

1                                   **TOWN OF EXETER**  
2                                   **PLANNING BOARD**  
3                                   **NOWAK ROOM – TOWN OFFICE BUILDING**  
4                                   **10 FRONT STREET**  
5                                   **SEPTEMBER 28, 2023**  
6                                   **APPROVED MINUTES**  
7                                   **7:00 PM**

8 **I. PRELIMINARIES:**  
9

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

13 **STAFF PRESENT:** Town Planner Dave Sharples  
14

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

18 **III. OLD BUSINESS**  
19

20 **APPROVAL OF MINUTES**  
21

22 September 11, 2023  
23

24 *Mr. Grueter motioned to approve the September 14, 2023 minutes. Ms. Belanger seconded the*  
25 *motion. A vote was taken, all were in favor, the motion passed 5-0-0.*  
26  
27

28 **IV. NEW BUSINESS:**

29 1. Land Use Series – Town Planner Dave Sharples  
30

31 Mr. Sharples continued his educational workshop, *Land Use Series*. He noted that the last  
32 workshops reviewed the benefits of undeveloped land and the benefits of undeveloped land.  
33 He discussed the goal and benefits of developing land while having the least minimum impact  
34 on undeveloped land. For this workshop Mr. Sharples indicated he would review current  
35 zoning, the built environment and get feedback from Board members. Vice-Chair Brown asked  
36 Mr. Sharples if he could email a copy of the presentation. Ms. Belanger asked if Mr. Sharples  
37 could provide an update to her printed copy of the ordinance book.  
38

39 Mr. Sharples stated that site plan and subdivision regulations are combined in Exeter. He  
40 discussed how stormwater can be taken up by trees and provide flood storage and recharge  
41 groundwater, something that once land is cleared and paved it doesn't do anymore.  
42

43 Mr. Sharples discussed the differences between use and area provisions in zoning districts. He  
44 discussed types of zoning districts, in residential, rural, industrial and commercial zones and the  
45 overlays that can also be present for aquifer protection, historic districts, shoreland protection,  
46 wetlands conservation and flood hazard.  
47

48 Mr. Sharples discussed how an applicant who doesn't agree with a determination made by the  
49 code enforcement officer or planning board can be appealed to the Zoning Board of  
50 Adjustment. The party can request a variance for something prohibited in the zoning ordinance  
51 or a particular zoning district, and a party can also request a special exception for something  
52 allowed by right in that zoning district, which has to then meet the specific criteria and be  
53 found to be compatible and not conflict with the rights of other property owners or the public.  
54

55 Mr. Sharples explained different uses that are allowed in various zoning districts such as a  
56 medical office, schools, and businesses and explained where to find those lists in the zoning  
57 ordinance under each section.  
58

59 Mr. Sharples explained how different zoning districts and overlays may have separate criteria  
60 for setbacks in the ordinance or could be grandfathered because they existed prior to zoning.  
61 There can be setbacks for side, front, rear, height and there can be lot sizes and density  
62 requirements for each district or overlay.  
63

64 Mr. Sharples explained how a property owner in the historic district overlay goes through a  
65 process when making improvements or renovations to that structure and involving the Historic  
66 District Commission in that process.  
67

68 Vice Chair Brown asked if every town had to allow all uses, such as adult entertainment and Mr.  
69 Sharples stated not all and noted if a use is silent in the ordinance, it is likely prohibited  
70 although he has seen some towns try to make a use fit somewhere such as one example in  
71 Concord where a gaming hall was allowed using the indoor recreational facility use.  
72

73 Vice Chair Brown asked about cell towers and Mr. Sharples stated this is an example of where  
74 federal regulations come in as Exeter does not have a telecommunications ordinance.  
75

76 Mr. Sharples noted Exeter currently has 18 districts, which he showed on the Exeter map, Nine  
77 are residential, five are commercial, two are corporate/technology, one is industrial, and one is  
78 healthcare (the hospital). He showed the greater density of downtown and described some

79 mixed uses, such as shops with apartments or condominiums, combined together within a  
80 structure. He showed some older neighborhoods which he described as dense, which predated  
81 zoning setback regulations. He noted some districts require a two-acre minimum, some three.  
82 Some open space developments after proving they can meet conventional density, will trade  
83 conserving open space conservation land for building homes closer or having smaller lot sizes  
84 and setbacks which in turn result in less cost to the developer and town for building or  
85 maintaining roadway and providing utility service. Mr. Sharples reviewed some of the  
86 conservation easement ownerships, some are town owned, some are private with easement to  
87 the town or HOA, some are through Southeast Land Trust. He noted some areas served by  
88 town sewer may have a different setback than someone needing their own septic design.

89  
90 Vice Chair Brown asked about a parcel that is landlocked by wetlands and Mr. Sharples  
91 explained allowing a property owner what is considered a reasonable use. He noted it is up to  
92 the owner to go through the necessary channels to implement that use in an otherwise  
93 challenged property, such as getting permits from the state that need an application from  
94 Department of Environmental Services, for instance, to access over or through a wetland. Vice  
95 Chair Brown asked about the recent Supreme Court challenge to pocket wetlands. Ms.  
96 Belanger stated that she believed the case last year was Sackett v Environmental Protection  
97 Agency and had to do with non-contiguous wetlands. Mr. Sharples noted he was aware of the  
98 challenge to what are referred to as finger wetlands but has not had an opportunity to evaluate  
99 the change in interpretation to Exeter's ordinance. Mr. Sharples explained that the Town does  
100 not have specified wetlands mapped somewhere, that it is up to the privately contracted  
101 wetland scientist to flag those locations and provide the data to the developer or property  
102 owner. Mr. Sharples explained hundred-year flood terminology. He noted there is a 1% chance  
103 annually that the specific property could become inundated. He cited the Mother's Day Flood  
104 as one example.

105  
106 Mr. Sharples explained single family residences and the definition of manufactured housing  
107 which is not allowed in every district. He noted some single-family or multi-family residences  
108 have been built in commercial zones by variance. He discussed Accessory Dwelling Units and  
109 Bed and Breakfast Uses by special exception in districts that allow them. He discussed briefly  
110 what are conversions. Mr. Sharples discussed the different residential districts, some of which  
111 allow multi-family. He showed one district, R-6, which was zoned 55 and over. He discussed  
112 Jady Hill in the R-3 district and zoning that concerns height, 25' instead of 35' although  
113 noticeably some residents predated that zoning requirement.

114  
115 Mr. Sharples noted that this was a review of Exeter's current zoning district configuration which  
116 there will be a warrant article, possibly on the ballot next year, to simplify, and he will review  
117 that article again in coming meetings. There was public outreach on it last year. He noted a lot

118 of owners are burdened by non-conforming lots and need a variance to do anything. Vice Chair  
119 Brown agreed that process can be intimidating for some.

120  
121 Mr. Sharples asked the Board to consider how they felt about mixed uses. Vice Chair Brown  
122 noted it makes a lot of sense if they are compatible, but the zoning needs to hold up. Ms.  
123 Belanger agreed. Vice Chair Brown noted that some multi family dwellings have more of a  
124 transient nature to them that may impact the character of a neighborhood versus single-family  
125 owner occupied.

126  
127 **VI. OTHER BUSINESS**

- 128 • Master Plan Discussion
- 129
- 130 • Field Modifications
- 131
- 132 • Bond and/or Letter of Credit Reductions and Release
- 133

134 **VII. TOWN PLANNER'S ITEMS**

135 **VIII. CHAIRPERSON'S ITEMS**

136 **IX. PB REPRESENTATIVE'S REPORT ON "OTHER COMMITTEE ACTIVITY"**

137 Ms. Belanger reminded that there will be an All Board's Meeting on Wednesday, October 11<sup>th</sup>  
138 and a Right to Know Law workshop on Wednesday, October 18<sup>th</sup>.

139 Ms. Belanger announced there will be an open house at town hall on October 4<sup>th</sup> from 12-2 and  
140 4-8 regarding the parking and pedestrian plan.

141 **X. ADJOURN**

142 *Vice Chair Brown motioned to adjourn the meeting at 9:22 PM. Ms. Belanger seconded the*  
143 *motion. A vote was taken, all were in favor, the motion passed 5-0-0.*

144  
145 Respectfully submitted.

146 Daniel Hoijer,  
147 Recording Secretary  
148 Via Exeter TV