



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, August 27, 2020 at 6:30 P.M. to consider the following:

APPROVAL OF MINUTES: July 23, August 13 and August 20, 2020

NEW BUSINESS: PUBLIC HEARINGS

Continued public hearing on the application of Gateway at Exeter, LLC for a proposed lot line adjustment and subdivision at 170 Epping Road. The lot line adjustment will transfer 2.10 acres of land from Tax Map parcel #47-7 to Tax Map parcel #47-6; and subsequently a proposed subdivision of Tax Map parcel #47-7 into two lots in conjunction with a mixed use development being proposed for the site. The subject parcels are located in the C-3, Epping Road Highway Commercial zoning district. PB Case #19-15.

Continued public hearing on the application of Gateway at Exeter, LLC for a site plan review and a Wetlands Conditional Use Permit for the proposed construction of a mixed-use development at 170 Epping Road (TM #47-6 and #47-7). The proposal includes a 224-unit multi-family residential complex, a 2-story 48,560 square foot mixed use building that may include a 20,040 YMCA day care facility, office/retail space and possibly a restaurant along with associated site improvements. The subject parcels are located in the C-3, Epping Road Highway Commercial zoning district. PB Case #19-16.

OTHER BUSINESS

- W. Scott Carlisle – Case #17-26
Request for extension of conditional approval for minor subdivision (off Epping Road)
Tax Map Parcel #40-12

EXETER PLANNING BOARD

Langdon J. Plumer, Chairman

Posted 08/21/20: Exeter Town Office 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/87455913768>

To participate via telephone, call: +1 646 558 8656 and enter the Webinar ID: 874 5591 3768

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 us at extvg@exeternh.gov with any technical issues.



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, August 27, 2020 at 7:00 P.M. to consider the following:

APPROVAL OF MINUTES: August 20, 2020

NEW BUSINESS: PUBLIC HEARINGS

Second public hearing on the 2021 Capital Improvements Program (CIP) projects as presented by the Town Departments. Copies of the proposed document(s) will be available at the Planning Department Office prior to the meeting.

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 08/14/20: Exeter Town Office and Town of Exeter website
Revised 08/19/20*

***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/87455913768>

To participate via telephone, call: +1 646 558 8656 and enter the Webinar ID: 874 5591 3768

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 us at extvg@exeternh.gov with any technical issues.



TOWN OF EXETER

Planning and Building Department

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

www.exeternh.gov

Date: August 24, 2020
To: Planning Board
From: Dave Sharples, Town Planner
Re: PB Case #19-15 and Case #19-16 Gateway At Exeter LLC

The applicant appeared before the Board at the August 20, 2020 meeting. The Board did start deliberations and voted on all the waiver requests and the lot line adjustment. The two remaining action items are the Conditional Use Permit (CUP) and the overall Site Plan. The Board did start discussion on the CUP and the applicant did present their case for the request.

The CUP was reviewed by the Conservation Commission who had no objection to the request but did suggest a condition of approval regarding the trail that the Board discussed. Due to the uncertainty around the proposed condition, I asked Kristen Murphy to provide input and her email to me is attached.

Regarding the decision on the CUP, I would suggest the Board focus on the criteria as listed in the applicant's request for a CUP that is enclosed. I would suggest going down each of the criteria and determining if the criteria has been met.

Planning Board Motions:

Conditional Use Permit (Wetlands) Motion: After reviewing the criteria for a Wetlands Conditional Use permit, I move that the request of for Gateway At Exeter, PB Case #19-16, for a Conditional Use Permit be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Site Plan Motion: I move that the request of Gateway At Exeter, PB Case #19-16 for Site Plan approval be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Thank You.

Enclosures

Town of Exeter



**Planning Board Application
for
Conditional Use Permit:
Wetlands Conservation Overlay
District**

February 2017

(Application REVISED: August 11, 2020)



Town of Exeter Planning Board Application

Conditional Use Permit: Wetland Conservation Overlay District In accordance with Zoning Ordinance Article: 9.1

SUBMITTAL REQUIREMENTS:

1. Fifteen (15) copies of the Application
2. Fifteen (15) 11"x17" and three (3) full sized copies of the plan which must include:

Existing Conditions

- a. Property Boundaries
- b. Edge of Wetland and associated Buffer (Wetlands Conservation Overlay District - WCOD)
 - Prime wetland: 100'
 - Very Poorly Drained: 50'
 - Vernal Pool (>200 SF): 75'
 - Poorly Drained: 40'
 - Exemplary Wetland: 50'
 - Inland Stream: 25'
- c. Structures, roads/access ways, parking, drainage systems, utilities, wells and wastewater disposal systems and other site improvements

Proposed Conditions

- a. Edge of Wetlands and Wetland Buffers and distances to the following:
 - i. Edge of Disturbance
 - ii. Structures, roads/access ways, parking, drainage systems, utilities, wells and wastewater disposal systems and other site improvements
 - b. Name and phone number of all individuals whose professional seal appears on the plan
3. If applicant and/or agent is not the owner, a letter of authorization must accompany this application
 4. Supporting documents i.e. Letters from the Department of Environmental Services, Standard Dredge and Fill Application and Photos of the property
 5. A Town of Exeter Assessors list of names and mailing addresses of all abutters

Required Fees:

Planning Board Fee: \$50.⁰⁰ Abutter Fee: \$10.⁰⁰ Recording Fee (if applicable): \$25.⁰⁰

The Planning Office must receive the completed application, plans and fees on the day indicated on the Planning Board Schedule of Deadlines and Public Hearings.

APPLICANT	Name: GATEWAY at EXETER, LLC
	Address: 20 TRAFALGAR SQ, STE 610, NASHUA, NH 03063
	Email Address: THOMAS@GATEWAYATEXETER.COM
	Phone: 603-880-0502
PROPOSAL	Address: EPPING ROAD
	Tax Map # 47 Lot# 6:7 Zoning District: C-3
	Owner of Record: GATEWAY AT EXETER, LLC
Person/Business performing work outlined in proposal	Name: GATEWAY at EXETER, LLC
	Address: 20 TRAFALGAR SQ, STE 610, NASHUA, NH 03063
	Phone: 603-880-0502
Professional that delineated wetlands	Name: GDOVE ENVIRONMENTAL SERVICES
	Address: 8 CONTINENTAL DRIVE, EXETER, NH
	Phone: 778-0644

**Town of Exeter
Planning Board Application
Conditional Use Permit: Wetland Conservation Overlay District**

Detailed Proposal including intent, project description, and use of property: (Use additional sheet as needed)

SEE ATTACHED NARRATIVE

Wetland Conservation Overlay District Impact (in square footage):

Temporary Impact	Wetland: (SQ FT.)	Buffer: (SQ FT.)
	<input type="checkbox"/> Prime Wetlands _____	<input type="checkbox"/> Prime Wetlands _____
	<input type="checkbox"/> Exemplary Wetlands _____	<input type="checkbox"/> Exemplary Wetlands _____
	<input type="checkbox"/> Vernal Pools (>200SF) _____	<input type="checkbox"/> Vernal Pools (>200SF) _____
	<input type="checkbox"/> VPD _____	<input type="checkbox"/> VPD _____
	<input type="checkbox"/> PD _____	<input type="checkbox"/> PD _____
	<input type="checkbox"/> Inland Stream _____	<input type="checkbox"/> Inland Stream _____
Permanent Impact	Wetland:	Buffer:
	<input type="checkbox"/> Prime Wetlands _____	<input type="checkbox"/> Prime Wetlands _____
	<input type="checkbox"/> Exemplary Wetlands _____	<input type="checkbox"/> Exemplary Wetlands _____
	<input type="checkbox"/> Vernal Pools (>200SF) _____	<input checked="" type="checkbox"/> Vernal Pools (>200SF) <u>10,595</u>
	<input type="checkbox"/> VPD _____	<input type="checkbox"/> VPD _____
	<input checked="" type="checkbox"/> PD <u>126,715</u>	<input checked="" type="checkbox"/> PD <u>197,495</u>
	<input type="checkbox"/> Inland Stream _____	<input type="checkbox"/> Inland Stream _____

List any variances/special exceptions granted by Zoning Board of Adjustment including dates:

MAY 22, 2019 - VARIANCE to permit a multi-family RESIDENTIAL Complex AS PART OF A MIXED-USE development plan

Describe how the proposal meets conditions in Article 9.1.6.B of the Zoning Ordinance (attached for reference):

See ATTACHED NARRATIVE

ABUTTERS: PLEASE LIST ALL PERSONS WHOSE PROPERTY IS LOCATED IN NEW HAMPSHIRE AND ADJOINS OR IS DIRECTLY ACROSS THE STREET OR STREAM FROM THE LAND UNDER CONSIDERATION BY THE BOARD. THIS LIST SHALL BE COMPILED FROM THE EXETER TAX ASSESSOR'S RECORDS.

TAX MAP _____
NAME _____
ADDRESS _____

TAXMAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAXMAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

*SEE
ATTACHED
ABUTTERS
LIST*

9.1.6 B. Conditions:

1. That the proposed use is permitted in the underlying zoning district;
2. That the use for which the permit is sought cannot feasibly be carried out on a portion or portions of the lot which are outside the Wetlands Conservation Overlay District;
3. The proposed impact has been evaluated in the context of the relative "value" of the wetland, including its ecological sensitivity, as well as its function within the greater hydrologic system. To the extent feasible, the proposed impact is not detrimental to the value and function of the wetland(s).
4. That the design, construction and maintenance of the proposed use will, to the extent feasible, minimize detrimental impact on the wetland or wetland buffer and that no alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer is feasible;
5. In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use, that the landowner agrees to restore the site as nearly as possible to its original grade and condition following construction;
6. That the proposed use will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater, or other reasons;
7. That all required permits shall be obtained from the New Hampshire Department of Environmental Services Water Supply and Pollution Control Division under NH RSA §485-A: 17, the New Hampshire Wetlands Board under NH RSA §483-A, and the United States Army Corps of Engineers under Section 404 of the Clean Water Act.

SITE PLAN
PROJECT NARRATIVE - CUP

The project area under consideration for this application is known to the Exeter Assessors Department as Map 47, Lots 6 and 7 and both are currently owned by Gateway at Exeter, LLC of Nashua, NH. The parcel is located in Exeter's C-3 Epping Road Highway Commercial zoning district which allows a mix of permitted uses. The Epping Road corridor contains a number of commercial and industrial businesses. Developed commercial land abuts the property to the south and east. New Hampshire Route 101 immediately abuts the site to the north and, to the west, the property that is immediately adjacent is conservation land owned by the Town of Exeter.

The subject property contains one undeveloped, sparsely wooded lot of 60 acres and one single family residential lot of 0.34 acres. These two parcels will be consolidated and ultimately divided into three different lots. The two future lots, with frontage on Epping Road, will be developed. The remaining back land will remain in its natural state. As can be seen on the preliminary site plans the two lots to be developed contain mild topographical relief. The high point near the center of the lots is at elevation 120.0 +/- and the land slopes off in several directions to the mapped wetlands which range in elevation from 106.0 to 112.0. Wetlands on the property were flagged in 2018 by Gove Environmental Services and field located by Hayner/Swanson, Inc. All of the wetlands identified on the property are forested wetlands with poorly drained mineral soils, typical in New England and within the area. Though ultimately associated with the Little River, these wetland areas lie up gradient and distinctly separate from the river and its contiguous wetlands as defined by the Exeter Shoreland Protection District. The utilities needed to service this site (sewer, water, telephone, electric and gas) are located in Epping Road.

A mixed-use development is being proposed for the two proposed lots located along Epping Road. On May 22, 2019 the Exeter Zoning Board of Adjustment granted a variance, with conditions, to permit a multi-family residential complex as part of a mixed-use development plan. Proposed Lot 7 will include three, 4-story, multi-family residential buildings that contain a total of 224-units. The buildings will be surrounded by parking on the north, east and west and an entrance road along the new property line to the south. Proposed Lot 6 will contain a 2-story, 48,560 square foot mixed-use building that may

include a 20,040 YMCA day care facility and office/retail space. These buildings will have a shared entrance road to Epping Road. Other site improvements include underground utilities to service the building, sidewalks, landscaping and site lighting. Stormwater management basins will accommodate the new runoff created by the proposed impervious areas of the roof, parking areas and entrance driveway.

CONDITIONAL USE PERMIT CRITERIA

Town of Exeter Zoning Ordinance Article 9.1.6.A Conditional Uses: It is being requested to allow the construction of a portion of the building, driveways, parking areas, utilities and other site improvements as shown on the attached plan within the Wetlands Conservation Overlay District.

Town of Exeter Zoning Ordinance Article 9.1.6.B Conditions:

1. That the proposed use is permitted in the underlying zoning district.

Response: The residential portion of the proposed mixed-use development is an allowed use in the C-3 zoning district per the May 22, 2019 the Exeter Zoning Board of Adjustment variance. The commercial use contemplated upon Lot 47-6 is an allowed use in the C-3 zone.

2. That the use for which the permit is sought cannot feasibly be carried out on a portion or portions of the lot which are outside of the Wetlands Conservation Overlay District. Response: Typically, mixed-use developments require large, flat development areas to be able to accommodate the building and parking needs of the tenants. As can be seen on the site plan wetlands are located throughout the entire site. As previously stated the proposed development has been designed in the easternmost part of the property in order to avoid vernal pool impacts and to create a larger undeveloped lot to the west. Given the network of wetlands on the site, the proposed use cannot be reasonably carried out outside wetlands and their respective buffers.

3. A wetland scientist has conducted a functions and values study of the wetlands and deemed that the wetlands under consideration will not be negatively impacted by the development. Response: A wetland function and

value assessment was conducted using the US Army Corps Highway Methodology guidelines. Functions are self-sustaining properties of wetlands, which exist in the absence of human involvement. Values refers to the benefits gained by human society from a given wetland or ecosystem and their inherit functions. Functions and values identified as "primary" have been determined to be significant features of the wetland being evaluated; not necessarily indicating the wetland performs these functions or values at a significant level in comparison to other wetlands in the region or even near the site. The Highway Methodology considers 13 functions and values:

Groundwater recharge/discharge: This function considers the potential for a wetland to serve as a groundwater recharge and/or discharge area. Recharge should relate to the potential for the wetland to contribute water to an aquifer. Discharge should relate to the potential for the wetland to serve as an area where ground water can be discharged to the surface.

Flood flow Alteration: This function considers the effectiveness of the wetland in reducing flood damage by attenuation of floodwaters for prolonged periods following precipitation events.

Fish and Shellfish Habitat: This function considers the effectiveness of seasonal or permanent water bodies associated with the wetland in question for fish and shell fish habitat.

Sediment/Toxicant/Pathogen Retention: This function reduces or prevents degradation of water quality. It relates to the effectiveness of the wetland as a trap for sediments, toxicants or pathogens.

Nutrient Removal/Retention/Transformation: This function relates to the effectiveness of the wetland to prevent adverse effects of excess nutrients entering aquifers or surface waters such as ponds, lakes, streams, rivers or estuaries.

Production Export: This function relates to the effectiveness of the wetland to produce food or usable products for human, or other living organisms.

Sediment/Shoreline Stabilization: This function relates to the effectiveness of a wetland to stabilize stream banks and shorelines against erosion.

Wildlife Habitat: This function considers the effectiveness of the wetland to provide habitat for various types and populations of animals typically associated with

wetlands and the wetland edge. Both resident and or migrating species must be considered.

Recreation: This value considers the effectiveness of the wetland and associated watercourses to provide recreational opportunities such as canoeing, boating, fishing, hunting and other active or passive recreational activities. Consumptive opportunities consume or diminish the plants, animals or other resources that are intrinsic to the wetland, whereas non-consumptive opportunities do not.

Educational/Scientific Value: This value considers the effectiveness of the wetland as a site for an "outdoor classroom" or as a location for scientific study or research.

Uniqueness/Heritage: This value relates to the effectiveness of the wetland or its associated water bodies to produce certain special values. Special values may include such things as archeological sites, unusual aesthetic quality, historical events, or unique plants, animals, or geological features.

Visual Quality/Aesthetics: This value relates to the visual and aesthetic qualities of the wetland.

Threatened or Endangered Species Habitat: This value relates to the effectiveness of the wetland or associated water bodies to support threatened or endangered species

Most of the wetlands in the development area were evaluated together since they are nearly identical and, if not connected, lie in close proximity to each other. Two wetland areas adjacent to Epping Road were considered separately as they were determined to support or potentially support vernal pool breeding habitat. The fact that the wetlands are forested, formed in poorly drained mineral soil, and not directly associated with surface water, limits or precludes many of the functions and values listed above. The wetlands do not support Flood-flow Alteration, Fish and Shellfish Habitat, or Sediment/Shoreline Stabilization as these are derived from a close interaction between the wetland and a waterbody. The wetlands also lack or nearly lack value for Recreation, Uniqueness/Heritage, or Educational/Scientific pursuits. They consist of a uniform and very common forested wetland type and don't contain the wetland types that are typically associated with wetland supported recreation activities and traditional aesthetic qualities. The low permeability of the glacial till

derived soils on the site have allowed wetland conditions to develop on the surface but do not allow significant interaction with the groundwater and are not characteristic of groundwater discharge or recharge areas.

Three functions were identified as being supported by the wetlands in the evaluation area. These are Wildlife Habitat, Production-Export, and Sediment/Toxicant Retention & Nutrient Removal. These are described in greater detail in the following sections.

Production Export – This the primary value identified in these wetland areas. The most prominent feature of the evaluation area and the wetlands is their post logging condition. This is of course temporary but significant, especially when considering habitat. Though not exemplary in the region, this does stand out as the most significant function. The early successional species currently present in the wetland areas combined with the remaining mast producing trees produce an abundant source of berries, nuts, seeds, and pollen bearing flowers. This likely provides a substantial source of food for wildlife. Export is limited, however, by its small size and lack of a well-defined waterway or other significant avenue of export. This value is also equally supported in in the upland areas of the site.

Wildlife Habitat— A moderate level of wildlife habitat is present in these wetlands. The current habitat value of the wetlands in this area is suitable for small mammals, insects, and songbirds which may use the wetlands for foraging. Other larger mammals such as deer that are able to tolerate the close proximity of the road also clearly use this area. In a fully forested condition the wildlife habitat value may be different but would still be degraded by the proximity to the road and adjacent development. The habitat value of most of the wetland on the site is in not much different than that of the adjacent uplands, and primarily related to it being undeveloped woodland.

The exception is the semi-permanent pond and small excavated area located on the eastern most portion of the site in close proximity to Epping Road. These areas were determined to have adequate hydroperiod to support, or potentially support vernal pool

breeding habitat. Though no egg masses were observed in either of these areas, fairly shrimp were observed in the smaller area on one occasion, and this area has been classified as a vernal pool on the plans. The wildlife function in these wetlands is therefore comparatively higher though still limited by the proximity to the road. The semi-permanent pond also supports more wetland specific habitat overall.

Sediment/Toxicant Retention & Nutrient Removal – Due to its proximity to the roadway these wetlands may serve some moderate water quality function. These wetlands are likely to receive development runoff destined for Bloody Brook and Little River. The convoluted drainage pattern would provide opportunity for treatment long before reaching more defined flow paths. The lack of obvious drainage inputs and the lack of densely vegetated emergent wetland components mitigate the importance of these wetlands for these functions.

- 4. That the design, construction and maintenance of the proposed use will, to the extent feasible, minimize detrimental impact on the wetland or wetland buffer and that no alternative design, which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer, is feasible.** Response: The amount of wetland impact has been minimized by sliding the main elements of the site plan as far east as possible and avoiding impacts or fragmentation of the network of vernal pools on the western part of the site. The semi permeant pond and the small vernal pool at the front of the site are not being impacted and will be maintained along with a substantial buffer of wetland and upland area. The small wetland impact at the proposed entrance neat the vernal pool is located to align with the entrance to Mobil on the other side of Epping Road for safety and traffic and in accordance with standard practice and cannot be moved. The use of 3H:1V slopes along the sides of the developed areas minimize the overall impact to the wetlands. The proposed stormwater management systems will protect water quality in the downstream wetlands.

- 5. In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use; that the landowner agrees to restore the site as nearly as possible to its original grade and condition following construction.** Response: The proposed impacts are associated with grade changes and structures and are not temporary in nature. However, impacts associated with grading only (non-paved or building areas), will be restored to the maximum extent practical by seeding with a conservation seed mix containing herbaceous and woody shrub species for screening and wildlife habitat.
- 6. That the proposed use will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater or other reasons.** Response: Due to the nature of the proposed impacts and the clean nature of this proposed use; hazardous impacts to public health, safety and welfare are not expected. Proposed mitigation consists of preservation of the western 43.6 acres of lot 47-7 and a contribution to the Aquatic Resource Mitigation (ARM) Fund to achieve an overall 20:1 mitigation ratio per federal guidelines. This results in an ARM contribution of \$176,578.41 in addition to the preservation. The proposed method of preservation is fee simple ownership by the Town of Exeter.
- 7. That all required permits shall be obtained from the New Hampshire Department of Environmental services Water Supply and Pollution Control Division under NH RSA 485-A:17, the New Hampshire Wetlands Board under NH RSA 483-A and the United States Army Corps of Engineers under Section 404 of the Clean Water Act.** The permits required to develop this site as shown on the proposed site plan shall be applied for in accordance with local, state and federal regulations. Please note that the New Hampshire Department of Environmental Services Wetland Bureau has conditionally issued approval #2019-03500 for this development.



TOWN OF EXETER

Planning and Building Department

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

www.exeternh.gov

Date: August 20, 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 was scheduled to appear before the Board at the July 23, 2020 meeting, however, given the length of time spent on the first public hearing scheduled that evening (Gateway project), they opted for a continuance to the next available Board meeting and requested to be placed first on the agenda. The Board voted to continue the Yield Plan application to the August 27, 2020 meeting at 7:00 P.M.

I have not received any additional information from the applicant or the public. I have enclosed my memo for the July 23, 2020 meeting in the event you need it. Please note that the meeting on this application is scheduled for 7pm. At the meeting last night, the Board tabled the Gateway project to August 27, 2020 at 6:30pm. IT did resend invites to the panelist of the 7pm meeting informing them that the meeting is at 6:30pm but I will follow up with an email to the panelist for the Griset application that the this application will not be heard until after 7pm. It was a logistic issue with IT so they just changed the time of the webinar but we cannot discuss this application until after 7pm since that is when the Board tabled the item to.

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.

**TOWN OF EXETER
PLANNING BOARD
July 23, 2020**

**VIRTUAL MEETING
APPROVED MINUTES**

Zoom ID: 816 9300 1213

Phone: 1 646 558 8656

I. PRELIMINARIES:

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

STAFF PRESENT: Town Planner Dave Sharples and Natural Resource Planner Kristen Murphy

II. CALL TO ORDER: Chair Plumer called the meeting to order at 7:03 PM and read out loud the meeting preamble which indicated that an emergency exists and the provisions of RSA 91-A:2 III (b) are being invoked. As federal, state and local officials have determined gatherings of ten or more people pose a substantial risk to the community and the meeting imperative to the continued operation of Town and government and services which are vital to public, health, safety and confidence. This meeting will be conducted without a quorum physically present in the same location and welcome members of the public accessing the meeting remotely.

III. OLD BUSINESS

APPROVAL OF MINUTES

July 9, 2020

Mr. Cameron motioned to accept the July 9, 2020 minutes as written. Ms. English seconded the motion. A roll call vote was taken, Plumer – aye, Brown – aye, English – aye, Cameron – aye, Martel – aye, Cowan – aye and Grueter - abstain. With all in favor the motion passed 6-0-1.

June 25, 2020

Ms. English motioned to accept the June 25, 2020 minutes as amended. Mr. Grueter seconded the motion. A roll call vote was taken, Plumer – aye, Brown – aye, English – aye, Cameron – aye, Martel – aye, Cowan – aye and Grueter - aye. With all in favor the motion passed 7-0-0.

IV. NEW BUSINESS

PUBLIC HEARINGS

43 1. Continued public hearing on the application of Gateway at Exeter, LLC for a proposed lot line
44 adjustment and subdivision at 170 Epping Road. The lot line adjustment will transfer 2.10 acres of land
45 from Tax Map parcel #47-7 to Tax Map parcel #47-6; and subsequently a proposed subdivision of Tax
46 Map parcel #47-7 into two lots in conjunction with a mixed use development being proposed for the
47 site.

48 C-3 Epping Road Highway Commercial zoning district
49 PB Case #19-15

50

51 2. Continued public hearing on the application of Gateway at Exeter, LLC for a site plan review and a
52 Wetlands Conditional Use Permit for the proposed construction of a mixed-use development at 170
53 Epping Road (TM #47-6 and #47-7). The proposal includes a 224-unit multi-family residential complex, a
54 2-story 48,560 square foot mixed use building that may include a 20,040 YMCA day care facility,
55 office/retail space and possibly a restaurant along with associated site improvements.

56 C-3 Epping Road Highway Commercial zoning district
57 PB Case #19-16

58

59 Chair Plumer indicated there are two items the Board is working with.

60

61 Mr. Sharples indicated Case #19-15 and #19-16 were continued on June 25, 2020. The main issues were
62 traffic and wetlands. Third party review was required and completed by GZA. The report was
63 distributed. Tracy Tarr from GZA is here. The traffic and scoping meeting has been scheduled for next
64 week. Jason Plourde is here for that as well. The applicant is requesting several waivers.

65

66 Ms. Cowan asked what the schedule for hearing from the public is and Chair Plumer noted after the
67 applicant updates wetlands and traffic; afterwards the public hearing will be closed.

68

69 Mr. Petropulos indicated the report from GZA is in front of us. Have scoping meeting Thursday. Tracy
70 Tarr and Jamie L ___ went out on Tuesday to the site. The work was split up between us. Reviewed
71 within the scope provided and viewed digital map of site for functions and values. The observations
72 were recorded on an aerial plan.

73

74 Vernal Pools

75

76 Two vernal pools were noted. They were not highly functional but vernal pools, nonetheless, with one
77 being deemed a potential vernal pool. The building just misses the core area of confirmed vernal pool.
78 Six secondary indicators were found in potential vernal pool and there is no fill or grading proposed in
79 that area.

80

81 Ms. Tarr noted connectivity is important especially for vernal pool species. Excited to see the protection
82 of these vernal pools. Travel corridor maintenance would be great.

83

84 Mr. Steckler asked if connectivity is cut off further to the east and if mitigation efforts are cut off? Ms.
85 Tarr opined the mitigation package is appropriate. Could encourage more connectivity in other areas.

86 Route 27 is a major separation of connectivity. Thomas Leonard indicated he planned to respond to
87 some of these statements.

88

89 Ms. Tarr noted she observed common iris and common white oak on the site, but none of the protected
90 species mentioned within the scope. A few recommendations were given for design.

91

92 Mr. Steckler noted he appreciated the work. He stated that the function of having wildlife habitats on
93 site was very important, therefore the wetlands could not possibly be low value. Confirmed vernal pool
94 changes uniqueness of the wetlands.

95

96 Ms. Tarr noted wildlife are important functions also but the remaining part of the property has
97 substantial wildlife so she did not feel that changed the impact for this area.

98

99 Eileen Flockhart indicated she had something prepared in writing, but it does not pertain to wetlands
100 and traffic. Mr. Sharples noted it depends on the closure of the public hearing and asked her to email it
101 to him so it can be read into the record.

102

103 Mr. Leonard stated review shows Mr. Quigley did an excellent job out there. Willing to work with the
104 potential vernal pool. The real focus is on this small area by Epping Road. Doesn't seem directly
105 impacted. Balancing efforts of public safety and wetland protection. Started with 60 acres of land.
106 Minimized footprint and protect most important assets. ZBA agreed we should move things to the front
107 to protect the wetlands. This particular pool is not as important as others that are being protected in
108 the back acreage. Hope we can move to the next step without any substantial impact to the present
109 project.

110

111 Mr. Steckler indicated the discussion is not about one small wetland, about understanding impacts.
112 Concerned about the extent of wetlands and resources available.

113

114 Traffic

115

116 Chair Plumer recommended the Board review the traffic study.

117

118 Stephen Pernaw indicated there was nothing new traffic wise. Still awaiting scoping meeting and will
119 have more to add then.

120

121 Mr. Sharples noted Eileen Flockhart submitted a letter. She looked into the project further and is
122 concerned that the project is huge in scale. Waivers for planting and impervious surface are not
123 appropriate. Hopes solar will be used for residential and commercial. Also concerned that mostly one
124 to two-bedroom apartments and is curious about rent costs with 56 workforce units planned.

125

126 Mr. Cameron asked if workforce housing is spread between buildings or concentrated in one, if requires
127 30% income and about rental rates? Mr. Leonard noted that 25% of each building's units will be
128 affordable housing. Won't just build the market value and then move on. Workforce housing requires
129 30% of income . Must be affordable to families with 60% of median income. Is a diverse housing stock.

130 Assistance in financing is available. Allows for continuing change in occupancy. The project is right next
131 to Route 101. ZBA asked to restrict the deed on record. Phasing is only in a construction sense. Plan is
132 to have one financing package to three buildings.

133

134 Mr. Sharples indicated a letter from Lindsay Sonnett recommending cautious endorsement.

135

136 Mr. Sharples noted affordable housing restrictions could be in perpetuity. Want to attract and retain
137 workforce. Jim Petropulos clarified workforce housing is for 40 years.

138

139 Chair Plumer reported support letters from several entities revolving around workforce housing. One
140 being from Sig Sauer who indicated it assists in attracting new employees. Town Manager letter states
141 this approval would greatly help with Town Master Plan efforts and support for workforce housing. It
142 ensures remainder of TIF road development to be a success.

143

144 Mr. Leonard indicated he believed commercial should remain 48,000 SF if Board thought that would be
145 comfortable. Can't have as a condition because of finance requirements. Open to state and local input
146 on traffic corridor improvements. Have to come to an agreement. Will it support traffic light? All
147 depends on scoping meeting. Are open to having that be a condition to work with then to solve any
148 issues. Believe are ready for approval.

149

150 Ms. Flockhart asked about solar panels? Mr. Leonard indicated workforce housing units don't support
151 construction costs of solar panels. Can't make commitment to that because of costs. Energy footprint is
152 important. If are economically viable would love to consider them.

153

154 Tom Monahan indicated also owners of Garrison Glenn. Will not be using natural gas, all electric to help
155 footprint.

156

157 Ms. Martel indicated what she hears from the traffic meeting may change a lot of what we're seeing.
158 Ms. Martel indicated she is supportive to hearing about the remaining waivers.

159

160 Mr. Grueter noted the design of buildings changed. Mr. Petropulos indicated after hearing comments,
161 received new perspectives yesterday to show. A reduction in size of top building, lowered roof of
162 commercial building, changed stone finish on apartments, adjusted gables, shows the 38,000 SF but
163 would be the same principals for the larger footprints Elevations are part of Site Plan Review. If have
164 substantial changes would have to come back to you.

165

166 Mr. Steckler asked to weigh in on conditions of CUP. Proposed impact can't be detrimental to values of
167 wetland. Response to wetland CUP item #3 is a restatement of functions and values. Design and
168 maintenance should minimize impact and no alternate design can be feasible. Scale and configuration is
169 unsuitable. Can't pose hazard due to loss of wetlands or contamination. Absorb precipitation. Several
170 areas of flood hazards downstream of this project. Think about broader impacts to Town. Don't see the
171 values as low value.

172

173 Ms. Tarr noted "low value" as a general term for wetlands, does not encompass entire wetlands'
174 functions.

175

176 Ms. Belanger asked about final input on parking in the back area (originally designated as trail parking)?

177 Mr. Sharples noted initially had some spots designated for that area. Conservation Commission did not

178 feel appropriate to have them there. Looking for alternatives. Does not prohibit public access.

179 Conservation is not all for human activities. Not every landscape suitable for trails. Ms. Belanger noted
180 it is important to publicize as it is.

181

182 Ms. Murphy indicated the easement language does recognize that the public will use the land. The only
183 place for viable trail is impacted logging road. Is a similar project that doesn't have designated parking.

184

185 Ms. Belanger asked if there were any indicators for the trail and Ms. Murphy noted she did not believe
186 the trail relocation has been submitted.

187

188 Mr. Petropulos noted that area is off our property. Ms. Murphy noted a large wetland complex next to
189 the lot.

190

191 Ms. English indicated she did not feel trail parking is needed. Clarify it will be there or not. Agree with
192 the Conservation Commission. Allowing public use, just not advertising the area. Mr. Sharples indicated
193 there is just general parking there now, not for trails.

194

195 Mr. Grueter asked if it was determined there was extra parking? Mr. Petropulos indicated yes and no
196 plans to reduce as of now.

197

198 Mr. Leonard noted a reduction in footprint would reduce parking. The extra is not based on Town
199 regulations, it was off our ULI calculations. Would like to comment on CUP criteria. Heard from a
200 number of people that rear portion is very significant and sensitive. Contiguous to other private
201 property. Footprint of buildings substantially smaller than industrial buildings. Minimized footprint.
202 When designing drainage structures have to make sure the water in site does not result in more water
203 leaving site. Mr. Petropulos noted providing basins for stormwater. Design has been reviewed by
204 several parties.

205

206 Ms. English indicated when established TIF think intention was to establish commercial use here. Think
207 should decide between 38,000-48,000 footprints. Encourage 38,000 to protect more of the land.

208

209 Ms. Martel noted the ULI study came up with 270 spaces necessary. Support removing six spaces in the
210 back. Seems like excess pavement.

211

212 Vice-Chair Brown indicated Ms. English summarized his concern about commercial space. Concerned
213 about development of corridor as well. In favor of 48,000 feet footprint. This is mostly residential.

214 Don't want to see commercial area be unbuilt as is a trend lately. Hopefully can allow applicant to get
215 funding while still able to follow through with the commercial aspect.

216

217 Mr. Leonard noted 48,000 will not have additional impact to wetlands. Ms. English asked if there were
218 other reductions that could be made? Vice-Chair Brown recommended leaving it to the applicant to
219 decide. Vice-Chair Brown indicated he feels commercial piece is vital.

220

221 Ms. Cowan noted in TIF the objective includes mixed residential opportunity. Understand frustration
222 with other aspects of business. Do believe this would meet TIF requirements if gets built. Any way to
223 ensure that every piece gets developed at the same time.

224

225 Vice-Chair Brown noted the only way to ensure that is to either make a COA or make them bond. Happy
226 that they're prepared to go with 48,000 feet.

227

228 Mr. Grueter asked how the Board could ensure commercial is built? Mr. Sharples noted a COA or a
229 building permit but don't believe applicant is in favor of either.

230

231 Mr. Steckler indicated he felt approval of CUP for this project sets precedent for similar projects.

232

233 Chair Plumer closed the meeting to the public at 9:28 PM.

234

235 Vice-Chair Brown indicated he did not think the Board could vote until the traffic study is complete in
236 case things change.

237

238 Ms. English asked about the recreation impact fee? Greg Bisson a year ago stated that more recreation
239 activities are needed or requested by new residents.

240

241 Mr. Grueter agreed there doesn't look to be enough.

242

243 Mr. Sharples noted he has a waiver for both recreation space and recreation impact fees. Ms. English
244 noted the pool is only enough during the summer.

245

246 Vice-Chair Brown indicated normally have waivers read into the record first, good points made.

247

248 Vice-Chair Brown asked the rationale for the recreation impact fee waiver? Mr. Leonard noted donating
249 back 40 acres which is more than required for mitigation. Vice-Chair Brown asked if donating was part
250 of variance consideration? Mr. Leonard noted he felt it was. Thought would be connected to trail
251 system for recreational use. We understand what we were doing but we also accept the decisions by
252 Conservation Commission and this Board.

253

254 Vice-Chair Brown noted good arguments were made. Would be inclined to grant for recreation space
255 but not the impact fee. Think that conveyed land is overvalued.

256

257 Mr. Grueter asked how much land for recreation space waiver? Mr. Leonard indicated 400 feet per unit,
258 approximately 2.5 acres. Mr. Grueter noted there is no other green space for recreation, is very limited.

259

260 Mr. Petropulos noted there is reasonable space south of Building C.

261 Ms. Murphy noted Conservation Commission was supportive of a trail on Conservation land. Still a trail
262 to provide outdoor space. Chair Plumer asked if Conservation Commission considered recreation for
263 residents? Ms. Murphy indicated yes, didn't want to establish a high traffic conservation area. Is a
264 decent amount of trail space. Could propose a condition that includes trail design and involvement by
265 Conservation Commission.

266

267 Mr. Cameron noted progress tonight has not been enough and may need an extra meeting. Focus on
268 backlogged applications. Chair Plumer noted a special meeting could be held on August 20 to wrap up
269 Gateway. Mr. Sharples noted August 6th is a possibility.

270

271 *Vice-Chair Brown moved to continue Planning Board Cases #19-15 and #19-16 to a special meeting on*
272 *August 20, 2020 at 7:00 PM. Mr. Cameron seconded the motion. A roll call vote was taken, Plumer –*
273 *aye, Brown – aye, English – aye, Cameron – aye, Martel – aye, Cowan – aye and Grueter - aye. With*
274 *all in favor the motion passed 7-0-0.*

275

276 3. Continuation of the application of Brian Griset for review of a Yield Plan in conjunction with a
277 proposed 16-unit single-family condominium open space development and associated site
278 improvements on property located off Tamarind Lane and Cullen Way.

279 R-1 Low Density Residential and NP-Neighborhood Professional zoning districts

280 Tax Map Parcel S #96-15 and #81-53

281 Case #20-2

282

283 Chair Plumer indicated Case #20-2 was requested to be continued to July 23rd but it doesn't look like the
284 Board will get to it tonight.

285

286 Attorney Justin Pasay indicated they welcomed a continuance to the next available date and requests
287 being put first on the agenda for that meeting.

288

289 *Vice-Chair Brown motioned to continue the Griset Yield Plan, Case #20-2 to August 27, 2020 at 7:00*
290 *PM. Mr. Cameron seconded the motion. A roll call vote was taken, Plumer – aye, Brown – aye,*
291 *English – aye, Cameron – aye, Martel – aye, Cowan – aye and Grueter - aye. With all in favor the*
292 *motion passed 7-0-0.*

293

294 V. OTHER BUSINESS

295

296 VI. TOWN PLANNER'S ITEMS

297 Field Modifications

298 Announcements

299 VII. CHAIRPERSON'S ITEMS

300 Chair Plumer indicated the next meeting would be August 13, 2020 at 6pm for CIP business and
301 other new applications.

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

303 **IX. ADJOURN**

304 *Vice-Chair Brown moved to adjourn at 10:06 PM. Mr. Grueter seconded the motion. A roll call vote*
305 *was taken, Plumer – aye, Brown – aye, English – aye, Cameron – aye, Martel – aye, Cowan – aye and*
306 *Grueter - aye. With all in favor the motion passed 7-0-0.*

307

308 Respectfully submitted,

309 Daniel Hoijer,

310 Recording Secretary