

1 **TOWN OF EXETER**
2 **PLANNING BOARD**
3 **NOWAK MEETING ROOM**
4 **OCTOBER 14, 2021**
5 **APPROVED MINUTES**

6 **I. PRELIMINARIES:**

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8 **BOARD MEMBERS PRESENT BY ROLL CALL:** Vice-Chair Aaron Brown, Pete Cameron, Clerk,
9 Gwen English, Jennifer Martel, Molly Cowan, Select Board representative, and Nancy Belanger,
10 Alternate.

11
12 **STAFF PRESENT:** Natural Resource Planner Kristen Murphy
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14 **II. CALL TO ORDER:** Vice-Chair Brown called the meeting to order at 7:00 PM. The members
15 introduced themselves and Vice-Chair Brown noted that all the members present would be
16 voting tonight. Kristen Murphy the Natural Resource Planner would be providing the
17 information from Town Planner Dave Sharples.
18

19 **III. OLD BUSINESS**

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21 **APPROVAL OF MINUTES**

22
23 September 23, 2021

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25 Edits were suggested by Ms. English and Mr. Cameron.
26

27 ***Ms. Belanger motioned to approve the September 23, 2021 Meeting Minutes as amended.***

28 ***Mr. Cameron seconded the motion. A vote was taken, all were in favor, the motion passed 6-***
29 ***0-0.***

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31 **IV. NEW BUSINESS**

32 Vice-Chair Brown asked if the Board or Public had any objection to the Planning Board hearing the
33 request of Exeter Rose Farm for an extension of approval first and no one indicated any objection.
34

35 Exeter Rose Farm, LLC, PB Case #17-27, Request for Extension of Approval (expires 10/26/21)
36

37 Attorney Kevin Baum, with Hoefle, Phoenix, Gormley & Roberts, PLLC presented the request for
38 an extension for the approval granted in 2019 which expires on 10/26/21. The request letter
39 from TF Moran dated September 29, 2021 (provided) indicated the request was primarily due
40 to two pending State permits submitted to the State, currently under review. The approval was

41 appealed which caused further delays. NH Supreme Court order dated October 26, 2020 was
42 referenced. Ms. Belanger asked when the extension would be to. Ms. Murphy indicated they
43 are seeking an extension for one year which is until 10/26/2022.

44
45 Ms. Murphy noted the applicant appeared before the Conservation Commission at its meeting
46 Tuesday and was tabled to further evaluate the Planning Board's discussion concerning the
47 proposed alternate route. AoT approval is pending with the AoT Bureau also.

48
49 Vice-Chair Brown noted there have been no significant regulation changes the applicant is not
50 adhering to. Mr. Cameron noted he appreciated the applicant appearing to present the
51 request.

52
53 ***Ms. Belanger motioned to approve the request of the applicant Exeter Rose Farm, LLC,***
54 ***Planning Board Case #17-27 be granted until October 26, 2022. Mr. Cameron seconded the***
55 ***motion. A roll call vote was taken Belanger – aye, Cowan – aye, Brown – aye, Cameron – aye,***
56 ***English – aye, Martel – aye. The motion passed 6-0-0.***

57
58 **PUBLIC HEARINGS**

59 1. The application of Granite State Construction Services, LLC for a minor subdivision of the existing
60 6.59+/- acre parcel at 12 Little River Road into two lots.
61 R-2 Single Family Residential zoning district
62 Tax Map Parcel #62-90
63 Planning Board #21-8

64
65 Vice-Chair Brown read out loud the Public Hearing Notice and asked Ms. Murphy if the application was
66 ready for review purposes and she indicated in the affirmative.

67
68 Vice-Chair Brown opened Planning Board Case #21-8.

69
70 Ms. Murphy summarized Town Planner Sharples October 1, 2021 memo. The applicant is seeking a
71 minor subdivision of an existing 6.59+/- acre parcel located at 12 Little River Road to create one
72 additional lot. The applicant submitted a minor subdivision plan and supporting documents dated
73 August 5, 2021 (provided). After staff review it was determined that the initial proposal would require a
74 variance for street frontage from the ZBA. The variance was approved on 9/21/21. A copy of the
75 decision and meeting minutes were provided. The applicant submitted revised plans dated 10/1/21
76 (provided). There are no waivers being requested and no new comments other than the Town staff
77 review comments which include:

- 78
79
 - Provide parking calculations for the church parcel to show adequate parking for the church on
 - 80 the new lot
 - 81 • Easement/Parking/Lot line adjustment so all church parking is located on the church parcel

- 82 • Roadway maintenance agreement be provided

83

84 Christian Smith from Beals Associates, PLLC presented the application on behalf of the applicant Sam
85 Mukarakar of Granite State Construction Services, LLC. Mr. Smith provided handouts to the Board.

86

87 Mr. Smith addressed the staff comments presented by Ms. Murphy. He noted the ROW was private
88 property. Frontage was split between the two parcels with the variance, and each owner has half.
89 There is a common access easement and joint road maintenance agreement which is boiler plate
90 (provided) and will be ironed out with the church's attorney.

91

92 Mr. Smith noted the parking lot is not striped and he can get the required number of stalls for the
93 existing pavement without any spill into Granite's property and have a 22' travel aisle. The applicant will
94 renovate and rent the home while the church will exist on the existing lot. The church can
95 accommodate seating for 200 visitors and currently has approximately 35 parishioners.

96

97 Vice-Chair Brown opened the hearing for public comment and being none entered deliberations.

98

99 Vice-Chair Brown noted a site walk was not done. Mr. Smith noted the easement is to provide
100 landscaping and remains the church's parcel 15' setback in. Vice-Chair Brown asked if the easement
101 shown was for access and Mr. Smith noted he did not believe that was part of it as the easement does
102 not touch the pavement.

103

104 Vice-Chair Brown noted the extra pavement on the new lot will not have much if any function. Mr.
105 Smith noted it could be removed as it is not needed. Mr. Smith will add a note to the plan eliminating
106 the unnecessary pavement on the new lot.

107

108 Ms. Martel asked about conditions of approval.

109

110 Vice-Chair Brown noted the variance for road frontage is significant.

111

112 Ms. English asked about the jurisdictional wetland northwest and if it is disconnected from Little River.
113 Mr. Smith will confirm this with a wetland scientist. Ms. Murphy noted the discontinuity in the change
114 of elevation. Ms. English agreed the bank is significant. She also noted that there is a natural break in
115 the pavement where the pavement would or could be removed on the new lot.

116

117 Mr. Smith noted there are 58 spaces and parking capacity for seating of the church at capacity which will
118 not go away.

119

120 Ms. English asked about the owner to the north. Vice-Chair Brown referenced a 94-unit condominium.
121 Mr. Smith noted there were two units to the north Boulders Realty Unit 2 Integrity Ventures Inc. and
122 Unit 3 Colcord Pond Associates LLC.

123

124 Ms. Murphy read out loud the proposed conditions of approval:

125

126 **1. A dwg file of the plan shall be provided to the Town Planner showing all property lines and**
127 **monumentation prior to signing the final plan. This plan must be in NAD 1983 State Plane New**
128 **Hampshire FIPS 2800 Feet coordinates;**

129
130 **2. All monumentation shall be set in accordance with Section 9.25 of the Site Plan Review and**
131 **Subdivision Regulations prior to the issuance of a Certificate of Occupancy for any building or unit.**
132

133 **3. The Applicant will confirm the status of the contiguity of the wetlands to the north of the house,**
134 **and should it be determined it is contiguous to the Little River, the Applicant will provide a revised**
135 **plan indicating the corrected Shoreland district boundary;**

136
137 **4. The Applicant will add a note to the plan indicating the unnecessary pavement section of the house**
138 **lot will be removed; and**

139
140 Vice-Chair Brown questioned how the Board felt about the condition that there be no further
141 subdivision as the lots post variance were both non-conforming. Mr. Mukarakar explained why he
142 would not agree to the condition of no further subdivision which explanation satisfied the Board.

143
144 Vice-Chair Brown questioned how the Board felt about asking the applicant to submit a joint road
145 agreement.

146
147 Ms. Murphy read out loud the *proposed condition* that:

148
149 **5. A copy of the executed joint road maintenance agreement will be provided to the Town Planner**
150 **prior to the issuance of a certificate of occupancy.**

151
152 Ms. English asked about the need to include plowing in the maintenance agreement and Mr. Smith
153 indicated plowing is all encompassed in "maintenance."

154
155 **Ms. Belanger motioned that the request of Granite State Construction Services, LLC (Planning Board**
156 **Case #21-8) for a minor subdivision approval be approved with the conditions read by the Natural**
157 **Resource Planner Kristen Murphy. Ms. Martel seconded the motion.**

158
159 Mr. Cameron asked Ms. Murphy to re-read condition number five, which she did.

160
161 **A vote was taken, all were in favor, the motion passed 6-0-0.**

162
163 2. The application of ZV Investments LLC for a multi-family site plan review of the proposed conversion
164 of the structures located at 50 Newfields Road into four (4) residential condominium units.

165 RU-Rural Residential zoning district

166 Tax Map Parcel #35-9

167 Planning Board Case #21-10

168

169 Vice-Chair Brown read out loud the Public Hearing Notice and asked Ms. Murphy if the application was
170 ready for review purposes which she confirmed and Vice-Chair Brown opened Planning Board Case #35-
171 9.

172
173 Barry Geier of Jones and Beach presented the application to convert the existing house with an existing
174 accessory structure to four condominium units. Each would have two parking spaces and Unit one
175 would have garage space while Units two through 4 would have interior and two exterior. All would
176 have four guest spaces. There would be minimal site work as far as paving. The existing septic system
177 was upgraded recently and will be utilized.

178
179 Ms. Murphy noted the applicant received a Special Exception from the ZBA on 8/17/21 to convert the
180 condominium units under Article 5.4 and 4.21. The approval was granted with the condition that the
181 condominium documents specify that one unit must be owner occupied and the NH DOT driveway
182 permit be adequate. The applicant was sent to staff and there were no comments other than from Jen
183 Mates at the DPW below. There are no waivers requested.

184
185 Ms. Murphy summarized Ms. Mates comments:

- 186
- 187 • Concerns with area behind parking stalls 22' perpendicular
 - 188 • Recycling
 - 189 • Phase 1A study for former dry cleaner
 - 190 • Existing Septic condition (referencing 2004/1989 subsurface approval – upgraded 2004?) Could
191 be at the end of useful life. Requires 1275/gal per day and has 825/gal per day for 4 bedroom
192 and 1 ADU.
 - 193 • Piping to leach field
 - 194 • Water Service size/location of well control be addressed in HOA documents
 - 195 • Pump test capacity, water quality for additional residences, well casing, alternate well location
 - 196 • Wetland/groundwater

197
198 Mr. Geier responded to DPW's comments:

199
200 The existing septic behind Unit 4 failed over the winter and was replaced and will be used. A second
201 hasn't been designed yet. Fire Department reviewed site during ZBA. Fence will be added to plan. He
202 will look into the Phase 1A study and whether it was done. Believe there is sufficient parking as the
203 parcel was formerly a church, drycleaner and daycare in the past. Mr. Sharples reference to 11.3 should
204 possibly be 11.4 instead. A fence will be installed to block visual impact to the neighbors.

205
206 Ms. Martel asked about the dashed line on the plan at the back edge of the parking lot and Mr. Geier
207 noted it is an existing gravel area which will remain.

208
209 Vice-Chair Brown opened the hearing to the public for comments and questions at 8:06 PM. Ms.
210 Murphy noted there was correspondence received from Tim Harrington of 45 Newfields Road which she
211 read out loud. He lives across the street. He had no issue with proposing condominium units but had

212 difficulties with water flowing to the catch basin and flooding his property when the horse paddock
213 went in. He expressed concerns that the proposal not put additional water onto his property. Mr. Geier
214 noted the applicant proposes no additional clearing. The site is complete except for the septic system.
215

216 Vice-Chair Brown asked about walking the property and how the requirement that one unit be owner
217 occupied would be enforced. Mr. Geier noted it is a requirement of the ZBA and agreed that each unit
218 could be sold so one cannot control the whole condominium development. Vice-Chair Brown agreed
219 the condition seemed impractical but it was the ZBA;s and was not requested to be waived by the
220 Planning Board. He wondered if the Planning Board should add this to their list of items to review when
221 ordinances and regulations are reviewed annually. The requirement predates ADUs. Ms. English noted
222 the owner was most likely aware of the requirement before development.
223

224 Vice-Chair Brown asked if a site walk would be helpful, and Ms. Belanger and Ms. Martel agreed it
225 would. Vice-Chair Brown scheduled the site walk for October 26th at 8 AM and noted it would be open
226 to the public and would like to see Mr. Harrington attend and Mr. Sharples be aware even if he is able to
227 be there a few minutes late.
228

229 Ms. Martel would like to get more information about Jen Mates comments from DPW about the parking
230 aisles. Mr. Geier will look at that and noted each unit has an interior garage and two exterior spaces,
231 but he may be able to angle them for more space. The units are staying in the existing footprint but
232 adding a story. There is also a common back yard and Ms. Martel asked how that would be handled in
233 the documents. Some owners may want the area paved to have a grill and should know if it is allowed
234 or not allowed. She asked about common utilities and Mr. Geier described the well radius. Ms. Martel
235 asked about the heating and HVAC and why TRC was not meeting. Ms. Murphy noted complexity of the
236 project triggers TRC. Vice-Chair Brown noted the project is in its existing footprint.
237

238 Ms. English recommended an Advance Septic System if the septic needs further upgrading but while
239 septic upgrade may be required use of Advance Septic design is not. It is more expensive but would
240 provide benefit to nitrogen removal. She opined that having more pervious surface would not be great
241 with Unit 4 within the 75' wetlands setback. Mr. Geier will explore that with the applicant.
242

243 ***Mr. Cameron motioned to table the hearing to October 28th at 7:00 PM. Ms. Belanger seconded the***
244 ***motion. A vote was taken and passed unanimously.***

246 **V. OTHER BUSINESS**

248 Master Plan Discussion

- 250 • Housing Committee

251
252 Ms. Belanger noted a map is in preliminary stages which is an outline tool that can be used
253 by the Committee to exploratory purposes. Mr. Cameron noted it would show where water
254 and sewer were.

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Field Modifications

Bond and/or Letter of Credit Reductions and Releases

Public Comment

Jennifer LaGere of 6 Forest Street expressed concerns that she appeared to hear the Exeter Rose Farm extension request and was told it was moved forward on the agenda. The Exeter Conservancy always attends these meetings. Vice-Chair Brown noted the applicant requested to move the item forward on the agenda and that request was granted. The extension for one year was granted until 10/26/22.

Ms. English noted Hazardous Materials Day is on Saturday.

VI. TOWN PLANNER’S ITEMS

VII. CHAIRPERSON’S ITEMS

VIII. PB REPRESENTATIVE’S REPORT ON “OTHER COMMITTEE ACTIVITY”

IX. ADJOURN.

Ms. Belanger motioned to adjourn the meeting at 8:56 PM. Vice-Chair Brown seconded the motion. A vote was taken all were in favor, the motion passed 6-0-0.

Respectfully submitted,

Daniel Hoijer,
Recording Secretary