

**TOWN OF EXETER
PLANNING BOARD
MAY 14, 2020
VIRTUAL MEETING
DRAFT MINUTES**

Zoom ID: 208-058-2669

Phone: 1 616 558 8656

I. PRELIMINARIES:

BOARD MEMBERS PRESENT BY ROLL CALL: Chair Langdon Plumer, Vice-Chair Aaron Brown, Pete Cameron, Clerk, Gwen English, John Grueter, Jen Martel, Molly Cowan, Select Board Representative, Pete Steckler, Alternate, Robin Tyner, Alternate and Nancy Belanger, Alternate.

STAFF PRESENT: Town Planner Dave Sharples

II. CALL TO ORDER: Chair Plumer called the meeting to order at 7:12 PM and read out loud the meeting preamble which indicated that an emergency exists and the provisions of RSA 91-A:2 III (b) are being invoked. As federal, state and local officials have determined gatherings of ten or more people pose a substantial risk to the community and the meeting imperative to the continued operation of Town and government and services which are vital to public, health, safety and confidence. This meeting will be conducted without a quorum physically present in the same location and welcome members of the public accessing the meeting remotely.

III. OLD BUSINESS

APPROVAL OF MINUTES

February 13, 2020

Mr. Grueter motioned to approve the February 13, 2020 minutes as amended. Ms. Martel seconded the motion. A roll call vote was taken, Cameron – aye, Plumer – aye, Grueter – aye, English – aye, Brown – aye, Martel – aye, Cowan - abstain. With 6 in favor and 1 abstention, approved 6-0-1.

IV. NEW BUSINESS

PUBLIC HEARINGS

1. The application of Brian Griset for review of a Yield Plan in conjunction with a proposed 16-unit single-family condominium open space development and associated site improvements on property located off of Tamarind Lane and Cullen Way.

Tax Map Parcels: #96-15 and #81-53

R-1, Low Density Residential and

42 NP – Neighborhood Professional zoning districts
43 Case #20-2

44
45 Chair Plumer read out loud the Public Hearing Notice.

46
47 **Ms. English motioned to accept Planning Board Case #20-2 for Yield Plan review. Mr. Cameron**
48 **seconded the motion. A roll call vote was taken, Cameron – aye, Plumer – aye, Grueter – aye, English**
49 **– aye, Brown – aye, Martel – aye, Cowan – aye. With all in favor, the motion passed unanimously 7-0-**
50 **0.**

51
52 Mr. Sharples noted the applicant has submitted a Yield Plan in advance of an Open Space Development
53 as required per Section 7.7.1 of the Zoning Ordinance. The subject parcel is located off Tamarind Lane
54 and Cullen Way in the R-1, Low Density Residential Zoning District, drawing density from the contiguous
55 unimproved parcel in the NP Neighborhood Professional district.

56
57 Mr. Sharples noted the applicant received a Special Exception from the Zoning Board of Appeals on
58 January 21, 2020 to permit residential use of the 30.76-acre parcel within the NP Neighborhood
59 Professional Zoning District.

60
61 Mr. Sharples noted the applicant also received a Variance from Section 4.3 of the Zoning Ordinance to
62 permit a single-family open space development in the R-1 Zoning District.

63
64 Mr. Sharples noted a Yield Plan needs to be designed in accordance with Section 7.13 of the Site Plan
65 Review and Subdivision Regulations, which he provided to the Board noting it is not fully complete. Mr.
66 Sharples noted the Planning Department reviewed the Yield Plan which has been revised since
67 submission and attached the latest plan dated 2/20/2020.

68
69 Mr. Sharples included TRC comments and indicated when the Yield Plan is accepted by the Board the
70 applicant will submit an Open Space Development Plan which can be reviewed at that time.

71
72 Mr. Sharples noted the Yield Plan was reviewed by third-party engineer, UEI via email and the email
73 thread is provided to the Board for review. Allison Reese from UEI discussed the size of the building
74 envelope. However Exeter’s regulations do not stipulate a minimum building envelope size but, during
75 two prior Yield Plan reviews the Board determined the plan show that a 25’x25’ structure should be able
76 to fit within the building envelope to be considered a viable lot. The applicant has addressed all staff
77 and UEI comments. The applicant has submitted a letter from Attorney Justin Pasay dated February 26,
78 2020 with a cost estimate and letter of Gove Group to determine the financial feasibility of the project.

79
80 Mr. Sharples noted a waiver from the 100’ perimeter buffer requirement (Section 9.6.2 of the Site Plan
81 Review and Subdivision Regulations) is requested for Lot 5 to be a viable lot. Without a waiver Lot 5
82 would not have a viable building envelope. As such, the applicant has provided two Yield Plans asking
83 the Board to accept the one with the 50’ buffer which requires the 100’ perimeter buffer waiver. A copy
84 of the criteria for granting a waiver in Section 9.6.2 was provided to the Board for review.

85

86 Attorney Justin Pasay indicated he was present with Christian Smith from Beals Associates and Brian
87 Griset. Attorney Pasay noted the project builds off the design plan they had earlier and he plans to
88 discuss the waiver specifics and a claim by a member of the public that a yield plan does not require a
89 variance. The legal opinion was provided and plan to supplement file with view on that issue and would
90 ask to continue to the next available meeting.

91
92 Attorney Pasay indicated they have met with Conservation Commission and ZBA, looking at Phase 3 of
93 development of subdivision which includes 2 new lots (now 18) all served by municipal water and sewer.
94 The proposal includes three pieces of property: Griset property, unimproved Conservation property and
95 Brickyard Park property which is Town-owned. The Conservation space and open space to Town have
96 been in the works for a long time. Have had discussions with neighborhood. Letters of support for
97 development were included. There are 68.83 acres between three properties, 23.6 acres of uplands.
98 The wetlands encroachment has been limited to less than one-third of an acre. The standard is to prove
99 is reasonable and feasible. All comments have been addressed.

100
101 Christian Smith of Beals Associates indicated the project is pretty similar to the preliminary meeting.
102 Some precise calculations were done and added utilities, driveways, cul-de-sac (to minimize wetlands
103 impact) detailed viable curb-cuts, addressed TRC comments, built off preliminary discussion. Meets all
104 aspects of zoning.

105
106 Attorney Pasay noted the point of the yield plan is to determine density, not to build this, talk about that
107 if gets to Site Plan.

108
109 Ms. English asked the total wetland impact and Mr. Smith noted just over 13,000.’ The design was
110 worked out on open space plan to cut under 3,000.’

111
112 Ms. English asked how much upland acreage in the open space area and Mr. Sharples responded there is
113 no open space in a yield plan, the recreation easement is shown.

114
115 Ms. English asked the calculated cost for the driveway in Lot 6 which is 900’ and Ms. Smith noted the
116 total parking cost is \$90,000 all totaled and would guess it is one-tenth of that.

117
118 Ms. Tyner asked how much of uplands are used and Mr. Smith noted all is used.

119
120 Mr. Steckler asked if the driveway access easement is existing or required and Attorney Pasay noted it
121 was existing.

122
123 Mr. Steckler questioned the marketability in current conditions and requested an update to this.
124 Attorney Pasay indicated the assumption is the basic lot value of \$175,000. Post COVID lots are going
125 for \$200,000. The test comes down to who’s developing and if they want to proceed. “If we didn’t think
126 they’d sell, we wouldn’t be continuing.”

127
128 Ms. Martel asked about driveways off Route 111 and Mr. Smith noted 20’ wide off 111 to property line,
129 Lot 15 splits, shared between lots 13 and 14.

130 Chair Plumer opened the hearing to the public for comments and questions at 8:06 PM.

131

132 Neill Bleicken indicated he had significant opposition to this project, 18 households. It will alter the
133 character and he is pursuing counsel.

134

135 Lisa Bleicken expressed it is hard to approve a waiver for transferring density. It looks like they are
136 seeking a buffer strip change for several lots.

137

138 Mark Paige echoed concerns about opposition. Mr. Paige opined the decisions may be premature, the
139 financial situation has changed considerably.

140

141 Laura Knott stated she submitted a letter earlier and is not a direct abutter but sees impact in addition
142 of this plan. Ms. Knott stated the wetlands are not accurately portrayed. The buffer strip is not
143 adequately shown. The 100' buffer should require across all lots. Does not show conventional
144 subdivision. Lots 13-18 are accessed off Kingston Road but also a part of subdivision. The plan uses a
145 private right of way. The building envelope of 25'x25' was sufficient. Puts footprint of house to 35'x35.'
146 Ms. Knott referenced Rose Farm, Exeter Green. Ms. Knott opined it will affect the character of the
147 neighborhood. Jan Elliott at UEI states that in practicality some of lots are not buildable.

148

149 Bob Lietz stated it is total inconsistent with what's in your neighborhood. It won't make Exeter a better
150 place. Should be made compatible with what exists.

151

152 Attorney Pasay indicated Mr. Griset is open to meeting with you. Attorney Pasay noted he did not agree
153 with some of these conclusions. Went through a comprehensive process and don't want to think the
154 variance is useless. Attorney Pasay noted several different concepts were looked at that don't require
155 anything from the trust property and believe this is the best for the Town. Want to provide a return on
156 investment. The only lot that doesn't satisfy the 100' buffer is Lot 5. One plan shows 100' as well. Will
157 supplement details of variance. The waiver, as in all subdivision applications, can be approved if it
158 satisfies the criteria. The lot can accommodate more than 25'x25' buildings and the developer has the
159 right to add lots to land. It makes no sense to impose a 100' buffer if it would tighten the subdivision.
160 The project is consistent with neighboring property.

161

162 Mark Paige noted a lot of supplement filings have been happening and it still may be premature.

163

164 Mr. Sharples indicated he did send the legal opinion, which is not a public document and relayed what
165 applicants need. Attorney Pasay already said he asked for tabling so not rushing any decision
166 prematurely.

167

168 (inaudible) noted it did not align with the Master Plan.

169

170 Mr. Sharples will ask specifics from UEI.

171

172 Laura Knott indicated the building envelope was too much for land it is on.

173

174 Attorney Pasay noted if any specific problems would like to hear. Are coming back on June 11th. The
175 Master Plan says should be transitioning from dense to rural. This plan accomplishes just that. Density
176 is in dense areas. Each envelope shows significant space and 25'x25' box is standard.

177

178 Mr. Smith added the building could be bigger than proposed.

179

180 Vice-Chair Brown asked about Lots 6 and 7 and Ms. Smith indicated there is no requirement that
181 driveway come through frontage.

182

183 Vice-Chair Brown noted he has not seen a decline in pricing since the virus, some have gone up so far.
184 Bring an update for June.

185

186 Attorney Pasay indicated he will provide a copy of what was provided to the ZBA. Didn't agree it was a
187 density transfer.

188

189 Mr. Griset noted the two smallest footprints are 1,300 and 1,800, Lots 2 and 6. Have unique wetlands
190 wanting to preserve and still make compatible. Have R-1 density. Have pre-planted buffers. Are happy
191 to meet with neighbors.

192

193 Laura Knott noted the map that was shown was not provided and requested it be provided.

194

195 Ms. Martel reminded the Board is just reviewing the Yield Plan and it is distracting to hear these other
196 things mentioned. Ms. Martel asked about the shared driveways and Mr. Sharples explained the new
197 revision that allows for shared driveways provided it only service one extra.

198

199 Ms. English asked about the cul-de-sac on Cullen Way and Mr. Sharples noted the cul-de-sac is
200 extended, limit curb-cuts to every so often. Current would be removed, and the rest would go to lots
201 around.

202

203 Ms. Tyner noted it looked like a lot of roadwork and wetlands in some lots with emphasis on stormwater
204 management in the Master Plan.

205

206 **Mr. Cameron motioned to table the hearing until June 11, 2020 at 7 PM. Ms. English seconded the**
207 **motion. A roll call vote was taken, Cameron – aye, Plumer – aye, Grueter – aye, English – aye, Brown**
208 **– aye, Martel – aye, Cowan – aye. With all in favor, the motion passed unanimously 7-0-0.**

209

210 **V. OTHER BUSINESS**

211

212 Election of Officers

213

214 **Vice-Chair Brown nominated Pete Cameron as Clerk. Mr. Grueter seconded the motion. A roll call**
215 **vote was taken, Cameron – aye, Plumer – aye, Grueter – aye, English – aye, Brown – aye, Martel – aye,**
216 **Cowan – aye. With all in favor, the motion passed unanimously 7-0-0.**

217

218 ***Mr. Grueter nominated Langdon Plumer as Chair. Vice-Chair Brown seconded the motion. A roll call***
219 ***vote was taken, Cameron – aye, Plumer – aye, Grueter – aye, English – aye, Brown – aye, Martel – aye,***
220 ***Cowan – aye. With all in favor, the motion passed unanimously 7-0-0.***

221

222 ***Mr. Grueter nominated Aaron Brown as Vice-Chair. Mr. Cameron seconded the motion. A roll call***
223 ***vote was taken, Cameron – aye, Plumer – aye, Grueter – aye, English – aye, Brown – aye, Martel – aye,***
224 ***Cowan – aye. With all in favor, the motion passed unanimously 7-0-0.***

225

226 **VI. TOWN PLANNER'S ITEMS**

227 **Field Modifications**

228 **Announcements**

229 **VII. CHAIRPERSON'S ITEMS**

230 **VIII. PB REPRESENTATIVE'S REPORT ON "OTHER COMMITTEE ACTIVITY"**

231 **IX. ADJOURN**

232 ***Vice-Chair Brown moved to adjourn at 9:24 PM. Mr. Grueter seconded the motion. A roll call vote***
233 ***was taken, Cameron – aye, Plumer – aye, Grueter – aye, English – aye, Brown – aye, Martel – aye,***
234 ***Cowan – aye. With all in favor, the motion passed unanimously.***

235 Respectfully submitted,

236 Daniel Hoijer,

237 Recording Secretary