

1 **TOWN OF EXETER**
2 **PLANNING BOARD**
3 **WHEELWRIGHT MEETING ROOM**
4 **DECEMBER 16, 2021**
5 **APPROVED MINUTES**

6 **I. PRELIMINARIES:**

7
8 **BOARD MEMBERS PRESENT BY ROLL CALL:** Chair Langdon Plumer, Pete Cameron, Clerk,
9 Jennifer Martel, Molly Cowan, Select Board Representative, Nancy Belanger, Alternate and
10 Marc Dettore, Alternate.

11
12 **STAFF PRESENT:** Town Planner Dave Sharples

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14 **II. CALL TO ORDER:** Chair Plumer called the meeting to order at 7:00 PM and activated
15 Alternates Nancy Belanger and Marc Dettore. The members introduced themselves.

16
17 **III. OLD BUSINESS**

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19 **APPROVAL OF MINUTES**

20
21 December 9, 2021

22
23 Ms. Belanger recommended edits.

24
25 ***Mr. Cameron motioned to approve the December 9, 2021 meeting minutes as amended. Ms.***
26 ***Belanger seconded the motion. A vote was taken. Mr. Dettore abstained. The motion***
27 ***passed 5-0-1.***

28
29 **IV. NEW BUSINESS**

30 **PUBLIC HEARINGS**

31 1. Continued public hearing on the application of ZV Investments LLC for a multi-family site plan review
32 for the proposed conversion of the structures located at 50 Newfields Road into four (4) residential
33 condominium units
34 RU-Rural Residential zoning district
35 Tax Map Parcel #35-9
36 Planning Board Case #21-10

37
38 Chair Plumer read out loud the Public Hearing Notice.
39

40 Mr. Sharples indicated the hearing had been continued to verify whether the prior use of the dry cleaner
41 was for pick up and/or drop off. An email was received from a resident who lived next door stating that
42 dry cleaning was done on site. The email was forwarded to Mr. Geier.

43
44 Barry Geier of Jones & Beach noted he verified the well in the buffer will not trigger a CUP application.
45 Since the last meeting the applicant researched and found that dry cleaning was completed on-site at
46 the out building sometime in the mid to late 1970s. There has since been an onsite test of the existing
47 well which was found to be within limits of regulations. The applicant opined that the environmental
48 study should not be required as the Board cannot deny the application based on the results of the study.
49 He asked under what provisions of the site plan and subdivision regulations, or zoning ordinance could
50 this be denied for. Mr. Cameron noted the Board did not discuss denial only whether or not to proceed
51 with a Phase 1A study. Mr. Sharples added that it is common to ask if studies have been done, a lot of
52 applicants provide them, and the Board hasn't been in this position before.

53
54 Mr. Cameron indicated there has been a favorable amount of time since the use of dry-cleaning
55 chemicals on the site; 40 years. Mr. Sharples noted there have been cases where the chemicals have
56 contaminated sites for ten years or a hundred years, depending on what's there.

57
58 Chair Plumer asked how the cleaning was done and Mr. Geier indicated he did not know, only that the
59 process used chemicals and multiple generations have lived on the property since with no issue.

60
61 Ms. Belanger asked where the water would have been discharged to. Mr. Geier stated he was not
62 certain dry cleaning discharges water. Ms. Belanger clarified her question to include water discharge
63 from cleaning equipment used in the process.

64
65 Ms. Martel asked if it triggered any state review and Mr. Geier responded State septic approval and
66 subdivision approval which includes wildlife, NHB and historic review.

67
68 Ms. Martel asked if the State would look at past uses and possible contamination as part of their review
69 and Mr. Geier indicated he did not believe so, no.

70
71 Mr. Dettore noted the Board is not experts in dry cleaning or how it may have been done in the 1970s
72 and asked if there would be a soil test to rely on.

73
74 Chair Plumer noted there must be an expert who could explain without having a high-end chemist. Ms.
75 Martel noted the industry was not regulated then and even an expert could not tell you what was done,
76 moreover what should have been done, or how chemicals may have been disposed of. Mr. Geier noted
77 only test pits were done and the water test of the existing well.

78
79 Ms. Martel reviewed the summary of the Phase 1A study and what it entails. She noted with a finding of
80 a history of chemical use a Phase 2 subsurface study would be conducted. There may be test pits,
81 borings or ground water monitoring wells as a result. Section 8.4 of the Exeter site plan review and
82 subdivision regulations references land unsuitable for development that may pose a danger to public

83 health, safety or welfare shall not be approved for development. The history of chemical use on the
84 premises could have led to contamination of soil.

85

86 Chair Plumer noted it is not a known contamination site and asked if there were any underground
87 storage tanks – Mr. Geier responded no. Chair Plumer asked if that were detailed in the passing of
88 papers during the purchase and Mr. Geier indicated it was. Chair Plumer asked if the applicant was
89 willing to do a soil test and Mr. Geier noted it had not been discussed as it was his understanding from
90 the last meeting that Phase 1A was being considered not testing.

91

92 Mr. Dettore asked if there have been hazardous materials or known discharges and Mr. Geier noted
93 every home has contaminants but that doesn't mean the site is dirty. He could not answer that without
94 completed Phase 1A.

95

96 Ms. Cowan noted the Phase 1A study includes a site walk and asked by who and Mr. Sharples noted by
97 someone who does environmental regularly. They would look for anything obvious such as drums in the
98 woods.

99

100 Ms. Martel noted a report with a recommendation to both the Planning Board and the applicant with
101 guidance of how to proceed would be beneficial. Mr. Sharples noted it may report what further study
102 may or may not be required.

103

104 Chair Plumer noted it was the consensus of the Board to have the Phase 1A study conducted. Mr. Geier
105 requested a month to acquire the study.

106

107 ***Mr. Cameron motioned to continue the hearing of ZV Investments LLC, Planning Board Case #21-10 to***
108 ***the Planning Board's next meeting on January 13, 2021 at 7:00 PM. Ms. Belanger seconded the***
109 ***motion. A vote was taken, all were in favor, the motion passed unanimously 6-0-0.***

110

111 **V. OTHER BUSINESS**

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113 Master Plan Discussion

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115 Field Modifications

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117 Bond and/or Letter of Credit Reductions and Releases

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119 Public Comment

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121 **VIII. TOWN PLANNER'S ITEMS**

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122 **IX. CHAIRPERSON'S ITEMS**

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123 **X. PB REPRESENTATIVE'S REPORT ON "OTHER COMMITTEE ACTIVITY"**

124 **XI. ADJOURN.**

125 ***Ms. Belanger motioned to adjourn the meeting at 7:34 PM. Mr. Cameron seconded the motion. A***
126 ***vote was taken all were in favor, the motion passed 6-0-0.***

127

128 Respectfully submitted,

129 Daniel Hoijer,

130 Recording Secretary