

1 **TOWN OF EXETER**
2 **PLANNING BOARD**
3 **September 24, 2020**
4 **VIRTUAL MEETING**
5 **APPROVED MINUTES**
6 Zoom ID: 873 1370 3834
7 Phone: 1 646 558 8656

8 **I. PRELIMINARIES:**
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10 **BOARD MEMBERS PRESENT BY ROLL CALL:** Chair Langdon Plumer, Vice-Chair Aaron Brown, Pete
11 Cameron, Clerk (@7:14 PM), Gwen English, John Grueter, Jennifer Martel, Molly Cowan, Select Board
12 Representative, Robin Tyner, Alternate, Pete Steckler, Alternate and Nancy Belanger, Alternate.
13

14 **STAFF PRESENT:** Town Planner Dave Sharples
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16 **II. CALL TO ORDER:** Chair Plumer called the meeting to order at 7:03 PM, indicated Alternate Nancy
17 Belanger would be active, and read out loud the meeting preamble which indicated that an emergency
18 exists and the provisions of RSA 91-A:2 III (b) are being invoked. As federal, state and local officials have
19 determined gatherings of ten or more people pose a substantial risk to the community and the meeting
20 imperative to the continued operation of Town and government and services which are vital to public,
21 health, safety and confidence. This meeting will be conducted without a quorum physically present in
22 the same location and welcome members of the public accessing the meeting remotely.
23

24 **III. OLD BUSINESS**
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26 **APPROVAL OF MINUTES**
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28 July 23, 2020
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30 Edits were recommended and approved.
31

32 ***Ms. Belanger motioned to approve the July 23, 2020 meeting minutes, as amended. Vice-***
33 ***Chair Brown seconded the motion. A roll call vote was taken Plumer – aye, Brown – aye,***
34 ***Belanger – aye, Grueter – aye, English – aye, Martel – aye and Cowan – aye. With all in favor,***
35 ***the motion passed unanimously.***
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37 Mr. Cameron arrived at 7:14 PM.
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39 August 13, 2020
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41 Edits were recommended and approved.

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Mr. Grueter motioned to approve the August 13, 2020 meeting minutes, as amended. Ms. English seconded the motion. A roll call vote was taken Plumer – aye, Brown – aye, Cameron – nay, Grueter – aye, English – aye, Martel – aye and Cowan – aye. The motion passed 6-1-0.

August 20, 2020

Edits were recommended and approved.

Mr. Cameron motioned to approve the August 20, 2020 meeting minutes, as amended. Ms. English seconded the motion. A roll call vote was taken Plumer – aye, Brown – aye, Cameron – aye, Grueter – aye, English – aye, Martel – aye and Cowan – aye. With all in favor, the motion passed unanimously.

August 27, 2020

Edits were recommended and approved.

Jen Martel was disconnected from the meeting. Chair Plumer re-activated Nancy Belanger for Ms. Martel.

Mr. Grueter motioned to approve the August 27, 2020 meeting minutes, as amended. Ms. English seconded the motion. A roll call vote was taken Plumer – aye, Brown – aye, Cameron – aye, Grueter – aye, English – aye, Martel – aye and Cowan – aye. With all in favor, the motion passed unanimously.

September 10, 2020

Edits were recommended and approved.

Mr. Grueter motioned to approve the September 10, 2020 meeting minutes, as amended. Mr. Cameron seconded the motion. A roll call vote was taken Plumer – aye, Brown – aye, Cameron – aye, Grueter – aye, English – aye, Martel – aye and Cowan – aye. With all in favor, the motion passed unanimously.

IV. NEW BUSINESS

PUBLIC HEARINGS

80 1. A request by Wakefield Investment, Inc. (2 Hampton Road LLC) for modifications to a previously
81 approved multi-family site plan for the “Windsor Crossing” development. The subject property is
82 located on Acadia Lane
83 CT-Corporate Technology Park zoning district
84 Tax Map Parcel #69-3
85 Case #21404

86
87 Chair Plumer indicated a continuance was requested to October 22, 2020 at 7:00 PM.

88
89 2. The application of People’s United Bank for the proposed construction of a drive-thru canopy and
90 reconstruction of the existing parking lot at 1 Center Street
91 C-1, Central Area Commercial zoning district
92 Tax Map Parcel #72-205 and #72-216
93 Case #20-3

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95 Chair Plumer indicated a continuance was requested to October 22, 2020 at 7:00 PM.

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97 ***Vice-Chair Brown motioned to continue Case #21404 and Case #20-3 to October 22, 2020 at 7:00 PM.***
98 ***Ms. Belanger seconded the motion. A roll call vote was taken Plumer – aye, Brown – aye, Cowan –***
99 ***aye, Grueter – aye, English – aye, Belanger – aye and Martel – aye. With all in favor, the motion***
100 ***passed unanimously 7-0-0.***

101
102 3. The application of Justin Lyons for a Shoreland Conditional Use Permit and a minor subdivision of a
103 4.03-acre parcel located at 10 John West Road into two (2) single-family residential lots
104 R-1, Low Density Residential zoning district
105 Tax Map Parcel #114-1
106 Case #20-9

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108 Chair Plumer read out loud the Public Hearing Notice. Chair Plumer activated Alternate Nancy Belanger
109 for Ms. Martel.

110
111 ***Mr. Cameron motioned to open Planning Board Case #20-9. Ms. English seconded the motion. A roll***
112 ***call vote was taken Plumer – aye, Brown – aye, Cowan – aye, Grueter – aye, English – aye, Cameron -***
113 ***aye and Belanger - aye. With all in favor, the motion passed unanimously 7-0-0.***

114
115 Mr. Sharples indicated the project is an addition of a lot to the property, reviewed by the Code
116 Enforcement Officer and found to be in compliance with zoning. The applicant is requesting a waiver.
117 Plans have been revised to locate septic systems on each individual parcel. The need for CUP was
118 triggered. The applicant appeared before the Conservation Commission who offered no objection. The
119 standard Conditions of Approval are attached.

120
121 Dennis Quintal indicated he was here representing the applicant for this case. Mr. Quintal presented
122 the Site Plan to the Board showing the contour and grading lines. An easement continues through the
123 existing access. Asked for a waiver with regard to seasonal water table. Mr. Quintal outlined the septic

124 system layout in order to not require another easement. The subdivision plan was presented with
125 proposed lots and driveways.

126

127 Ms. English expressed concerns with the septic tank distance from leach field. Mr. Quintal responded
128 that topography is a factor and maintenance is still possible.

129

130 Mr. Quintal clarified the intent is to use the existing well but there is a possibility for relocation if
131 necessary. Vice Chair Brown asked if any acknowledgment is needed for still using that well for any
132 future landowners? Mr. Quintal will add a note to label protective zone easement for the existing well
133 on Lot 1. Vice-Chair Brown noted he is satisfied with that change and stated that only setbacks with
134 wells are between wells and septic.

135

136 Chair Plumer opened the hearing to the public for comments and questions at 8:01 PM and being none
137 closed the hearing to the public for deliberations.

138

139 Discussion of waiver for relief from seasonal water table:

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141 Mr. Quintal stated is the best thing they could do for the soils. The test pit system will be state
142 approved. The seasonal water table is 26.”

143

144 Mr. Steckler raised concerns with the combination of this particular waiver request in conjunction with
145 the CUP request. Mr. Quintal responded that this was discussed with the Conservation Commission and
146 the main discussion point was limiting nitrate levels with nitrate setbacks. Requirements were met and
147 Conservation Commission did not see any contaminant issues. Mr. Steckler rebutted that phosphate
148 levels are concerning as well to freshwater quality.

149

150 Justin Lyon added that the leach field for the existing lot is not in failure however the owner wanted to
151 start a new system to plan for a possible failure in the future.

152

153 Vice-Chair Brown read the waiver criteria. Mr. Quintal responded that the test pits had been done in
154 the surrounding area and designed to State requirements. This is the only place the septic system can
155 be located. If waiver is not approved then would not continue with new lot.

156

157 ***Vice-Chair Brown motioned to grant the waiver request of Justin Lyons (PB Case #20-9) from Section***
158 ***9.21.3.2.a of the Site Plan Review and Subdivision Regulations to permit less than 2-feet (2') of***
159 ***permeable soil above the seasonal high water table, after reviewing the criteria for granting waivers.***

160 ***Ms. Belanger seconded the motion. A roll call vote was taken Grueter – nay, English – nay, Plumer –***
161 ***aye, Cameron – aye, Brown – aye, Cowan – aye, Belanger – aye. The motion passed 5-2-0.***

162

163 The Board discussed the request for the CUP. Vice-Chair Brown reminded the board that Conservation
164 Commission had no objection to issuance of CUP.

165

166 ***Mr. Cameron motioned to grant the request of Justin Lyons (PB Case #20-9) for a Shoreland***
167 ***Conditional Use permit, after reviewing the criteria for a Shoreland Conditional Use permit. Ms.***

168 **Belanger seconded the motion. A roll call vote was taken English – nay, Plumer – aye, Brown – aye,**
169 **Grueter – aye, Cowan – aye, Belanger – aye, Cameron - aye. The motion passed 6-1-0.**

170

171 Mr. Sharples read the subdivision Conditions of Approval.

172

- 173 1. An electronic As-Built Plan of the entire property with details acceptable to the Town shall be provided
174 prior to the issuance of a Certificate of Occupancy (C/O). This plan must be in a dwg or dxf file format
175 and in NAD 1983 State Plane New Hampshire FIPS 2800 Feet coordinates;
- 176 2. All monumentation shall be set in accordance with Section 9.25 of the Site Plan Review and
177 Subdivision Regulations prior to the issuance of a Certificate of Occupancy;
- 178 3. A preconstruction meeting shall be arranged by the applicant and his contractor with the Town
179 engineer prior to any site work commencing. The following must be submitted for review and
180 approval prior to the preconstruction meeting:
 - 181 i. The SWPPP (storm water pollution prevention plan), if applicable, be submitted
182 to and reviewed for approval by DPW prior to preconstruction meeting.
 - 183 ii. A project schedule and construction cost estimate.
- 184 4. All comments in the Underwood Engineers Inc. letter dated August 7, 2020 shall be addressed to the
185 satisfaction of the Town Planner prior to signing the final plans;
- 186 5. Third party construction inspections fees shall be paid prior to scheduling the preconstruction
187 meeting;
- 188 6. The Stormwater Management Operation and Maintenance Manual not dated but stamped Received
189 on June 24, 2020 shall be signed by the property owner and submitted to the town prior to signing
190 the final plans;
- 191 7. The Annul Operations and Maintenance Report in the Stormwater Management Operation and
192 Maintenance Manual not dated but stamped Received on June 24, 2020 shall be completed and
193 submitted to the Town Engineer annually on or before January 31st. This requirement shall be an
194 ongoing condition of approval;
- 195 8. All applicable State permit approval numbers shall be noted on the final plans; All appropriate fees to
196 be paid including but not limited to: sewer/water connection fees, impact fees, and inspection
197 fees(including third party inspections), prior to the issuance of a building permit or a Certificate of
198 Occupancy whichever is applicable as determined by the Town;
- 199 9. All outdoor lighting (including security lights) shall be down lit and shielded so no direct light is visible
200 from adjacent properties and/or roadways;
- 201 10. All landscaping shown on plans shall be maintained and any dead or dying vegetation shall be
202 replaced, no later than the following growing season, as long as the site plan remains valid. This
203 condition is not intended to circumvent the revocation procedures set forth in State statutes;
- 204 11. If determined applicable by the Exeter Department of Public Works, the applicant shall submit the
205 land use and stormwater management information about the project using the PTAPP Online
206 Municipal Tracking Tool (<https://ptapp.unh.edu/>). The PTAPP submittal must be accepted by DPW
207 prior to the pre-construction meeting;

- 208 12. The limit of cut/disturbance shall be flagged in the field prior to any site work and these flags shall be
209 maintained until a Certificate of Occupancy has been issued for all units;
- 210 13. The applicant shall contact The Code Enforcement Officer (CEO) and Deputy Fire Chief (DFC) to
211 determine the address for the building;
- 212 14. A restoration and erosion control surety, in an amount and form reviewed and approved by the
213 Town Planner in accordance with Section 12 of the Site Plan Review and Subdivision Regulations,
214 shall be provided prior to any site work;

215 ***Vice-Chair Brown motioned to approve the request of Justin Lyons (PB Case #20-9) for Minor***
216 ***Subdivision Plan approval subject to the conditions as read. Mr. Belanger seconded the motion. A roll***
217 ***call vote was taken Grueter – nay, English – nay, Plumer – aye, Brown – aye, Cameron – aye, Belanger***
218 ***– aye, Cowan – aye. The motion passed 5-2-0.***
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220 **V. OTHER BUSINESS**

- 221
- 222 1. Non-Public Session pursuant to 91-A:3(II)(e) pending litigation.
223

224 Ms. Martel rejoined the meeting at 8:30 PM.
225

226 ***Vice-Chair Brown motioned to go into non-public session pursuant to 91-A:3(II)(e) pending litigation.***
227 ***Mr. Cameron seconded the motion. A roll call vote was taken Plumer – aye, Brown – aye, Cameron –***
228 ***aye, Grueter – aye, English – aye, Martel – aye and Cowan – aye. With all in favor, the motion passed***
229 ***unanimously.***
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231 The meeting was closed to the public at 8:34 PM.
232

233 ***Vice-Chair Brown motioned to come out of non-public session and seal the minutes indefinitely. Ms.***
234 ***English seconded the motion. A roll call vote was taken Plumer – aye, Brown – aye, Cameron – aye,***
235 ***Grueter – aye, English – aye, Martel – aye and Cowan – aye. With all in favor, motion passed***
236 ***unanimously.***
237

238 The meeting was reopened to the public at 9:29 PM.
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240 **VI. TOWN PLANNER'S ITEMS**

241 Mr. Sharples forwarded an email about climate resource form for registration. Kristen Murphy
242 has been working on this. It is a forum for land use boards, on October 7th. Mr. Sharples
243 encouraged the Board to attend.

244 **VII. CHAIRPERSON'S ITEMS**

245 Chair Plumer indicated the next meeting will be October 8, 2020 at 7:00 PM.
246

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

248 **IX. ADJOURN**

249 *Vice-Chair Brown motioned to adjourn the meeting at 9:35 PM. Ms. English seconded the motion. A*
250 *roll call vote was taken, all were in favor, the motion passed unanimously.*

251

252 Respectfully submitted,

253 Daniel Hoijer,

254 Recording Secretary