

1                                   **TOWN OF EXETER**  
2                                   **PLANNING BOARD**  
3                           **NOWAK ROOM – TOWN OFFICE BUILDING**  
4                                   **10 FRONT STREET**  
5                                   **DECEMBER 22, 2022**  
6                                   **7:00 PM**  
7                                   **APPROVED MINUTES**

8 **I. PRELIMINARIES:**

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10 **BOARD MEMBERS PRESENT BY ROLL CALL:** Chair Langdon Plumer, Vice-Chair Aaron Brown,  
11 Pete Cameron, Clerk, John Grueter, Jennifer Martel, and Nancy Belanger Select Board  
12 Representative

13  
14 **STAFF PRESENT:** Town Planner Dave Sharples, Kristen Murphy, Town Conservation & Sustainability  
15 Planner

16  
17 **II. CALL TO ORDER:** Chair Plumer called the meeting to order at 7:00 PM and introduced the  
18 members.

19  
20 **III. OLD BUSINESS**

21  
22 **APPROVAL OF MINUTES**

23  
24 December 8, 2022

25  
26 *Mr. Grueter motioned to approve the December 8, 2022 minutes. Ms. Belanger seconded the motion.*  
27 *A vote was taken, Mr. Cameron and Ms. Martel abstained. The motion passed 4-0-2.*

28  
29 **IV. NEW BUSINESS**

30 1. Board discussion of proposed zoning amendments for consideration on the 2023 Town Warrant.

31  
32 Mr. Sharples indicated Nate Kelly of Horsley Witten would be joining the meeting electronically to  
33 answer any questions concerning the town-wide zoning proposal. Mr. Sharples noted that Mr. Kelly  
34 provided the map requested at the last meeting. He is working with Mr. Kelly on a couple of items that  
35 are still in draft concerning the NP-Neighborhood Preservation District and open space limitations from  
36 their original approvals. A handful of larger properties still need further analysis concerning setbacks  
37 and averages.

38  
39 Mr. Sharples noted that the public forum would be on January 5<sup>th</sup> and thanked Chair Plumer for  
40 coordinating the childcare. He added that there will be light refreshments. The public hearings will be  
41 on January 12<sup>th</sup> and January 26<sup>th</sup>.

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Mr. Sharples noted the goal of the town-wide rezoning effort is to give homeowners more flexibility with their land. He acknowledged the Regional Planning Commission for helping with the downtown parking, bike and pedestrian master plan. The Commission used a public input software that yielded approximately 1,000 responses and they are considering using that for the rezoning effort to get public input.

Maddie Diorio of Regional Planning Commission posted a presentation concerning the proposed changes to the flood plain ordinance, Article 9, Section 4. She noted she worked with the Master Plan Oversight Committee (MPOC) and Town Flood Plain Administrator.

Ms. Diorio indicated the revisions would prepare the ordinance for future climate conditions. Funding was received from DES Coastal and revisions would be in line with the vulnerability assessment goals. She noted there are three big changes and minor administrative changes:

Section 9.4.4 concerns Permits.

Section 9.4.5 would prohibit new septic or expansion of in the special flood hazard area (with the exception of failure and malfunction).

Section 9.4.6 would require elevation 2' approve base flood on new construction as well as an advisory zone (Section 9.5) concerning sea level rise in these areas to educate owners of potential risks and encourage construction to adhere to the same guidelines of 9.4.

Section 9.4.7 concerns Development along Watercourses.

Section 9.4.8 Base Flood Elevation. Ms. Diorio referenced the 4' sea level rise projection with the 2100 timeframe. She posted a map with the special flood hazard area in pink and the 4' SLR and storm surge areas in dark purple.

Section 9.4.9 concerns the criteria to be used by the Zoning Board of Adjustment (ZBA) for a variance or appeal under these sections in addition to the usual variance standards under state law.

Ms. Diorio noted the purpose section (9.4.2) and definitions section (9.4.3) would be updated and referenced the special flood development model ordinance and building permit submittal requirements. Ms. Diorio explained there would be savings to homeowners who have flood insurance premiums as the National Flood Insurance Program requirements are exceeded.

Mr. Sharples advised there would be a public hearing on January 12<sup>th</sup> but no forum.

**V. PUBLIC HEARINGS**

1. The continuation of the application of Jerry Sterritt and Christine Sterritt for the subdivision of an existing 24.62-acre parcel located at 100 Beech Hill Road into seven (7) residential building lots

85 RU-Rural zoning district  
86 Tax Map Parcel #13-1  
87 PB Case #22-14

88

89 Chair Plumer read out loud the Public Hearing Notice.

90

91 Mr. Sharples noted the applicants are seeking approval for the subdivision of a 24.62-acre parcel and  
92 have submitted application, plans and supporting documents dated August 30, 2022 and revisions dated  
93 October 18, 2022. A Technical Review Committee (TRC) meeting was conducted September 22, 2022  
94 and a second on October 27, 2022. Underwood Engineering, Inc., (UEI) comments dated November 1,  
95 2022 were received subsequent to the second TRC meeting. The applicant appeared at the November  
96 10, 2022 meeting and presented plans and discussed waivers. The application was continued to  
97 December 8, 2022 and a site walk was held on December 6, 2022 at 8:00 AM. At the December 8, 2022  
98 meeting the Board raised concerns with the proposed subdivision. In response the applicant provided  
99 revised plans and supporting documents dated December 15, 2022. The plans were revised to remove  
100 four of the proposed lots and combine them with the existing lot that was not part of the prior  
101 subdivision plan. Three lots will be created including one with the existing house on the corner and new  
102 buildable lots along Old Town Farm Road. The applicant rescinded their request for a waiver under  
103 zoning ordinance Section 7.4.7 (trees over 20" in diameter be shown) and the waiver for steeper  
104 sections of the lot along Beech Hill Road, and perimeter buffer strip are no longer necessary. The  
105 applicants will still need waivers for the open space development for lots greater than 20 acres (Article  
106 7).

107

108 Mr. Brown indicated he had concerns about the slopes in the previous proposal and is satisfied with the  
109 outcome. Mr. Brown indicated the open space intention is to preserve land in conservation. There will  
110 be 20 acres remaining, however the Board would need to review the criteria for granting the waiver.

111

112 Chair Plumer opened the hearing to the public for comments and questions at 7:35 PM and being none  
113 closed the hearing to the public.

114

115 Eric Saari of Altus Engineering presented the proposed plan on behalf of the applicants and reviewed the  
116 criteria for granting waivers. He noted the number of units is not altered and there are no other public  
117 roadway or utilities. He noted a lot of frontage for proper house lots and the uniqueness of the  
118 property with wetlands and existing houses to work around and the financial hardship because of the  
119 applicant's mother's illness. He indicated the request was not contrary to the spirit of the ordinance  
120 because of the preservation/not developing the remainder lot. He indicated the applicant could not do  
121 anything without coming back to the Board for subdivision. He noted it would not vary the ordinance or  
122 the master plan.

123

124 Mr. Sharples noted they did not need the tree waiver as this is just lines on a map, not development.

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126 Mr. Brown noted this was a unique situation because of the frontage and thanked the applicants for  
127 working with the Board to improve the project in the interest of the town. Not granting would be  
128 contrary to the intention of the regulation.

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***Vice-Chair Brown motioned, after reviewing the criteria for granting waivers, that the request of Jerry Sterritt and Christine Sterritt (PB Case #22-14) for a waiver from complying with Article 7 of the Zoning Ordinance governing Open Space Development be approved. Mr. Grueter seconded the motion. A vote was taken, all were in favor, the motion passed 6-0-0.***

Mr. Sharples indicated he had suggested conditions of approval for the subdivision approval:

1. a dwg file of the plan shall be provided to the Town Planner showing all property lines and monumentation prior to signing the final plans. This plan must be in NAD 1983 State Plane New Hampshire FIPS 2800 feet coordinates; and
2. all monumentation shall be set in accordance with Section 9.25 of the Site Plan Review and Subdivision regulations prior to signing of the final plans.

***Vice-Chair Brown motioned that the request of Jerry Sterritt and Christine Sterritt (PB Case #22-14) for subdivision approval be approved with the conditions outlined by the Town Planner Dave Sharples. Mr. Grueter seconded the motion. A vote was taken, all were in favor, the motion passed 6-0-0.***

2. The application of Todd Cambio and Corinne Cambio for a lot line adjustment to the common boundary line between the properties at 6 Hillside Avenue and 8 Hillside Avenue.  
R-1, Low Density Residential zoning district  
Tax Map Parcels #97-5-8 and #97-5-7  
PB Case #22-18

Chair Plumer read out loud the Public Hearing Notice and asked Mr. Sharples if the case was ready to be heard. Mr. Sharples indicated the case was ready for review purposes.

***Mr. Cameron motioned to open Planning Board Case #22-18. Ms. Belanger seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

Mr. Sharples indicated the applicants are requesting a lot line adjustment of the common boundary between 6 Hillside Avenue (owned by Patrick Simpson and Elissa Simpson) and the applicant's property at 8 Hillside Avenue. 2,128 SF would be conveyed from the abutting property (TM #97-5-8) to their property (TM #97-5-7). The applicant presented the lot line adjustment (LLA) plan and supporting documents dated November 14, 2022 and November 23, 2022. There was no TRC meeting but materials were reviewed by CEO Doug Eastman and found to be in compliance with the zoning regulations. The applications were scheduled to present plans on December 8, 2022 but as no one appeared the case was continued to tonight's hearing.

Mr. Sharples indicated he had suggested conditions of approval:

1. a dwg file of the plan shall be provided to the Town Planner showing all property lines and monumentation prior to signing the final plans. This plan must be in NAD 1983 State Plane New Hampshire FIPS 2800 feet coordinates; and

173 2. all monumentation shall be set in accordance with Section 9.25 of the Site Plan Review and  
174 Subdivision regulations prior to signing of the final plans.

175  
176 Mr. Cambio presented the application for a lot line adjustment and explained that this would clean up  
177 encroachments of the shed and pre-existing driveway.

178  
179 Chair Plumer opened the hearing to the public for comments and questions at 7:51 PM.

180  
181 Wendell Ring of 163 Water Street indicated he supported the application.

182  
183 Chair Plumer closed the hearing to the public at 7:52 PM.

184  
185 ***Vice-Chair Brown motioned that the request of Todd Cambio and Corinne Cambio (PB Case #22-18) for***  
186 ***a Lot Line Adjustment approval be approved with the conditions outlined by the Town Planner Dave***  
187 ***Sharples. Mr. Cameron seconded the motion. A vote was taken, all were in favor, the motion passed***  
188 ***6-0-0.***

189  
190 3. The application of Hampshire Development Corporation for a minor site plan review for proposed  
191 modifications to the existing building at 173-179 Water Street to create a covered parking lot, surface  
192 parking and residential units.

193 WC-Waterfront Commercial zoning district

194 Tax Map Parcel #64-50

195 PB Case #22-17

196  
197 Chair Plumer read out loud the Public Hearing Notice and asked Mr. Sharples if the case was ready to be  
198 heard. Mr. Sharples indicated the case was ready for review purposes.

199  
200 ***Mr. Cameron motioned to open Planning Board Case #22-17. Ms. Belanger seconded the motion. A***  
201 ***vote was taken, all were in favor, the motion passed 6-0-0.***

202  
203 Mr. Sharples indicated the applicant is seeking a minor site plan review approval for proposed  
204 modifications to the existing building at 173-179 Water Street to create a covered parking lot, surface  
205 parking and residential rental units. The applicant submitted application, plans and supporting  
206 documents dated October 25, 2022. A TRC Meeting was held on November 15, 2022. UEI comments  
207 dated November 22, 2022 and TRC comment letter dated 12/7/22 were provided to the Board. The  
208 applicant subsequently provided revised plans and supporting documents dated December 8, 2022 and  
209 December 12, 2022 in response to TRC and UEI comments. A project at this site was approved by the  
210 Board in 2018 with 17 units and the proposed demolition of the back of the building with a new  
211 structure in its place. This proposal does not include demolition of the rear portion and utilizes the  
212 existing space to construct seven (7) new residential units. The applicant is requesting four waivers from  
213 the Site Plan and Subdivision Regulations outlined in their request letters dated December 12, 2022 for  
214 parking area aisle widths (9.13.6), parking space dimensions (5.6.3), stormwater management (9.3.2)  
215 and grading within five feet of property line (9.3.6.4).

216

217 Mr. Sharples indicated he would have standard conditions of approval to suggest and any unresolved  
218 UEI or TRC comments could be handled administratively.

219

220 Erik Poulin of Jones & Beach Engineers presented the proposal on behalf of the applicant. He indicated  
221 that in addition to the summary by the Town Planner there was a meeting with the Historic District.  
222 There are commercial and retail spaces that will remain in addition to parking (four new spaces to the  
223 rear of the building), the existing parking garage which is unstriped and the rental units. He noted the  
224 existing driveway access to the south is to be removed. The enclosed parking garage will utilize an  
225 open-air louver system. He pointed out pedestrian door locations on the plan and the porticos and  
226 connection to the southerly alleyway. He noted minor lighting improvements underlighting the porticos  
227 and three downcast lights for garage vehicles. There would be landscape islands by the parking area  
228 and residential access doors. Stormwater would be deposited in a deep sump catch basin and drain to  
229 an existing settling chamber to the river. He indicated the 2018 approval required a wetlands permit for  
230 the shoreland buffer, from the state, (good through 2024) which they will amend. He indicated a  
231 reduction in impervious on the wetland's application, and meeting with Kristen Murphy and staff who  
232 did not think the application needed to go before Conservation again.

233

234 Mr. Cameron asked about conditions relative to the original approval and Mr. Sharples indicated the  
235 same standard conditions of approval that will be suggested tonight with one special one that a portion  
236 of the two most northerly parking stalls encroach on the town right of way (ROW) go through the  
237 process began before. An easement should be expected prior to signing final plans. The Planning Board  
238 does not have that authority.

239

240 Mr. Cameron asked about utility lines and sewer replacement and Mr. Sharples indicated that was not  
241 part of this project.

242

243 Mr. Grueter asked about trash removal and the applicant explained there would be a trash room and  
244 barrels.

245

246 Mr. Brown asked about parking requirements and Mr. Poulin indicated there are five two-bedroom units  
247 and two one-bedroom units. Two-bedroom units require two spaces and one-bedroom require one  
248 space. Every four units require a guest space. 14 spaces are required, there are 16 proposed.

249

250 Mr. Brown questioned the legality of the spaces in the town ROW. Mr. Sharples indicated the applicant  
251 could proceed with their easement or revise the plan to get rid of the spaces. It could be a condition of  
252 approval based on the plan. The applicant previously started the process and the town appeared  
253 amenable.

254

255 Chair Plumer questioned the doorway lighting and the door nearest Water Street. It is not a primary  
256 access point for residents and is close to the property line. Steve Wilson indicated he is a co-owner with  
257 Kevin Jones and the side door nearest Water Street is a proposed emergency exit.

258

259 Chair Plumer opened the hearing to the public for comment and questions at 8:18 PM.

260

261 Heather Taylor indicated she was from 163 Water Street and prefers the current project over what was  
262 originally approved. She expressed concerns with snow storage, walkways and pedestrian access over  
263 the Merrill Block Association property. Mr. Wilson showed the sidewalk to the ROW and indicated a  
264 small area crosses Merrill Block land. He showed the snow storage corner. He addressed the Historic  
265 District Commission (HDC) concerns with aesthetics and windows.

266  
267 Vice-Chair Brown noted the Board could encourage the owners to communicate but it would need to be  
268 defined here. Mr. Sharples indicated a condition could be to remove the porous paver sidewalk from  
269 the plan as it is a private property matter and there is no easement. Ms. Martel noted she is not  
270 comfortable with an access door having no sidewalk. Mr. Sharples noted going the other direction (to  
271 the left) would probably not be used. Mr. Brown noted the condition could be to remove the sidewalk  
272 and replace it with an adequate sidewalk off the doorway located entirely on the subject property. He  
273 agreed with Ms. Martel that he was not comfortable approving something on someone else's property.  
274 Mr. Sharples noted the sidewalk is not required by code. Mr. Brown suggested removing the portion of  
275 the sidewalk not on their property from the plans being approved or prior to occupancy having sidewalk  
276 access to the doors on the final plans to the satisfaction of the Town Planner.

277  
278 Wendell Ring of 163 Water Street indicated he lived in B-1 of Merrill Block and likes the new plan much  
279 better. His view of the river is better. He asked if the units were rentals or condos and Mr. Wilson  
280 indicated rentals. He asked if the roof was upgraded. Mr. Wilson noted it was just re-rubbered. He  
281 noted he likes the lighting change but would be viewing the parked cars in the slatted garage under.

282  
283 Chair Plumer closed the hearing to the public at 8:46 PM.

284  
285 Ms. Martel asked about landscaping and the large islands. There are four proposed. Two by the  
286 pedestrian door and two by the four new outdoor parking spaces. They would be mulched. There are  
287 curbs, sloped granite consistent with those in the ROW.

288  
289 Ms. Martel asked about the flood zone risk area and if the lobby was at elevation. The building has  
290 existed for some time.

291  
292 Ms. Martel asked about the trash room. Mr. Wilson explained a dumpster would not be secure and the  
293 river is nearby. The trash room has its own ventilation, and the owner would have control over keeping  
294 the room and barrels clean.

295  
296 Mr. Brown pointed out the snow storage area crosses the islands. Mr. Sharples noted there was some  
297 question about storing snow near the shoreland which this is not and also noted it is shown on the plan  
298 but not required.

299  
300 Mr. Poulin reviewed the criteria for the four waivers requested. He explained that the garage has  
301 existing columns which make it difficult to work around. The surrounding topography is a hardship. The  
302 garage is not striped.

303

304 ***Vice-Chair Brown motioned that after reviewing the criteria for granting waivers the request of***  
305 ***Hampshire Development Corp. (PB Case #22-17) for a waiver from Section 9.13.6 of the Site Plan***  
306 ***Review & Subdivision Regulations to reduce the minimum aisle width within the parking area be***  
307 ***approved. Mr. Cameron seconded the motion. A vote was taken, all were in favor, the motion passed***  
308 ***6-0-0.***

309  
310 Mr. Poulin reviewed the criteria for the parking space dimensions requesting length of 19' required be  
311 reduced to 18.' There is no safety issue. The garage is unique and has columns located which cannot be  
312 used in strict conformance and there is a topographical hardship. He noted 18' is common in other  
313 towns.

314  
315 ***Vice-Chair Brown motioned, after reviewing the criteria for granting waivers, that the request of***  
316 ***Hampshire Development Corp. (PB Case #22-17) for a waiver from Section 5.6.3 of the zoning***  
317 ***ordinance to allow a reduction in the size of parking spaces be approved. Mr. Cameron seconded the***  
318 ***motion. A vote was taken, all were in favor, the motion passed 6-0-0.***

319  
320 Mr. Poulin discussed the stormwater management (Section 9.3.2) waiver. He indicated the property  
321 was unique as a major site occupied by an existing building with limited space and topographical  
322 hardship. He indicated pollutants would be reduced on site with a catch basin and would have a grease  
323 hood. The system would be connected to the sediment chamber located north of town property. The  
324 applicant received the same waiver in 2018.

325  
326 Ms. Martel asked where the stormwater goes. Mr. Poulin explained the four new parking spaces would  
327 drain to catch basins and tie into the existing catch basin and sediment treatment chamber. Ms. Martel  
328 asked what goes straight to the river and he indicated runoff from the small, grassed area would, but it  
329 is curbed. Mr. Brown noted the existing site is challenged and doesn't have enough land. Ms. Martel  
330 agreed the runoff from the rainwater falling on grass would be minor.

331  
332 ***Vice-Chair Brown motioned, after reviewing the criteria for granting waivers, that the request of***  
333 ***Hampshire Development Corp. (PB Case #22-17) for a waiver from Section 9.3.2 of the Site Plan***  
334 ***Review and Subdivision Regulations regarding stormwater management requirements for***  
335 ***redevelopment be approved. Ms. Belanger seconded the motion. A vote was taken, all were in favor,***  
336 ***the motion passed 6-0-0.***

337  
338 Mr. Poulin reviewed the criteria for a waiver from Section 9.3.6.4 no grading within five feet of property  
339 line. He indicated the property lacked open space and this waiver request would not alter the intent of  
340 the regulations. He noted the property is unique with a history of closely located property line. Mr.  
341 Cameron asked if this was the same waiver as before and he indicated yes. Mr. Sharples noted he sees  
342 this a lot in dense areas.

343  
344 ***Vice-Chair Brown motioned, after reviewing the criteria for granting waivers, that the request of***  
345 ***Hampshire Development Corp. (PB Case #22-17) for a waiver from Section 9.3.6.4 of the Site Plan***  
346 ***Review and Subdivision Regulations regarding grading within five feet of the property line be***



347 **approved. Mr. Cameron seconded the motion. A vote was taken, all were in favor, the motion passed**  
348 **6-0-0.**

349

350 Mr. Sharples indicated review comments could be resolved internally. Snow removal is a challenge for  
351 this district. The Board discussed the drainage inside the parking garage. Mr. Wilson noted the grade is  
352 to the rear of the building. There is a small amount of snow that may melt off parked cars. There is  
353 curbing to keep water from going in or out.

354

355 Mr. Grueter asked if the drain pipe could be extended, and Mr. Poulin indicated it would be a challenge  
356 logistically to daisy chain a drain pipe and there is a small volume with flow path options for that little bit  
357 of snow melt.

358

359 Mr. Sharples notes seven standard suggested conditions of approval and two unique conditions:

360

361 1. an electronic as built plan of the entire property with details acceptable to the Town shall be provided  
362 prior to the issuance of a certificate of occupancy. This plan must be in a dwg or dxf file format and in  
363 NAD 1983 State Plane New Hampshire FIPS 2800 feet coordinates.

364

365 2. a pre-construction meeting shall be arranged by the applicant and his contractor with the Town  
366 engineer prior to any site work commencing.

367

368 3. All comments in Underwood Engineering review letter dated 12/20/22 shall be addressed to the  
369 satisfaction of the Town Planner prior to signing the final plans.

370

371 4. All appropriate fees to be paid including but not limited to sewer/water connection fees, impact fees,  
372 inspection fees, prior to issuance of a building permit or certificate of occupancy, whichever is applicable  
373 as determined by the Town.

374

375 5. All applicable state permit approval numbers shall be noted on the final plans.

376

377 6. All outdoor lighting (including security lights) shall be down lit and shielded so no direct light is visible  
378 from adjacent properties and roadways.

379

380 7. If determined applicable by the Exeter Department of Public Works the applicant shall submit the  
381 land use and stormwater management information about the project using the Pollutant Tracking &  
382 Accounting Project Database (PTAPP) Online Municipal Tracking Tool. The PTAPP submittal must be  
383 accepted by DPW prior to the pre-construction meeting.

384

385 8. An easement or other form of permission shall be secured from the Town of Exeter to allow the use  
386 of the town right of way for the portion of the two most northerly parking stalls. This permission shall  
387 be secured and executed prior to signing the final plans.

388

389 9. Remove the proposed porous paver 4' sidewalk located on the southeast side of the building and  
390 show on the final plans access to the lobby door, to the satisfaction of the Town Planner.

391  
392 **Mr. Cameron motioned that the request of Hampshire Development Corp. (PB Case #22-17) for minor**  
393 **site plan approval be approved with the conditions read by the Town Planner. Ms. Belanger seconded**  
394 **the motion. A vote was taken, all were in favor, the motion passed 6-0-0.**  
395

396 **VI. OTHER BUSINESS**

- 397           •       Master Plan Discussion  
398           •       Field Modifications

399           Mr. Sharples noted the Noria application got their certificate of occupancy and will be opening  
400           between Christmas and New Year. They were unable to finish landscaping until spring. Erosion  
401           control is in place.

- 402           •       Bond and/or Letter of Credit Reductions and Release  
403

404 **VII. TOWN PLANNER’S ITEMS**

405 **VIII. CHAIRPERSON’S ITEMS**

406 **IX. PB REPRESENTATIVE’S REPORT ON “OTHER COMMITTEE ACTIVITY”**

407 **X. ADJOURN.**

408 Chair Plumer expressed his appreciation to the Board for their work this year and wished them happy  
409 holidays.

410 **Chair Plumer motioned to adjourn the meeting at 9:38 PM. Mr. Brown seconded the motion. A vote**  
411 **was taken all were in favor, the motion passed 6-0-0.**

412

413 Respectfully submitted,

414 Daniel Hoijer,  
415 Recording Secretary  
416 Via Exeter TV