have 20-foot
32 landscape strip between road and property line, only 13 feet between, not 20. New road way
33 landscaped with trees and shrubs. Plan shows nothing to shield the Gallagher house from
34 headlights. Came to see I could subdivide, ok'd but gave me some recurring shared issues,
35 provisions state that driveway per unit no private right of ways, trees here letter from arborist,
36 some trees have health issue sand share one-foot space for each inch diameter of trunk, trees
37 will be impacted. 8 or 9 waivers on board. Homeowners' Association prevent owners from
38 dumping waste, pump station, Exeter Master Plan includes over developing.

39 Pete Steckler stated “Thank you for responding to request for Site Walk. Crossed very wet
40 areas, not labeled as wetland areas. Man-made wetland? Did not walk alternate access route.
41 Project ran through fragmented landscape will further fragment habitat. Developer response to
42 Conservation, deny CUP and wetland waiver, resubmit info, hard to interpret. Received letter
43 from me July 30th? Encourage you to read it. Applicant fails to address impact on water quality.
44 Claim it is protected but also requesting CUP. Counterintuitive damage to wildlife habitats, net
45 plus/minus impervious surfaces. Applicant does not recognize fish and shellfish habitat. Not
46 identified as value. Put out minnow trap behind my neighborhood. Captured yellow eel.
47 Greatest Conservation need is to consider endangered species.

48 Doug Flockhart stated he worked as an architect and civil engineer. Regulations state cul-de-
49 sac can’t exceed 1200 ft. Rose Lane is almost 2400 feet. TRC only assist and make
50 recommendations and cannot approve or deny water request. Oak Street Extension delivery
51 trucks and school buses more convenient to use Oak Street Extension, gate is being put up.
52 Horrific traffic on Pickpocket Road, intersection at Oak Street Extension can’t handle weekly use
53 for construction. Ten feet wide, consider shared drive, and need waiver. Site access and
54 neighborhood impact require access from feeder roads, no thru traffic. (Wadleigh and Forest
55 Street). You can require improvement of access streets. Board can require economic impact
56 analysis, existing neighborhood, social and economic conditions.

57 Todd P. stated that wetland waiver and CUP do not require hardship. Can be done in less
58 impactful way. Alternate route has greater impact and most of wetlands Impacted” already had
59 roads on it. Oak Street Extension one retaining walls. Kristen Murphy seemed surprised how
60 much water under road. Should not be impaired just because Norris Brook already is
61 impaired.

62 Dave Piper read a letter from Mark West. Assisting neighbors Concord, request peer review of
63 wetland mapping. Long term impact on Norris. Alternate route would avoid crossing wetland.

64 Robert Rozine, PhD. stated review of wetland and nitrogen controls, recognize rights of owner
65 to develop site. Rose Farm Development should be better. If nitrogen is up, EPA requires
66 permit for waste water plan, not any low impact developments. Underwood Engineering letter
67 addressed that application responds to letter, potential inconsistencies with project, alter terrain
68 permit, require substantial redesign, cannot use for storm water treatment. Need to provide
69 infiltration, pollutant analysis and nitrogen control report. Tracking and accounting program
70 increase that can be mitigated won’t have to go through in future. Fertilizer limitations No
71 means to implement process. No way to enforce or track, by sea rise and storm surge. Culverts
72 unable to function properly, vulnerability assessment. Project does not meet spirit of Master
73 Plan and regulations.

74 Moray Fay stated Oak Street Extension should not be used because it’s too narrow. Its being
75 used for large construction vehicles. Our ability to use and enjoy property limited during
76 construction. This is the first-time plan reviewed with major details. Previous issues not
77 addressed. Adverse impact to Town, environment and neighborhood. Private property owners
78 cannot do whatever they want. Exceeds limits. Preparing list of outstanding issues and
79 concerns prior to action. Delays are the responsibility of the applicant. Access, construction,
80 environmental impact, work through these issues if not ready to deny.

81 Aime Delaney, PhD. stated that she is not an abutter but expressed concern for community
82 safety. Has grave concerns one road access length exceeds regulations, must cross bridge,

83 possible issues with emergency. Emergency access is entry Oak Street, ten feet wide where 24
84 recommended to operate emergency vehicles. Proposed gate obstructs space. No time to
85 unlock lock box in emergency. Plan for emergency management.

86 Ben B. advised that there is a cemetery on the property. Trail breaks off to cemetery possibly
87 Wiggin cemetery, should get info on cemetery, marked but not identified.

88 Kelly M. stated that she is a 17-year-old handicapped abutter and has difficulty accessing her
89 car because of the construction. Ambulances can't get through. Can't see how this can work
90 unless the road is widened. Also, there is nowhere to park.

91 Tom L. stated that comments are deplorable. D'Agostino's, what happens? Wanted to move
92 to a new house, big problem with intersection, get rid of Spring if development. More traffic
93 caused, another pond in area. Should have right to sell property. Need cul-de-sacs open.
94 When start digging, interfere with Springs. Heavy water couldn't get into Rose Farm. Do
95 believe are fish there, something, Spring would need to be closed.

96 Kurt McHale stated that gave letter last year about concerns. Retain independent analyst to do
97 wetland analysis and stormwater mitigation plan. Too important to just take word for it. Traffic
98 issue only data was from consultant for developer. Additional vehicles result in negligible
99 impacts. Traffic study should show facts not opinions.

100 Chair Plumer stated more traffic study done.

101 Mr. McHale continued stormwater system, complex maintenance, 26 inspections, require yearly.
102 Don't trust developer. What happens when Homeowner's responsibility to enforce? When does
103 developer stop maintaining system? The spirit of open space development if meet all
104 regulations, need to approve, move to meeting technical requirements, meeting spirit and intent.
105 Intended to provide developments with open space, pointed to rec space, some slope, not ready
106 for recreation use, other spaces densely brushed, not open space overgrown brush, not sure of
107 plan to do anything to terrain. Recreation. Space should meet needs of residents. Landscape
108 equipment must be suitable, accessible to residents, looking does not meet requirements, rec
109 space and open space overlap. Rec space in middle of cul-de-sac not enough perhaps process
110 get bogged down by technical details, lessen congestion in streets, prevent overcrowding
111 Master Plan goals, suggested neighborhood impact study or report, access what it means to
112 neighborhood and have authority to request this. Construction will destroy neighborhood.
113 Business not in good standing with NH state.

114 Sheila R expressed concerns about water overflow, concerns about traffic, power lines, concern
115 for Kelly. House built on graveyard, considered historical district.

116 Mr. Sharples advised that he had received two letters, one from the family that ran Exeter Rose
117 Farm. The land was too big to care for. Changes must happen. Want to see the land cleaned
118 up and used. The second letter listed three concerns with development: 1) affordable housing;
119 2) Spring; 3) maintain trail. All three have been addressed.

120 Mr. Baum stated that he understood concerns. Much has been raised before, reviewed and
121 addressed. The plan was accepted in Spring. It is not the first time reviewed. The applicant
122 has completed every request by Board. There are few points to rebut. Not sure we are out of
123 good standing. Much material has been submitted and reviewed. The Planning Board does not
124 deny due to vague concerns. Experts have answered questions to ensure it meets regulations.

125 Corey Coldwell stated that it has been a length review process. TRC has reviewed.
126 Underwood has reviewed. Everything has been met besides water requests. An alternate route
127 would have more wetland impact associated and cross wider wetland. Road coming in has a
128 bend, minimum radius allowed. Alternate route would have a sharper unsafe curve. Road
129 length does not require a waiver. Open bottom culvert, best alternative to provide natural
130 connectivity. Oak Street safety, someone could cut chain on gate, its enforced for emergency.
131 Oak Street private driveway, used for Rose Farm Lane, control use with signage. Encourage
132 access to Spring. Purpose of Rec space want 8 acres open spaces where 5 is required.
133 Culvert restricts flow of Norris. Open box culvert does not restrict flow. Ten feet water after
134 storm, 7 feet by now, 16 feet wide, 6 feet high, infiltration best when soil conditions are good.
135 "We know infiltration limits." The system we chose is the best possible. Have had alterations in
136 plan since accepted as complete in March, not bride, open box culvert. Board had independent
137 review of wetland, sewer and stormwater. Underwood has done that and found it acceptable.
138 Happy to take of the recreation area in the cul-de-sac, currently shown in right-of-way.
139 "Licensed professionals, not all employees are licensed but I oversee them."

140 Mr. Sharples advised that the cul-de-sac is part of the right-of-way.

141 Mr. Baker stated he doesn't want to harm townspeople. Fearing worst, results will be worth it.
142 Opposition asks for more studies, to shoot more holes in plans. Done exhaustive studies on
143 traffic, both peer reviewed and deemed acceptable. Mr. Baker addressed construction
144 concerns being inconvenient to the neighborhood adding that he has tried to balance their
145 concerns with our rights as property owners to do things on private property. I don't think we
146 should be restricted from public use. Tough to balance. Know property better than anyone.
147 Property rights are fundamental to a property owner has the right to improve property under
148 guidelines from municipality. Will be worth it and boost the economy. The plan meets
149 regulations. I have made modifications requested by Planning Board, accommodate affordable
150 housing and restrict somewhere and most environmentally friendly crossing.

151 Mr. Grueter stated the peer review was done, and asked are we satisfied with sensitive areas?

152 Mr. Sharples advised that there was no wetland delineation. Has done crossing and design,
153 drainage analysis and structure design.

154 Mr. Grueter asked if this was the best place to cross.

155 Mr. Sharples advised that the culvert would work. It is subject to permit, prove to environmental
156 services, state law not allow Planning Board to restrict. State permits only a condition of
157 approval. Will come back if there is significant change.

158 Mr. Grueter asked about maintenance with a Homeowner's Association.

159 Mr. Sharples advised that the crossing is a public road and the Town's responsibility.

160 Mr. Grueter asked if the developers would have any responsibility. Mrs. Corson asked if a
161 professional could manage the HOA. Mrs. Tyner asked if a 3rd party reviews (CUP criteria).

162 Chairman Plumer agreed that was an important point and asked when the HOA would take
163 over.

164 Mr. Sharples advised that they would be responsible for the drainage system maintenance, filing
165 annual reports, filed out and submitted to Engineer annually which requires tracking if
166 alterations are made. Natural resource plan is not reviewed by a third party.

167 RR stated that Underwood Engineering signed off on most if not all. Underwood took no
168 exception to items in letter. Issues remain open.

169 Jack McGuire. stated that AOT requirement met with them last year and okay with changes
170 made.

171 Mr. Cameron asked if he didn't choose to develop the property would a remediation plan be filed
172 or receive citation?

173 TS responded that at some point someone would need to remediate the property. D'Agostino
174 responsible party. Exeter Rose Farm does not need to remediate but will voluntarily, did not
175 cause.

176 Mr. Cameron asked if it was cited as a hazardous waste site?

177 TS stated that yes, has been, at some point, would be remediated

178 TS stated that a HOA could hire a third party to make sure people are maintaining it the way
179 they should.

180 Mr. Cameron asked who sees that the reports are done? Something in HOA documents should
181 state that.

182 Mr. Baker responded that when 79% of the lots are sold is the general rule. There are a lot of
183 variables. It is run by the owner until enough mass of owners can take over.

184 Mrs. Corson added in Epping's a builder has been there 5-8 years. Don't want to make a rash
185 decision, not same plan as accepted in March. How many meetings since?

186 Mr. Sharples advised there were 3 or 4.

187 Mrs. Corson stated went back and forth with different plans, not ready to decide.

188 Mrs. English asked if the applicant would agree to extra time, if needed?

189 Mr. Baker advised that he feels our plan is complete and that they have answered all the
190 questions. If you need more time, open to that.

191 Nate V stated that they were asking for 9 waivers, alleviate hardship, not

192 Mrs. Corson stated want peer review on alternate rout, not satisfied with cul-de-sac length,
193 private drive not standard, need more clarification on cemetery, grading within 9 feet, have
194 arborist watch trees for several years. Mora's house pre-construction, before construction.

195 Mr. Brown stated discuss peer review, talking about at the special meeting, work through if we
196 need.

197 Mrs. Corson added the shared driveway for three houses, and nine units, rec spaces behind
198 houses, not a good thing for homeowner.

199 Mr. Grueter stated that he did not understand the common driveway.

200 Mr. Baker responded that it's a condo subject to HOA, anticipate Oak Street to be the full
201 responsibility of HOA.

202 Mr. Baker stated that he could run by structural engineer, additional overflow values at top.

203 Mrs. Corson stated that it was at capacity after rain storm, under railroad built in 1700s.
204 Condition of CUP is to show alternate route is not as favorable.

205 Mr. Cameron stated the peer review on hypothetical.

206 Mr. Sharples advised that do review on submitted docs to check accuracy of those.

207 Mrs. Corson stated that CUP brought to peer review.

208 Mr. Sharples advised that use cannot be carried out on portion outside buffer, has to go through
209 buffer.

210 Mr. Baker stated that listening to good ideas, but lot of different balancing acts. Our current plan
211 is best balance. Typically, don't review public ideas.

212 Chair Plumer stated that issue with Maple stream may be sewage, portion under or on other
213 side.

214 Mr. Coldwell added that water, gas electric, sewer require separation. Must utilize both sides of
215 road. Opted for shallower utilities on her side of road.

216 Mr. Sharples advised that the 11th works. Mr. Cameron stated not having 20 meetings on this
217 plan, final time.

218 Mrs. English asked about the landscape plan. Mr. McGuire stated that landscaping at entrance,
219 plans there kill bigger trees. Mrs. Corson stated that it was important to see plan. Ms. Tyner
220 added that alternative brought by public, has anyone analyzed alternate plan?

221 Mr. Baker stated that Mr. Sharples asked us to look at it closely. Much greater retaining wall,
222 more impact on wetlands, quality is debatable, crossing both ways not saving on crossing,
223 saving on that crossing. Mr. Sharples talked about alternate ways could need additional
224 crossing don't have last crossing.

225 Mr. Colwell stated that functional assessment shows that functions and rates at our crossing
226 and alternate are same. Retaining walls 600 ft difference.

227 Mrs. English added parks and landscaping.

228 Mr. Baker state that is Site Plan detail, can show where parking spots will go.

229 ***Mr. Cameron motioned to continue Case #17-27 to October 11, 2018. Ms. English***
230 ***seconded the motion, with all in favor, motion carried.***

231
232 **4. OTHER BUSINESS**

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234 **5. TOWN PLANNER'S ITEMS - Tabled**

- 235
236 **• Field Modifications - Tabled**

237 • **Announcements - Tabled**

238

239 **6. APPROVAL OF MINUTES: August 23, 2018 - Tabled**

240

241 **7. CHAIRPERSON'S ITEMS – Tabled**

242

243 **8. PB REPRESENTATIVES REPORT ON "OTHER COMMITTEE" ACTIVITY**

244 **Tabled**

245 **9. ADJOURNMENT**

246 *Mr. Cameron motioned to adjourn the meeting at 10:38 pm. Ms. English seconded the*
247 *motion, with all in favor, so moved.*

248 Respectfully submitted,

249

250

251 Daniel Hoijer

252 Recording Secretary