



TOWN OF EXETER, NEW HAMPSHIRE

10 FRONT STREET • EXETER, NH • 03833-3792 • (603) 778-0591 • FAX 772-4709
www.exeternh.gov

LEGAL NOTICE EXETER PLANNING BOARD AGENDA

The Exeter Planning Board will meet virtually via ZOOM (see connection info below*) on Thursday, July 9, 2020 at 7:00 P.M. to consider the following:

APPROVAL OF MINUTES: June 25, 2020

NEW BUSINESS: PUBLIC HEARINGS

Continuation of the application of Brian Griset for review of a Yield Plan in conjunction with a proposed 16-unit single-family condominium open space development and associated site improvements on property located off of Tamarind Lane and Cullen Way. The properties are located in the R-1, Low Density Residential and NP-Neighborhood Professional zoning districts. Tax Map Parcel S #96-15 and #81-53. Case #20-2.

OTHER BUSINESS

EXETER PLANNING BOARD

Langdon J. Plumer, Chairman

Posted 06/26/20: Exeter Town Hall Kiosk and Town of Exeter website

***ZOOM MEETING INFORMATION:**

Virtual Meetings can be watched on Channel 22 and on Exeter TV's Facebook and YouTube pages.

To participate in public comment, click this link: <https://exeternh.zoom.us/j/81188719779>

To participate via telephone, call: +1 646 558 8656 and enter the Webinar ID: 811 8871 9779

Please join the meeting with your full name if you want to speak.

*Use the "Raise Hand" button to alert the chair you wish to speak. On the phone, press *9.*

*More instructions for how to participate can be found here:
<https://www.exeternh.gov/townmanager/virtual-town-meetings>*

Contact Bob Glowacky at rglowacky@exeternh.gov or 603-418-6425 with any technical issues

1 TOWN OF EXETER
2 PLANNING BOARD
3 June 25, 2020
4 VIRTUAL MEETING
5 DRAFT MINUTES

6 Zoom ID: 865 4385 1931

7 Phone: 1 646 558 8656

8 **I. PRELIMINARIES:**

9
10 **BOARD MEMBERS PRESENT BY ROLL CALL:** Chair Langdon Plumer, Vice-Chair Aaron Brown, Pete
11 Cameron, Clerk, Gwen English, John Grueter, Jen Martel, Molly Cowan, Select Board Representative,
12 Pete Steckler, Alternate and Nancy Belanger, Alternate.

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

15
16 **II. CALL TO ORDER:** Chair Plumer called the meeting to order at 7:02 PM and read out loud the
17 meeting preamble which indicated that an emergency exists and the provisions of RSA 91-A:2 III (b) are
18 being invoked. As federal, state and local officials have determined gatherings of ten or more people
19 pose a substantial risk to the community and the meeting imperative to the continued operation of
20 Town and government and services which are vital to public, health, safety and confidence. This
21 meeting will be conducted without a quorum physically present in the same location and welcome
22 members of the public accessing the meeting remotely.

23
24 **III. OLD BUSINESS**

25
26 **APPROVAL OF MINUTES**

27
28 May 14, 2020

29
30 *Mr. Cameron motioned to approve the May 14, 2020 minutes, as amended. Vice-Chair Brown*
31 *seconded the motion. A roll call vote was taken, Plumer – aye, Brown – aye, Grueter – aye, English –*
32 *aye, Cameron – aye, Martel – aye, Cowan - aye. With all in favor the motion passed 7-0-0.*

33
34 May 28, 2020

35
36 *Mr. Grueter motioned to approve the May 28, 2020 minutes, as amended. Ms. English seconded the*
37 *motion. A roll call vote was taken, Plumer – aye, Brown – abstained, Grueter – aye, English – aye,*
38 *Cameron – aye, Martel – aye, Cowan - aye. With all in favor the motion passed 6-0-1.*

41 June 11, 2020

42

43 *Vice-Chair Brown motioned to approve the June 11, 2020 minutes, as amended. Mr. Cameron*
44 *seconded the motion. A roll call vote was taken, Plumer – aye, Brown – aye, Grueter – abstained,*
45 *English – aye, Cameron – aye, Martel – aye, Cowan - aye. With all in favor the motion passed 6-0-1.*

46

47 **IV. NEW BUSINESS**

48

49 **PUBLIC HEARINGS**

50 1. Continued public hearing on the application of Gateway at Exeter, LLC for a proposed lot line
51 adjustment and subdivision at 170 Epping Road. The lot line adjustment will transfer 2.10 acres of land
52 from **Tax Map parcel #47-7** into two lots in conjunction with a mixed-use development being proposed
53 for the site.

54 C-3 Epping Road Highway Commercial zoning district

55 PB Case #19-15

56

57 2. Continued public hearing on the application of Gateway at Exeter, LLC for a site plan review and a
58 Wetlands Conditional Use Permit for the proposed construction of a mixed-use development at 170
59 Epping Road (**TM #47-6 and #47-7**). The proposal includes a 224-unit multi-family residential complex, a
60 two-story 48,560 square foot mixed-use building that may include a 20,040 YMCA daycare facility,
61 office/retail space and possibly a restaurant, along with associated site improvements.

62 C-3 Epping Road Highway Commercial zoning district

63 PB Case #19-16

64

65 Mr. Sharples indicated Planning Board Cases #19-15 and #19-16 are for a lot-line adjustment and
66 subdivision with CUP. The applicants appeared on May 28, 2020 meeting and were subsequently tabled
67 to allow the development team adequate time to review plans and documentation. Shared parking
68 analysis has been done and is enclosed. A memo that includes potential transportation
69 requirements/changes is provided. Applicant is requesting several waivers. The applicant appeared
70 before the Conservation Commission at their June 9, 2020 meeting to discuss recreation and deed
71 stewardship. Jen Mates of DPW has remaining comments regarding corridor study and internal traffic
72 movement concerns. Pete Steckler did a site walk and sent in a memo regarding his findings.

73

74 Jim Petropulos indicated he will talk about changes in the resubmittal and likely about traffic. A lot of
75 information was covered at the last meeting which was beneficial to us. Heard concerns with parking
76 and shared parking notions. The building was reduced in size, by approximately 10,000 square feet.
77 Lessened in retail component. Were able to pull 20 feet away from Epping Road. Currently requires 568
78 spaces, providing 408 spaces. Concerns relative to drop off area. Provided area for that. Took another
79 look at parking analyses. Ran numbers for shared parking with updated software. Peak demand is 318
80 spaces according to software. Indicates sufficient parking. Have made changes to accesses and exits,
81 with two curb cuts, added one way exit at uppermost part to Epping Road. Is a TIF district. Have
82 pending improvements for road. Have some phasing plans for building. Will hold off on commercial
83 building until those improvements are made.

84

85 Mr. Petropulos indicated delivery spaces were added and moving spaces. Four were added to
86 accommodate concerns. Comments regarding landscaping incorporated. Added landscape island. Still
87 have waiver before you regarding that. Submitted colored scheme for curbing. National Heritage
88 Bureau (NHB) report was submitted. Wetlands permit submitted as well. Is some wetland impact.

89

90 Stephen Pernaw indicated they did standard predictions. Building downsized so traffic numbers will be
91 lower. DOT projects section of highway carries 13,000 cars per day. Estimated 384 trips during peak
92 hour period. Three-day traffic count by DOT, noted there will be impact but should be comparable to
93 day to day basis. Left turns can be tricky. Traffic signals not warranted here. Looked at need for two
94 lanes. Should probably be left turn pocket as depicted. Arriving at site should be right turn lane. Will be
95 taking another look at these.

96

97 Mr. Pernaw continued, discussing shared parking. ULI model predicts demand of 271 at peak. We've
98 added cushion to the peak demand. Confirms adequate parking with reduction of square footage. Been
99 in touch with District 6. Will have scope meeting in Concord for final study.

100

101 Mr. Grueter asked about the original study in 2019? Looked at this in 2016. Were looking at 120
102 assisted living units, now have 224 apartments. Mr. Pernaw indicated they were brought on to the
103 project later. Mr. Sharples indicated this was initially design review. Were concerned about traffic
104 generation back then with that projected use.

105

106 Mr. Steckler noted the model from Urban Land Institute, clarify methodology. Don't see this area as
107 urban. Stephen Pernaw indicated it is the name of the lead organization. Came out with updated model
108 this year. Can make adjustments. Model is compatible with this area. Demand is comprised of four
109 different uses. Most cars are leaving towards end of day. Pattern sticks no matter what area you're in.
110 Accounts for variations with traffic. Did not take credit for walking trips.

111

112 Mr. Cameron noted the traffic study at Raynes Farm was that study factored in at all?

113

114 Stephen Pernaw noted it accounted for two other projects south of the site, with Raynes Farm being
115 one of them.

116

117 Mr. Sharples indicated four buildings were proposed, built one and are working on the second. Plan is
118 to continue building (Raynes Farm).

119

120 Ms. Martel noted the comment on the ULI study. Appreciate seeing that information. Question about
121 study by VHB Jason Plourde. How are improvement measures implemented and when do we hear
122 about DOT feedback?

123

124 Jason Plourde prepared peer review of study in December. It was a different build program then.
125 Comments were based on that full build. Looked at delays. Vehicle queuing and volume to capacity
126 ratios. This development creates higher demand for vehicles than capacity could handle. May create
127 unsafe turning gaps. Mentioned exclusive turn lanes that would be needed. If increase traffic in

128 intersection is 100 plus cars or more must pay closer attention to that intersection. Study area
129 should've been expanded. Get input from DOT. Is controlled access right of way. Need to coordinate
130 with DOT about proposed access. Mr. Plourde indicated a lot will be answered in scoping meeting, will
131 involve applicant, DOT and municipality.

132

133 Ms. English asked about the letter from Town engineers and possibly eliminating the south driveway –
134 could that work? Mr. Plourde indicated in Epping Road strip management ordinance, guideline says
135 abutters consolidate access points on property lines. Try to control access so cars have control point to
136 access Epping Road. Working to see what corridor would need to look like. If can control access would
137 fall in line with zoning ordinance and provide safer access and exits by possibly warranting traffic signal.
138 Not sure about numbers right now with less building.

139

140 Ms. English expressed concerns about a left out of southbound exit and making a right only? Stop light
141 would be safest way to control. Mr. Plourde indicated he liked that drive being exit only with daycare
142 right there and also like drop off only.

143

144 Chair Plumer asked what will be needed to know regarding traffic to vote? That meeting will be critical.

145

146 Mr. Steckler indicated Jen Mates wanted a south driveway to be right turn only. Any thoughts on that?

147

148 Stephen Pernaw indicated the layout of site is important to have left turn departure to get back on 101.
149 Don't want to encourage U-turns. Mr. Petropulos noted if that was right only, it would have to have
150 paved access to get out of main driveway. Moved building 20 feet away but that space would get used
151 addressing that. Could probably rework that system to circumnavigate.

152

153 Stephen Pernaw noted it also needs to be determined if a traffic signal is warranted. Just have to wait
154 on that situation. Is a minimum criteria before can be considered. DOT will look at any signal this close
155 to interchange. Mr. Sharples noted that's why we've encouraged DOT's cooperation and involvement.

156

157 Ms. English asked about the number of parking spots at peak demand, 271, and parking that isn't
158 needed and whether that will be eliminated? Still a bit concerned about drop off at YMCA. Maybe use
159 this extra space to expand on the drop-off area.

160

161 Mr. Petropulos indicated a waiver is still required. Can look at improving circulation if had an overage in
162 parking. Will be no commercial building until road improvements are made. Will be no second curb cut
163 until then.

164

165 Ms. English indicated she preferred as little pavement as possible but in this case, it is needed for safety.

166

167 Ms. Martel expressed concern with drop off. Kids get out on wrong side of road with bus. May need
168 one more pass not totally comfortable with circulation.

169

170 Mr. Cameron asked Mr. Plourde if he will submit something to account for what was learned today. Mr.
171 Plourde indicated there will be a scoping meeting with Mr. Sharples.

172

173 Mr. Steckler indicated he would want to hear an opinion about right-turn only.

174

175 Mr. Plourde indicated reducing turning movements could be good but must look at ramifications.

176 Second access is left out. Just don't know impact after square footage reduction.

177

178 Mr. Plourde noted some spaces could be dedicated strictly for daycare if there is an overage of parking.

179

180 Mr. Quigley wants to address the memo from Mr. Steckler's site walk. Often helps focus the questions.

181 Letter gave impression that there are deficiencies with his work. NHB reporting identified endangered

182 plant in exemplary natural community. Iris observed in front ponded area. That is where it was

183 determined to be and NHB signed off on that. Pointed out iris elsewhere. Investigated and found seven

184 irises without flowers. Easy to distinguish between slender iris. All identified. Were standard Blue Flag

185 Iris. Plan to update NHB with this information. Swamp White Oak and oak basin swamp are important.

186 That tree alone isn't a protected species. It is a species within that basin swamp. During winter the area

187 was surveyed for significant trees. No Swamp White Oak seen at that time. Have been looking there

188 since before logging. Red maple is dominant. Confident that this tree with the swamp does not exist on

189 this site. Regarding potential for vernal pool breeding habitat out front of site, did not deploy in the

190 smaller area, (minnow traps) captured green frog tadpoles. Were not wood frog. Similar area was

191 completely dry this week. Appears likely to be a number of green frogs that tested the waters.

192 Reviewed those two front areas in the past. Only pulled a single fairy shrimp for that smaller area. Not

193 evidence of breeding. Frogs seem to maybe not use this area.

194

195 Mr. Quigley noted vernal pool issue has been reviewed by authorities on several occasions prior.

196 Proximity to road is important to note. Property has been personally flagged twice and been re-verified.

197 Always been consistent. Don't think my wetland delineation has ever been terribly inaccurate. Harder

198 to re-flag the area now.

199

200 Mr. Steckler noted the point was not to question delineation. Flagging was difficult to see. Is essential to

201 understand impacts to vote for CUP. Project has enormous impact on wetland areas. Approximately

202 three acres of high-quality wetlands with a lot of micro topology. Wetlands need to be identified and

203 probably warrants 3rd party review.

204

205 Mr. Quigley noted the Iris on site had wide leaves and rounded seed pods. Blue Flag Iris flowers always

206 vary but these two features stand out. Mr. Steckler questioned coordinating with NHB about Iris

207 occurrences. Mr. Quigley noted he is satisfied and NHB is as well. As a matter of due diligence will

208 share that information with them and coordinate plant surveys based on suitable habitats. Habitat for

209 Iris is typically wetter. Removing trees made these wetlands a bit wetter overall. Have additional info to

210 prove is not protected Iris.

211

212 Chair Plumer indicated the site walk was not coordinated as the Board usually has. Tough to notice all

213 features. Mr. Steckler noted potential vernal pool at front could have been excavated. Curious how Mr.

214 Quigley determines that. Can use secondary indicators to determine, not just egg masses. Mr. Steckler

215 indicated he believes 3rd party review is warranted.

216

217 Mr. Petropulos noted the site was inspected by Conservation and NH Department of Environmental
218 Services and other agencies. Walked entire site for feedback. Believe 3rd party services have already
219 been done.

220

221 Mr. Quigley indicated it doesn't matter much if it is an excavated area. More in terms of quality. Were
222 big piles of dirt on the side. Small wetland impact in that area. Not impacting basin. Would never use
223 secondary indicators to identify where I've seen no egg mass for two years. Would find that bad
224 practice.

225

226 Vice-Chair Brown indicated Kristen Murphy could comment. Ms. Murphy indicated she received a copy
227 of Mr. Steckler's letter and shared it with the Conservation Commission. Was new information to the
228 Conservation Commission. Checked in with Mr. Quigley. Felt the wetlands were strongly identified
229 based off his descriptions. Did not see Swamp White Oak herself. Did site walk with Carlos Guindon
230 there who had high knowledge of that species and did not find any. Did notice fairy shrimp. Believe
231 that is primary indicator but no way to determine with tadpole species. No request on behalf of the
232 Commission yet.

233

234 Ms. Martel noted minimal impact comment. Looks to be catch basins out letting to this basin. Make
235 sure is being treated. Mr. Petropulos noted driveway impacts finger along this basin. No discharge
236 going here whatsoever. Bigger area has outlet pipe if it ever overflowed. No discharge there either.

237

238 Ms. English asked if Mr. Guindon saw Mr. Steckler's pictures from the site walks to help identify?
239 Looked to me to be protected Iris. Ms. English noted she realizes it is a challenging site. Didn't see
240 typical wetland flags to use as markers for delineation. Was difficult to identify. Wish we could look at
241 it again together.

242

243 Ms. Murphy noted the letter from Mr. Steckler was provided to Conservation Commission and haven't
244 met as a Board since.

245

246 Mr. Steckler noted site inspections are not intensive 3rd party reviews. Part of it was to evaluate
247 mitigation for back area. Typically note the role of any of those organizations. Ms. Murphy indicated we
248 do look at wetland plans but most of members are not wetland scientists. Allowed to request 3rd party
249 review if see fit.

250

251 Ms. English noted observed impact is visible on this project. Most of building seems to be on wetland or
252 wetland buffers. On the fence about third-party review.

253

254 Ms. Martel asked if 3rd party review would be on the whole site? If they determine to be vernal pool
255 how would that change the decision-making process?

256

257 Mr. Steckler indicated approximately three acres of wetland is lost. Worth due diligence. Not sure how
258 changes decision-making process for others. Not sure if would be in favor of this. Not convinced there
259 isn't an Iris or Swamp White Oak (protected species) on this property.

260

261 Chair Plumer asked to consider the total acreage of site as we look at this. Not sure of effect of roadway
262 on this either. Not sure a 3rd party will help answer those. Mr. Cameron asked what it would start with?
263 A critique of applicant or a brand-new review? Chair Plumer indicated this has been done before.
264 Consists of wetland scientists meeting with applicant to confirm or deny the findings of the applicant.
265 Mr. Sharples noted that was correct but in a general sense. Need to set a scope at this Board.

266

267 Vice-Chair Brown noted 3rd party review if we choose, scope is up to us. Our Board member had letter
268 addressed piece by piece and has not backed off on claims. Out of respect for Board member we should
269 have a 3rd party review. Not comfortable in one certain area. Corridor developed. Landowners prefer
270 residential uses. Might be delayed and commercial is being shrunk. Think traffic study has to be
271 complete.

272

273 Mr. Steckler indicated as far as review; the Board can't evaluate wetland impacts because it is unclear
274 where wetlands are on site. Did see some flags but not many. Think 3rd party review could just reflag
275 site and have applicant work with 3rd party review. Think vernal pool needs to be assessed. Also
276 evaluated NHB's report as well to verify species' presence (if applicable). Would suggest it receive
277 functional evaluation as well.

278

279 Mr. Grueter agreed 3rd party review is probably necessary.

280

281 Mr. Sharples noted if the Board wants that he will coordinate it. Reflag wetlands, in area of disturbance,
282 review vernal pool assessment in front part, evaluate NHB report, evaluate functions and values
283 assessment.

284

285 Mr. Steckler asked if 3rd party review would work with reflagging wetlands?

286

287 Ms. Murphy indicated an evaluation at this time of year will only determine presence of egg masses.
288 Challenging to make vernal pool determination.

289

290 Mr. Quigley noted wanted to say the same. Review on delineation, fine with that. Would be difficult to
291 reflag. Normally find minor differences in these reviews. Ms. English agreed it is the wrong time of the
292 year to look for vernal pools. Ms. Martel asked if the entry road could be moved away from the
293 potential vernal pool, would that satisfy?

294

295 Mr. Petropulos noted he doesn't believe there is a vernal pool. Feel alignment across from Mobile is
296 important so don't think we can move it. Ms. Murphy noted DES regs indicated that fairy shrimp is
297 partial to definition of being vernal pool. DES may be able to weigh in on this. Feel it is Mr. Quigley's
298 responsibility to raise these issues to DES. Conservation Commission is also willing to initiate with them.

299

300 Mr. Steckler noted CUP Criteria #13 notes no negative impact. Feel this is where need for 3rd party
301 review is warranted. Encourage to include functional assessment in scope. Agree with Ms. Murphy.

302

303 Ms. Cowan indicated you have to accept whatever decision is made after this review. Feel DES has
304 already weighed in. Mr. Sharples indicated the board may want them to attend the next meeting.

305
306 Mr. Quigley indicated the status of two species seem abundantly clear, when I present to NHB have that
307 information. Would like to leave that part out of review. Ms. Steckler indicated he did not want to
308 leave it out. Mr. Cameron asked to outline the scope again.

309
310 Mr. Sharples noted the scope of 3rd party review would be:

- 311
- 312 1. Reflag by applicant in disturbed area with consultation with 3rd party review.
 - 313 2. Vernal pool assessment.
 - 314 3. Evaluate NHB report and status of protected species.
 - 315 4. Evaluate functions and values assessment.
 - 316 5. Attend Planning Board meeting.
- 317

318 Ms. Murphy noted she had nothing to add to that.

319
320 **Mr. Cameron motioned to allow 3rd Party Review under defined scope outlined above. Mr. Grueter**
321 **seconded the motion. A roll call vote was taken, Plumer – aye, Brown – aye, Grueter – aye, English –**
322 **aye, Cameron – aye, Martel – aye, Cowan - aye. With all in favor the motion passed 7-0-0.**

323
324 Mr. Sharples indicated the Board expects more information about the areas such as traffic and internal
325 circulation. Commercial being delayed would be a problem as noted by Vice-Chair Brown.

326
327 Ms. English asked if there was a limit on clearing and Mr. Petropulos noted on several plans erosion
328 control and grading is shown.

329
330 Mr. Sharples indicated the second meeting July 23rd is off. July 9 seems too soon for 3rd party review.
331 The 13th is set aside for CIP. There are a lot of projects waiting. Mr. Grueter indicated the Board should
332 probably have that meeting. Vice-Chair Brown agreed. Chair Plumer announced the Board will meet on
333 the 23rd of July.

334
335 Mr. Petropulos indicated he would like to receive all comments as soon as possible.

336
337 Mr. Grueter indicated concerns with architectural design. Should look like a gateway to Exeter. Mr.
338 Grueter indicated he doesn't think it does.

339
340 **Vice-Chair Brown motioned to table Planning Board Cases #19-15 and #19-16 to July 23rd at 7 PM. Mr.**
341 **Grueter seconded the motion. A roll call vote was taken, Plumer – aye, Brown – aye, Grueter – aye,**
342 **English – aye, Cameron – aye, Martel – aye, Cowan - aye. With all in favor the motion passed 7-0-0.**

343
344 **V. OTHER BUSINESS**

345

346 Vice-Chair Brown indicated the Board will have the ability to meet in person soon. Mr. Sharples agreed
347 there has been talk of reopening Town Offices. The Governor has relaxed the orders. Have heard that
348 in-person process is better than online.

349
350 Mr. Grueter asked if someone could opt to attend virtually? Mr. Sharples noted he could work with IT
351 on that. The Select Board would be involved as well.

352
353 Ms. Martel noted there may be members of the public not comfortable with attending and phone-in
354 could be an added option.

355
356 Ms. Cowan noted she was not in favor of meeting in person at this time. This platform works best for
357 people at risk. Mr. Sharples indicated if someone didn't feel comfortable then can continue this way.

358

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

360 **Field Modifications**

361 **Announcements**

362 Mr. Sharples announced the MUND project received the Project of the Year Award. Hopeful it will get a
363 project under it in the future.

364 **VII. CHAIRPERSON'S ITEMS**

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

366 **IX. ADJOURN**

367 *Vice-Chair Brown moved to adjourn at 10:24 PM. Mr. Grueter seconded the motion. A roll call vote*
368 *was taken, Plumer – aye, Brown – aye, Grueter – aye, English – aye, Cameron – aye, Martel – aye,*
369 *Cowan - aye. With all in favor the motion passed 7-0-0.*

370

371 Respectfully submitted,

372 Daniel Hoijer,

373 Recording Secretary



TOWN OF EXETER

Planning and Building Department

10 FRONT STREET • EXETER, NH • 03833-3792 • (603) 778-0591 • FAX 772-4709

www.exeternh.gov

Date: June 30, 2020
To: Planning Board
From: Dave Sharples, Town Planner
Re: Brian Griset Yield Plan PB Case #20-2

As previously noted, the applicant has submitted a Yield Plan in advance of an Open Space Development as required per Section 7.7.1 of the Zoning Ordinance that states: "The dwelling unit density shall be determined using a "Yield Plan" which shall be provided by the applicant and reviewed and accepted by the Planning Board prior to proposing an Open Space Development Plan." The subject parcel is located off of Tamarind Lane and Cullen Way, in the R-1, Low Density Residential district and is identified as Tax Map Parcel #96-15.

The Applicant appeared before the Board at the May 14th, 2020 meeting to discuss the Yield Plan. The public hearing was opened and abutter comments were received. The Board tabled further discussion on the application to the June 11th, 2020 meeting to provide the Applicant adequate time to submit supplemental materials supporting the application. Board discussion and public comment continued at the June 11th meeting and the public hearing was closed; the Board subsequently tabled the application to the July 9th, 2020 meeting for deliberations.

The Applicant has subsequently submitted a revised yield plan and correspondence from Attorney Pasay, dated June 29, 2020, which is enclosed for your review. The revised yield plan no longer incorporates the Mendez Real Estate Trust property (Tax Map Parcel #81-53) as previously presented. In doing so, the need for a waiver from Section 7.13 of the Subdivision and Site Plan Review Regulations with respect to the requirement to provide a Yield Plan that shall not require a variance from existing zoning ordinances in order to achieve the layout supporting the proposed density is no longer necessary. The Applicant has withdrawn their waiver request from this section as noted in correspondence provided by Attorney Pasay. The Applicant is requesting that the Planning Board still entertain their request for a partial waiver from Section 9.6.1.2 of the regulations to permit a 50' perimeter buffer strip on Lot #5, where 100' is required. As requested, the applicant has shown the 100' perimeter buffer in red.

One important item to note is that the plan shows a lot line adjustment that transfers 8,519 square feet of land from the Mendez property to the Griset Property. I assume this is being done so the proposed roadway is out of the perimeter buffer. I have no issues with this but have relayed to the applicant that I will suggest the board place a condition on the acceptance of the yield plan (should one be made) that this lot line adjustment shall be made on the Open Space Development Plan (OSDP). In other words, this piece of land is being used for the Yield Plan so it should also be used for the OSDP.

The Board did close the public hearing at the last meeting but the plans have changed. I would ask the board to consider reopening the public hearing to allow the applicant to address the changes and to allow any public to comment on the revised plan. You will note that the lot lines/configurations/frontages from the prior plan have not changed except that the land of the Mendez property is no longer being used as part of the Yield Plan.

Waiver Motions

Perimeter Buffer Waiver Motion: After reviewing the criteria to waive a portion of the 100' perimeter buffer strip in accordance with Section 9.6.1.2 of the Site Plan Review and Subdivision Regulations, I move that the waiver request of Brian Griset (PB Case #20-2) be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Planning Board Motions

Yield Plan Motion: I move that the request of Brian Griset (PB Case #20-2) for Yield Plan approval of a ____ unit Single Family Open Space development be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Thank You.



CELEBRATING OVER 30 YEARS OF SERVICE TO OUR CLIENTS

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LIZABETH M. MACDONALD
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29 June 2020

David Sharples, Planner
Town of Exeter
10 Front Street
Exeter, NH 03833

RECEIVED

JUN 29 2020

Re: Planning Board Case #20-2

EXETER PLANNING OFFICE

Dear Dave –

This follows your discussions today with Brian Griset and Brian’s submission of a revised yield plan in this matter for review and consideration by the Planning Board at its next meeting in this case on 9 July 2020. The revised yield plan is substantially similar to its previous iteration with the exception of the fact that the revised yield plan does not incorporate the Mendez Real Estate Trust property, further identified as Town Tax Map 81, Lot 53, at all (the “Revised Yield Plan”).

As the Revised Yield Plan does not incorporate the Mendez Trust Property, there is no need for the Planning Board to consider the Grisets’ waiver request from Section 7.13 of the Town’s Subdivision and Site Review Regulations, which was the subject of the last Planning Board hearing on 11 June 2020, and which is hereby withdrawn by the Grisets. However, we respectfully request that the Planning Board still entertain the Grisets’ request for a partial waiver from Section 9.6.1.2 of the Town’s Subdivision and Site Review Regulations to permit a 50’ perimeter buffer strip on Lot 5, where 100’ is required in the R-1 District (the “Perimeter Buffer Waiver”).

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David Sharples, Planner
Town of Exeter
29 June 2020
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In light of these developments, we respectfully recommend the following basic hearing procedure at the 9 July 2020 Planning Board meeting:

- 1) Applicant presentation of Revised Yield Plan and presentation of the Perimeter Buffer Waiver request¹;
- 2) Planning Board comments and questions regarding Revised Yield Plan and Perimeter Buffer Waiver request;
- 3) Public comment on Revised Yield Plan and Perimeter Buffer Waiver request;
- 4) Close of public comment;
- 5) Planning Board deliberation on Perimeter Buffer Waiver request and Revised Yield Plan acceptance.

Please let us know if you have any comments or questions. Thank you for your time and consideration Dave.

Very truly yours,
DONAHUE, TUCKER & CIANDELLA, PLLC



Justin L. Pasay
JLP/LH

Cc: Brian Grisct
Christian Smith, P.E., Beals Associates, PLLC

¹ The Grisets' expressly requested the right to verbally address the Planning Board on their Perimeter Buffer Waiver request at the 11 June 2020 Planning Board hearing.