

**TOWN OF EXETER
PLANNING BOARD
NOWAK ROOM
10 FRONT STREET
APRIL 24, 2025
DRAFT MINUTES
7:00 PM**

I. PRELIMINARIES:

BOARD MEMBERS PRESENT BY ROLL CALL: Chair Langdon Plumer, Vice-Chair Aaron Brown, Gwen English, John Grueter, Jen Martel, Nancy Belanger, Select Board Representative, Alternate Marty Kennedy, and Alternate Dean Hubbard

STAFF PRESENT: Town Planner Dave Sharples.

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

III. NEW BUSINESS:

1. The application of StoneArch Development for a multi-family site plan review for the proposed construction of a six (6) unit townhouse style residential condominium development along with associated parking and site improvements. The subject property is located at 57 Portsmouth Avenue. C-2, Highway Commercial zoning district
Tax Map Parcel #73-14
Planning Board Case #25-1.

Chair Plumer read the Public Hearing Notice out loud.

Town Planner, Dave Sharples indicated that the applicant appeared before the Board at their April 10, 2025 meeting to present their plans for the proposed project. The Board tabled the application to tonight's meeting. The Board held a site walk on April 10 at 8 AM to review site conditions.

The applicant obtained several variances for the proposed construction and the notices of decision and minutes were provided from the November 19, 2024 meeting

The applicant submitted plans and supporting documents dated April 16, 2025 and submitted additional handouts to the Board this evening.

The applicant is requesting three waivers, two of which were referenced in the letter from Beals Associates dated January 28, 2025 and the third in their letter of today requesting the stormwater waiver as a result of the Underwood Engineering (UEI) comment letter.

Christian Smith indicated that architect Robert Baldwin was present along with John O'Neil. He indicated the architect rendering, floor plans, and elevations were submitted. He noted that as a result of the UEI letter received Tuesday afternoon a waiver was suggested for the stormwater design. Mr. Smith described the change to the retaining wall proposed to be connected to the building which is no longer the retaining structure behind the building. He referenced the utility closet and landscaping consultant plan changes.

Mr. Grueter asked about the walkway located in between the two guest parking spaces. Mr. Smith indicated 9' is the width of a wide car and firetrucks are 8-9.' Ms. Martel noted the adjacent door and commented that if cars park there, they can't get out the door, and asked if the door could open in.

Ms. English indicated she was not comfortable with the UEI comments of April 16, 2025 concerning stormwater and not having a response. Mr. Smith referenced #24 of the April 22, 2025 response letter.

Chair Plumer opened public comment at 7:37 PM.

Ms. Martel asked the width of the units and Mr. Smith indicated 22.' She asked that the size of Unit D be reduced because guest parking is tight. Mr. Baldwin indicated that the width is a minimum for a two-car garage but offered to eliminate the entry door or slide it down so it doesn't open to the walkway. Mr. Grueter noted the door was not as much an issue as the two parking spaces and asked if there could be one guest space. Mr. Smith indicated 14 spaces were required and 14 were provided, and are the size of every standard stall in town.

Mr. Smith reviewed the response letter dated April 22, 2025 since the Board did not have a copy in their packets. He reviewed #24 concerning treatment and infiltration, reduction of retaining walls and underground detention and noted that would cause a real mess because there are so many utilities running under the drive aisle. He noted it was addressed in the waiver request.

Mr. Smith reviewed #25 of the response letter dated April 22, 2025 and referenced the runoff on site and waiver request.

Mr. Smith reviewed #26 of the response letter dated April 22, 2025 and noted they did reduce flows to 1/100th of a CFS under the two-year storm and the threshold in the town regulations which is also addressed in the waiver request.

Mr. Smith reviewed #31 of the response letter dated April 22, 2025 and noted the comment concerning building setback lines on the plans to show the setbacks granted by the Zoning Board of Adjustment.

Mr. Smith referenced the permeable pavers and infiltration and noted he will add three spot grades in the final plan.

Ms. Martel asked about the stormwater management plan and Mr. Smith described the pervious paver patio, roof run off to paver area, front gutter to stone reservoir and stone mulch outside the building which he reviewed with the Town Engineer, who had no issue.

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88 Ms. Martel asked where the stormwater would be treated, and Mr. Smith indicated the waiver request.

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90 Ms. Martel asked about hydrostatic pressure behind the wall and Mr. Smith noted there was not a great
91 deal of water and the requirements under 50-year storm under ICFS and storage area under pavers, the
92 20' slope and ample depth to bleed. He referenced auger pits that were done. He noted the foundation
93 retaining wall is sealed.

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95 Chair Plumer indicated that Alternate, Marty Kennedy would be activated for this hearing and Alternate
96 Hubbard would not be acting for this hearing.

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98 Chair Plumer asked about the decorative stone mulch and Mr. Smith indicated the trees on the side
99 which were being saved.

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101 Ms. Martel asked about the lawn strip out front if it was the only lawn strip and Mr. Smith referenced
102 the area on the side where the trees are.

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104 Ms. English asked if the other engineer indicated what he would like to see them do (concerning
105 stormwater management), and Mr. Smith responded that they don't do that.

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107 Ms. Martel asked about subsurface infiltration and Mr. Smith indicated the area where water and sewer
108 and gas, and cable are located.

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110 Mr. Smith indicated there was a decent amount of runoff to the site up slope coming from off site being
111 captured and infiltrated as well.

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113 Mr. Sharples advised that he asked Town Engineer Paul Vlasich about the waiver request and he wrote
114 back that he talked to Mr. Smith and was okay with this minor request.

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116 Chair Plumer indicated there was no public to comment on this application.

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118 Ms. Martel asked if this project triggered state stormwater and Mr. Smith responded no, just the permit
119 for adding new manholes.

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121 Mr. Hubbard asked Mr. Sharples about the April 16, 2025 letter, #11 and the UEI response that without
122 retaining walls the project would not be possible. Mr. Sharples responded that he was not an engineer
123 but the April 22, 2025 letter says any previous comment no longer listed is addressed satisfactorily. The
124 foundation is not essentially the retaining wall. Mr. Hubbard noted there was still a two-foot
125 landscaping wall and asked the difference. Mr. Smith responded that they can build up to four-foot
126 wall, without a structural engineering design. The wall between the buildings will need structural
127 engineering preconstruction.

128
129 Mr. Smith read the criteria for the waiver for road and fire lane width which he noted the DPW
130 requested be waived. He referenced the width for the town's aerial ladder truck and decrease in

stormwater flow as a benefit. He noted it was not detrimental to public health, safety, welfare or injurious to other property. He noted the access to Portsmouth Avenue and uniqueness of the existing curb cut which is in the same location and the spirit and intent is to provide adequate width for cars to pass and the town's ladder truck. He noted it will not vary the ordinance or master plan. Fire access will be provided and the Fire Inspector noted they would fight a fire from Portsmouth Avenue where the hydrant is also located.

Vice-Chair Brown motioned that after reviewing the criteria for granting waivers the request of Stonearch Development, Planning Board Case #25-1 for a waiver from Section 9.14.9 of the site plan review and subdivision regulations to permit proposed roadway and fire lanes to be less than 24' be approved. Ms. Belanger seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Mr. Smith reviewed the criteria for the waiver for grading within 5' of property line. He noted there will be adequate space to work and it will not be detrimental to public health, safety, welfare or injurious to other properties. He noted the location of access on Portsmouth Avenue and curb cut in the same location and that it would be illogical to move the driveway further west. He noted there would be no disturbance to adjacent properties and adequate screening. He noted it would not be contrary to the spirit and intent of the ordinance and would not alter the ordinance or master plan. He noted there are no structures in the 5' property line including the edge of pavement.

Mr. Grueter motioned that after reviewing the criteria for granting waivers the request of Stonearch Development, Planning Board Case #25-1 for a waiver from Section 9.3.6.4 of the site plan review and subdivision regulations for grading within 5' of property line be approved. Ms. Belanger seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Mr. Smith reviewed the April 24, 2025 stormwater waiver request letter. He noted flows and volumes are better than existing conditions and the removed proposal to connect to the municipal drainage system. He noted flow volumes which were minimal for the two-year event and that the DPW agreed the minimal increase would have no impact. He noted the decrease in peak flow, pervious walkway and stone mulch which will provide additional treatment and will not be contrary to public health, safety, welfare or injurious to other properties. He noted the treatment was unique and not applicable to other properties. He indicated the town regulations which allow for uncertainty in math rounding. He noted denial would be a hardship to require mitigation in another way. He indicated the ordinance and master plan would not be varied.

Ms. English asked if maintenance would be in the condominium documents and Mr. Smith referenced the annual inspection requirement. Mr. Sharples noted that is a standard condition. Ms. English asked if gutters could be specified.

Vice-Chair Brown questioned if the calculations were compared prior to post if there would even be an increase. Mr. Smith agreed that if modeled under the older house and driveway, no, and that calculation for pervious pavers out front and stone mulch were not done.

Chair Plumer asked about waterproofing for the foundation and Mr. O'Neil indicated there was a lifetime warranty and ½" rubber used.

Vice-Chair Brown motioned after reviewing the criteria for granting waivers that the request of Stonearch Development, Planning Board Case #25-1 for a waiver from Section 9.3.2 of the site plan review and subdivision regulations regarding discharge for redevelopment projects, be approved. Mr. Kennedy seconded the motion. A roll call vote was taken, Mr. Kennedy voted aye, Mr. Grueter voted aye, Chair Plumer voted aye, Vice-Chair Brown voted aye, Ms. English voted nay, Ms. Belanger voted aye and Ms. Martel voted nay. The motion passed 5-2-0.

Vice-Chair Brown indicated he had no issues with the minimal increase and noted the applicant should not be punished for it being an empty lot right now. Chair Plumer indicated he was comfortable with it. Ms. English stated that the comments were not addressed. Ms. Martel agreed and referenced the stormwater behind the retaining wall and asked where the drain was. Mr. Smith noted there were no underdrains, and the flow goes into the groundwater matrix. Chair Plumer noted the abutting lots were not exactly level and there is no sign of sudden wash, and it is a pretty steep slope. Mr. Smith noted the neighbors are doing the same and have no issues. Vice-Chair Brown noted there is no erosion. Mr. Kennedy noted he did not think there is going to be a problem.

Ms. Martel asked about lighting and requested a photometric be supplied. She asked if there was lighting out front and Mr. Smith indicated only safety lighting with a manual on/off activated by the homeowners and all lighting is dark sky compliant. Vice-Chair Brown asked if the streetlight was close and Mr. Smith indicated it was located at the corner of property by Hampton Inn. Vice-Chair Brown noted it throws a lot of light to the front.

Ms. English asked about traffic turning to the left to exit and vehicles taking a right having to go around the hospital. Mr. Smith noted they could turn around in a parking lot. Mr. Kennedy indicated it was not a good idea to prohibit the turn and have it ignored. Vice-Chair Brown noted the corrected signal coordination will help.

Mr. Sharples addressed conditions and recommended the door open in by the mechanical room.

Ms. Martel requested spot elevations for the patio.

Mr. Sharples read the standard conditions of approval:

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

2. A preconstruction meeting shall be arranged by the applicant and his contractor with the Town engineer prior to any site work commencing. The following must be submitted for review and approval prior to the preconstruction meeting:

- i. the SWPPP (storm water pollution prevention plan), if applicable, be submitted to and reviewed for approval by DPW prior to the preconstruction meeting; and
- ii. A project schedule and construction cost estimate.

3. Third party construction inspection fees shall be paid prior to scheduling the preconstruction meeting.

4. All condominium documents including the declaration and bylaws shall be submitted to the town planner for review and approval prior to signing the final plans. Condominium documents to include maintenance requirements for all stormwater practices (including gutters, annual reporting etc.) shown on the plans. In the event the town planner deems review is required by the town attorney, this review shall be paid for at the applicants' expense.

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

6. All applicable fees to be paid including, but not limited to sewer/water connection fees, impact fees and inspection fees (including third party inspection fees) prior to issuance of a certificate of occupancy.

7. All landscaping shown on plans shall be maintained and any dead or dying vegetation shall be replaced, no later than the following growing season. as long as the site plan remains valid.

8. All outdoor lighting (including security lights) shall be shown on the final plans and shall be down lit and shielded so no direct light is visible from adjacent properties and/or right of ways.

9. The applicant shall submit the land use and stormwater management information about the project using the PTAPP online municipal tracking tool. The PTAPP submittal must be accepted by DPW prior to the preconstruction meeting.

Mr. Sharples read the proposed special conditions of approval:

10. The side door on the first floor of the northeast side of the rear building shall open into the garage and shall be moved to the rear of the garage as to not conflict with the guest parking stalls

11. Spot grades of the pervious walkway in the rear shall be shown on the final plans.

Ms. Belanger motioned that the request of Stonearch Development, Planning Board Case #25-1 for a multi-family site approval be approved with the conditions read by Town Planner Dave Sharples. Mr. Kennedy seconded the motion. A vote was taken, Ms. Martel voted nay, Ms. English voted nay, Ms. Belanger voted aye, Vice-Chair Brown voted aye, Chair Plumer voted aye, Mr. Grueter voted aye, and Mr. Kennedy voted aye. The motion passed 5-2-0.

2. The application of Willey Creek Company for design review of the site plans, lot line adjustment and Wetlands and Shoreland conditional use permits for the proposed relocation of Building D of the Ray Farm Condominium development and associated site improvements off of Ray Farmstead Road.

C-3, Epping Road Highway Commercial zoning district
Tax Map Parcel #47-8 and #47-8.1
Planning Board Case #22-3.

Ms. Belanger and Mr. Kennedy recused themselves. Alternate Hubbard was activated.

By Roll Call Vice-Chair Brown motioned to go into non-public session pursuant to 91-A:3(II)(I) at 8:45 PM. Ms. English seconded the motion. A roll call vote was taken, Mr. Hubbard voted aye, Mr. Grueter voted aye, Vice-Chair Brown voted aye, Chair Plumer voted aye, Ms. English voted aye, and Ms. Martel voted aye. The motion passed 6-0-0.

The Board reopened the meeting to the public at 9:15 PM.

Chair Plumer read out loud the Public Hearing Notice for Planning Board Case #22-3. He commented that the Board has no jurisdiction to resolve property disputes and would limit discussion on property rights.

Mr. Sharples noted the Technical Review Committee indicated the case was not ready for review purposes and is looking for preliminary design discussion.

Attorney Tim Phoenix noted that Jon Shafmaster and Kat Morrill from Millenium Engineering were present with Bill Blackett from CKT and Wiley Creek.

Attorney Phoenix requested the Board identify the property dispute discussions and Chair Plumer indicated letters from various attorneys, owner and Select Board.

Attorney Phoenix indicated the case was tabled in 2022 with four buildings and three built, four including Building D were approved.

Kat Morrill of Millenium Engineering referenced relocation of Building D showing the area on the plan in the upper right corner and referenced the 24' access road, existing drainage and stormwater management. She noted 72 parking spaces would be provided with half under. She indicated a Conditional Use Permit would be applied for.

Chair Plumer opened the hearing to comments from the public at 9:23.

Marty Kennedy indicated he lived at 7 Wiley Creek Road, Building A and was a member of the condominium association but not representing them. He noted concerns and ongoing discussions such as the private driveway with 50' easement connected to an adjacent property and that he would prefer a town road funded through the TIFF process rather than incurring the long-term cost of maintaining the road. He noted that the Epping Road pedestrian crossing would be dangerous with 12,000 vehicles in afternoon peak hours making it impossible to cross without signalized control.

Russ Hilliard of Upton and Hatfield indicated he represented Scott Carlisle. He stated that we have never objected to the relocation of the building so long as whatever happens doesn't interfere with Mr. Carlisle's right of way that leads to his property.

Ms. English noted the plans were hard to read, a lot was missing, buffers, shoreland protection area.

Attorney Phoenix stated that he hasn't asked the Board to resolve a property dispute, that CKT has a right as an abutter to access a road, and referenced an unspecified right to the Board to delegate and to apply ordinary standards.

Vice-Chair Brown motioned that the design review process for Planning Board Case #22-3 has concluded and instructs the Town Planner to notify the applicant in accordance with NH RSA 676:4. Mr. Grueter seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Attorney Phoenix asked about scheduling and Vice-Chair Brown indicated they would need to receive a full application.

IV. OLD BUSINESS

APPROVAL OF MINUTES

March 27, 2025

Ms. Belanger, Ms. English, and Mr. Hubbard recommended edits.

Ms. Belanger motioned to approve the March 27, 2025 meeting minutes, as amended. Ms. English seconded the motion. A vote was taken, Mr. Grueter abstained. The motion passed 6-0-1.

April 10, 2025

Mr. Hubbard and Mr. Grueter recommended edits.

Ms. English motioned to approve the April 10, 2025 minutes, as amended. Mr. Grueter seconded the motion. A vote was taken, Ms. Belanger abstained. The motion passed 6-0-1.

V. OTHER BUSINESS

- Master Plan Discussion
- Field Modifications
- Bond and/or Letter of Credit Reductions and Release

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350 **VI. TOWN PLANNER'S ITEMS**

351 **VII. CHAIRPERSON'S ITEMS**

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

353 Ms. English referenced the Rockingham Planning Commission survey for the regional master plan which
354 is on their website.

355 Ms. Martel noted there are three designs for Pairpoint Park with a quick survey on the Town website.

356 **IX. ADJOURN**

357 Mr. Grueter motioned to adjourn the meeting at 9:38 PM. Ms. Martel seconded the motion. A
358 vote was taken, all were in favor, the motion passed unanimously.

359 Respectfully submitted.

360 Daniel Hoijer,
361 Recording Secretary (Via Exeter TV)