



# TOWN OF EXETER, NEW HAMPSHIRE

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

## LEGAL NOTICE EXETER PLANNING BOARD AGENDA

The Exeter Planning Board will meet virtually via ZOOM (see connection info below\*) on Thursday, September 10, 2020 at 6:30 P.M. to consider the following:

**APPROVAL OF MINUTES:** July 23, August 13, August 20 and August 27, 2020

### **NEW BUSINESS: PUBLIC HEARINGS**

W. Scott Carlisle, III -- Request for extension of conditional approval for minor subdivision. Property located off of Epping Road, TM #40-12. PB Case #17-26.

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. PB Case #20-2.

The application of Tuck Realty Corp. for a site plan review for the proposed construction of a 13,000 S.F. single-story "Primrose School" daycare facility and associated site improvements on the property located at 5 McKay Drive. The subject property is located in the C-2, Highway Commercial zoning district. Tax Map Parcel #55-3 (Unit #1). PB Case #20-8.

### **OTHER BUSINESS**

- Sparkle Street Realty LLC, PB Case #19-06  
Request for extension of conditional approval for 1 Wayside Drive, TM #86-1
- Letter of Support for ESRLAC – Watershed Plan Update grant

### **EXETER PLANNING BOARD**

*Langdon J. Plumer, Chairman*

*Posted 08/28/20: Exeter Town Office and Town of Exeter website, revised 9/1/20, revised 9/2/20*

### **\*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/85947379305>*

*To participate via telephone, call: +1 646 558 8656 and enter the Webinar ID: 859 4737 9305*

*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](mailto:extvg@exeternh.gov) with any technical issues.*

1 TOWN OF EXETER  
2 PLANNING BOARD  
3 July 23, 2020  
4 VIRTUAL MEETING  
5 APPROVED MINUTES  
6 Zoom ID: 816 9300 1213  
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 and Natural Resource Planner Kristen Murphy  
15

16 **II. CALL TO ORDER:** Chair Plumer called the meeting to order at 7:03 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 July 9, 2020  
29

30 *Mr. Cameron motioned to accept the July 9, 2020 minutes as written. Ms. English seconded the*  
31 *motion. A roll call vote was taken, Plumer – aye, Brown – aye, English – aye, Cameron – aye, Martel –*  
32 *aye, Cowan – aye and Grueter - abstain. With all in favor the motion passed 6-0-1.*  
33

34 June 25, 2020  
35

36 *Ms. English motioned to accept the June 25, 2020 minutes as amended. Mr. Grueter seconded the*  
37 *motion. A roll call vote was taken, Plumer – aye, Brown – aye, English – aye, Cameron – aye, Martel –*  
38 *aye, Cowan – aye and Grueter - aye. With all in favor the motion passed 7-0-0.*  
39

40 **IV. NEW BUSINESS**  
41

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

260

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 6<sup>th</sup> 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 23<sup>rd</sup> 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

1 TOWN OF EXETER  
2 PLANNING BOARD  
3 August 13, 2020  
4 VIRTUAL MEETING  
5 DRAFT MINUTES

6 Zoom ID: 836 6697 5429

7 Phone: 1 646 558 8656

8 I. PRELIMINARIES:

9  
10 **BOARD MEMBERS PRESENT BY ROLL CALL:** Chair Langdon Plumer, Vice-Chair Aaron Brown (@6:59  
11 PM), Pete Cameron, Clerk, Gwen English, John Grueter, Jen Martel, Molly Cowan, Select Board  
12 representative (@6:23 PM), Pete Steckler, Alternate, Robin Tyner, Alternate (@ 6:59 PM) and Nancy  
13 Belanger, Alternate.

14  
15 **STAFF PRESENT:** Town Planner Dave Sharples and Natural Resource Planner Kristen Murphy

16  
17 **II. CALL TO ORDER:** Chair Plumer called the meeting to order at 6:00 PM and read out loud the  
18 meeting preamble which indicated that an emergency exists and the provisions of RSA 91-A:2 III (b) are  
19 being invoked. As federal, state and local officials have determined gatherings of ten or more people  
20 pose a substantial risk to the community and the meeting imperative to the continued operation of  
21 Town and government and services which are vital to public, health, safety and confidence. This  
22 meeting will be conducted without a quorum physically present in the same location and welcome  
23 members of the public accessing the meeting remotely.

24  
25 **III. OLD BUSINESS**

26  
27 **APPROVAL OF MINUTES**

28  
29 July 23, 2020

30  
31 Edits were recommended to Line 70, 77, 88, 93, 127, 131, 167, 181, 184 and 238.

32  
33 *Mr. Cameron motioned to table the minutes to the next meeting. Mr. Grueter seconded the motion.*  
34 *A roll call vote was taken, Plumer – aye, English – aye, Cameron – aye, Martel – aye, Grueter – aye,*  
35 *Brown – aye and Cowan – aye. With all in favor the motion passed 7-0-0.*

36  
37 **IV. NEW BUSINESS**

38  
39 **Public Hearing on the 2021 Capital Improvements Program (CIP) projects as presented by the**  
40 **Town Departments. Copies of the proposed document(s) will be available at the Planning**  
41 **Department Office prior to the meeting.**

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Mr. Sharples provided a draft of CIP requests of the department heads who are here tonight to present them. A second public hearing will be held to finalize them.

Town Manager Russell Dean noted a very active CIP going on. Two projects are already underway for drainage and road improvements. A public safety study was completed. The Town is working on the library and with active parks' improvement.

Parks & Recreation – Greg Bisson

Greg Bisson from Recreation noted the park improvement fund is very vital. Working on pavilion designs. Recreation park irrigation modification. Kid's park renovation, turf repairs, Gate Park walkway renovation which is slated for 2020 still. There are a couple of deferred projects. Requesting \$100,000 for focus on Park Street common. Equipment is in need of repair. Would completely remove and replace the elements. Looking for community input. Would make for ages 2-12.

Ms. Belanger asked if the survey would start soon? Mr. Bisson indicated not until after March of 21.

Conservation Commission – Kristen Murphy

Ms. Murphy from Conservation indicated they have a \$50,000 request to allocate for the Conservation Commission account in support of Conservation action like acquiring property. Have communicated with three property owners but did not have the funds to move forward.

Planning Department – Dave Sharples

Mr. Sharples indicated \$25,000 is requested for the bike and pedestrian portion of the master plan to complete the town-wide plan to establish paths and bike lanes, and sidewalk extensions. No plan for prioritization as of November. This would examine modes of transportation. Has been in our Master Plan.

DPW - Jennifer Perry of Public Works

Ms. Perry indicated DPW started preliminary analysis this year for the proposed public works facility and requests \$150,000 for next year to continue. Ms. Perry noted the DPW will take the opportunity to coordinate with other departments including the Highway garage and fueling station which is currently in poor condition. The garage does have much space. There is damage to garage doors and frames. Would be a drive-through type facility. It would address town-wide storage needs. Construction would begin in 2023 with approximately \$5 million.

Ms. Perry indicated next is the Pickpocket Dam reclassification which is a high hazard, will be doing a feasibility study in 2021 and is requesting \$300,000 to find an alternative to the dam as is, by 2025.

85 Ms. Perry noted the next project is utility replacements at Salem Street for water and sewer drainage  
86 which is a total cost of \$5.53 million for construction in 2021. This will improve drinking water quality,  
87 replacing drain lines. Numbers are approximate. Will be holding public meetings on that.

88

89 Mr. Cameron asked who owns the water in Pickpocket? Ms. Perry noted independent properties in  
90 both Exeter and Brentwood.

91

92 Mr. Cameron asked about a downtown traffic study and Ms. Perry noted the sidewalk program sets  
93 aside approximately \$120,000 annually to repair deteriorated sidewalks. It is very expensive work.  
94 Money has been set aside in the Capital Reserve Fund.

95

96 Ms. Perry indicated next is the waterfront walkway repair of \$25,000. It would extend the life five years  
97 and beautify the location.

98

99 Ms. Perry noted groundwater source development and assessments have a \$1 million request in 2021  
100 for hydrogeological exploration. Need to know that have enough volume for what we're looking to add.  
101 There wouldn't be construction until 2024.

102

103 Ms. Perry indicated surface water plant lagoon clearing has a request for \$275,000. For disposal of  
104 residuals from flushing and backwashing which were last cleared in 2013.

105

106 Ms. Perry noted surface water plant improvements have requested \$400,000 for 2021 for most likely  
107 replacement in five-ten years. Several repairs are needed with corrosion on pumps.

108

109 Ms. Perry indicated wastewater lagoon cleaning is \$1.3 million in 2021. Anticipate 10,000 tons of sludge  
110 removal. Similar cost in 2022 for lagoon #2.

111

112 Chair Plumer asked the purpose of the three lagoons? Ms. Perry noted half of the third has been used  
113 up. Just ponds with solar circulators. Are opportunities for other uses if Town decides.

114

115 Ms. Belanger asked if sludge removal is mandated? Ms. Perry noted no, but if not would become a  
116 sludge storage facility.

117

118 Ms. Perry noted vehicles this year are replacement of Highway SUV \$31,849 which is changing to a Ford  
119 Explorer.

120

121 Ms. Perry noted the Highway ½ ton pickup is \$42,721 qualifies for replacement and will change to a Ford  
122 F-250 4x4.

123

124 Ms. Perry noted the six-wheel dump is \$203,879 and warrants replacement under capacity for its use.

125

126 Ms. Perry noted the Water/Sewer department ½ ton pickup is \$37,846 and is looking to upgrade to a  
127 crew-cab truck.

128

129 Ms. Perry indicated the Wastewater ½ ton pickup is \$37,846 and will change to a Ford F-150 pickup.

130

131 Ms. Tyner and Vice-Chair Brown arrived at 6:59 PM.

132

133 Fire Department

134

135 Chief Eric Wilking indicated the vehicles are cycled out every ten years or so. Would replace the Ford  
136 Explorer with F250 pickup.

137

138 Chief Wilking noted the breathing apparatus is ten years old. Seeking placeholder for CIP. Will go to  
139 RFP. Purchasing 36 units. Feasibility study of new Public Safety Complex. One option is completely new  
140 facility. Need to do a space-needs assessment.

141

142 Mr. Steckler asked about combining the two garage projects together? Chief Wilking agreed that both  
143 could be combined together to be more efficient.

144

145 Mr. Dean noted he can look at that but not sure if the two are entirely separate entities. Mr. Sharples  
146 indicated he would continue the CIP discussion to finalize for 8/27.

147

148 **PUBLIC HEARINGS**

149 1. A request by Wakefield Investment, Inc. (2 Hampton Road LLC) for modifications to a previously  
150 approved multi-family site plan for the "Windsor Crossing" development. The subject property is  
151 located on Acadia Lane

152 CT-Corporate Technology Park zoning district

153 Tax Map Parcel #69-3

154 Planning Board Case #21404

155

156 ***Mr. Cameron moved to continue the Wakefield Investment, Inc. hearing, Planning Board Case #21404***  
157 ***to September 24, 2020. Mr. Grueter seconded the motion. A roll call vote was taken, Plumer – aye,***  
158 ***English – aye, Cameron – aye, Martel – aye, Grueter – aye, Brown – aye and Cowan - aye. With all in***  
159 ***favor the motion passed 7-0-0.***

160

161 2. The application of Seacoast Mental Health Center Resource Group, Inc. for a site plan review of the  
162 proposed construction of a 5,326 SF addition and associated parking to the existing facility located at 30  
163 Magnolia Lane.

164 R-2 Single Family Residential zoning district

165 Tax Map Parcel #65-146

166 Planning Board Case #20-5

167

168 ***Ms. English motioned to open Planning Board Case #20-5. Vice-Chair Brown seconded the motion. A***  
169 ***roll call vote was taken, Plumer – aye, English – aye, Cameron – aye, Martel – aye, Grueter – aye,***  
170 ***Brown – aye and Cowan – aye. With all in favor the motion passed 7-0-0.***

171

172 Mr. Sharples indicated this is for Site Plan Review of an addition of 5,326 SF submitted in February. This  
173 has been reviewed by staff multiple times. The applicant appeared before the ZBA and were granted a  
174 variance for expansion of a non-conforming use. Drainage was questioned. The applicant submitted  
175 information in response and that was addressed. Water volume is increasing leaving the site. An  
176 easement would be beneficial. Several waivers for HISS, grading within 5ft of a property line, and  
177 outdoor lighting trespassing on other property.

178  
179 Chris Rice indicated Jay Couture, Monica Kieser, Adam Wagner, Steve Farmer are all here for this  
180 project. The property is at 30 Magnolia Lane. Is an existing one-story building with a shed and  
181 dumpster. The dumpster will be relocated. The property borders residential properties and the Exeter  
182 Hospital. 5,326 SF addition is proposed. The basement will be for mechanical and storage. There will  
183 be 54 parking spaces where 44 before. No external utility changes. Show decrease in peak runoff.  
184 Proposed landscape plan is provided. Appeared at ZBA for variance. Responded to all review  
185 comments. Three waiver requests, HISS, grading within 5 feet of property line, and light trespass.  
186 Trying to keep parking elevation consistent with building elevation. The third waiver is light trespass  
187 despite the majority of photometric compliance. Small point where lighting exceeds property line but  
188 there is natural buffer there. The traffic memo has been provided. 29 additional trips in AM peak and  
189 39 in PM. Inconsequential impact to traffic. Very conservative. Currently operating at 50% capacity.  
190 Expect to continue with virtual work even after pandemic ends. An architectural rendering is provided.

191  
192 Mr. Wagner noted they wanted to keep consistent with existing building, show elevators, discuss façade  
193 treatments and give time to look at how to brighten up the building.

194  
195 Ms. Martel asked about stormwater being collected from the roof? Mr. Rice indicated he thinks  
196 everything will just sheet off and collect on ground. Can add a roof drain if needed.

197  
198 Ms. Martel recommended he look at snow falling off the roof. Mr. Rice noted they could defer roof  
199 pitches to the emergency walkway. Mr. Sharples added it appears to be pea stone along strip in  
200 parking. Mr. Rice noted it shows bark mulch now. Ms. Martel asked about the walkway through the  
201 strip in the middle. Mr. Rice indicated it was step up and step down and referred to the TRC comments.  
202 Ms. Martel noted it could be a tripping hazard.

203  
204 Ms. English indicated she was trying to figure out the parking space numbers. Mr. Rice noted there are  
205 currently 44 and 54 proposed. Ms. English asked if the parking lot would be torn up before resurfacing?  
206 Mr. Rice noted they are demoing the parking, but the access lane will remain as is.

207  
208 Ms. English asked about considering pervious pavement there as it could help with the drainage aspect.  
209

210 Mr. Rice indicated that was considered at one point but costs more to install so they stuck with the  
211 standard pavement.

212  
213 Ms. English asked about the entrance door on the side – if this is where staff enters? Mr. Wagner noted  
214 it meets emergency access and is not a main entrance.  
215

216 Ms. English asked about lighting spilling over onto residences and if there was anyway to shield the  
217 back? Mr. Rice noted the light pole is in the far corner and there will be minimal trespassing.

218  
219 Ms. English asked about possible noise coming from mechanical units and where those would be  
220 located? Mr. Wagner noted he doesn't have mechanical engineers on board yet, so he doesn't have the  
221 specifications on the mechanical units.

222  
223 Ms. English asked about trash pickup and Mr. Rice noted 200' further than where is currently which will  
224 create a lot less noise.

225  
226 Chair Plumer asked how often trash serviced? – once per week.

227  
228 Ms. English indicated the landscape areas removed in parking and asked if anything would be in that  
229 strip? Maybe some vegetation by the dumpster.

230  
231 Mr. Steckler asked about drainage issues and runoff into the slope, if there were any plans to address  
232 that? Mr. Rice noted necessary revisions were made which reduced rate of runoff and got analysis from  
233 a geotechnical engineer. There was a concern of stormwater in lower ground. Should be no increase  
234 there.

235  
236 Mr. Sharples reviewed the standard Conditions of Approval to reference the last UEI letter and TRC  
237 letter.

238  
239 Mr. Rice noted he is counting 57 spaces on site as a correction and can see if they can remove and add  
240 landscaping.

241  
242 Chair Plumer asked about the paved walkway on the north side exit? Mr. Rice noted it would be  
243 concrete with a rail outside of it.

244  
245 Mr. Sharples noted it will go through the Building Permit process.

246  
247 Ms. Martel noted the fence seems to stop with a gap and a four-foot drop and asked if that could be  
248 closed off at the end of the walkway? Mr. Rice indicated they could do that.

249  
250 Chair Plumer noted the railing seems to start after the door. Mr. Rice noted he can wrap it if needed.

251  
252 Ms. English asked if there would be flood lights in the back still? Mr. Wagner noted they have been  
253 changed due to abutter comments.

254  
255 Ms. English expressed concerns about people cutting through neighboring properties and Mr. Rice  
256 explained that is why they extended the fence line.

257  
258 Attorney Kieser indicated the most feedback has been from the neighbors to the west. Don't recall a  
259 concern in that area. Would be surprised if people walk through there.

260

261 Mr. Couture noted the grade was too steep on the hotel side for cut-throughs.

262

263 Mr. Rice noted the HISS waiver-systems were designed using GIS mapping using data from infiltration  
264 testing performed on site. Is a conservative design with no adverse effects to the public.

265

266 **Mr. Grueter moved to grant the waiver from Section 7.5.4 of the Site Plan Review and Subdivision**  
267 **Regulations after reviewing the criteria. Vice-Chair Brown seconded the motion. A roll call vote was**  
268 **taken, Plumer – aye, English – aye, Cameron – aye, Martel – aye, Grueter – aye, Brown – aye and**  
269 **Cowan - aye. With all in favor the motion passed 7-0-0.**

270

271 Mr. Rice addressed the request for grading within five feet of the property line. He noted the abutting  
272 hospital has a natural vegetated buffer there. Does not take place on abutting property. Results in  
273 parking which accommodates building's use. Are existing slopes which would cause a hardship. No  
274 unsightly conditions with natural screening. No negative impacts to environment or historical areas in  
275 town.

276

277 **Mr. Grueter moved to grant a waiver from Section 9.3.6.4 of the Site Plan Review and Subdivision**  
278 **Regulations after reviewing the criteria. Mr. Cameron seconded the motion. A roll call vote was**  
279 **taken, Plumer – aye, English – aye, Cameron – aye, Martel – aye, Grueter – aye, Brown – aye and**  
280 **Cowan – aye. With all in favor the motion passed 7-0-0.**

281

282 Mr. Rice addressed the waiver request for light trespassing. Most of the metrics are minimal and where  
283 wooded buffers exist. Light pole must be located where it is due to width of lot. Access drive and  
284 building require light for safety. Limiting extent of light trespass.

285

286 Mr. Grueter asked who determines the negative impact of the light installation? Mr. Sharples noted no  
287 direct light can spill over, is a standard condition of approval. If somebody finds negative impact the  
288 Board had already allowed it by granting a waiver.

289

290 Vice-Chair Brown asked if the public should be invited again regarding this waiver? Ms. English asked if  
291 the light was critical for safety? Mr. Sharples noted it is debatable. Lighting technology is much better  
292 today. If an engineer thinks is necessary, wouldn't dispute that.

293

294 Mr. Rice indicated they would like the light for safety. It is dark in that area during the winter. May be  
295 able to shift north but will still exceed in the Town right-of-way.

296

297 Mr. Sharples indicated he wouldn't ask for waiver if it spills into Town right-of-way.

298

299 Mr. Grueter asked about the owner of the abutting property who is not here and whether the light  
300 could be on a timer? Mr. Sharples indicated it is to be shut off by 10 PM.

301

302 Vice-Chair Brown indicated if the light isn't needed then maybe should just remove the waiver. Vice-  
303 Chair Brown indicated he struggles with granting waivers involving buffer zones.

304

305 Mr. Wagner noted the light level for reference is equatable to the light of a full moon and the light is on  
306 a timer.

307

308 Mr. Rice expressed he feels the waiver is needed. Just question if lighting can be shifted to make the  
309 exceedance 0%.

310

311 Mr. Sharples noted there is a sidewalk there as well.

312

313 Mr. Rice indicated the fence can be extended which may limit the exposure and perhaps add a tree as a  
314 shield.

315

316 **Mr. Grueter motioned to grant a waiver from Section 9.20.1 of the Site Plan Review and Subdivision**  
317 **Regulations after reviewing the criteria with condition that the applicant work with the Town to lower**  
318 **the exceedance and lights to be shut off at 10 PM each evening. Mr. Cameron seconded the motion.**  
319 **A roll call vote was taken, Plumer – aye, English – aye, Cameron – aye, Martel – aye, Grueter – aye,**  
320 **Brown – opposed and Cowan - aye. The motion passed 6-1-0.**

321

322 Chair Plumer closed the hearing to the public at 8:48 PM.

323

324 Ms. English noted the snow storage was not much for the size of the parking lot.

325

326 Mr. Rice indicated there are two additional areas if exceeded then will be trucked off-site and can look  
327 at vegetation to shield by the dumpster area.

328

329 Ms. Martel asked about converting excess parking to planting? Mr. Rice noted he may be able to do a  
330 partial strip on the other end where the island is.

331

332 Mr. Sharples noted the standard COA and fence on northern side to extend to guardrail and add in  
333 deciduous tree to end of linear parking island. Easement will be provided as deemed by Town Planner.

334

335 Ms. Martel asked to address the roof runoff. Mr. Sharples noted the roof runoff could be collected by a  
336 gutter system or gravel drip edge.

337

338 **Mr. Grueter motioned to approve the request of Seacoast Mental Health Center Resource Group,**  
339 **Planning Board Case 320-5 for Site Plan approval with the aforesaid conditions noted by the Town**  
340 **Planner. Ms. Martel seconded the motion. A roll call vote was taken, Plumer – aye, English – aye,**  
341 **Cameron – aye, Martel – aye, Grueter – aye, Brown – aye and Cowan – aye. With all in favor the**  
342 **motion passed 7-0-0.**

343

344 Chair Plumer recessed the meeting from 9:02 to 9:08 PM.

345

346 3. The application of Celia C. Rocco Revocable Trust for a minor subdivision of a 23.8-acre parcel off  
347 Thornton Street and Rocky Hill Road into two (2) single-family residential lots; and a lot line adjustment

348 between the aforementioned property and properties at 1 Sleepy Hollow Road and 3 Sleepy Hollow  
349 Road.

350 R-2 Single Family Residential zoning district  
351 Tax Map Parcels #70-12, #71-67 and #71-68  
352 Planning Board Case #20-6

353

354 **Mr. Cameron motioned to open Planning Board Case #20-6. Ms. English seconded the motion. A roll**  
355 **call vote was taken, Plumer – aye, English – aye, Cameron – aye, Martel – aye, Grueter – aye, Brown –**  
356 **aye and Cowan – aye., With all in favor the motion passed 7-0-0.**

357

358 Mr. Sharples indicated the application is for a minor subdivision and lot-line adjustment. The applicant  
359 appeared at the Zoning Board of Adjustment and got a variance for minimum lot length and width  
360 requirements. A revised plan was submitted. The plan has been independently reviewed by the TRC  
361 and received a response letter back. Are proposing a septic system and have an opinion on that waiver.

362

363 John Ring indicated the property is an L-shaped wooded parcel with 11.63 acres on the left lot and 13.43  
364 acres on the right. Relief was obtained from the Zoning Board of Adjustment. 25 feet or less of cut  
365 vegetated buffer is required and has been provided. Each location is at an elevation 30' below sewer  
366 pipe so requesting a waiver from connecting to town sewer. Would like option to put in well and septic.  
367 Only issue is the town sewer matter. Would like to drill well and put in septic connection.

368

369 Mr. Rocco indicated rain could cause sewer backup and has in the past. Don't want that problem to  
370 continue. Cost will be about even over time compared to paying for town servicing.

371

372 Mr. Ring indicated have to be 300' from reservoir and the sewer will be 1000' from the reservoir.

373

374 Mr. Rocco noted met with someone from Water & Sewer and were told was all set to put test pits in.  
375 Told we needed a waiver from the Planning Board for this.

376

377 Ms. Martel noted she would like to hear the opinion on the waiver.

378

379 Mr. Sharples noted he spoke to Jen Mates about it. Municipal sewer is available. Private septic systems  
380 are a main contributor to nitrogen levels. Better to connect to town sewer to minimize amount of  
381 nitrogen. Is a common practice to install a pump system and would be cheaper than a septic.

382

383 Mr. Sharples indicated each lot is in different situation with the septic topic. Only seen one other case  
384 like this. They can add their own well if they want, as that is not an issue.

385

386 Vice-Chair Brown noted he has seen properties that want a government backed loan that are required  
387 to tie into town sewer.

388

389 Mr. Grueter noted he would be against a leach field. Have sewer line and there are fixes to stop  
390 overflow.

391

392 Liz Roberts – asked is this a subdivision issue or septic issue?  
393

394 Mr. Sharples indicated the applicant is dividing into two lots which require certain things including tying  
395 into municipal sewer. The applicant is asking for a waiver from that requirement.  
396

397 Ms. Roberts noted they have already subdivided a major parcel and asked if they are now subdividing  
398 again?  
399

400 Mr. Sharples explained they never got subdivision approval previously, only a variance.  
401

402 Lauren Julian asked about hydric soil and setbacks with regards to septic and structures?  
403

404 Mr. Sharples indicated the setbacks are shown on plan.  
405

406 Mr. Ring noted hydric soil is not different than wetlands in this case but sometimes are.  
407

408 Sheila Kelley – 5 Thornton Street asked where will the house behind Thornton be built? Mr. Ring  
409 answered the driveway will be down by Wheelwright Ave.  
410

411 Mr. Sharples indicated the intent is to sell and asked if someone could put a house on the left side? Mr.  
412 Ring answered yes, they could.  
413

414 Mary Grim – 3 Thornton Street asked what is buildable land? Mr. Ring noted there is about an acre in  
415 the left lot and 5-10 acres off Thornton.  
416

417 Laura Julian asked if the intent is to put a drive in the opposite of Wheelwright and tie in the septic at  
418 that point?  
419

420 Mr. Ring indicated if the sewer waiver is not granted the pipe would come up that same location, 38-  
421 foot-wide strip of land. Would love to have septic system because of elevation differences. Can ask for  
422 a partial waiver of the left-hand lot instead if not comfortable.  
423

424 Mr. Steckler asked about discussing selling for conservation purposes for water and habitat protection?  
425

426 Mr. Rocco noted he would be willing to work a deal with the Town. Thought of collaborating with  
427 neighbors already.  
428

429 Ms. Roberts noted the entire area is great for conservation activities and is used by neighbors.  
430

431 Mr. Sharples noted he had an internal discussion about this but felt the price is not something we could  
432 move forward on. Would be willing to purchase land that borders along reservoir and continue those  
433 discussions at a later date.  
434

435 Mr. Ring noted the leach fields are very small and don't give off negative discharge, are over 300' from  
436 Town sewer.

437

438 Mr. Ring asked if the Board was having trouble with this, could get partial waiver?

439

440 Ms. English noted she would not be in favor of granting for the right-hand lot, on the fence about the  
441 left. Don't think we should take chances with the nitrogen.

442

443 Mr. Ring indicated it is not detrimental because would be designed to regulate. Rocky Hill lot is 25'  
444 below sewer. There are significant elevation differences. Compliance with zoning Article 9.3.1 at least  
445 300' from the reservoir.

446

447 Mr. Sharples asked if the house is closer to a prime wetland than the reservoir? Mr. Ring noted it could  
448 be.

449

450 Ms. Tyner noted she is a little uneasy about granting with proximity to wetland.

451

452 Vice-Chair Brown asked if ever seen this waiver on this Board? Chair Plumer noted he did not recall ever  
453 seeing one. Mr. Sharples noted there was one with much different circumstances.

454

455 Vice-Chair Brown asked if Towns require certain units with certain distances to tie in? Mr. Sharples  
456 indicated they do. We just say have to tie in if it's available.

457

458 Vice-Chair Brown asked the cost difference? Mr. Rocco indicated the septic is \$10,000, the well is  
459 approximately \$8,000. It is \$3,000 to tie into Town plus monthly bill.

460

461 Ms. English noted if they do their own well then they avoid paying for Town water. It is not an all or  
462 nothing.

463

464 Mr. Steckler indicated it isn't really unique. Doesn't sound like a particular hardship.

465

466 **Mr. Grueter motioned to deny the request for a waiver from Section 9.2.1 of the Site Plan Review and**  
467 **Subdivision Regulations after reviewing the criteria, because of failure to meet criteria #2 and #3. Ms.**  
468 **English seconded the motion. A roll call vote was taken, Plumer – aye, English – aye, Cameron – aye,**  
469 **Martel – aye, Grueter – aye, Brown – aye and Cowan – aye. With all in favor the motion passed 7-0-0.**

470

471 Mr. Sharples indicated the Conditions of Approval will require both lots to be serviced by municipal  
472 sewer.

473

474 Ms. English asked if comfortable with concerns from Ms. Murphy? Mr. Sharples indicated yes, are  
475 included with COA.

476

477 **Mr. Grueter motioned to approve the request of Celia C. Rocco Revocable Trust, Planning Board Case**  
478 **#20-6 for minor subdivision, with the conditions as read by the Town Planner. Ms. English seconded**

479 ***the motion. A roll call vote was taken, Plumer – aye, English – aye, Cameron – aye, Martel – aye,***  
480 ***Grueter – aye, Brown – aye and Cowan - aye. With all in favor the motion passed 7-0-0.***

481

482 4. The application of OSRAM Sylvania for a minor subdivision of a 32.21-acre parcel located at 129-131  
483 Portsmouth Avenue (and off Holland Way) into three (3) lots; and a request to affirm that Tax Map  
484 Parcel #51-17 located east of Holland Way is a separate lot that was created when NHDOT created the  
485 Holland Way right-of-way.

486 C-2 Highway Commercial and CT Corporate Technology zoning districts

487 Tax Map Parcel #52-112 and #51-17

488 Case #20-7

489

490 Mr. Sharples indicated the applicants are anxious to move ahead. This is a minor subdivision and seems  
491 straightforward.

492

493 R. Gordon Leedy, Jr. indicated next week would work.

494

495 ***Ms. English motioned to table Planning Board Case #20-7 to August 20, 2020 at 7:00 PM. Mr. Grueter***  
496 ***seconded the motion. A roll call vote was taken, Plumer – aye, English – aye, Cameron – aye, Martel –***  
497 ***aye, Grueter – aye, Brown – aye and Cowan – aye. With all in favor the motion passed 7-0-0.***

498

## 499 **V. OTHER BUSINESS**

500

501 1. W Scott Carlisle – Case #17-26

502 Request for extension of a conditional approval for minor subdivision (off Epping Road)

503 Tax Map Parcel #40-12

504

505 Chair Plumer noted the Board would keep the Carlisle case on the next agenda.

506

## 507 **VI. TOWN PLANNER'S ITEMS**

508 **Field Modifications**

509 **Announcements**

## 510 **VII. CHAIRPERSON'S ITEMS**

511 Chair Plumer indicated the next meeting would be August 20, 2020 at 7:00 PM.

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

## 513 **IX. ADJOURN**

514 ***Mr. Grueter moved to adjourn at 10:23 PM. Mr. Cameron seconded the motion. A roll call vote was***  
515 ***taken, Plumer – aye, English – aye, Cameron – aye, Martel – aye, Grueter – aye, Brown – aye and***  
516 ***Cowan – aye. With all in favor the motion passed 7-0-0.***

517

518 Respectfully submitted,  
519 Daniel Hoijer,  
520 Recording Secretary

**TOWN OF EXETER  
PLANNING BOARD  
August 20, 2020  
VIRTUAL MEETING  
DRAFT MINUTES**

Zoom ID: 849 8769 0199

Phone: 1 646 558 8656

**I. PRELIMINARIES:**

**BOARD MEMBERS PRESENT BY ROLL CALL:** Chair Langdon Plumer, Vice-Chair Aaron Brow, Pete Cameron, Clerk, Gwen English, John Grueter, Jen Martel, Niko Papakonstantis, Select Board representative, Molly Cowan, Select Board representative (@6:23 PM), Pete Steckler, and Nancy Belanger, Alternate.

**STAFF PRESENT:** Town Planner Dave Sharples

**II. CALL TO ORDER:** Chair Plumer called the meeting to order at 7:00 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 - Tabled**

July 23, 2020

August 13, 2020

**IV. NEW BUSINESS**

**PUBLIC HEARINGS**

1. The application of OSRAM Sylvania for a minor subdivision of a 32.21-acre parcel located at 129-131 Portsmouth Avenue (and off Holland Way) into three (3) lots; and a request to affirm that Tax Map Parcel #51-17 located east of Holland Way is a separate lot that was created when NHDOT created the Holland Way right-of-way.  
C-2 Highway Commercial and CT Corporate Technology zoning districts  
Tax Map Parcel #52-112 and #51-17

42 Case #20-7

43

44 Chair Plumer read out loud the Public Hearing Notice.

45

46 Mr. Sharples indicated the case was complete for review purposes.

47

48 ***Vice-Chair Brown motioned to open Planning Board Case #20-7. Mr. Cameron seconded the motion. A***  
49 ***roll call vote was taken, English – aye, Brown – aye, Papakonstantis – aye, Cameron – aye, Martel –***  
50 ***aye, Grueter – aye and Plumer – aye. The motion passed 7-0-0.***

51

52 Mr. Sharples indicated the application is for a minor subdivision of two lots from a 32.21-acre lot with  
53 frontage on Portsmouth Avenue. There is a third lot on the north side of Holland Way which is already a  
54 lot of record when Holland Way was accepted. Mr. Sharples indicated Doug Eastman reviewed the  
55 plans and determined all code requirements were met for dimensional requirements. The applicants  
56 have been through the TRC process (comments included) and all issues have been addressed.

57

58 Mr. Sharples noted Building C is show in the setback on the plans. The attorney provided a Notice of  
59 Obligation to remove the encroachment which shall be recorded prior to recording the final plans. The  
60 building will be removed or relocated to meet the setbacks.

61

62 R. Gordon Leedy, Jr. presented the plans on screen and indicated north is to the right and Portsmouth  
63 Avenue is located at the top. The applicant would like to create two lots, with one on Portsmouth  
64 Avenue and keep operating.

65

66 Mr. Leedy noted the natural wetlands are shown on the plan in blue. There are also man-made  
67 wetlands.

68

69 Mr. Leedy indicated the small vacant building C which Osram will remove or relocate prior to  
70 conveyance, when they have a buyer.

71

72 Mr. Leedy pointed to the parcel to the right which is a vacant lot with 21 acres. There are prime  
73 wetlands on this lot. Delineation would be required prior to subdivision as noted on the plan. There will  
74 be cross easements for utilities and access. The Exeter Shoreland district is southerly, within 300' of the  
75 Exeter Reservoir.

76

77 Mr. Leedy indicated Osram is looking to sell the front piece and keep the back piece with no further  
78 plans to develop or modify the existing site.

79

80 Mr. Grueter asked about Building A and B shown on the plan – whether Building B will still be Osram?  
81 Mr. Leedy indicated Building B is empty and he wasn't sure when they stopped using it for  
82 manufacturing. It is on the market.

83

84 Mr. Grueter asked about the July 22 letter and Paul Valentine the plant manager indicated Osram will  
85 keep Building A and can expand or add additional shifts.

86 Ms. English asked about comments of DPW and Natural Resource Planner and Mr. Sharples indicated he  
87 circled back with Ms. Murphy and Jen Mates.

88

89 Chair Plumer asked if there was any public comment at 7:16 PM. Mr. Sharples indicated there were no  
90 members of the public in attendance.

91

92 Mr. Sharples indicated there were no waivers requested and reviewed suggested conditions of approval:

93

94 **1. A DWG file of the final plan shall be provided to the Town Planner showing all property lines**  
95 **and monumentation prior to signing the final plans. The plan must be in NAD 1983 State**  
96 **plane NH FIPS 2800' coordinates.**

97

98 **2. All monumentation shall be set in accordance with Section 9.25 of the Site Plan Review and**  
99 **Subdivision Regulations prior to the issuance of any certificate of occupancy for any**  
100 **building/unit; and**

101 **3. Notice of Obligation to remove encroachment, and attached hereto, shall be recorded along**  
102 **with or prior to the recording of the final plans.**

103

104 Mr. Sharples read the Notice of Obligation out loud.

105

106 **Ms. English moved that the request of OSRAM Sylvania, Planning Board Case #20-7 for minor**  
107 **subdivision approval be approved subject to the conditions laid out by the Town Planner. Ms. Martel**  
108 **seconded the motion. A roll call vote was taken English – aye, Brown – aye, Papakonstantis – aye,**  
109 **Cameron – aye, Martel – aye, Grueter – aye and Plumer – aye. The motion passed 7-0-0.**

110

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

116 C-3, Epping Road Highway Commercial zoning district

117 PB Case #19-15.

118

119 3. Continued public hearing on the application of Gateway at Exeter, LLC for a site plan review and a  
120 Wetlands Conditional Use Permit for the proposed construction of a mixed-use development at 170  
121 Epping Road (TM #47-6 and #47-7). The proposal includes a 224-unit multi-family residential complex, a  
122 2-story 48,560 square foot mixed use building that may include a 20,040 YMCA day care facility,  
123 office/retail space and possibly a restaurant along with associated site improvements.

124 C-3, Epping Road Highway Commercial zoning district

125 PB Case #19-16.

126

127 Chair Plumer read the Public Hearing Notice out loud.

128

129 Mr. Sharples indicated the application was tabled from the July 23, 2020 meeting. Some of the issues  
130 were wetlands, traffic impact and the GZA report. An updated traffic analysis has been provided. Mr.  
131 Sharples noted Jason Plourde on behalf of the Town, provided third party review and two meetings  
132 were held today at 1 PM and shortly before the start of this meeting.

133

134 Mr. Sharples indicated there is a new letter dated August 11, 2020 requesting additional waivers as well  
135 as the six other waiver requests, a lot-line adjustment, Conditional Use Permit (CUP) and Site Plan.

136

137 Attorney Jay Leonard indicated Jim Petropulos, Tom Moynihan, Steve Pernaw and Brendan Quigley were  
138 also present. Attorney Leonard indicated the plans submitted include additional information and 2-3  
139 changes. 48,500' \_\_\_\_\_, remove the drop off area and six parking spaces at the end of the trail head.

140

141 Wetlands were flagged by GZA. The southerly exit was made a right only exit, a sheet was added to  
142 propose interim improvements if the TIFF is not available before going online.

143

144 Attorney Leonard noted nine waivers are being requested in addition to the six under the letter from  
145 Mr. Petropulos there are three submitted by Attorney Leonard. The first additional waiver request is for  
146 400 SF of recreational area per unit, the second for recreational impact fees and the third requests a  
147 25% credit of the school impact fees.

148

149 Attorney Leonard noted traffic was worked on until 6:30 tonight and an agreement was reached for  
150 interim improvements shown on the plan for southbound to have a right turn lane and the northbound  
151 center lane to have a left turn after the first 149 residential units are constructed. In the event the TIFF  
152 doesn't occur by the second half. The ZBA indicated the best development area is in the front of the  
153 parcel to protect the rear of the parcel which is the reason for CUP. The applicant is donating the land  
154 at the rear. This project will include some workforce/affordable housing units.

155

156 Mr. Cameron asked about the traffic agreement. Attorney Leonard indicated the interim solution  
157 satisfies the first 149 units and after start construction will be COA if the TIFF improvement is not  
158 accomplished.

159

160 Mr. Cameron asked which sheet reflects that? - #1.

161

162 Mr. Plourde put up the aerial plans to shown the right turn only lane and elimination of six parking  
163 spaces.

164

165 Mr. Pernaw referenced page 29 of the traffic study summary and noted the mitigation plan was  
166 modified today with Mr. Plourde for two exit lanes, a left turn only which would be slower during peak  
167 would allow right turns to exit only. Phase I is 149 units. The left turn pocket left turns on site if TIFF.  
168 Phase 2 would add southbound turn lane be added. Looked at need for traffic signals and there were  
169 not enough exiting so determined two exit lanes and a stop sign would be best.

170

171 Mr. Cameron asked about the scoping meeting a month ago. The 3<sup>rd</sup> paragraph, 2<sup>nd</sup> line, previous  
172 control access, what was that? Mr. Pernaw indicated the state used to own then the Town took over.

173 Now we maintain Route 27 to Cronin Road. The state owns to the High School. DOT retained a  
174 controlled access.

175

176 Mr. Sharples explained DOT determined two access allowed, one for each lot consistent with what was  
177 proposed.

178

179 Ms. English asked about the same letter and the bottom of the 2<sup>nd</sup> page – to and from High School. Ms.  
180 English asked how would be analyzed with no traffic at school and as the project advances?

181

182 Mr. Pernaw indicated at the scope meeting; the original traffic impact addressed Continental Drive.  
183 October 2019 counted both ramps. DOT asked High School did 11-hour study at westbound offramp.  
184 Considered peak hour later after higher than 2 PM when school gets out. This data predated COVID-19.  
185 DOT looked at the need for a signal. The westbound offramp was enough to justify but the eastbound  
186 does not warrant a signal.

187

188 Mr. Plourde indicated the statements were accurate but corrected what Attorney Leonard stated  
189 initially. Impacts mitigated Phase 1. Phase 2 is the southbound turn lane. Construction documents will  
190 need to show the right-of-way, utility impacts for Town review.

191

192 Vice-Chair Brown asked about phasing of the commercial building tied into the occupancy of the  
193 residential units.

194

195 Mr. Sharples read out loud the ZBA condition 48,000 SF +/- 500 SF shall be construction “to the  
196 weather.” Referencing Building C. This allows 75 and 74 units in A & B, total of 149 apartments built  
197 and occupied prior to building permit for Building C.

198

199 Attorney Leonard explained part is financing with NH Housing Financing Authority and whether it would  
200 be acceptable. Understands the Board wants the commercial building. Bonds state there can't be  
201 conditions. Even if condition of occupancy presents problem.

202

203 Vice-Chair Brown expressed concerns that after 149 units are built and occupied, Phase 2 falls apart.  
204 The Town improvement and TIFF expansion for the community is not rental units but getting a lot of  
205 those. Understand the need and the market. The Town is looking for a more vibrant commercial district  
206 on Route 27. Not having the commercial building built would be tough on the Town. The reason the  
207 ZBA recommended a small footprint is the impact a large commercial would have on wetlands.

208 Workforce housing supports the industry around it. Surrounding employers sent letters in support.

209 There is not much demand for office space especially during the pandemic. Childcare/Daycare are  
210 getting interest.

211

212 Mr. Moynihan indicated the last thing any of us want is a see-through commercial building. I don't want  
213 it. The Town doesn't want it. Have to rent for \$25/\$30 SF when can go next door and rent for \$16/SF.

214 It is difficult to market the commercial space without approval. The Y has 17-18,000 SF. Mr. Sharples  
215 indicated financing is for 224 units not piece meal. Unlikely only 149 would be built and that's it.

216

217 Ms. English asked about internal traffic issues and the Y drop off. The upper area was removed from the  
218 plan. Ms. English asked how do you see buses and drop off? Mr. Petropulos noted they ended up with  
219 the original layout which is park and walk in and for pick-up. There is one bus vehicle after school and  
220 proper turning. Staff will receive them. Bus exists to the right. Have reduced conflicting vehicle  
221 movement. Mr. Petropulos indicated on the plan where drop off and pick up parking would be at the Y,  
222 not at the main entrance. There would be some parking to the side and in the rear.

223 Ms. English asked if children cross the street to get to the building? Mr. Petropulos indicated with  
224 parental supervision. Ms. English asked if there could be a crosswalk. Yes, but in the middle, not to the  
225 rear of the building. Ms. English noted she would like to see it be as walkable as possible.  
226

227 Ms. English asked how sidewalks were being addressed? Mr. Sharples agreed this was brought up in  
228 TRC recommendations but is not shown. The Town prides itself in being a walkable community. Mr.  
229 Petropulos indicated there is no curbing along Epping Road and it partly drainage. Ms. English noted she  
230 would like to see it pursued. Mr. Sharples indicated about 300' in between access points.  
231

232 Ms. Martel echoed Ms. English's wishes about sidewalks on Epping Road and added internally as well.  
233 People from apartments might want to drop off at Y and need walkability. The school may want a bus  
234 stop. Mr. Petropulos noted he has not been in contact with the school. Mr. Sharples indicated the bus  
235 company would decide where the bus stop would be. Mr. Grueter agreed the location could change  
236 depending on where the most students are. Mr. Sharples noted the bus company could also chose for  
237 the stop to be on Epping Road. Mr. Grueter asked if thee were sidewalks beyond this? Mr. Sharples  
238 indicated no they are working on that, there are grants.  
239

240 Vice-Chair Brown thanked Ms. English for the comments regarding sidewalks and noted it is an  
241 important element for the Town trying to be consistent and is part of the Master Plan.  
242

243 Mr. Steckler expressed concerns the scope and scale of the project are not appropriate. With 2.9 acres  
244 of wetland impact and 8 acres of buffer impact. Condition #3 of the CUP is wildlife habitat. Referencing  
245 GZA page 6 and the 7/23 memo. Wildlife moving east to west. Condition #3 can't be met. It severs  
246 east/west connectivity.  
247

248 Mr. Petropulos noted sidewalks can be included between the two driveways after consulting with Mr.  
249 Moynihan.  
250

251 Ms. English asked to clarify the snow storage which looks like it is into the lane of traffic. Mr. Petropulos  
252 noted it widens to become the two turn lanes. Is a landscape area with five pear trees.  
253

254 Ms. English asked if pear trees were compatible with a snow storage area. Chair Plumer referenced  
255 sheet 23. Ms. Martel noted the plan indicates 2.5-3' caliper and she would recommend 3.5' caliper and  
256 staking. Ms. Martel noted this species of pear tree is invasive and branches tend to drop at maturity and  
257 recommended selecting a native species.  
258

259 Ms. English asked about there being no snow storage between building B and C near the wetland and is  
260 concerned snow will be pushed into the wetland. Mr. Petropulos noted larger storms would be

261 stockpiled and hauled off site. Ms. English asked where it would be stockpiled? Mr. Petropulos noted a  
262 temporary row of parking spaces.

263

264 Ms. English referenced the Conservation Commission note about parking near the wetland and the  
265 proposed seed mixture. Conservation would like to see more substantial plantings to create more of a  
266 buffer. Mr. Petropulos noted the perimeter is a meadow mix not a lawn.

267

268 Ms. English referenced the grading plan, erosion and protecting the wetland. Mr. Petropulos noted a  
269 double row per Kristen Murphy and stabilizing matting. Mr. Petropulos referenced the DES AOT  
270 process.

271

272 Ms. English referenced Conservation's noted about spillover lighting and asked if this was the best than  
273 can be done between building A and B.

274

275 Ms. English asked about a dumpster for Building C. Mr. Petropulos indicated all of the dumpsters on the  
276 plan.

277

278 Ms. Martel asked about the Cape Cod berms being changed to granite along the wetland area being  
279 protected. Ms. Martel noted if the asphalt were damaged water would runoff into the wetland. Ms.  
280 Martel recommended vertical rather than sloped to give it more of an edge. Mr. Petropulos noted with  
281 workforce housing they try to control costs. If the asphalt is damaged it can be repaired.

282

283 Chair Plumer noted Molly Cowan arrived and was in for Niko Papakonstantis.

284

285 Ms. English asked about wildlife going through the under pass? Mr. Petropulos noted it is offsite on DOT  
286 fence, not in our control. Ms. English asked if there were any updates to conversations with DOT about  
287 preserving that corridor?

288

289 Chair Plumer closed the hearing to the public for deliberations at 8:55 PM. Mr. Sharples noted if the  
290 applicant wished to present the waivers, they would need to reopen public comment. Chair Plumer  
291 reopened to the public so the applicant could present the waiver requests.

292

293 Mr. Petropulos noted the first waiver is from Section 7.5.4 HISS. The soils mapping are site specific and  
294 a more consistent detail is provided with DES AOT.

295

296 **Ms. English after reviewing the criteria for granting waivers, moved that the request of Gateway at**  
297 **Exeter, Planning Board Case #19-15 and #19-16 for a waiver from Section 7.5.4 of the Site Plan Review**  
298 **and Subdivision Regulations to provide High Intensity Soil Survey information on the proposed site**  
299 **plan be approved. Mr. Cameron seconded the motion. A roll call vote was taken Brown – aye, English**  
300 **– aye, Martel – aye, Grueter – aye, Cameron – aye, Cowan – aye and Plumer – aye. The motion passed**  
301 **7-0-0.**

302

303 Mr. Petropulos noted the next waiver is from Section 9.7.5.5 for Landscape Islands within Parking Lots.  
304 Mr. Petropulos indicated several isles in excess of 10-15 spaces Would lose 13 spaces. 60% are open  
305 space, 15 acres.

306

307 **Mr. Cameron after reviewing the criteria for granting waivers moved that the request of Gateway at**  
308 **Exeter, Planning Board Case #19-15 and #19-16 for a waiver from Section 9.7.5.5 of the Site Plan**  
309 **Review and Subdivision Regulations regarding landscape islands be provided in parking lots between**  
310 **every 10 to 15 spaces to avoid long rows of parked cars be approved. Vice-Chair Brown seconded the**  
311 **motion. A roll call vote was taken Cowan – aye, Cameron – aye, Martel – aye, Grueter – aye, English –**  
312 **nay, Brown – aye, Plumer – aye. The motion passed 6-1-0.**

313

314 Mr. Petropulos indicated the third waiver request was from Section 9.9.2 and is similar to the  
315 Conditional Use Permit in the wetlands district. Relief for 75' from parking and 100' from vernal pools  
316 over 200' buffers. The backlands were protected and the front of the parcel is being developed. Mr.  
317 Petropulos noted the seven points were addressed and the written document speaks for itself.

318

319 **Mr. Grueter after reviewing the criteria for granting waivers moved that the request of Gateway at**  
320 **Exeter, Planning Board Case #19-15 and #19-16 for a waiver from Section 9.9.2 of the Site Plan Review**  
321 **and Subdivision Regulations regarding the installation of reinforced turf be approved. Ms. Cowan**  
322 **seconded the motion.**

323

324 Ms. Martel noted this was an obscene amount of wetlands encroachment. The donation of 45 acres  
325 helps a lot. There has been a thorough analysis and the property will probably be developed at some  
326 point. Leaning toward approval but with hesitation.

327

328 Ms. English noted Ms. Martel's comments were well put. Ms. English noted she is not comfortable with  
329 the amount of impact of the wetland and buffers. There are areas above that could be built on. Mr.  
330 Moynihan has put aside much acreage. If someone else, not sure would see that happen. It doesn't  
331 take away from the sting of the impact and to a certain extent sets precedent.

332

333 Ms. Cowan indicated she struggles with some issues and is mindful of the Master Plan which delineates  
334 developable land. This project is in that corridor. Struggle with breaking up connectivity. At some point  
335 it will be developed. Like that the project addresses workforce housing. The developer has worked with  
336 us and is providing something the Town needs in the TIFF district

337

338 **A roll call vote was taken Martel – aye, English – nay, Brown – nay, Cowan – aye, Plumer – aye,**  
339 **Cameron – aye and Grueter – aye. The motion passed 5-2-0.**

340

341 Mr. Petropulos indicated the next waiver is from Section 9.12.1 for loading spaces in a commercial  
342 building. Five dock doors would be required. Use will be daycare, small retail, no restaurant. Deliveries  
343 come to the front for Fed-Ex and Amazon. There is no defined loading dock door or use anticipated.

344

345 **Ms. English after reviewing the criteria for granting waivers moved that the request of Gateway at**  
346 **Exeter, Planning Board Case #19-15 and #19-16 for a waiver from Section 9.12.1 of the Site Plan**

347 **Review and Subdivision Regulations to provide loading dock spaces be approved. Ms. Martel**  
348 **seconded the motion. A roll call vote was taken Brown – aye, English – aye, Martel – aye, Cameron –**  
349 **aye, Cowan – aye, Grueter – aye and Plumer – aye. The motion passed 7-0-0.**

350

351 Mr. Sharples indicated the fifth waiver for parking spaces is not needed. Section 5.6.5 allows for the  
352 Planning Board reduction of spaces. 9.13.1 is not triggered. After approving site plan will have  
353 authorized removal 6 spaces.

354

355 Mr. Petropulos withdrew the request for a waiver from Section 9.13.1.

356

357 Mr. Petropulos indicated the sixth request was from Section 9.7.5.6 for granting curbing. Mr. Petropulos  
358 indicated there will be Cape Cod berms in select areas. Over 7,200' of curbing. Asking for 23% relief.  
359 The areas on the west side were requested to have granite curbing and Mr. Moynihan has agreed to do  
360 that. There are still several areas on the south side that request relief.

361

362 **Ms. Martel after reviewing the criteria for granting waivers move that the request of Gateway at**  
363 **Exeter, Planning Board Case #19-16 for a waiver from Section 9.7.5.6 of the Site Plan Review and**  
364 **Subdivision Regulations requiring granite curbing for all traffic control and planting islands be**  
365 **approved with the following condition:**

366

367 **1. That the curbs currently shown on sheets 9 and 30 on the westerly end of the parking lot with 16**  
368 **spaces and 30 spaces respectively be sloped granite curb.**

369

370 **Vice-Chair Brown seconded the motion. A roll call vote was taken Cowan – aye, Cameron – aye,**  
371 **Martel – aye, Grueter – aye, English – aye, Brown – aye and Plumer – aye. The motion passed 7-0-0.**

372

373 Attorney Leonard presented the next three waiver requests addressed in the letters dated May 11, 2020  
374 and August 11, 2020.

375

376 Mr. Leonard referred to the first waiver as from a guideline of Section 11.3.4 of the Site Plan Review and  
377 Subdivision Regulations concerning the provision of 400 SF of recreational space per dwelling unit in  
378 multi-family developments. Attorney Leonard noted 40 acres to the rear is being donated to the Town.  
379 This meets the standards shown in the two letters.

380

381 Mr. Sharples corrected the use of "guidelines" and indicated he has never viewed these regulations as  
382 guidelines. If they were guidelines a waiver request would not be necessary.

383

384 Mr. Cameron asked where the space was adjacent to the project? Attorney Leonard indicated if on-site  
385 they would have been taken from the land being donated. Vice-Chair Brown indicated under the  
386 regulations for this project 2 acres would be required.

387

388 **Vice-Chair Brown after reviewing the criteria for granting waivers moved that the request of Gateway**  
389 **at Exeter, Planning Board Case #19-15 and #19-16 for a waiver from Section 11.3.1.4 of the Site Plan**  
390 **Review and Subdivision Regulations of 400 SF of recreational space per dwelling unit be approved.**

391 **Ms. English seconded the motion. A roll call vote was taken Grueter – nay, Martel – aye, Cameron –**  
392 **aye, Cowan – aye, English – aye, Brown – aye and Plumer – aye. The motion passed 6-1-0.**

393

394 Attorney Leonard presented the waiver request for Recreation Impact Fees. Attorney Leonard noted  
395 Mr. Moynihan donated the adjacent parcel which has a value of \$1,855,000. Subtracting the required  
396 mitigation of \$600,000, the donation is valued at \$1,255,000. Attorney Leonard incorporated the letter  
397 of May 11, 2020 in his request. Attorney Leonard noted the applicant is asking for a credit for the excess  
398 value of the donated land.

399

400 Vice-Chair Brown noted the appraised value seems high. Mr. Grueter agreed. Attorney Leonard noted  
401 the value of the Recreation Impact Fees is \$159,000. There are 25% affordable units. Workforce  
402 housing allows 30% of income where rental income is 60% of the median regional income. Vice-Chair  
403 Brown indicated the impact on school and infrastructure and special needs, \$160,000 doesn't go far.  
404 Just waived internal space. 224 units is a significant impact. Mr. Grueter indicated lot of kids will want  
405 a place to play and someone will be looking for the Town to do something about it.

406

407 Ms. English noted she appreciated the argument the applicant has put forward and the amount of land  
408 willing to give to the Town for conservation land. The cost of providing recreation falls on the backs of  
409 the taxpayers. Ms. English asked if the Board would consider entertaining a percentage of the credit?  
410 Mr. Sharples indicated the Board has done percentage fee credits in the past.

411

412 Attorney Leonard noted at \$711 per unit the total recreational impact fee would equal \$159,264.

413

414 Vice-Chair Brown indicated if the Board is going to grant this why even have them? The Board has  
415 imposed the fee on six single-family homes. There are over 200 residents. Mr. Grueter agreed.

416

417 **Mr. Grueter after considering the criteria for granting waivers moved that the request of Gateway at**  
418 **Exeter, Planning Board Case #19-15 and #19-16 for a waiver from the Site Plan Review and Subdivision**  
419 **Regulations concerning Recreational Impact Fees be denied.**

420

421 **Mr. Sharples recommended an amendment that the applicant can chose to pay the new recreation**  
422 **impact fees (being adopted this year) or current formula, whichever is less.**

423

424 **Mr. Grueter accepted the amendment. Vice-Chair Brown seconded the motion. A roll call vote was**  
425 **taken Brown – aye, Grueter – aye, English – aye, Martel – aye, Cameron – aye, Cowan – aye and**  
426 **Plumer – aye. The motion passed 7-0-0.**

427

428 Attorney Leonard presented the final waiver request for School Impact Fees indicating the applicant was  
429 requesting a credit of 25% per the letter of August 11, 2020 because of workforce housing percentage.  
430 All these fees make it an economically unviable project. The greatest cost is not having affordable  
431 housing in the state and region to support the economy. Schools have plenty of capacity and would not  
432 need a new school.

433

434 Attorney Leonard calculated the cost per unit at \$1,344 totally \$301,056 and noted this request is for a  
435 25% credit.

436

437 Vice-Chair Brown noted he has listened to a lot of school board meetings and what teachers are paid  
438 with benefits in this Town averages \$90,000/yr. Need to replace or duplicate the impact fee is a drop in  
439 the bucket. If your project is hinging on 300,000 you should not be in front of us. Workforce housing  
440 gets a credit in financing and the impact fee is nominal compared to the impact on taxpayers.

441

442 ***Vice-Chair Brown after reviewing the criteria for granting waivers moved that the request of Gateway***  
443 ***at Exeter, Planning Board Case #19-15 and #19-16 for a waiver from the Site Plan Review and***  
444 ***Subdivision Regulations for School Impact Fees be denied. Mr. Grueter seconded the motion.***

445

446 ***Mr. Sharples offered the same amendment: that the applicant can chose to pay the new School***  
447 ***Impact Fees (being adopted this year) or current formula, whichever is less. Vice-Chair Brown and Mr.***  
448 ***Grueter accepted the amendment to the motion.***

449

450 ***A roll call vote was taken Martel – aye, English – aye, Brown – aye, Grueter – aye, Cowan – aye,***  
451 ***Cameron – nay and Plumer – nay. The motion passed 5-2-0.***

452

453 Chair Plumer indicated the next request is for the lot-line adjustment.

454

455 ***Ms. English moved that the request of Gateway at Exeter, Planning Board Case #19-15 and #19-16 for***  
456 ***a lot line adjustment be approved. Mr. Cameron seconded the motion. A roll call vote was taken***  
457 ***Cameron – aye, Cowan – aye, Martel – aye, English – aye, Brown – aye, Grueter – aye and Plumer –***  
458 ***aye. The motion passed 7-0-0.***

459

460 Chair Plumer noted next is the Conditional Use Permit request.

461

462 Mr. Sharples read out loud the Conservation Commission memorandum requesting a condition that  
463 “prior to the issuance of a Certificate of Occupancy the trail ..... foot traffic only, applicant install at the  
464 applicant’s expense....with Conservation Commission to review the length, width and surface materials.

465

466 ***Mr. Grueter moved that the request of Gateway at Exeter, Planning Board Case #19-15 and #19-16 for***  
467 ***a Conditional Use Permit be approved. Mr. Cameron seconded the motion.***

468

469 Vice-Chair Brown indicated he did not like the vagueness of another Board the applicant will have to  
470 deal with and asked if there was anyway the Board could modify the condition to delineate the length,  
471 location, width and materials. It could be an unreasonable delay for the applicant to hold up their  
472 approval. Conservation does not have a representative here tonight. Mr. Cameron agreed.

473

474 Mr. Sharples indicated the condition could read that after one meeting of the Conservation Commission  
475 the application could return to this Board for consideration.

476

477 ***Mr. Cameron withdrew his second.***

478

479 Mr. Petropulos displayed the plan which showed access for the residents for a small footpath. Mr.  
480 Sharples indicated Conservation would prefer to not have the residents meander wherever they wanted  
481 to go.

482

483 Mr. Quigley indicated he understood the requirement was a trail head to the back land. The trail  
484 development would be done by the trail committee. Mr. Moynihan has agreed to pay a stewardship fee  
485 so they can design and locate the trail. Sheet 6 of 30 shows possible access to backland for residents.

486

487 Mr. Martel noted the memorandum asks for an access and gate to avoid dispersing rogue trails and to  
488 keep ATVs out. The memorandum is dated 6/18/20.

489

490 Mr. Petropulos indicated building a 50' trail access is not problematic. Would like to not have to go back  
491 to the Conservation Commission before action on this vote.

492

493 Mr. Sharples indicated one way would be "prior to issuance of a certificate of occupancy for any building  
494 and or unit a trail open to foot traffic only from the parking area to the boundary line of Map 47 Lot 7-1  
495 would be installed at the applicant's expense." You can add "details shall be shown on the final plan  
496 subject to review and approval of the Town." Or, same thing add the Conservation Commission.

497

498 Vice-Chair Brown asked Mr. Cameron what a typical trail width would be? Mr. Cameron indicated 3-4.'

499

500 Mr. Moynihan noted he is paying a stewardship fee and is ok with bringing access to the property line.  
501 Conservation is already allowing hunting and he would rather not have a trail if hunting is allowed. Mr.  
502 Moynihan would rather leave it up to Conservation.

503

504 Mr. Sharples indicated it is 10:30 and the meeting was to end at 10:30.

505

506 ***Vice-Chair Brown moved to continue the meeting. Mr. Cameron seconded the motion. A roll call vote***  
507 ***was taken Cameron – aye, Martel – aye, English – aye, Brown – aye, Grueter – aye, Cowan – aye,***  
508 ***Plumer – aye. The motion passed 7-0-0.***

509

510 Mr. Sharples "Prior to the issuance of the certificate of occupancy for any building and/or unit a trail  
511 maximum 4' in width open to foot traffic only from the parking area to the boundary line of Map 47, Lot  
512 7-1 shall be installed at the applicant's expense and shown on the final plans subject to review and  
513 approval of Town's staff."

514

515 Ms. English moved. Ms. Martel seconded.

516

517 Vice-Chair Brown asked if this is part of the CUP and recommended starting over.

518

519 Mr. Steckler noted a lot of attention has been paid to this tiny little trail head. The Conditional Use  
520 Permit has significant conditions: #3 no detrimental impact to wetland functions and values as a result

521 of this proposed project. Has the Board fully reviewed the narrative? There are three acres of wetland  
522 impact and eight acres of buffer impact.

523

524 Mr. Cameron asked Ms. Martel to read the Conservation condition again. Ms. Martel read out loud “we  
525 also felt timing of trail construction is important and that it needed to occur prior to residents moving in,  
526 to avoid the chance for rogue trail or dispersed use in sensitive areas. To address these concerns, in  
527 addition to revising designs to add a gate at the junction of the development and the logging road they  
528 recommend the Planning Board include the following condition (as Dave read).

529

530 Mr. Cameron noted so it is our condition not theirs? Mr. Sharples noted the final design could be done  
531 by the Exeter staff.

532

533 After reviewing the criteria for wetlands conditional use permit, I move that the request for Gateway at  
534 Exeter, PB Case #19-15 and #19-16 be approved with the following conditions.

535

536 Mr. Sharples read:

537

538 “Prior to the issuance of the certificate of occupancy for any building and/or unit a trail maximum 4’ in  
539 width open to foot traffic only from the parking area to the boundary line of Map 47, Lot 7-1 shall be  
540 installed at the applicant’s expense and shown on the final plans subject to review and approval of  
541 Town’s staff.”

542

543 Ms. English clarified this motion is for the Conditional Use Permit.

544

545 Vice-Chair Brown discussed the waiver passed for setbacks and the comments that bothered him which  
546 were saying if we don’t approve this we’ll just be approving something else down the road. It is our job  
547 to review the application on its merit, the project put in front of us.

548

549 Ms. English agreed Vice-Chair Brown made a good point.

550

551 Attorney Leonard presented the request for a Conditional Use Permit under Section 9.16 a with  
552 conditions listed under section 6b.

553

554 The standards are the same as the waiver granted earlier regarding the buffers. Its permitting by Zoning  
555 and by the ZBA decision, can’t be carried on portions outside Wetland Conservation District; effort to  
556 protect more important wetlands to the rear with the uplands to the front. The owner of the property is  
557 entitled to develop the uplands, which are in rear and front. Wetland scientist, ZBA, Brendan Quigley,  
558 GZA, State and Army Corp. of Engineers and Conservation have reviewed have concluded that the  
559 impact is greater to develop the entire site to the wetlands overall and not justified in that regard. It is  
560 better to move to the front. It is reasonable to develop over a 60-acre tract. This development was  
561 reduced to 20 acres. Tracy Tarr with GZA Attorney Leonard noted confirmed Mr. Quigley’s conclusions  
562 about functions as accurate and complete. #3 wildlife. She commented she did not agree is connection  
563 to north under highway. Also connection to the rear of the balance of the publicly owned property.  
564 Wetlands are limited functions not prime. Wetlands to the easterly portion while important are not as

565 important as those larger ones to the rear. #4 require minimal detrimental impact to the extent  
566 possible. Has been ample testimony this developer has made every effort to reduce impact. #5 extra  
567 protection doubled in some areas, the wetland fencing and AOT requirements in cases of temporary  
568 restoration is no temporary improvement. #6 obligation to protect the health, safety, welfare of the  
569 public due to loss of wetlands. Engineers, we have engaged wetland scientists who noted no alteration  
570 to the watershed, drainage or adverse impact to floods, water, leaving site or wetland. No harm to  
571 public health, safety, welfare of people, no safety issue or that this would cause a safety issue. Standard  
572 typical requirements in review of wetlands. Have a lot of information from more than two experts.  
573 General consensus was well designed concept is minimal impact.

574

575 Mr. Steckler noted GZA did confirm the primary function is the wetlands on site that will be impacted for  
576 wildlife habitat not stated in the application for CUP. Critical to connectivity. The layout severs wildlife  
577 connectivity. Roads are not a barrier to wildlife movement. If we took that approach there is no future  
578 for wildlife in NH. This is the last remaining area for connectivity in this area.

579

580 Attorney Leonard asked if the letters from employers were a part of the packet? Mr. Sharples indicated  
581 they were included at last week's meeting. Chair Plumer noted he knows the business partners support.

582

583 Mr. Grueter indicated it appears most of us are not ready to make a decision.

584

585 Mr. Sharples indicated CUP and Site Plan can be tabled to next week, August 27, 2020 and be first on the  
586 agenda. Mr. Sharples recommended closing the public hearing so there is no new information between  
587 now and then, to deliberate.

588

589 Vice-Chair Brown recommended a 6:30 PM start. Chair Plumer closed the hearing for public input at  
590 10:55 PM.

591

592 ***Mr. Grueter motioned to table the CUP and Site Plan Review for Planning Board Case #19-15 and #19-***  
593 ***16 until August 27, 2020 at 6:30 PM. Ms. English seconded the motion. A roll call vote was taken***  
594 ***English – aye, Grueter – aye, Martel – aye, Brown – aye, Cowan – aye, Cameron – aye and Plumer –***  
595 ***aye. The motion passed 7-0-0.***

596

## 597 **V. OTHER BUSINESS**

598

599 1. W Scott Carlisle – Case #17-26

600 Request for extension of a conditional approval for minor subdivision (off Epping Road)

601 Tax Map Parcel #40-12

602

603 Chair Plumer noted the Board would keep the Carlisle case on the next agenda.

604

## 605 **VI. TOWN PLANNER'S ITEMS**

606 **Field Modifications**

607 **Announcements**

608 **VII. CHAIRPERSON'S ITEMS**

609 Chair Plumer indicated the next meeting would be August 27, 2020 at 6:30 PM.

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

611 **IX. ADJOURN**

612 *Vice-Chair Brown moved to adjourn at 10:56 PM. Mr. Cameron seconded the motion. A roll call vote*  
613 *was taken, Plumer – aye, English – aye, Cameron – aye, Martel – aye, Grueter – aye, Brown – aye and*  
614 *Cowan – aye. With all in favor the motion passed 7-0-0.*

615

616 Respectfully submitted,

617 Daniel Hoijer,

618 Recording Secretary

**TOWN OF EXETER  
PLANNING BOARD  
August 27, 2020  
VIRTUAL MEETING  
DRAFT MINUTES**

Zoom ID: 874 5591 3768

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, Molly Cowan, Select Board Representative, Pete Steckler, Alternate and Nancy Belanger, Alternate.

**STAFF PRESENT:** Town Planner Dave Sharples

**II. CALL TO ORDER:** Chair Plumer called the meeting to order at 6:38 PM, indicated Alternate Nancy Belanger would be active, 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 - Tabled**

July 23, 2020

August 13, 2020

August 20, 2020

**IV. NEW BUSINESS**

**PUBLIC HEARINGS**

1. Second public hearing on the 2021 CIP Projects - Tabled

2. 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

42 Map parcel #47-7 into two lots in conjunction with a mixed use development being proposed for the  
43 site.

44 C-3, Epping Road Highway Commercial zoning district

45 PB Case #19-15.

46

47 3. Continued public hearing on the application of Gateway at Exeter, LLC for a site plan review and a  
48 Wetlands Conditional Use Permit for the proposed construction of a mixed-use development at 170  
49 Epping Road (TM #47-6 and #47-7). The proposal includes a 224-unit multi-family residential complex, a  
50 2-story 48,560 square foot mixed use building that may include a 20,040 YMCA day care facility,  
51 office/retail space and possibly a restaurant along with associated site improvements.

52 C-3, Epping Road Highway Commercial zoning district

53 PB Case #19-16.

54

55 Chair Plumer read the Public Hearing Notice out loud.

56

57 Chair Plumer noted after closing the public meeting the Board received a letter dated August 25, 2020  
58 from Attorney Leonard. Chair Plumer indicated the Board could reopen to discuss the letter and only  
59 the letter.

60

61 Mr. Steckler indicated he was frustrated with the second part of the letter as a mischaracterization of  
62 record, referencing a false statement about the primary function of the wetland. Condition #3 of 9.16b.  
63 Applicant is not addressing wildlife habitat as a primary value. Mr. Steckler acknowledged Tracy Tarr's  
64 opinion while disagreeing with it about connectivity across Epping Road. Agreed that is restrictive to  
65 movement but strongly disagree it is a barrier. A lot of wildlife cross roads during the night as he has  
66 observed himself.

67

68 Vice-Chair Brown noted this is the crux of the CUP. Applicant says functions and values assessment was  
69 completed. 13 functions were identified.

70

71 Chair Plumer noted recharge and discharge, shellfish and fish habitat, sediment, toxin retention, excess  
72 nutrient prevention, production export, sediment shoreline stabilizer, wildlife habitat, recreation,  
73 educational value, uniqueness and heritage.

74

75 Vice-Chair Brown noted most wetlands in area are evaluated together. Two areas adjacent to Epping  
76 Road are evaluated separately. Wetlands lack value for most of these functions. These functions were  
77 supported: wildlife habitat, production export and sediment and toxin restriction. The level of wildlife  
78 habitat is moderate, not much different from adjacent uplands. No egg masses observed. Habitat level  
79 of the two possible vernal pools are higher.

80

81 Ms. English noted application leads me to believe this area has low value with groundwater recharge.  
82 Putting impervious surfaces on most of this lot. Lot of pending due to glacial tills with soils. May not be  
83 perfect for groundwater recharge but still may be significant. Tracy Tarr said connectivity very important  
84 to creatures dependent on vernal pool. The more development surrounding pools the less viable they  
85 become over time. The vernal pool 15' from the entrance worries me.

86

87 Ms. Belanger noted to remember that Tracy Tarr said the back 40 acres would offset the two pools in  
88 discussion. Ms. English indicated that was correct, she did talk about the importance of the back  
89 wetlands

90

91 Chair Plumer noted Condition #4 says minimize detrimental impact and no feasible alternative.

92

93 Vice-Chair Brown noted response to is to slide minimum elements as far east as possible. Front pools  
94 are not being impacted. Stormwater management systems will protect water quality. Think this goes  
95 back to Nancy Belanger's comments as far as handling vernal pools on entire parcel not just where  
96 development will occur.

97

98 Chair Plumer noted Condition #5 says construction impact will be restored.

99

100 Vice-Chair Brown noted response is not temporary impacts but will be restored to maximum effect  
101 possible.

102

103 Chair Plumer noted Condition #6 says no hazard to public welfare.

104

105 Vice-Chair Brown noted response is the clean nature of proposed use. Mitigation proposed including  
106 conveyance of backland and ARM contribution of \$176,000 in addition to preservation.

107

108 Chair Plumer noted Condition #7 says all required permits obtained.

109

110 Vice-Chair Brown noted response says permits will be applied for. Heard substantial testimony on the  
111 matter. Overall impact is probably the best it can be. Feel only way to reduce impact is to reduce size.

112

113 Chair Plumer noted that sums it up pretty well.

114

115 Ms. Belanger noted she looked at the vote for TIF, includes mixed use residential. Covered spirit of TIF  
116 district.

117

118 Ms. English noted she agreed with Vice-Chair Brown. Think applicant has been very accommodating.  
119 Still struggle with size and impact but recognize importance of back land.

120

121 Mr. Cameron indicated he also appreciated all the work done with the Traffic study, but several hundred  
122 more cars on Epping Road is disturbing. Always been concerned with increased traffic on Route 27.

123

124 Think this project needs to be done to address issue of workforce housing. Mr. Grueter indicated he is  
125 concerned about the look of buildings. Think they minimized impact to wetlands.

125

126 **Ms. English moved that the request for Gateway at Exeter, Planning Board Case #19-16 for a**  
127 **Conditional Use Permit be approved after reviewing the criteria for a Wetlands Conditional Use**  
128 **permit. Ms. Belanger seconded the motion. A roll call vote was taken Cameron – aye, Cowan – aye,**  
129 **Belanger – aye, Grueter – aye, Brown – aye, English – nay, Plumer – aye. The motion passed 6-1-0.**

130

131 Mr. Sharples noted the Conditions of Approval for the Site plan, doing a corridor study on Epping Road,  
132 looking at impacts to that corridor.

133

134 Ms. English noted the trees near the commercial building are an invasive species and recommends  
135 another condition that the applicant doesn't plant invasives and stick with native species.

136

137 Chair Plumer noted they discussed connecting the pathway and questioned whether to include as a  
138 condition? Mr. Sharples noted they can add trail connection as described by Attorney Leonard.

139

140 Mr. Grueter asked if the 112-unit condition has been made aware to applicant? Mr. Sharples indicated  
141 they are aware of the condition just not the exact language.

142

143 Mr. Grueter noted the trees between the roadway and pond on the rendering, there is a lot of wall to  
144 look at and recommends having some trees there. Mr. Sharples noted the front area with pond won't  
145 be disturbed. Will see more in winter. Will be a lot of trees between. Accurate on landscape plan.

146

147 Mr. Cameron noted the connector being built and asked if the use will be limited to the residents of the  
148 area? Will the public be able to use that trail? Vice-Chair Brown noted he doesn't think is any legal  
149 limitation to Town property. Mr. Sharples noted no intent for public access and no easements on plan.  
150 Mr. Grueter indicated he was not sure that was what we agreed to. Mr. Sharples indicated it connects  
151 to Conservation Land. Conservation Commission didn't want to encourage a trail network there. Can  
152 access this property through other lands.

153

154 Mr. Sharples noted they don't see proposed public access easements in theory the property owner  
155 could exclude but the Town will own the back 40 acres. Property owners have the right to exclude.

156

157 Vice-Chair Brown noted unless we require the easement on the parcel, the owners can deny access. The  
158 pathway is to guide access if it does end up getting accessed.

159

160 Mr. Sharples noted Ms. Murphy is in agreement with what the applicant said about the connection/trail.

161

162 Vice-Chair Brown asked to discuss occupancy COA.

163

164 Mr. Sharples noted there is 48,000' of commercial being constructed prior to Certificate of Occupancy  
165 for 113<sup>th</sup> unit. Vice-Chair Brown noted the commercial aspect is important. Have seen developments  
166 where commercial is never built. This will give them an incentive to build the commercial.

167

168 Mr. Grueter noted it is a great idea and asked if any of the 112 units will be workforce housing? Mr.  
169 Sharples indicated 25% are to be affordable, 29 of the 112.

170

171 ***Vice-Chair Brown moved that the request of Gateway at Exeter, Planning Board Case #19-16 for Site***  
172 ***Plan approval be approved with the conditions as listed. Ms. Belanger seconded the motion. A roll***

173 *call vote was taken Belanger – yes, Cameron – yes, Cowan – yes, English – aye, Grueter – aye, Brown –*  
174 *aye, and Plumer – aye. The motion passed 7-0-0.*

175

176 The Board took a brief recess between 8:25 PM and 8:33 PM.

177

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

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

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

183 Case #20-2

184

185 Mr. Sharples noted he hasn't received any additional information and we can go over waivers.

186

187 Attorney Justin Pasay indicated he would like to start by discussing the Yield Plan currently. No use of  
188 Mendez trust property now. 13 lots on Griset property only. Complies with zoning ordinance. Been  
189 reviewed thoroughly. Letter from Attorney Britton dated July 9<sup>th</sup> argued that despite the deal with the  
190 Town the agreement was "illegal." The second was that the proposed lot line adjustment for buffers  
191 seeks a partial waiver from buffers. Provided rebuttal to Attorney Britton's letter. Talked about purview  
192 of Board. Town Counsel must have provided advice. Seeking approval. Will address two waivers for  
193 perimeter buffers and address comments from Steven Keach on two partial requests for 9.6.1.7, one in  
194 regards to Lot 5. The second is to permit 95' where 100' is required. The first 50' of buffer must remain  
195 untouched. Not envisioned to reduce density. Point is to lessen the impact on neighbors of wetlands.  
196 The building envelope outside of 50' buffer on Lot 5. South strip of land owned by railroad.  
197 Configuration doesn't warrant 100' buffer. Would be reasonable request to waive the requirement on  
198 Lot 5. Previously proposed lot line adjustment had opposition. Waiver is for about 5' of relief on Lots 8  
199 and 9.

200

201 Attorney Pasay noted the closest developable upland is 350' away. This is consistent with underlying  
202 regulations. Suggest a reasonable waiver for this portion. Keach's letter has the same arguments as  
203 Attorney Britton. Saying we are transferring density from Town property. Hope legal has helped resolve  
204 this issue. Find wrong to ask the Planning Board to breach contract and deny Yield Plan. Says Yield Plan  
205 relies on lot line adjustment with 8 Tamarind. Use a right-of-way reserved for this exact purpose.  
206 Suggest that 25' building envelope is insufficient. Incorrect because that is standard in Exeter. Building  
207 envelopes on Yield Plan are significantly bigger. Next is objection to "reverse frontage lots." Complies  
208 with zoning ordinance and regulations. Shortened Cullen Way Ext. Less impervious surface. Town  
209 doesn't require fully designed road. DPW has said it is reasonable.

210

211 Christian Smith noted an elevation drop of 5% with proposed road. Mr. Griset has been willing to talk to  
212 anyone about this. Opposition has taken to unfortunate measures to halt approval. Expecting more  
213 from this proposal than others. Grisets want to enjoy benefit of a 30-year agreement with the Town.

214

215 Vice-Chair Brown reminded the Board of its targeted end time of 10 PM.

216

217 Ms. English noted the cul-de-sac and expressed concerns with the elevation drop but the Town Engineer  
218 seems okay with it. End of corridors appear to be less than 20' from wetland.

219

220 Mr. Smith indicated the edge of the pavement is 33' from the wetland.

221

222 Ms. English noted she was somewhat confused by the agreement with the Flahertys. Can't tell if there is  
223 any difference in plan designs before and after agreement. Is the road further into the wetland now?

224 Also some Swamp White Oaks.

225

226 Attorney Pasay noted he is trying to accommodate the Flahertys. CUP will be required once go to Site  
227 Plan Review. For Yield Plan it is reasonably achievable. Intend to preserve those trees.

228

229 Mr. Griset noted the only changes are that maintained White Oak and located entrance 2' further down  
230 and at a diagonal. No encroachment where Swamp White Oak is.

231

232 Ms. English noted she was uncomfortable with some of the uncertainties.

233

234 Mr. Steckler noted the precedent set by the Planning Board allows for waivers of Forest, River and  
235 Blackford Place Development . Clarify for Yield Plan or Subdivision, does that matter?

236

237 Attorney Pasay noted for actual subdivision. Is a relevant consideration for the Planning Board but go  
238 back to notion that the standard purpose of the Yield Plan be achievable.

239

240 Attorney Tim Britton indicated he represents the families in the neighborhood. The Yield Plan is for 13  
241 lots. Attorney Britton mentioned his July 9 letter and that the plan depends on transfer of density from  
242 the Town for 4-5 lots.

243

244 Attorney Britton noted the Town does not permit a density transfer between lots. The zoning ordinance  
245 lacks a provision for density transfer. The August 13, 1999 agreement is not permitted. The Planning  
246 Board Chair and Town Manager don't have the authority. It usurps the authority of Town Meeting and  
247 renders the 1991 agreement void. This Yield Plan requires an unlawful density transfer. The neighbors  
248 are not asking for a break of the agreement just stating the provision is not valid or enforceable. Further  
249 Attorney Pasay has not provided a copy of the authority by the BOS in 1991. There has been no  
250 response to the Right to Know request dated July 10<sup>th</sup> that contains any such approval. Even if the BOS  
251 had approved, the BOS can't create authority that doesn't exist.

252

253 Attorney Britton referenced Bosonetto v. Richmond, 2012 and Sutton v. Gilford, 2010 noting it is  
254 peculiarly suited to judicial rather than administrative treatment or authority of an agency to act. If the  
255 Town didn't have the authority that provision is void not the contract.

256

257 Attorney Britton indicated the Yield Plan before you needs to use the development capacity of a lot not  
258 owned by the applicant. The Town doesn't have the right to transfer density rights.

259

260 Attorney Britton noted the 1991 agreement may have reserved the right for the applicant to use the  
261 density of the property if and when that legislation was adopted. That never occurred. It has been 16  
262 years since 2004 and no amendment to the zoning ordinance was proposed or passed. Attorney Britton  
263 requested the Board reject the Yield Plan presented by the applicant.

264

265 Attorney Britton indicated it is odd that the Yield Plan presented depends on waivers and affects  
266 whether the Yield Plan is reasonably achievable.

267

268 Mr. Flaherty of 8 Tamarind Lane indicated there is a lot going on at the entrance way. The lot line  
269 adjustment is to not have a private road running through their property.

270

271 Mr. Keach noted he has been asked by the neighborhood to review the Yield Plan and read the portion  
272 of the zoning ordinance that relates to open space development. The density portion is straightforward.

273

274 Mr. Keach noted the plan calls for 13 lots on a 26.4-acre tract. His concerns were addressed in his July 8  
275 report. Mr. Keach noted Christian Smith is a fine engineer and he didn't find a lot of engineering  
276 concerns.

277

278 Mr. Keach asked the Board to consider if the Yield Plan was put forth before them as a definitive plan  
279 would they approve it and stated that he suspects not. Something is missing. Attorney Britton worded  
280 it well. One fundamental item is the Tamarind lot-line adjustment. The Yield Plan shows a 75' easement  
281 over the parcel. The Town takes the land under it in fee simple. Mr. Sharples noted the Town is not  
282 going to take it. It is staying private.

283

284 Mr. Keach asked if this would leave sufficient frontage for 8 Tamarind Lane? The building envelope is  
285 625 sq.ft and most in the area are double that size. There were no standards published that he could  
286 find. There is double frontage, reverse frontage and scant frontage.

287

288 Mr. Keach noted the road geometry and the Public Work's right to grant departures from that. Section  
289 7.7.1 of the ordinance states density should be achieved on its own permits and don't believe there  
290 should be 13 single-family homes with portions encroaching on the flood area. There is a reason this  
291 parcel is a remnant left over when other parcels were developed.

292

293 **Mr. Cameron motioned to table Planning Board Case #20-2 to September 10, 2020 at 7:00 PM. Ms.**  
294 **Belanger seconded the motion. A roll call vote was taken Cameron – aye, Belanger – aye, Brown –**  
295 **aye, English – aye, Grueter – aye, Cowan – aye and Plumer – aye. The motion passed 7-0-0.**

296

## 297 **V. OTHER BUSINESS**

298

299 1. W Scott Carlisle – Case #17-26

300 Request for extension of a conditional approval for minor subdivision (off Epping Road)

301 Tax Map Parcel #40-12

302

303 Chair Plumer noted the Board would keep the Carlisle case on the next agenda at 6:30 PM.

304

305 Vice-Chair Brown noted this is the third request. Mr. Sharples noted extensions are decided on a case  
306 by case basis, but the applicant could be brought in to discuss the request.

307

308 Mr. Cameron noted he was uncomfortable with there being a third request without discussion. Ms.  
309 English noted she feels the same way.

310

311 *Ms. Belanger motioned to continue Case #17-26 request for an extension of conditional approval for*  
312 *W. Scott Carlisle to September 10, 2020 at 6:30 PM to invite the applicant to attend. Mr. Cameron*  
313 *seconded the motion. A roll call vote was taken Cameron – aye, Grueter – aye, Cowan – aye, Belanger*  
314 *– aye, Brown – aye, English – aye and Plumer – aye. The motion passed 7-0-0.*

315

316 Ms. English asked if there were any change in the regulations that would impact this? Mr. Sharples  
317 indicated he will research that question and answer it on September 10, 2020.

318

## 319 VI. TOWN PLANNER'S ITEMS

### 320 Field Modifications

### 321 Announcements

## 322 VII. CHAIRPERSON'S ITEMS

323 Chair Plumer indicated the next meeting would be September 10, 2020 at 6:30 PM.

324 Ms. Belanger noted the CIP 2<sup>nd</sup> public hearing is also on September 10<sup>th</sup>. Vice-Chair Brown noted he  
325 would rather start at 6:30 PM and end by 10:00 PM than go onto 11:00. Mr. Steckler noted he would  
326 rather start at 6:30 PM and end at 9:30 PM.

327

328 Chair Plumer noted the CIP and Carlisle extension could be heard at 6:30 PM as they won't take very  
329 long.

330

## 331 VIII. PB REPRESENTATIVE'S REPORT ON "OTHER COMMITTEE ACTIVITY"

## 332 IX. ADJOURN

333 Chair Plumer adjourned the meeting at 10:04 PM.

334

335 Respectfully submitted,

336 Daniel Hoijer,

337 Recording Secretary

# JONES & BEACH ENGINEERS INC.

85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885  
603.772.4746 - JonesandBeach.com

July 28, 2020

Exeter Planning Board  
Attn. Mr. Lang Plumer, Chairman  
10 Front Street  
Exeter, NH 03833

**RE: Extension of Conditional Approval  
PB Case # 17-26, W. Scott Carlisle, III  
Minor Subdivision – Property off of Epping Road, Exeter, NH  
Tax Map 40, Lot 12  
JBE Project No. 15098**

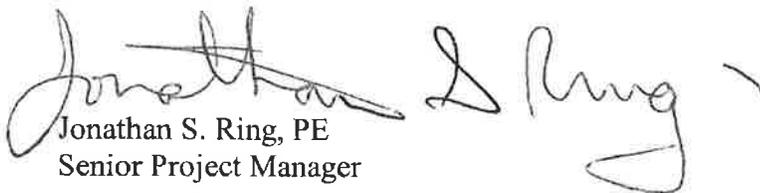
Dear Mr. Plumer,

On behalf of our client, W. Scott Carlisle, III, we respectfully request a third one-year extension of the Conditional Approval for Minor Subdivision of property dated 24 August 2017 (copy attached). A one-year extension was previously granted on August 9, 2018 (copy attached). A second one-year extension was granted on August 22, 2019 (copy attached). We submitted TIF Road Design Plans to the Planning Board and Department of Public Works on June 28, 2019 (cover letter attached). We received DPW approval of the TIF Road Design Plans with conditions on July 23, 2020 (copy attached). We agree with the DPW observation that “the timing of the road construction is still to be determined.”

The Minor Subdivision Plan will be finalized soon for Board endorsement, and subsequent recording at the Registry of Deeds. An extension is respectfully requested for the Minor Subdivision Approval at the Board Meeting of August 13, 2020.

Please let us know if you have any questions. Thank you very much for your time.

Very truly yours,  
**JONES & BEACH ENGINEERS, INC.**

  
Jonathan S. Ring, PE  
Senior Project Manager

cc: W. Scott Carlisle, III, Applicant (letter via email)  
Russ Hilliard, Upton & Hatfield Attorneys (letter via email)



## TOWN OF EXETER, NEW HAMPSHIRE

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

[www.exeternh.gov](http://www.exeternh.gov)

August 25, 2017

W. Scott Carlisle, III  
14 Cass Street  
Exeter, New Hampshire 03833

Re: PB Case #17-26 W. Scott Carlisle, III  
Minor Subdivision - Property off of Epping Road, Exeter, N.H  
Tax Map Parcel #40-12

Dear Mr. Carlisle:

Please be advised that at the meeting of August 24<sup>th</sup>, 2017, the Exeter Planning Board voted to **APPROVE** the above-captioned application for a minor subdivision, as presented, subject to the following conditions:

1. A dwg file of the subdivision plan shall be provided to the Town Planner showing all property lines and monumentation prior to signing the final plans;
2. This approval shall not be final until the applicant presents to the Board, and the Board and its engineers approve, a design for both the un-built portion of the so-called TIF road to the applicant's property, and the roadway and cul-de-sac within the property;
3. The potential discrepancy regarding the location of the common boundary line between the subject parcel and the abutting parcel (Tax Map 47 Lot 8) shall be resolved between the property owners; and,
4. These conditions shall be met prior to recording the subdivision plan.

The Board also approved the following waivers from the Site Plan Review and Subdivision Regulations in conjunction with the minor subdivision plan:

- Section 7.4.7 – Natural Features for significant trees - 16" diameter (caliper) or greater
- Section 7.5.4 – High Intensity Soil Survey (HISS) information

Both of the above waivers shall be specific to this subdivision application and shall not apply to any subsequent application submitted for the property.

Please feel free to contact the Planning Department at 773-6114 with any questions.

Sincerely,

Langdon J. Plumer  
Chairman  
Exeter Planning Board

cc: ✓ Jonathan S. Ring, P.E., President, Jones & Beach Engineers, Inc.  
Douglas Eastman, Building Inspector/Code Enforcement Officer

LJP:bsm

f:\town planner\planning\decision letters\pb #17-26 carlisle subdivision -epping road-let.docx



## TOWN OF EXETER, NEW HAMPSHIRE

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

[www.exeternh.gov](http://www.exeternh.gov)

August 10, 2018

2018

W. Scott Carlisle, III  
14 Cass Street  
Exeter, New Hampshire 03833

Re: PB Case #17-26 W. Scott Carlisle, III  
Minor Subdivision - Property off of Epping Road, Exeter, N.H.  
Tax Map Parcel #40-12

Dear Mr. Carlisle:

Please be advised that at the meeting of August 9<sup>th</sup>, 2018, the Exeter Planning Board voted to **APPROVE** a one-year extension of the conditional approval granted by the Planning Board on August 24<sup>th</sup>, 2017 for the above-captioned. This conditional approval will now be valid through August 24<sup>th</sup>, 2019.

Please feel free to contact the Planning Department at 773-6114 with any questions.

Sincerely,

Langdon J. Plumer  
Chairman  
Exeter Planning Board

cc: ✓ Jonathan S. Ring, P. E., Jones & Beach Engineers, Inc.  
Douglas Eastman, Building Inspector/Code Enforcement Officer  
Janet Whitten, Deputy Assessor

LJP:bsm



## TOWN OF EXETER, NEW HAMPSHIRE

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

[www.exeternh.gov](http://www.exeternh.gov)

August 26, 2019

SEP 08 2019

W. Scott Carlisle, III  
14 Cass Street  
Exeter, New Hampshire 03833

Re: PB Case #17-26 W. Scott Carlisle, III  
Minor Subdivision - Property off of Epping Road, Exeter, N.H  
Tax Map Parcel #40-12

Dear Mr. Carlisle:

Please be advised that at the meeting of August 22<sup>nd</sup>, 2019, the Exeter Planning Board voted to **APPROVE** a one-year extension of the conditional approval granted by the Planning Board on August 24<sup>th</sup>, 2017 for the above-captioned. This conditional approval will now be valid through August 24<sup>th</sup>, 2020.

Please feel free to contact the Planning Department at 773-6114 with any questions.

Sincerely,

Langdon J. Plumer  
Chairman  
Exeter Planning Board

cc: Jonathan S. Ring, P. E., Jones & Beach Engineers, Inc.  
Douglas Eastman, Building Inspector/Code Enforcement Officer  
Janet Whitten, Deputy Assessor

LJP:bsm

# JONES & BEACH ENGINEERS INC.

85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885  
603.772.4746 - JonesandBeach.com

June 28, 2019

Exeter Planning Board  
Attn: Mr. Dave Sharples, Planner  
10 Front Street  
Exeter, NH 03822

**RE:** Planning Board Case No. 17-26  
Carlisle Subdivision T.I.F. Road Extension  
Off Epping Road, Exeter  
Tax Map 40, Lot 12  
JBE Project No. 15098

Dear Dave,

This Minor Subdivision was approved with Conditions on August 24, 2017. In accordance with approval Condition 2, we herewith submit a set of plans for the cul-de-sac terminus of the T.I.F. Road, which passes from Epping Road along a R.O.W. through land of CKT & Associates.

We ask that you send these plans for review and approval to Exeter Public Works, and perhaps Underwood Engineers. It is our understanding that Cammett Engineering (designers of the first 1,300 feet of the T.I.F. Road) has performed utility and drainage design for that road as part of their permitting and approval process for the Ray Farm Project.

Our cul-de-sac terminus of the T.I.F. Road design includes about 400 feet of roadway to be constructed as an extension of the Cammett design, and using reference to their plans and construction details. We assume that one contractor will build this road, and one set of details (Cammett) should control, as those have already been reviewed and approved by the Town. See "Plan Reference No. 1" on JBE plan Sheet P1 "Plan and Profile", as well as Note 17 on Sheet P1.

Our cul-de-sac is super-elevated to the outside, so that drainage can flow out to a granite curb line, then down slope from the high point at Station 15+00 to Cammett catch basins located at Station 11+62. We assume that this small amount of stormwater flow has been included in their calculations.

Because the impervious road surface of this cul-de-sac on Carlisle property is included in the T.I.F. Road design system, there will be less flow toward the existing intermittent stream that

crosses Carlisle Lot 1. We collect the small surface drainage flow from the cut slope of the cul-de-sac into a shallow grassed swale, and route that around the outside of the cul-de-sac R.O.W.

As you are aware, this Minor Subdivision Case No. 17-26, creates three (3) lots for future development. At such time as users of these lots are determined, the driveways and utility connections to the cul-de-sac will be designed for subsequent review and approval during the Site Plan Review process.

Enclosed with this letter are five (5) sets of the following items:

1. Exeter Planning Board approval letter dated August 25, 2017 -- see Condition 2.
2. Cammett Engineering design "Plan / Profile" Sheets C1.41 and C1.42 showing the first 1,300 feet of the T.L.F. Road, last revised 7-16-18.
3. JBE Plan Sheets A1, C1, P1, and E1, for review and approval.

Please forward these plans to the appropriate parties, and let me know if you have any questions. Thank you very much for your time.

Very truly yours,  
**JONES & BEACH ENGINEERS, INC.**

  
Jonathan S. Ring, PE  
President

cc: W. Scott Carlisle, III  
Russ Hilliard, Upton & Hatfield

**JONES & BEACH**  
ENGINEERS INC.

## Jonathan Ring

---

**Subject:** FW: JBE 15098 - Carlisle TIF Road Design Documents, off Epping Road, Exeter

**From:** Jennifer Mates <jmates@exeternh.gov>

**Sent:** Thursday, July 23, 2020 11:39 AM

**To:** Jonathan Ring <jring@jonesandbeach.com>

**Cc:** David Sharples (dsharples@exeternh.gov) <dsharples@exeternh.gov>; Darren Winham <dwinham@exeternh.gov>; wsc3@comcast.net; Russell F. Hilliard <rhilliard@uptonhatfield.com>; Barbara McEvoy <bmcevoy@exeternh.gov>; Holly Ripley <HRipley@jonesandbeach.com>; Stefanie Michaud <smichaud@jonesandbeach.com>; Barry Gier <bgier@jonesandbeach.com>; Paul Vlasich <pvasich@exeternh.gov>

**Subject:** Re: JBE 15098 - Carlisle TIF Road Design Documents, off Epping Road, Exeter

Hi Jon,

I understand that the utilities (including transformers, telephone pedestals, etc.) will all be part of the final design for each lot and may need to be modified. The same goes for the grading around the cul-de-sac when the driveway locations are added to the plans. From our discussion this week, I understand that the construction notes and details used for the road on the plans prepared by Cammett Engineering will be used for the cul-de-sac. The timing of the road construction is still to be determined.

DPW has no other comments on the proposed road layout. These plans are acceptable for final approval.

Thanks,  
Jen

Jennifer Mates, P.E.  
Assistant Town Engineer  
Public Works Department  
13 Newfields Road  
Exeter, NH 03833  
(603) 418-6431  
[jmates@exeternh.gov](mailto:jmates@exeternh.gov)

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On Tue, Jul 14, 2020 at 2:21 PM Jonathan Ring <jring@jonesandbeach.com> wrote:

Dear Jen,

I thank you very much for speaking with me this fine day. As you requested, I attach the documents that we had submitted to the Exeter Planning Department and Public Works last June 28, 2019. Below my current email message, you will see the original electronic email submission of these documents to the Town on 6/28/19. To date, I do not believe that I have seen any review materials relating to these plans.

Please see the attached Cover Letter from me, Planning Board Approval Letter (dated 8/25/17) of our Subdivision with conditions, our Design Plan Set, and Cammett Engineers reference plans for the TIF Road up to the Carlisle property line.



Barbara Mcevoy <bmcevoy@exeternh.gov>

## JBE 15098: Extension Request - Carlisle Minor Subdivision, off Epping Road, Exeter, NH

1 message

Jonathan Ring <jring@jonesandbeach.com>

Tue, Jul 28, 2020 at 3:22 PM

To: "David Sharples (dsharples@exeternh.gov)" <dsharples@exeternh.gov>

Cc: Barbara McEvoy <bmcevoy@exeternh.gov>, Scott Carlisle <wsc3@comcast.net>, "Russell F. Hilliard" <rhilliard@uptonhatfield.com>, Barry Gier <bgier@jonesandbeach.com>, Marley Jordan <MJordan@jonesandbeach.com>

Dear Dave and Planning Board,

Please see attached materials submitted with an "Extension of Conditional Approval" Letter for the Carlisle Minor Subdivision located off Epping Road in Exeter. We respectfully request that this subject be addressed at the Planning Board Meeting of August 13, 2020.

Please let me know if I should submit paper copies of these materials, or if this email is sufficient. Feel free to call me if you have any questions regarding this matter. I thank you very much for your time.

Jonathan S. Ring, PE, Senior Project Manager

### Jones & Beach Engineers, Inc.

85 Portsmouth Avenue

PO Box 219

Stratham, NH 03885

(603) 772-4746 (ext. #115)

jring@jonesandbeach.com

SAVE A TREE. PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.

Think Green and view the Screen

Thank You

 SKM\_C30820072815440.pdf  
454K



# TOWN OF EXETER

## *Planning and Building Department*

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

[www.exeternh.gov](http://www.exeternh.gov)

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**Date:** September 3, 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.

At the August 27<sup>th</sup> meeting, there was continued discussion on the application. The public hearing was opened and the applicant spoke to the board followed by Mr. Britain and Mr. Keech. There was one or two public that spoke but I would recommend that the Board allow anyone who has not spoken to speak on the application. Once the board has heard from everyone, you could close the public hearing and start deliberations if you feel you have adequate information to make a decision on acceptance of the yield plan.

There are two waiver requests that involve the same section so I broke them up into two motions for your convenience.

### **Waiver Motions**

**Perimeter Buffer Waiver Motion # 1:** 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 regarding the encroachment of the proposed roadway entering the buffer strip, I move that the waiver request of Brian Griset (PB Case #20-2) be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

**Perimeter Buffer Waiver Motion # 2:** 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 regarding Lot 5, 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.

Please see additional  
plan attachments under  
“Supporting Documents”  
posted for this meeting



# TOWN OF EXETER

## *Planning and Building Department*

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

[www.exeternh.gov](http://www.exeternh.gov)

---

**Date:** September 2, 2020

**To:** Planning Board

**From:** Dave Sharples, Town Planner

**Re:** PB Case #20-8 Tuck Realty Corp (for Primrose School)  
5 McKay Drive  
Tax Map Parcel # 55-3-1

The applicant has submitted an application for site plan review for the proposed construction of a 13,000 S.F. single-story "Primrose School" daycare facility and associated site improvements on the property located at 5 McKay Drive. The subject property is located in the C-2, Highway Commercial zoning district and is identified as Tax Map Parcel #55-3 (Unit #1).

The Applicant originally submitted their application and plans on May 5, 2020 and would have been scheduled for a June meeting, however, given the arrival of the pandemic, the application was placed on hold and put in the queue of backlogged applications awaiting a public hearing date. The application and supporting documents, dated May 5, 2020 are enclosed for your review. Revised site plans, dated August 26<sup>th</sup>, 2020, have been submitted and are enclosed for your review.

The Applicant appeared before the Technical Review Committee (TRC) via Zoom on May 28<sup>th</sup>, 2020; the TRC comment letter dated June 8<sup>th</sup>, 2020 and Underwood Engineers, Inc. (UEI) review letters, dated June 5 and August 7, 2020 are enclosed for your review. The applicant has satisfactorily addressed the Town Planner comments and I have contacted other staff to make sure the latest plan set addresses the other comments and will update the board at the meeting.

It is important to note that this site was approved for a commercial use in 2015 as part of a 91 unit residential development (known at that time as 80 Epping Rd). The reason it is returning to the Board is that the configuration has changed along with the proposed use from office to a daycare facility. The applicant submitted an overlay of the prior approved plan onto the proposed plan (Sheets C2 and C3). You will note that although the configuration has changed, the overall footprint of the project remains almost identical. The applicant has provided an updated traffic memo addressing the change of use and this memo is enclosed for your review.

The Applicant is requesting two waivers from the Boards' Site Plan Review & Subdivision Regulations:

- Section 9.3.6.4 – grading within 5' of exterior property line; and
- Section 9.13.7.3 – Parking Area Binder Pavement - to permit a 2" binder course pavement when 3" is required.

Justification for the waivers is outlined in the enclosed waiver request letter dated May 5, 2020.

In the event the Board decides to take action on the application, I will be prepared with suggested conditions of approval and have provided motions below for your convenience.

### **Waiver Motions**

**Grading within 5 feet of property line waiver motion:** After reviewing the criteria for granting waivers, I move that the request of Tuck Realty Corp. (PB Case #20-8) for a waiver from Section 9.3.6.4. of the Site Plan Review and Subdivision Regulations regarding grading within 5 feet of an exterior property line be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

**Parking Area Binder Pavement waiver motion:** After reviewing the criteria for granting waivers, I move that the request of Tuck Realty Corp. (PB Case #20-8) for a waiver from Section 9.13.7.3 to permit a 2" binder course pavement be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED

### **Planning Board Motions**

**Site Plan Motion:** I move that the request of Tuck Realty Corp. (PB Case #20-8) for Site Plan approval be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Thank You.

Enclosures



RECEIVED

MAY 5 2020

# TOWN OF EXETER, NH EXETER PLANNING OFFICE APPLICATION FOR SITE PLAN REVIEW

### OFFICE USE ONLY

**THIS IS AN APPLICATION FOR:**

- COMMERCIAL SITE PLAN REVIEW
- INDUSTRIAL SITE PLAN REVIEW
- MULTI-FAMILY SITE PLAN REVIEW
- MINOR SITE PLAN REVIEW
- INSTITUTIONAL/NON-PROFIT SPR

<u>20-8</u>	APPLICATION #
<u>5/5/20</u>	DATE RECEIVED
<u>3250.00</u>	APPLICATION FEE
<u>780.00</u>	PLAN REVIEW FEE
<u>250.00</u>	ABUTTERS FEE
	LEGAL NOTICE FEE
<u>51280.00</u>	TOTAL FEES
<i>pd ✓ # 2578</i>	

_____	INSPECTION FEE
_____	INSPECTION COST
_____	REFUND (IF ANY)

1. NAME OF LEGAL OWNER OF RECORD: Tuck Realty Corporation

\_\_\_\_\_ TELEPHONE: (603) 778-6894

ADDRESS: 149 Epping Road, Suite 2A, Exeter, NH 03833

2. NAME OF APPLICANT: Same As Owner

ADDRESS: \_\_\_\_\_

\_\_\_\_\_ TELEPHONE: ( ) \_\_\_\_\_

3. RELATIONSHIP OF APPLICANT TO PROPERTY IF OTHER THAN OWNER: \_\_\_\_\_

(Written permission from Owner is required, please attach.)

4. DESCRIPTION OF PROPERTY: \_\_\_\_\_

ADDRESS: 5 McKay Drive

TAX MAP: 55 PARCEL #: 3, Land Unit 1 ZONING DISTRICT: C-2

AREA OF ENTIRE TRACT: 2.30 Acres PORTION BEING DEVELOPED: All



5. ESTIMATED TOTAL SITE DEVELOPMENT COST \$ 300,000

6. EXPLANATION OF PROPOSAL: Proposed layout for a 13,000 S.F. single story Primrose School day care.

7. ARE MUNICIPAL SERVICES AVAILABLE? (YES/NO) Yes

If yes, Water and Sewer Superintendent must grant written approval for connection.  
If no, septic system must comply with W.S.P.C.C. requirements.

8. LIST ALL MAPS, PLANS AND OTHER ACCOMPANYING MATERIAL SUBMITTED WITH THIS APPLICATION:

<u>ITEM:</u>	<u>NUMBER OF COPIES</u>
A. _____	_____
B. <u>SEE COVER LETTER</u>	_____
C. _____	_____
D. _____	_____
E. _____	_____
F. _____	_____

9. ANY DEED RESTRICTIONS AND COVENANTS THAT APPLY OR ARE CONTEMPLATED (YES/NO) N/A IF YES, ATTACH COPY.

10. NAME AND PROFESSION OF PERSON DESIGNING PLAN:

NAME: Jonathan S. Ring, P.E., Jones & Beach Engineers, Inc.

ADDRESS: PO Box 219, Stratham, NH 03885

PROFESSION: Civil Engineer TELEPHONE: (603) 772-4746

11. LIST ALL IMPROVEMENTS AND UTILITIES TO BE INSTALLED:

Building, parking, access drives, water, sewer, utilities, play ground areas, etc.



**12. HAVE ANY SPECIAL EXCEPTIONS OR VARIANCES BEEN GRANTED BY THE ZONING BOARD OF ADJUSTMENT TO THIS PROPERTY PREVIOUSLY?**

IF YES, DESCRIBE BELOW. (Please check with the Planning Department Office to verify)

Yes - See "Site Plan" Sheet C2 noyes 21 and 22 for zoning relief granted previously in 2014, Case #1486 and Case # 1489.

**13. WILL THE PROPOSED PROJECT INVOLVE DEMOLITION OF ANY EXISTING BUILDINGS OR APPURTENANCES? IF YES, DESCRIBE BELOW.**  
(Please note that any proposed demolition may require review by the Exeter Heritage Commission in accordance with Article 5, Section 5.3.5 of the Exeter Zoning Ordinance).

No

**14. WILL THE PROPOSED PROJECT REQUIRE A "NOTICE OF INTENT TO EXCAVATE" (State of NH Form PA-38)? IF YES, DESCRIBE BELOW.**

No

**NOTICE:** I CERTIFY THAT THIS APPLICATION AND THE ACCOMPANYING PLANS AND SUPPORTING INFORMATION HAVE BEEN PREPARED IN CONFORMANCE WITH ALL APPLICABLE REGULATIONS; INCLUDING BUT NOT LIMITED TO THE "SITE PLAN REVIEW AND SUBDIVISION REGULATIONS" AND THE ZONING ORDINANCE. FURTHERMORE, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 15.2 OF THE "SITE PLAN REVIEW AND SUBDIVISION REGULATIONS", I AGREE TO PAY ALL COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

AGENT  
DATE 5/5/2020 OWNER'S SIGNATURE Jonathan S. Ring, P.E.  
Jonathan S. Ring, P.E.

ACCORDING TO RSA 676.4.I ( c ), THE PLANNING BOARD MUST DETERMINE WHETHER THE APPLICATION IS COMPLETE WITHIN 30 DAYS OF SUBMISSION. THE PLANNING BOARD MUST ACT TO APPROVE, CONDITIONALLY APPROVE, OR DENY AN APPLICATION WITHIN SIXTY FIVE (65) DAYS OF ITS ACCEPTANCE BY THE BOARD AS A COMPLETE APPLICATION. A SEPARATE FORM ALLOWING AN EXTENSION OR WAIVER TO THIS REQUIREMENT MAY BE SUBMITTED BY THE APPLICANT.



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 SEE ATTACHED LIST  
NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
\_\_\_\_\_

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**Please attach additional sheets, if needed**

**ABUTTERS LIST (DIRECT)  
AS OF  
MAY 1, 2020  
FOR  
PRIMROSE SCHOOL  
5 McKAY DRIVE, EXETER, NH  
JBE PROJECT NO. 14101**

Tax Map/Lot No.

Name & Address

**Owner/Applicant:**

55/3 Land Unit 1

Boulders Realty Corp.  
149 Epping Road, Suite 2A  
Exeter, NH 03833

**Abutters:**

55/3 Land Unit 2

Integrity Ventures, Inc.  
21 Red Fox Lane  
Barrington, NH 03825

55/3 Land Unit 3

Colcord Pond Associates, LLC  
80 Nashua Road, Suite 24  
Londonderry, NH 03053

55/4

Nickerson Family Revocable Trust  
Wesley & Gail Nickerson, Jr., Trustees  
14 Cross Road  
Exeter, NH 03833

55/6

Rochelle Realty, LLC  
104 Epping Road, Suite 2  
Exeter, NH 03833

55/9

Kerry Alexander  
3 Colcord Pond Drive  
Exeter, NH 03833

55/10	Diane McCain Jinhyeong Song 5 Colcord Pond Drive Exeter, NH 03833
55/11	Keith Metcalfe 7 Colcord Pond Drive Exeter, NH 03833
55/12	Robert Roland Corey, Jr. Kevin William Kneeland 9 Colcord Pond Drive Exeter, NH 03833
55/13	Raoul & Sandra Mathieu 11 Colcord Pond Drive Exeter, NH 03833
55/14	Ronald Dufresne 114 Garvins Falls Road Concord, NH 03301
55/15	Richard & Kimberly Lefave 15 Colcord Pond Drive Exeter, NH 03833
55/16	Town of Exeter Conservation Commission 10 Front Street Exeter, NH 03833
55/72	John & Gail Perkins 93A Epping Road Exeter, NH 03833
55/74	Petterson Family Revocable Trust Donald & Julieta Petterson, Trustees 150 Pickpocket Road Brentwood, NH 03833
55/75	Felder Kuehl Properties, LLC PO Box 181 Bristol, NH 03222

62/90

Calvary Baptist Church  
12 Little River Road  
Exeter, NH 03833

62/111

Patricia Washburne Revocable Trust  
Patricia Washburne, Trustee  
PO Box 38  
Middleton, NH 03887

62/112

Great Bay Kids Company  
81 New Hampshire Avenue  
Portsmouth, NH 03801

62/114

78 Epping Road, LLC  
78 Epping Road  
Exeter, NH 03833

Engineer/Surveyor:

Jones & Beach Engineers, Inc.  
Attn. Jonathan S. Ring, P.E.  
PO Box 219  
Stratham, NH 03885

Wetland Scientist:

Gove Environmental Services, Inc.  
Attn. James P. Gove, CWS, CSS  
8 Continental Drive, Unit H  
Exeter, NH 03833

Architect:

Casco Corporation  
Attn: Aaron Breker  
12 Sunnen Drive, Suite 100  
St. Louis, MO 63143

Landscape Architect:

Ironwood Design Group, LLC  
Attn: Jeffrey Hyland  
55 Main Street, Suite 129  
Newmarket, NH 03857

Traffic Engineer:

Stephen G. Pernaw & Company, Inc.  
Attn: Stephen Pernaw, PE, PTOE  
PO Box 1721  
Concord, NH 03302



## SITE PLAN REQUIREMENTS

### 7.4 Existing Site Conditions Plan

Submission of this plan will not be applicable in all cases. The applicability of such a plan will be considered by the TRC during its review process as outlined in Section 6.5 Technical Review Committee (TRC) of these regulations. The purpose of this plan is to provide general information on the site, its existing conditions, and to provide the base data from which the site plan or subdivision will be designed. The plan shall show the following:

APPLICANT	TRC	REQUIRED EXHIBITS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.1 Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.2 Location of the site under consideration, together with the current names and addresses of owners of record, of abutting properties and their existing land use.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.3 Title, date, north arrow, scale, and Planning Board Case Number.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.4 Tax map reference for the site under consideration, together with those of abutting properties.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.5 Zoning (including overlay) district references.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.6 A vicinity sketch or aerial photo showing the location of the land/site in relation to the surrounding public street system and other pertinent location features within a distance of 2,000-feet, or larger area if deemed necessary by the Town Planner.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.7 Natural features including watercourses and water bodies, tree lines, significant trees (20-inches or greater in diameter at breast height) and other significant vegetative cover, topographic features, and any other environmental features that are important to the site design process.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.8 Man-made features such as, but not limited to, existing roads, structures, and stone walls. The plan shall also indicate which features are to be retained and which are to be removed or altered.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.9 Existing contours at intervals not to exceed 2-feet with spot elevations provided when the grade is less than 5%. All datum provided shall reference the latest applicable US Coast and Geodetic Survey datum and should be noted on the plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.10 A High Intensity Soil Survey (HISS) of the entire site, or appropriate portion thereof. Such soil surveys shall be prepared by a certified soil scientist in accordance with the standards established by the Rockingham County Conservation District. Any cover letters or explanatory data provided by the certified soil scientist shall also be submitted.



<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.11 State and Federally designated wetlands, setback information, total wetlands proposed to be filled, other pertinent information and the following wetlands note: "The landowner is responsible for complying with all applicable local, state, and federal wetlands regulations, including any permitting and setback requirements required under these regulations."
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.12 Surveyed property lines including angles and bearings, distances, monument locations, and size of the entire parcel. A professional land surveyor licensed in New Hampshire must attest to said plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.13 The lines of existing abutting streets and driveway locations within 200-feet of the site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.14 The location, elevation, and layout of existing catch basins and other surface drainage features.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.15 The shape, size, height, location, and use of all existing structures on the site and approximate location of structures within 200-feet of the site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.16 The size and location of all existing public and private utilities, including off-site utilities to which connection is planned.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.17 The location of all existing easements, rights-of-way, and other encumbrances.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.18 All floodplain information, including the contours of the 100-year flood elevation, based upon the Flood Insurance Rate Map for Exeter, as prepared by the Federal Emergency Management Agency, dated May 17, 1982.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.19 All other features which would fully explain the existing conditions of the site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.20 Name of the site plan or subdivision.



### 7.5 Proposed Site Conditions Plan (Pertains to Site Plans Only)

The purpose of this plan is to illustrate and fully explain the proposed changes taking place within the site. The proposed site conditions plan shall depict the following:

APPLICANT	TRC	REQUIRED EXHIBITS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.1 Proposed grades and topographic contours at intervals not to exceed 2-feet with spot elevations where grade is less than 5%. All datum provided shall reference the latest applicable US Coast and Geodetic Survey datum and should be noted on the plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.2 The location and layout of proposed drainage systems and structures including elevations for catch basins.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.3 The shape, size, height, and location of all proposed structures, including expansion of existing structures on the site and first floor elevation(s). Building elevation(s) and a rendering of the proposed structure(s).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.4 High Intensity Soil Survey (HISS) information for the site, including the total area of wetlands proposed to be filled.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.5 State and Federally designated wetlands, setback information, total wetlands proposed to be filled, other pertinent information and the following wetlands note: "The landowner is responsible for complying with all applicable local, state, and federal wetlands regulations, including any permitting and setback requirements required under these regulations."
<input checked="" type="checkbox"/> N/A	<input type="checkbox"/>	7.5.6 Location and timing patterns of proposed traffic control devices.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.7 The location, width, curbing and paving of all existing and proposed streets, street rights-of-way, easements, alleys, driveways, sidewalks and other public ways. The plan shall indicate the direction of travel for one-way streets. See Section 9.14 – Roadways, Access Points, and Fire Lanes for further guidance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.8 The location, size and layout of off-street parking, including loading zones. The plan shall indicate the calculations used to determine the number of parking spaces required and provided. See Section 9.13 – Parking Areas for further guidance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.9 The size and location of all proposed public and private utilities, including but not limited to: water lines, sewage disposal facilities, gas lines, power lines, telephone lines, cable lines, fire alarm connection, and other utilities.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.10 The location, type, and size of all proposed landscaping, screening, green space, and open space areas.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.11 The location and type of all site lighting, including the cone(s) of illumination to a measurement of 0.5-foot-candle.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.12 The location, size, and exterior design of all proposed signs to be located on the site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.13 The type and location of all solid waste disposal facilities and accompanying screening.



<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.14 Location of proposed on-site snow storage.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.15 Location and description of all existing and proposed easement(s) and/or right-of-way.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.16 A note indicating that: "All water, sewer, road (including parking lot), and drainage work shall be constructed in accordance with Section 9.5 Grading, Drainage, and Erosion & Sediment Control and the Standard Specifications for Construction of Public Utilities in Exeter, New Hampshire". See Section 9.14 Roadways, Access Points, and Fire Lanes and Section 9.13 Parking Areas for exceptions.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.17 Signature block for Board approval

**OTHER PLAN REQUIREMENTS (See Section indicated)**

- 7.7 Construction plan
- 7.8 Utilities plan
- 7.9 Grading, drainage and erosion & sediment control plan
- 7.10 Landscape plan
- 7.11 Drainage Improvements and Storm Water Management Plan
- 7.12 Natural Resources Plan
- 7.13 Yield Plan

# JONES & BEACH ENGINEERS INC.

85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885  
603.772.4746 - JonesandBeach.com

May 5, 2020

Town of Exeter Planning Board  
Attn: Lang Plumer, Chairman  
10 Front Street  
Exeter, NH 03833

**RE: Waiver Request Letter  
Primrose School  
5 McKay Drive, Exeter, NH  
Tax Map 55, Lot 3, Land Unit 1  
JBE Project No. 14101**

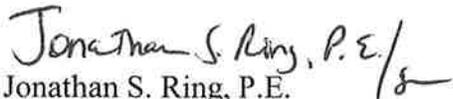
Dear Mr. Plumer:

We respectfully request waivers from the following sections featured in the Site Plan Review and Subdivision Regulations for the Town of Exeter, New Hampshire:

1. **Sections 9.3.6.4 “Grading within 5’ of exterior property line.”** Along the westerly property line there is slope grading within 5’ of the abutter, given the Building, parking field and play ground located west of McKay Drive. Erosion Control Fabric will be used to stabilize the area.
2. **Section 9.13.7.3. “Parking Area Binder Pavement.”** A waiver is requested to allow 2” binder course pavement in the parking area, rather than 3” binder pavement. This parking area is private, not a Proposed Town-maintained public street, with limited vehicle use.

Feel free to contact me if you have any questions or concerns. Thank you very much for your time.

Very Truly Yours,  
**JONES & BEACH ENGINEERS, INC.**

  
Jonathan S. Ring, P.E.  
Senior Project Manager

**PLetter of Authorization**

I, Turner Porter, Boulders Realty Corp., 149 Epping Road, Suite 2A, Exeter, NH 03833, developer of property located in Exeter, NH, known as Tax Map 55, Lot 3, Land Unit 1, do hereby authorize Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH, to act on my behalf concerning the previously-mentioned property. The parcel is located on 5 McKay Drive in Exeter, NH.

I hereby appoint Jones & Beach Engineers, Inc., as my agent to act on my behalf in the review process, to include any required signatures.

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Turner Porter  
Boulders Realty Corp.

5/5/20  
Date

14101

**Letter of Authorization**

I, Turner Porter, Tuck Realty Corp., 149 Epping Road, Suite 2A, Exeter, NH 03833, developer of property located in Exeter, NH, known as Tax Map 55, Lot 3, do hereby authorize Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH, to act on my behalf concerning the previously mentioned property. The parcel is located on 80 Epping Road in Exeter, NH.

I hereby appoint Jones & Beach Engineers, Inc., as my agent to act on my behalf in the review process, to include any required signatures.

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Turner Porter  
Tuck Realty Corp.

  
\_\_\_\_\_  
Date



### WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **DAVID SANDERSON, Successor Trustee of 80 EPPING ROAD REALTY TRUST OF 2005**, created under Declaration of Trust dated May 27, 2005, with a mailing address of 33 Hobbs Road, North Hampton, New Hampshire 03862, for consideration paid, grant to **BOULDERS REALTY CORP.**, a New Hampshire corporation with a place of business at 149 Epping Road, Unit 2, Exeter, New Hampshire 03833, with **WARRANTY COVENANTS**, the following described premises:

A certain parcel of land located in Exeter, County of Rockingham and State of New Hampshire, on the Westerly side of Epping Road (also known as N.H. Route 27) being shown as Map 55, Lot 3 on plan entitled, "Lot Line Adjustment Plan Tax Map 55 Lots 3 and 6, 80 and 104 Epping Road, Exeter, New Hampshire", by Jones & Beach Engineers, Inc., dated April 1, 2004, as revised, and recorded in the Rockingham County Registry of Deeds as Plan No: D-32962, said parcel further bounded and described as follows:

BEGINNING at an iron rod found on the Westerly side of Epping Road and the northerly corner of the within premises; thence running southeasterly along said road along an arc of a curve to the right with a radius of 683.30 feet for a distance of 326.06 feet to an iron rod set at Map 62, Lot 114; thence turning and running S 75° 13' 43" W along said Map 62, Lot 114 a distance of 203.25 feet to an iron rod set; thence turning and running S 09° 26' 04" E still along Map 62, Lot 114 a distance of 118.00 feet to an iron rod set at Map 62, Lot 112; thence turning and running partially along Map 62, Lot 112 and Map 62, Lot 111 the following courses and distances:

Thence S 84° 38' 56" W a distance of 32.89 feet to a point;  
 Thence S 85° 12' 34" W a distance of 48.16 feet to an iron pin found;  
 Thence S 84° 12' 51" W a distance of 37.23 feet to a point;  
 Thence S 85° 59' 23" W a distance of 40.54 feet to a point;  
 Thence S 83° 49' 14" W a distance of 82.92 feet to a point;  
 Thence S 85° 25' 42" W a distance of 22.21 feet to a point;  
 Thence S 87° 19' 55" W a distance of 39.43 feet to a point;  
 Thence S 82° 47' 29" W a distance of 57.60 feet to a point;  
 Thence S 83° 35' 45" E a distance of 52.55 feet to a point;

013807

2016 APR -8 PM 3: 14

ROCKINGHAM COUNTY  
REGISTRY OF DEEDS

Thence S 78° 06' 50" W a distance of 14.85 feet to an iron rod found;

Thence turning and running still along Map 62, Lot 111 the following courses and distances:

S 10° 59' 06" E a distance of 147.72 feet to a point;  
 Thence S 09° 52' 03" E a distance of 53.00 feet to a point;  
 Thence S 11° 51' 20" E a distance of 37.52 feet to a point;  
 Thence S 11° 52' 16" E a distance of 30.07 feet to an iron pin found;

Thence turning and running along Map 62, Lot 90 the following courses and distances:

N 83° 36' 46" W a distance of 141.54 feet to a point;  
 Thence S 84° 01' 44" W a distance of 104.46 feet to a point;  
 Thence N 73° 15' 16" W a distance of 62.72 feet to a point;  
 Thence N 84° 58' 46" W a distance of 180.22 feet to a drill hole found;  
 Thence S 84° 19' 14" W a distance of 86.13 feet to a drill hole found;  
 Thence N 87° 18' 36" W a distance of 44.86 feet to a drill hole found;  
 Thence S 85° 37' 14" W a distance of 47.35 feet to a drill hole found;  
 Thence S 73° 43' 29" W a distance of 32.72 feet to a drill hole found;  
 Thence S 85° 05' 24" W a distance of 84.82 feet to a drill hole found approximately 8 feet from Colcord Pond; thence continuing approximately 8 feet to Colcord's Pond;

Thence turning and meandering along Colcord's Pond to a point lying S 72° 18' 56" W approximately one foot from a drill hole set at a stonewall at Map 55, Lot 15 said course being further defined by a survey tie running N 46° 40' 23" W a distance of 373.22 feet from the prior point to a drill hole set approximately 5 feet from Colcord's Pond and a survey tie running N 31° 37' 04" W from that point a distance of 215.79 feet to a drill hole set at Map 55, Lot 15 a distance of approximately one foot from Colcord's Pond;

Thence turning and running N 72° 18' 56" E along said stonewall and Map 55, Lot 15 a distance of 91.91 feet to a drill hole found; thence running N 85° 19' 09" E along said stonewall and Lot 15 a distance of 20.76 feet to a point; thence running N 72° 45' 23" E along said stonewall and Lot 14 a distance of 176.77 feet to a point; thence running N 57° 55' 45" E along said stonewall and said Lot 13 a distance of 66.48 feet to a point; thence running N 56° 09' 42" E along said stonewall and Lot 13 a distance of 36.12 feet to a point; thence running N 64° 36' 59" E along said Lot 12 a distance of 117.97 feet to a drill hole found; thence running N 62° 27' 02" E along Lots 12, 11 and 10 as shown on said plan a distance of 206.36 feet to an iron rod set;

Thence turning and running along Map 55, Lot 6 the following courses and distances:

S 42° 23' 34" E a distance of 302.55 feet to a 4" Beech;  
 Thence turning and running N 73° 40' 20" E a distance of 300.81 feet to a drill hole set;  
 Thence N 73° 40' 20" E a distance of 3.09 feet to a point;  
 Thence N 71° 05' 06" E a distance of 130.08 feet to a point;

Thence N 81° 57' 08" E a distance of 26.82 feet to a point;  
Thence N 71° 18' 45" E a distance of 90.34 feet to a point;  
Thence N 71° 12' 15" E a distance of 109.18 feet to point;  
Thence N 58° 15' 36" E a distance of 15.99 feet an iron rod found at the point of beginning.

Containing 16.64 acres, more or less.

Being the same premises conveyed to THE 80 EPPING ROAD REALTY TRUST OF 2005 by Warranty Deed of Rochelle Realty, L.L.C. dated August 18, 2005 and recorded in the Rockingham County Registry of Deeds at Book 4536, Page 1431 and by Warranty Deed of Patrick E. Markie, Jr., David J. Markie, and Brenda J. DeMaria dated May 27, 2005 and recorded in the Rockingham County Registry of Deeds at Book 4487, Page 2312.

**TRUSTEE CERTIFICATE**

The undersigned, **DAVID SANDERSON**, as Trustee of **THE 80 EPPING ROAD REALTY TRUST OF 2005**, do represent and certify as follows:

1. I am the only Trustee under said trust.
2. I became the sole Trustee upon the resignation of John S. Kopka III and my appointment as replacement. See Appointment of Successor Trustee, 80 Epping Road Realty Trust of 2005 dated November 9, 2006 and recorded in the Rockingham County Registry of Deeds at Book 4744, Page 1327.
3. The Trust has not been revoked, terminated or amended.
4. The Trust is the owner of certain land described above and located in Exeter, County of Rockingham, State of New Hampshire, (the "Premises").
4. The Trustee is specifically enabled by the Declaration of Trust to sell real property thereof at private sale, has full and absolute power in said trust and no purchaser or third party shall be bound to inquire whether the Trustee has said power or is properly exercising said power or to see to the application of any Trust asset paid to the Trustee for a conveyance thereof.
5. No beneficiary is a minor, a corporation selling all or substantially all its New Hampshire assets, or personal representative of an estate subject to estate tax liens, or is now deceased or under any legal disability.

This is not homestead property.

Witness my hand this 8<sup>th</sup> day of April, 2016.

Stephanie A. Guy

Witness  
STATE OF NEW HAMPSHIRE  
ROCKINGHAM, SS

THE 80 EPPING ROAD REALTY TRUST OF  
2005

By: David Sanderson  
DAVID SANDERSON, Successor Trustee

April 8, 2016

Personally appeared DAVID SANDERSON, Successor Trustee of THE 80 EPPING ROAD REALTY TRUST OF 2005, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and that he, being authorized so to do, executed the foregoing instrument on behalf of the trust for the purposes therein contained.

Before me,

Stephanie A. Guy

Notary Public  
My Commission Expires





**MEMORANDUM**

Ref: 1985A  
To: Michael Garrepy  
From: Stephen G. Pernaw, P.E., PTOE  
Subject: Proposed Primrose School  
Exeter, New Hampshire  
Date: March 30, 2020

At your request, Pernaw & Company, Inc. has conducted this parking generation analysis for the proposed Primrose School building that will be located adjacent to the Epping Road/McKay Drive intersection in Exeter, New Hampshire. The plan entitled “*Site & Utility Plan,*” Sheet C-3, dated 3/18/20 (no revisions) that was prepared by Jones & Beach Engineers, Inc. (see Attachment 1) indicates that the school building will have a gross floor area of 13,000 sf, a capacity for 194 students, and a staff size up to 30 persons.

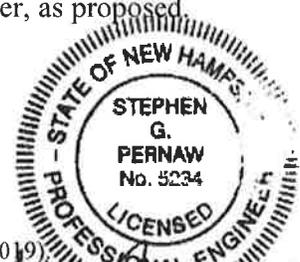
The following analysis is based on the publication entitled “*Parking Generation,*” an Informational Report of the Institute of Transportation Engineers (ITE)<sup>1</sup>. The most applicable land use category is Land Use Code (LUC) 565 – Day Care Center. According to the ITE definition, these facilities typically care for preschool-age children and include classrooms, offices, meeting areas and playgrounds. Many also provide after-school care for school-age children. This database contains “Peak Period Parking Demand” rates for several independent variables: gross floor area (1,000 sf), number of students, and/or number of employees. The following table summarizes the results of this analysis and indicates that approximately 39 parking stalls will be occupied during peak weekday periods.

	<u>Independent Variable</u>	<u>Parking Generation Rate</u>	<u>Parking Demand</u>
Estimate A (gross floor area method):	13 1,000 sf	2.45 veh / 1,000 sf	32 parked vehicles
Estimate B (student method):	194 students	0.24 veh / student	47 parked vehicles
Estimate C (employee method):	30 employees	1.22 veh / employee	37 parked vehicles
<b>AVERAGE</b>			<b>39 parked vehicles</b>

Pernaw & Company, Inc. typically recommends that the anticipated parking demand at a site be increased by +10% in order to provide a convenient/efficient parking supply (43 stalls). It is my professional opinion that the proposed site plan that shows 61 parking stalls (including 3 accessible spaces), will be sufficient for the Primrose School building in Exeter, as proposed.

Attachments

<sup>1</sup> Institute of Transportation Engineers, *Parking Generation*, 5<sup>th</sup> edition (Washington, D.C., 2019)  
1985A



*Stephen G. Pernaw* 3/30/20

## **ATTACHMENTS**



# Day Care Center (565)

**Peak Period Parking Demand vs: 1000 Sq. Ft. GFA**

**On a: Weekday (Monday - Friday)**

**Setting/Location: General Urban/Suburban**

Peak Period of Parking Demand: 8:00 a.m. - 6:00 p.m.

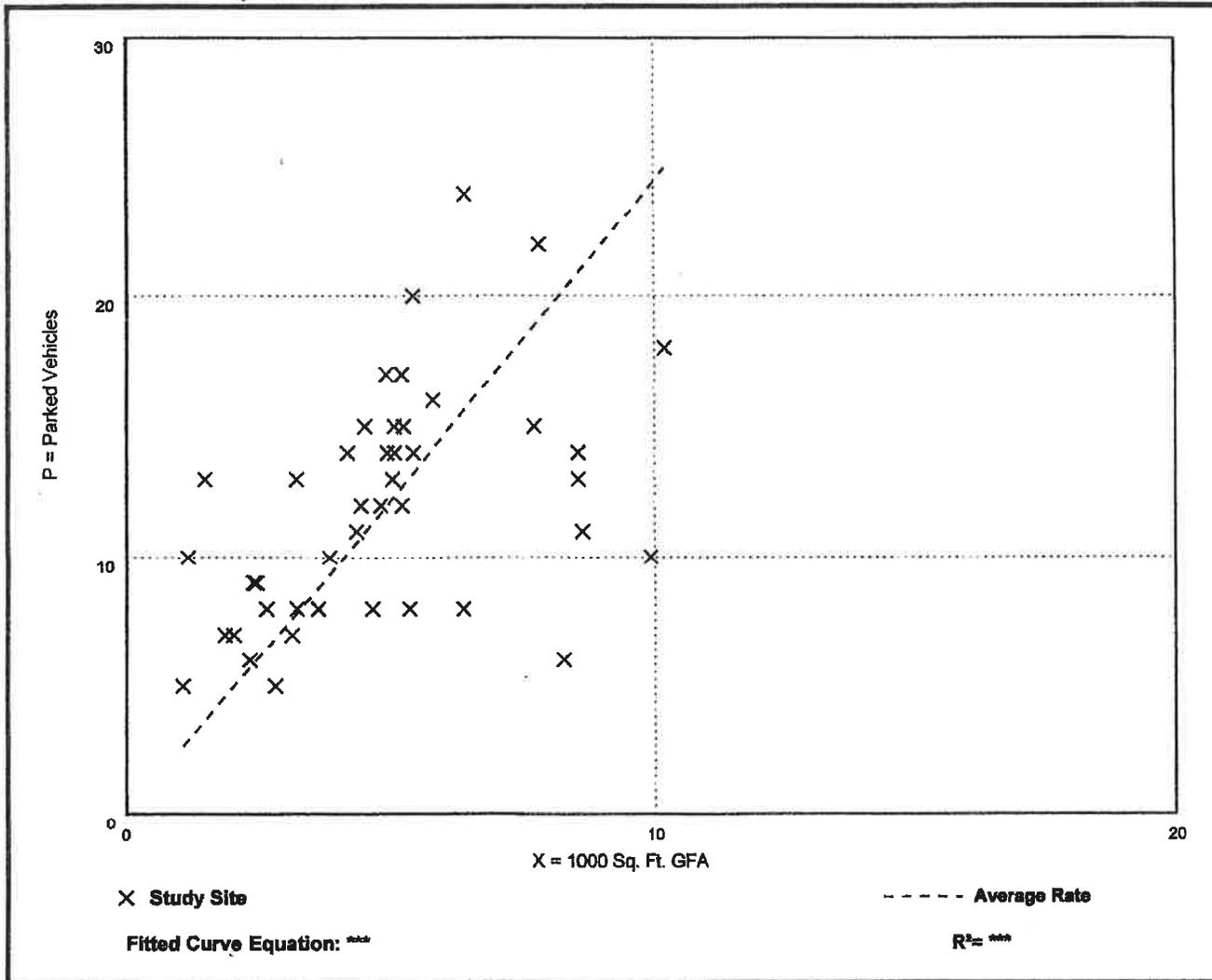
Number of Studies: 45

Avg. 1000 Sq. Ft. GFA: 5.0

## Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
2.45	0.73 - 8.67	2.35 / 3.74	2.12 - 2.78	1.12 ( 46% )

## Data Plot and Equation



# Day Care Center (565)

## Peak Period Parking Demand vs: Students

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 8:00 a.m. - 6:00 p.m.

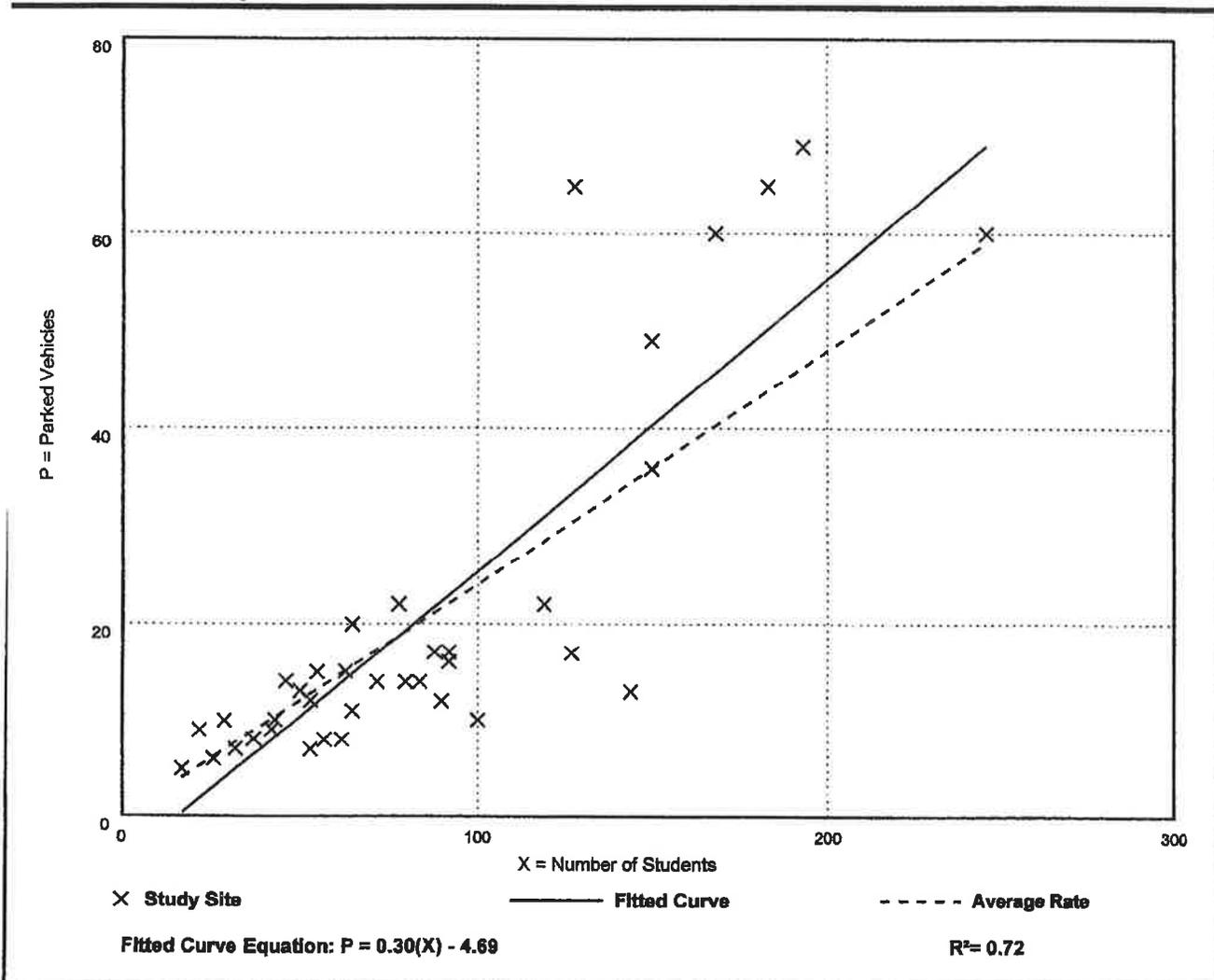
Number of Studies: 39

Avg. Num. of Students: 85

## Peak Period Parking Demand per Student

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.24	0.09 - 0.51	0.19 / 0.34	0.21 - 0.27	0.10 ( 42% )

## Data Plot and Equation



# Day Care Center (565)

## Peak Period Parking Demand vs: Students

On a: **Weekday (Monday - Friday)**

**Setting/Location: General Urban/Suburban**

Peak Period of Parking Demand: 8:00 a.m. - 6:00 p.m.

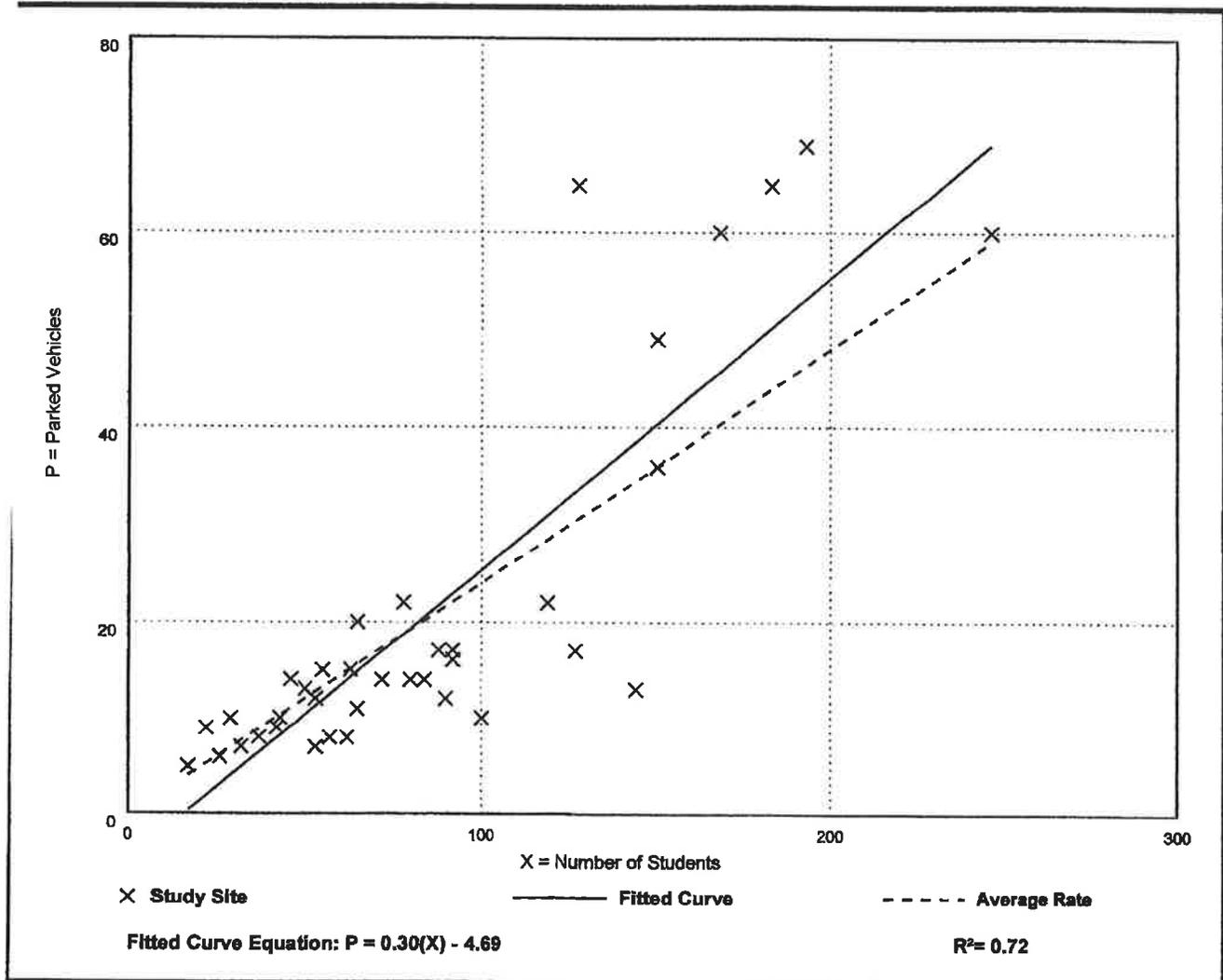
Number of Studies: 39

Avg. Num. of Students: 85

## Peak Period Parking Demand per Student

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.24	0.09 - 0.51	0.19 / 0.34	0.21 - 0.27	0.10 ( 42% )

## Data Plot and Equation



# TOWN OF EXETER

## *Planning and Building Department*

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

[www.exeternh.gov](http://www.exeternh.gov)

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**Date:** June 8, 2020 (*corrected 6/11/20*)

**To:** Mike Garrepy, Tuck Realty Corp.  
Jonathan Ring, P.E., Jones & Beach Engineers  
Matt Taylor, Primrose School

**From:** Dave Sharples, Town Planner

**Re:** Tuck Realty Corp. 5 McKay Drive TM# 55-3.1 PB Case #20-8

The following comments are provided as a follow-up to the TRC Meeting held on May 28<sup>th</sup>, 2020 for the above-captioned project:

### **TOWN PLANNER COMMENTS**

1. Provide a plan that overlays the previous approved plan (buildings, grading, etc.) onto this plan to determine what approvals are needed for this plan. Once this is complete I may have additional comments at that time;
2. Provide a memo from a traffic engineer on impact of change traffic from a daycare from an office that was originally proposed;
3. Please check previous waivers to insure that additional waivers from the same section are not required. For example, if a waiver was granted for the prior plan for parking islands but only one was shown on the prior plan and this plan shows two then you will need a waiver for this provision;
4. Show on plans where different types of curbing begins and ends;
5. Sign (placement, size, etc.) needs separate approval through the Building Department;
6. Describe any drainage changes between this proposal and the approved project and verify that the design meets the current Town stormwater regulations;
7. Provide rationale for 18 additional parking stalls than what Mr. Pernaw states is required in his March 20, 2020 letter which includes a 10% increase to the average. If you do not need the additional parking as you stated at the TRC meeting, you can show an area on the plans where you could build it at a later date if needed;
8. Consider examining traffic flow and making the first entrance (northerly) to the site a right turn in only as this would limit conflicts with the Aroma Joe's entrance and may improve internal site circulation for drop off/pick ups;

9. Please confirm that all lighting fixtures listed in the Schedule on the Site Lighting Layout plan are down lit and shielded so no direct light (the source) shall be visible from adjacent properties or public right-of-ways;
10. The Cover Sheet lists approval numbers of state and federal permits received. Do any of these permits needed to be updated since the site layout has changed? And,
11. Confirm that all plantings do not conflict with utilities, underground piping, etc.,.

### **PUBLIC WORKS DEPARTMENT COMMENTS**

The following comments are based on the plans submitted to the Planning Department on May 5, 2020.

1. Provide a Stormwater O&M plan as a separate document that addresses the maintenance of the drainage system after construction and should include a plan that labels all of the drainage features and snow storage areas. Add any notes regarding winter maintenance on the porous pavement.
2. Provide an updated traffic analysis, including a review of onsite traffic circulation. The Aroma Joe's driveway is difficult to make a right turn out of without crossing into the oncoming travel lane. The proposed driveway shown across from that will likely have backups due to conflicting turn movements.
3. The traffic analysis and anticipated sewer flow calculations show different occupancy totals.
4. Provide an updated Preliminary Application to Connect to Water, Sewer, and Drainage.
5. Details:
  - a. Painted traffic arrows should be white.
  - b. Provide detail of how will cape cod berm curb be installed on existing pavement.
  - c. The southern driveway appears to be at a 6% slope. Review grading to see if this can be reduced and provide spot grades for the area.

### **FIRE DEPARTMENT COMMENTS**

No comments received

### **NATURAL RESOURCE PLANNER COMMENTS**

Based on hardcopy plans dated received May 5, 2020, I have the following comments with regard to natural resources.

1. Stormwater: Though porous pavement is effective at pollutant attenuation when properly maintained, given the use and the high likelihood of heavy sanding/salting, I am concerned over time the effectiveness of pollutant removal will be drastically

reduced. Please ensure O&M agreement in place and add signage onsite indicating porous pavement for plow/sand/salt contractors.

2. Geotextile Fabric: Stabilization control fabric should be constructed of natural fibers such as coconut fiber or jute absent of photo-degradable plastic. The brand cited carries both types. Add condition/note on plan that only natural fibers may be used.
3. Landscaping Plan: There does not appear to be any seeding/treatment over the section where the boulders will be removed along the wetland buffer.
4. Lighting: Regulations require lighting to be downshielded and dark sky compliant. Add note and modify light scheme. Currently designs include uplighting of the flag/flagpole.

2559.00

June 5, 2020

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

**Re: *Primrose School***  
***Design Review Engineering Services***  
Exeter, New Hampshire

**Site Information:**

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Tax Map/Lot#:	55/3 Land Unit 1
Address:	5 McKay Drive
Lot Area:	2.30 ac
Proposed Use:	Child Day Care
Water:	Town
Sewer:	Town
Zoning District:	C-2
Applicant:	Tuck Realty Corporation, Exeter, NH
Design Engineer:	Jones & Beach Engineers

Review No. 1

**Application Materials Received:**

- Site plan set entitled “Primrose School of Exeter” dated May 5, 2020, prepared by Jones & Beach Engineers.
- Revised landscape plans L2 and L3 dated May 27, 2020, prepared by Ironwood Design Group.
- Site plan application materials prepared by Jones & Beach Engineers.
- Drainage Analysis Sediment and Erosion Control Plan dated May 5, 2020, prepared by Jones & Beach Engineers.

Dear Mr. Sharples:

Based on our review of the above information, in addition to comments provided by the Town, we offer the following comments in accordance with the Town of Exeter Regulations and standard engineering practice. Please note we have no comments about running movements into and out of McKay Drive. We are aware a traffic study by others is underway for the Epping Road corridor, including this section of Epping Road.

General and Administrative Comments

1. Sewer Connection Permit: The applicant had previously obtained a permit as part of the larger development of the entire parcel in 2016. The permit has expired, and the design flow from this portion of the parcel may be different from the earlier design flow. Please consult with the NHDES regarding the possible need for an extension or modification of the original permit. Correspondence should be forwarded to the Town.
2. Alteration of Terrain Permit: The applicant had previously obtained a permit as part of the larger development of the entire parcel in 2016. The permit will expire in February of 2021. Due to the change in design, please consult with the NHDES regarding the possible need for a modification of the original permit. The Town should be copied on the correspondences with NHDES.
3. A Stormwater Operation and Maintenance Plan should be submitted that includes porous pavement maintenance information that is shown on sheet D4.

Cover Sheet and Existing Conditions

4. The locus plan should show McKay Drive and a north arrow should be added.
5. The permit expiration dates should be listed.
6. Note 3 on sheet C1 indicates utilities shown located by field survey, and the design plans for McKay Drive are listed under Plan References. Please indicate if the record drawing information from the McKay Drive project was used as well to determine location and depth information for existing utilities.

Site Plan

7. The geotechnical report references a site plan prepared by CASCO+R5 in Missouri, which appears to be the basis of this site layout. If the initial site layout was prepared by Others, this plan should be referenced.
8. Please fill in the building coverage and open space information in note 2 on sheet C2.
9. Parking Layout:
  - The ADA parking spots are shown with an 8' width, where 9' width is required by the Town of Exeter. A waiver request should be submitted.
  - Is an ADA van spot required? if so, one should be designated as such.
  - All other spaces are shown as 9'x19'. Will the school have a van or small bus for field trips that requires a larger dedicated parking spot?
10. Driveway radii are shown mainly as 20' and 15'. Please confirm this site layout will accommodate all fire truck turning movements while assuming the parking spaces are occupied. This should also be confirmed with the Town of Exeter Fire Department.
11. A retaining wall is shown, but no details for the retaining wall are included. Please add details that indicate material, drain locations, tie-backs, etc.
12. The connection of the proposed sidewalk to the existing sidewalk along Epping Road appears to require further definition including potentially the need to reconstruct the existing tip-down and level landing for conformance.



Drainage and Grading Plan

13. Please add the site disturbance area in Note 27.
14. The erosion control fabric specified for slopes calls for netting that is polypropylene photodegradable, which is a synthetic plastic. While this type of material is more environmentally friendly than some, wildlife-friendly materials such as mats with 100% woven natural organic fiber netting should be considered.
15. A legend should be added.
16. The location of the porous pavement signs should be shown on the plans.
17. The ESHWT at TP 1 is at 20" below existing grade, which is approximately 75.2+/- in that location. This puts the ESHWT at approximately 73.5, which is above the finished grade of 73.2. At TP 3, assuming an average ESHWT of 18", the ESHWT is at approximately elevation 71.5, which is below the finished grade but above the elevation needed for excavation for the porous pavement materials. Notes and details, as applicable, should be included to address dewatering, including a proposed location for a dewatering outlet.
18. The designer may want to consider including standard deep sump catch basins and drainage grates within the porous asphalt (PA) surface and connected to the underdrain system. The PA surface should be graded to direct surface runoff to these catch basins. This will provide additional drainage capacity in the event the PA surface becomes clogged over time.
19. Cleanouts should be included at underdrain corners and in the middle of underdrain runs greater than 100-ft.
20. A qualified and experienced PA installer should be sought due to the complexity of the PA design. Separation between the ESHWT and the PA subbase materials should be maintained around the perimeter of the system. As noted in #17 above, some locations indicate an ESHWT above finished grade, this condition should be avoided. Review of the clay liner material specifications and following installation procedures are integral to the intended function and treatment capacity of this design. The Typical PA Pavement Section notes (Dwg. D3) and Construction Specification for PA Pavement notes (Dwg. D4) are well written and should be carefully reviewed and understood prior to construction.
21. The post-construction maintenance of the porous asphalt surface is key to the anticipated lifespan and stormwater treatment capacity of the system. The Maintenance Specifications for PA Pavement notes (Dwg. D4) should be carefully reviewed and understood by the owner prior to approving installation of a porous asphalt system.
22. In light of the concerns regarding the viability of the porous pavement as a stormwater treatment and mitigation tool on this site due to the ESHWT, and to preserve the review budget, UE has only performed a cursory review of the drainage report. Within the limits of the cursory review, we offer the following for consideration:
  - It appears that project is using (at least a portion of) the previously developed pre-development model from prior to some the adjacent development occurred. UE understands the efficiency and attractiveness of this and the need for continuity as the site development is attempting to work within the limits of the existing AOT



permit, however not presenting the post-development model in its entirety (essentially as it is built or was designed and permitted), reflective of the adjacent now developed site(s), requires that those elements of the drainage analyses contributed net zero or negative Qs across all storm events. Perhaps that is the case, but the report doesn't verify it.

- A number of nodes in the drainage model have been renamed but represent the same point, the most obvious is 1R in this model was 2R in a previous model(s) and 2R in this model was previously 3R in the past. If the project is going to move forward as an extension of the previously approved AOT, the applicant might want to consider numbering points and laying out the schematic routing diagram as close to the previously approved version as possible. Although not required, the applicant may wish to consider providing a copy of the drainage model that was approved by AOT, UE has a copy of the 2016 versions in our file, but we can not confirm that is the approved final version.
- We question the reliability of comparing the extremely simple pre-development model to a relatively complex post-development model. While it is typical that a pre-models are simpler than the post-, these two models may be too far divergent for accurate comparisons. There are several examples where the two models could be modified to be more consistent with each other, the one that jumped out to us is the use of reach 5R in the proposed model. If the flow is overland through a condition represented by 5R in the post-development condition, isn't flow similarly overland in the pre-development condition.

#### Utility Plan

- 23.** The bend required at the water connection to the existing stub should be labeled.

#### Lighting and Landscaping Plans

- 24.** The lighting plan does not appear to take the flagpole light that is shown on sheet A7.1 into account. Please add a note regarding the effect that light will have on the site, if any.
- 25.** The retaining wall should be shown on the landscape plan. Several trees and shrubs are shown in the area of the retaining wall, but it is unclear if they will be at the top or the bottom of the wall.
- 26.** The slope along the western side has no hatching to indicate what type of seeding should be used. This should be added to the landscape plan.

#### Detail Sheets

- 27.** The Grading and Drainage Plan indicates a 1% slope outside of the pad, but it is unclear if the pad itself is level or sloped. This should be indicated on sheet A7.1.
- 28.** Details not applicable to this project, such as a hydrant, should be removed from the sheets.
- 29.** A 12" dimension appears on the Slope Granite Curb detail that does not appear to connect to anything. Please confirm the intent.



30. Although we acknowledge the porous pavement section detail shown on D3 is a typical section, the ESHWT will not have the clearances shown. The label should be revised to indicate the ESHWT varies and reference the test pit logs.

Stormwater Design and Modeling

31. **PTAP Database:** The Applicant is requested to enter project related stormwater tracking information contained in the site plan application documents using the Great Bay Pollution Tracking and Accounting Program (PTAP) database ([www.unh.edu/unhsc/ptapp](http://www.unh.edu/unhsc/ptapp)).

A written response is required to facilitate future reviews. Please contact us if you have any questions.

Very truly yours,  
UNDERWOOD ENGINEERS, INC.

  
Allison M. Rees, P.E.  
Project Manager



Robert J. Saunders, P.E.  
Senior Project Engineer



2559.00

August 7, 2020

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

**Re: Primrose School**  
**Design Review Engineering Services**  
Exeter, New Hampshire

**Site Information:**

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Tax Map/Lot#:	55/3 Land Unit 1	Review No. 2
Address:	5 McKay Drive	
Lot Area:	2.30 ac	
Proposed Use:	Child Day Care	
Water:	Town	
Sewer:	Town	
Zoning District:	C-2	
Applicant:	Tuck Realty Corporation, Exeter, NH	
Design Engineer:	Jones & Beach Engineers	

**Application Materials Received:**

- Response letter prepared by Jones & Beach Engineers, dated June 23, 2020.
- Revised Site plan set entitled "Primrose School of Exeter" revised July 9, 2020 prepared by Jones & Beach Engineers.
- Stormwater O&M Manual, prepared by Jones & Beach Engineers, dated June 23, 2020.
- Site plan application materials prepared by Jones & Beach Engineers.
- Traffic Memo prepared by Stephen G. Pernaw dated June 23, 2020.
- Alteration of Terrain application package, signed July 9, 2020

Dear Mr. Sharples:

Based on our review of the above information, in addition to comments provided by the Town, we offer the following comments in accordance with the Town of Exeter Regulations and standard engineering practice. Please note we have no comments about turning movements into and out of McKay Drive. We are aware a traffic study by others is underway for the Epping Road corridor, including this section of Epping Road.

General and Administrative Comments

1. Sewer Connection Permit: No Exception Taken

2. Alteration of Terrain Permit: No Exception Taken
3. No Exception Taken

Cover Sheet and Existing Conditions

4. No Exception Taken
5. It is noted the permits will be amended, however, expiration dates, if available at the time of the Final plan set, should be added to the Final set in the event of unforeseen circumstances delaying all or part of construction for an extended period of time.
6. Noted.

Site Plan

7. Noted.
8. No Exception Taken
9. Parking Layout:
  - We defer to the Planning Board for a decision on the ADA parking dimensions.
  - No Exception Taken.
  - No Exception Taken
10. We defer to any comments provided by the Fire Department.
11. Noted, however, a note should be added to the plan to indicate that the property line should be well marked prior to construction in places without stone walls, and maintained, due to the grading and plantings that will occur right up to the property line.
12. This comment was not addressed. The connection of the proposed sidewalk to the existing sidewalk along Epping Road appears to require further definition including potentially the need to reconstruct the existing tip-down and level landing for conformance. Please also see Additional Comment 12.b. below.

Drainage and Grading Plan

13. No Exception Taken
14. No Exception Taken
15. No Exception Taken
16. No Exception Taken
17. No Exception Taken regarding dewatering. However, please see Additional Comment 17b below.
18. Deep sump catch basins – acknowledged, but our original comment still stands.
19. No Exception Taken
20. No Exception Taken
21. No Exception Taken
22. Response noted – the Review 1 comments were largely intended to clarify the Applicant's intended approach toward achieving (revised) AOT approval. Underwood has reviewed the AOT revision and will defer further comments to the Department of Environmental Services.



Utility Plan

23. No Exception Taken

Lighting and Landscaping Plans

24. No Exception Taken

25. No Exception Taken

26. No Exception Taken

Detail Sheets

27. No Exception Taken

28. No Exception Taken

29. No Exception Taken

30. No Exception Taken

31. One accessible curb ramp detail portrays detectable dome tops and the other does not. The Applicant should confirm with the Town where DWDs are required and depict on the plan and details accordingly.

32. The Handicap Parking Layout:

- makes no accommodation for a wheel stop at the head of parking spots (adjacent to a sidewalk). The site plan, however, indicates that the curb ramps are present at the head of all three spaces which may partially satisfy the need for a wheel stop.
- indicates that the sign location is at the discretion of the Owner. Based on the site plan, it appears that the signs, in this case, should be installed just behind the curb and not on the backside of the sidewalk. With only a partial wheel stop, the Applicant may wish to consider installing bollards with the sign extending from them rather than just the U-Channel post.

Kindly coordinate the detail as needed to clarify the intent.

Stormwater Design and Modeling

33. **PTAP Database:** No Exception Taken.

Additional Comments

12.b. It appears there are two different symbols for curb ramps. One has a single diagonal line and the other shows an "X". Does this indicate different types of ramps? Please label and/or clarify. It was discussed at the TRC meeting that the Town does not want detectable warning domes at the driveways.

17.b. The PA design includes a perimeter 6" clay liner to maintain an impermeable layer between the PA system and surrounding native materials. In areas with an ESHWT at or above finish grade the impermeable liner may impede natural groundwater flow, which may result in directing groundwater around the PA system towards unintended



locations. Through inspection of surface grades, groundwater could be directed towards McKay Drive. Has there been some consideration of managing the groundwater outside of the PA system boundary? Installation of an underdrain at the base of the clay liner beyond the limits of the PA system and connecting into existing or proposed drainage at the south end of the site may help to control groundwater.

34. The Utility Plan depicts an existing water service entering the project site approximately 40' northeast of the second driveway. It appears the service will no longer be required, please confirm. If this is the case, please add a note stating the service must be abandoned at the main per DPW requirements.
35. The SMH in front of the project appears to have an orphaned line between the forcemain and the line intended for the project use, please confirm. If this is the case, please add a note stating the service must be abandoned at the structure per DPW requirements.
36. Per comment 35 above, both of the sewer lines appear to have a clean-out installed at the end. Is the clean-out to be maintained/re-installed on the line to be used. If so, please provide a detail for an in-line sewer clean-out and confirm with the Town where the clean-out is to be installed relative to the ROW.

A written response is required to facilitate future reviews. Please contact us if you have any questions.

Very truly yours,  
UNDERWOOD ENGINEERS, INC.

*Allison M. Rees*

Allison M. Rees, P.E.  
Project Manager



Robert J. Saunders, P.E.  
Senior Project Engineer





**TRAFFIC IMPACT ASSESSMENT – ADDENDUM 2  
PROPOSED MIXED-USE DEVELOPMENT  
EXETER, NEW HAMPSHIRE  
JUNE 23, 2020**

**BACKGROUND**

On March 6, 2015 our office published the report entitled “*Traffic Impact Assessment – Proposed Mixed-Use Development*” at 80 Epping Road in Exeter, New Hampshire for Tuck Realty Corporation. Since then, the development proposal has changed, and much of it has been constructed. At the request of Tuck Realty Corporation and Boulders Realty Corporation, our office has prepared this addendum to address the recent changes to the commercial portion of the site, including the proposed Primrose School. This addendum updates the overall trip generation characteristics of the site, as well as the study findings and recommendations in the initial traffic study.

**CURRENT DEVELOPMENT PROPOSAL**

Primrose School is a family of accredited, early childhood education providers that offers child care and preschool programs for children in a safe and nurturing environment. The proposed school in Exeter will have a gross floor area of 13,000 sf, a capacity for 194 students, and a staff size up to 30 persons. Following table documents the changes in the development proposal.

	Original Development Proposal	Current Development Proposal	Change	Current Status
Retail Space (sf)	15,000	0	-15,000	Retail eliminated
Office Space (sf)	10,000	0	-10,000	Office eliminated
Apartments (units)	91	91	0	Occupied
Aroma Joe's	NO	YES	-	Occupied
Primrose School (sf)	NO	13,000	13,000	Proposed

According to the proposed “Site Plan” (see Attachment 1), access to the site is proposed via two driveways on McKay Drive: the easterly driveway will be restricted to an “entrance-only” driveway (located directly across from the existing Aroma Joe’s driveway) and the westerly driveway will be a full-access driveway located approximately 250-feet further to the west.

**EXISTING TRAFFIC VOLUMES**

According to a recent short-term NHDOT automatic traffic recorder count conducted on NH27 (north of NH111A), this section of NH27 carried a (pre-COVID-19) Annual Average Daily Traffic (AADT) volume of 10,661 vpd (vehicles per day) in 2019 (see Attachment 2). In 2015, when traffic counts for the initial “*Traffic Impact Assessment*” were conducted, the AADT was 10,527 vpd at this count station. This means the 1.0% annual growth rate used in the initial traffic study over-stated the anticipated growth on this corridor (see Attachment 3). Therefore, the traffic projections in the initial traffic study are conservative, on the high side.

## TRAFFIC GENERATION

The trip generation estimates contained in the original traffic study have been updated using the latest edition of the ITE *"Trip Generation Manual"* (10<sup>th</sup> Edition) for the existing apartments and the proposed Primrose School. The trip estimates for the drive-through coffee shop were previously determined using the volume of traffic on NH27 and peak-period "capture" rates (see Addendum One). The updated trip generation estimates for the subject site are summarized on Table 1 below.

**Table 1**      **Trip Generation Summary - Addendum 2 (6/19/20)**

	Primrose School <sup>1</sup>	Apts <sup>2</sup> (91 Units)	Aroma Joe's <sup>3</sup>	Total	Trip Composition	
					Primary Trips	Pass-By / Diverted Trips <sup>4</sup>
<b>Weekday Total (24 hours)</b>						
Entering	336 veh	247 veh	480 veh	1,063 veh	-	-
Exiting	<u>336 veh</u>	<u>247 veh</u>	<u>480 veh</u>	<u>1,063 veh</u>	-	-
Total	672 trips	494 trips	960 trips	2,126 trips	-	-
<b>Weekday AM Peak Hour</b>						
Entering	73 veh	8 veh	59 veh	140 veh	49 veh	91 veh
Exiting	<u>65 veh</u>	<u>23 veh</u>	<u>59 veh</u>	<u>147 veh</u>	<u>56 veh</u>	<u>91 veh</u>
Total	138 trips	31 trips	118 trips	287 trips	105 trips	182 trips
<b>Weekday PM Peak Hour</b>						
Entering	63 veh	24 veh	19 veh	106 veh	51 veh	55 veh
Exiting	<u>72 veh</u>	<u>16 veh</u>	<u>19 veh</u>	<u>107 veh</u>	<u>52 veh</u>	<u>55 veh</u>
Total	135 trips	40 trips	38 trips	213 trips	103 trips	110 trips

<sup>1</sup>ITE Land Use Code 565 (10th Edition) - Day Care Center (average result using gfa, students and employees as independent variables)

<sup>2</sup>ITE Land Use Code 221 (10th Edition) - Multifamily Housing / Mid-Rise (trip equation method)

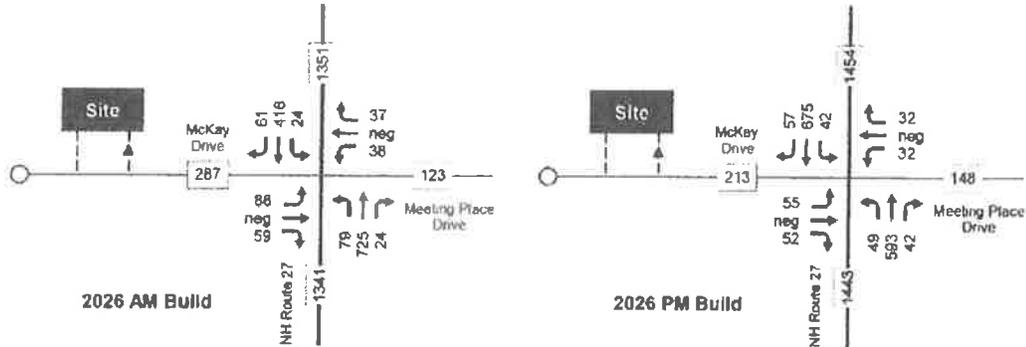
<sup>3</sup>Capture Rate Method = 4.5%(AM), 135% PM applied to 2026 No Build traffic projections

<sup>4</sup>Pass-by trip percentage = 89%(ITE LUC 938); diverted trip diversion = 56%(LUC 565)

When compared with the initial *"Traffic Impact Assessment"* the current development proposal will generate approximately +211 (AM) and +86 (PM) additional vehicle-trips during the weekday morning and evening peak hour periods. The trip generation computations are attached (see Attachments 4 & 5). Attachment 6 summarizes the distribution of primary and pass-by trips at the subject intersection with the proposed Primrose School in full operation.

**SUPPLEMENTAL BUILD TRAFFIC PROJECTIONS**

The initial "Traffic Impact Assessment" included long-range 2026 Build traffic projections for the NH27/McKay Drive/Meeting Place Drive intersection that reflected full buildout of the development project on Meeting Place Drive. Those traffic projections have been updated to reflect the proposed Primrose School project, as follows:



**STUDY FINDINGS AND RECOMMENDATIONS**

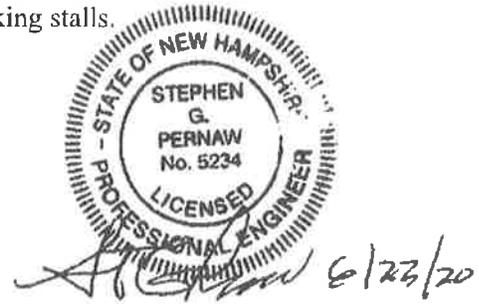
The recommendations summary found on Exhibit 1 (dated 3/5/15) in the original study remains valid with the current development proposal. NH27 was previously widened to provide an exclusive northbound left-turn lane for vehicles entering McKay Drive, and McKay Drive was constructed with two departure lanes. The existing shared through-right lane on NH27 for vehicles entering McKay Drive is sufficient for the anticipated traffic volumes with Primrose School (see Attachments 7 & 8).

**INTERNAL TRAFFIC CIRCULATION**

This addendum includes a review of the site plan in terms of internal traffic circulation, as requested by the Department of Public Works. The layout of the main parking field that parallels McKay Drive is straightforward with a two-way traffic aisle and site driveways at each end. There is also a short dead-end traffic aisle that parallels NH27. Although dead-end aisles are not ideal, in this case it is relatively short, and extra maneuvering space is provided at the end of the traffic aisle for those backing out from the two most northerly parking stalls. Further, most who are destined for the site will be regular users, who will become quite accustomed to navigating through the site; whether they be employees or parents.

The dead-end aisle area is an ideal location for employee parking, where the parking turn-over rate is low. Posting signs to this effect will discourage unnecessary travel in this area. Drawing No. C2 (see Attachment 9) demonstrates that a fire truck can reach the end of the dead-end aisle (if needed), and reverse direction without encroaching on any parking stalls.

Attachments







Transportation Data Management System

List View All DIRs

Record	2619	of 5743	Goto Record	go
Location ID	82153103	MPO ID		
Type	SPOT	HPMS ID		
On NHS	No	On HPMS	No	
LRS ID	S0000027	LRS Loc Pt.		
SF Group	04	Route Type		
AF Group	04	Route	NH 27	
GF Group	E	Active	Yes	
Class Dist Grp	Default	Category	3	
Seas Class Grp	Default			
WIM Group	Default			
QC Group	Default			
Funct'l Class	Minor Arterial	Milepost		
Located On	Epping Rd			
Loc On Alias	NH 27 (EPPING RD) NORTH OF NH 111A (BRENTWOOD RD)			
More Detail				
STATION DATA				

Directions: 2-WAY

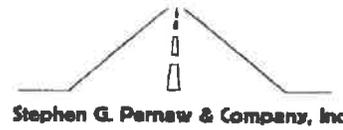
Year	AADT	DHV-30	K %	D %	PA	BC	Src
2019	10,661	1,099	10		9,766 (92%)	895 (8%)	
2018	11,933 <sup>3</sup>		9		11,001 (92%)	932 (8%)	Grown from 2017
2017	11,699 <sup>3</sup>		9		10,856 (93%)	843 (7%)	Grown from 2016
2016	11,470	1,082	9		10,461 (91%)	1,009 (9%)	
2015	10,527 <sup>3</sup>						Grown from 2014

> >> 1-5 of 13

Model Year	Model AADT	AM PHV	AM PPV	MD PHV	MD PPV	PM PHV	PM PPV	NT PHV	NT PPV
------------	------------	--------	--------	--------	--------	--------	--------	--------	--------

Date	Int	Total
Thu 6/6/2019	60	12,427
Wed 6/5/2019	60	12,389
Tue 6/4/2019	60	12,267
Tue 9/20/2016	60	12,435
Mon 9/19/2016	60	11,763
Fri 8/23/2013	60	12,116
Thu 8/22/2013	60	12,077
Wed 8/21/2013	60	11,835
Tue 8/20/2013	60	11,648
Mon 8/19/2013	60	11,501

Year	Annual Growth
2019	-11%
2018	2%
2017	2%
2016	9%
2015	3%
2014	2%
2013	1%
2010	8%
2008	-2%



STEPHEN G. PERNAW & COMPANY, INC.  
 PROJECT: Proposed Primrose School, Exeter, New Hampshire  
 NUMBER: 1985A  
 COUNT STATION: 82153103

**HISTORICAL GROWTH CALCULATIONS**

LOCATION : NH27 (North of NH111A) - Exeter, NH  
 CASE : AADT

**ARITHMETIC PROJECTIONS**

YEAR	AA DT	Regression Output:		PROJECTIONS	
2015	10527	Constant	-136184.7	2020	11477
2016	11470	Std Err of Y Est	714.69898	2021	11550
2017	11699	R Squared	0.0336962	2022	11624
2018	11933	No. of Observations	5	2023	11697
2019	10661	Degrees of Freedom	3	2024	11770
		X Coefficient	73.1	2025	11843
		Std Err of Coef.	226.00766	2026	11916
				2027	11989
				2028	12062
				2029	12135
				2030	12208

RATE = 73 VPD/YEAR
--------------------

**GEOMETRIC PROJECTIONS**

YEAR	AA DT	Ln AADT	Regression Output:		PROJECTIONS	
2015	10527	9.26170	Constant	-3.75679	2020	11465
2016	11470	9.34749	Std Err of Y Est	0.0639329	2021	11539
2017	11699	9.36726	R Squared	0.0331794	2022	11614
2018	11933	9.38706	No. of Observations	5	2023	11690
2019	10661	9.27435	Degrees of Freedom	3	2024	11766
			X Coefficient	0.006487	2025	11843
			Std Err of Coef.	0.0202174	2026	11920
					2027	11997
					2028	12075
					2029	12154
					2030	12233

PREVIOUS STUDY BASED ON 1.0% →

RATE = 0.7 % / YEAR
---------------------

### Trip Generation Summary

Alternative: Alternative 1  
 Phase: Primrose School  
 Project: 1985A

Open Date: 6/18/2020  
 Analysis Date: 6/18/2020

ITE	Land Use	Weekday Average Daily Trips			Weekday AM Peak Hour of Adjacent Street Traffic			Weekday PM Peak Hour of Adjacent Street Traffic		
		* Enter	Exit	Total	* Enter	Exit	Total	* Enter	Exit	Total
565	DAYCARE 3	300	289	589	72	63	135	62	69	131
	30 Employees			559						
565	DAYCARE 2	397	396	793	72	64	136	62	69	131
	194 Students			793						
565	DAYCARE 1	310	309	619	76	67	143	68	77	145
	13 1000 Sq. Ft. GFA			619						
	Unadjusted Volume	1007	1004	2011	220	194	414	192	215	407
	Internal Capture Trips	0	0	0	0	0	0	0	0	0
	Pass-By Trips	0	0	0	0	0	0	0	0	0
	Volume Added to Adjacent Streets	1007	1004	2011	220	194	414	192	215	407

Total Weekday Average Daily Trips Internal Capture = 0 Percent  
 Total Weekday AM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent  
 Total Weekday PM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

\* - Custom rate used for selected time period.

### Trip Generation Summary

Alternative: Alternative 1  
 Phase: Apartments  
 Project: 1985A

Open Date: 6/18/2020  
 Analysis Date: 6/18/2020

ITE	Land Use	Weekday Average Daily Trips			Weekday AM Peak Hour of Adjacent Street Traffic			Weekday PM Peak Hour of Adjacent Street Traffic		
		* Enter	Exit	Total	* Enter	Exit	Total	* Enter	Exit	Total
221	MID-RISE 1	247	247	494	8	23	31	24	16	40
91	Dwelling Units									
	Unadjusted Volume	247	247	494	8	23	31	24	16	40
	Internal Capture Trips	0	0	0	0	0	0	0	0	0
	Pass-By Trips	0	0	0	0	0	0	0	0	0
	Volume Added to Adjacent Streets	247	247	494	8	23	31	24	16	40

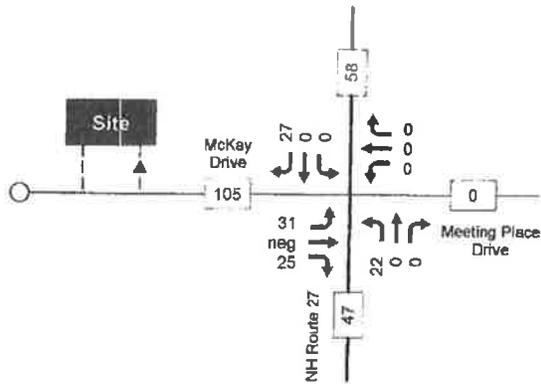
Total Weekday Average Daily Trips Internal Capture = 0 Percent  
 Total Weekday AM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent  
 Total Weekday PM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

\* - Custom rate used for selected time period.

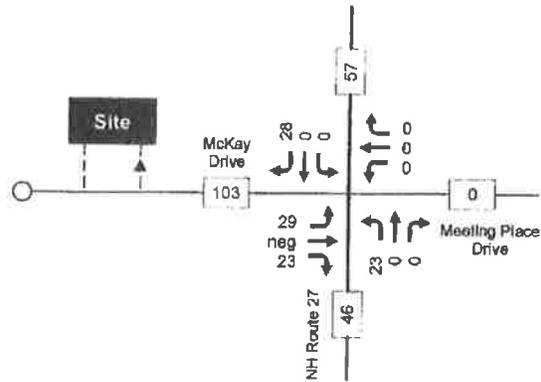
**Pernaw & Company, Inc**

**AM PEAK HOUR**

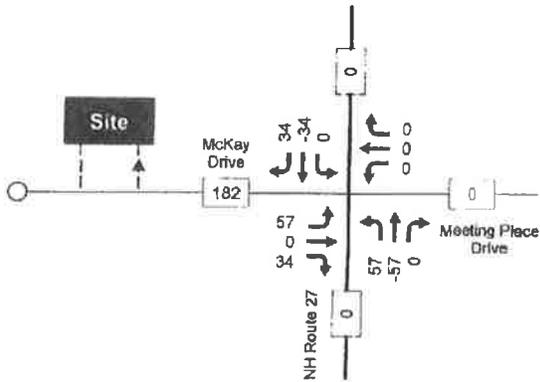
**PM PEAK HOUR**



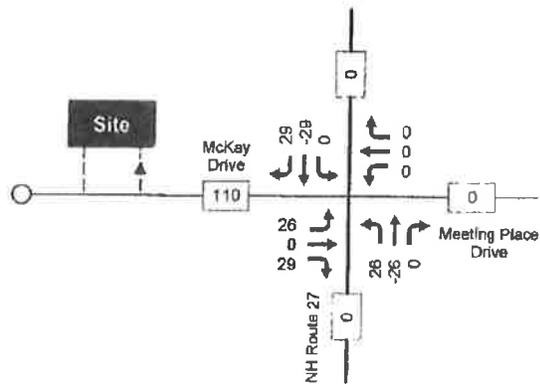
**Primary Trips**



**Primary Trips**



**Pass-By Trips**



**Pass-By Trips**



Figure 2 - 6. Guideline for determining the need for a major-road right-turn bay at a two-way stop-controlled intersection.

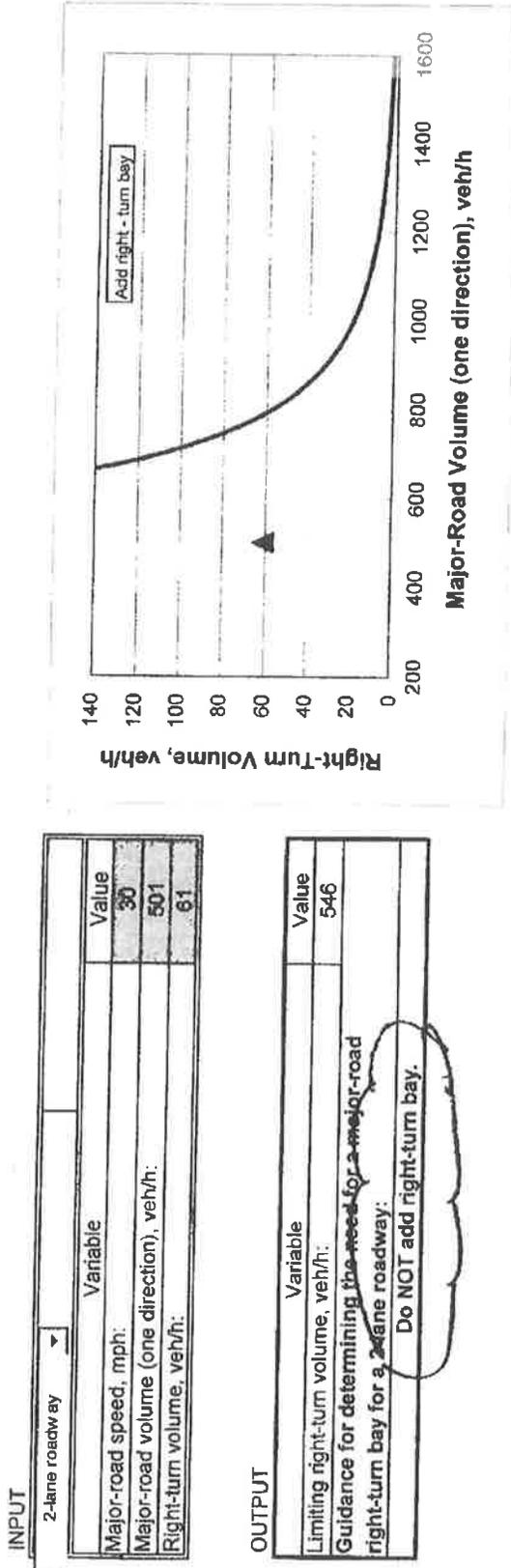
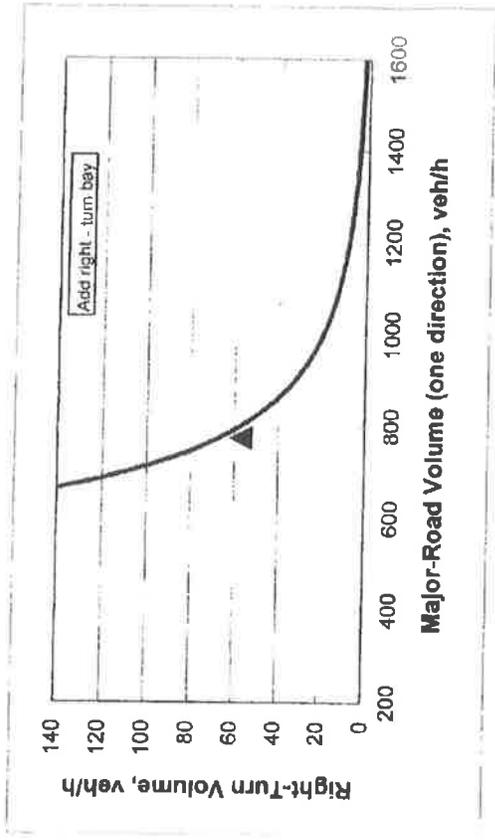
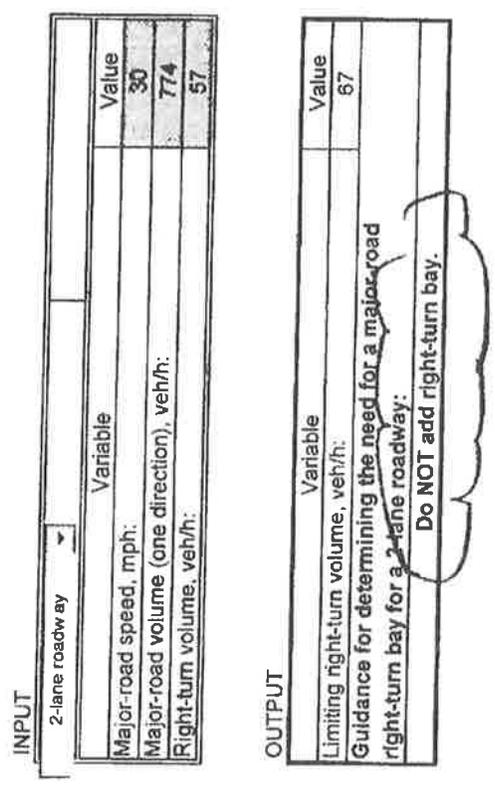


Figure 2 - 6. Guideline for determining the need for a major-road right-turn bay at a two-way stop-controlled intersection.





Please see additional  
plan attachments under  
“Supporting Documents”  
posted for this meeting

Sparkle Street Realty, LLC  
3 Grove Street  
Exeter, NH 03833

31 August 2020

Dave Sharples  
Planning Department  
10 Front Street  
Exeter, NH 03833

Dear Mr. Sharples:

We received planning approval for the construction of a new dental office at 1 Wayside Drive on July 25th, 2019.

We would like to request an extension of the approval for an additional year. Although our goal had been to begin construction in the Spring of 2020, the onslaught of COVID 19, and the economic fallout made planning for the future uncertain, and forced us to reconsider the schedule. As is the case with many, we have been dealing with the upheaval of the past year, and are now finally been able to plan for next steps over the past few weeks. Our goal is now to begin construction in late fall.

Thank you for your consideration. Please let me know if there is anything else that you require from us.

Sincerely,



Thaddeus Jusczyk, AIA

tjusczyk@archiphernalia.com  
401-286-6415



Barbara Mcevoy <bmcevoy@exeternh.gov>

---

## 1 Wayside Drive Planning Approval Extension

1 message

---

Thaddeus Jusczyk <tjusczyk@archiphernalia.com>

Mon, Aug 31, 2020 at 11:28 AM

To: dsharples@exeternh.gov, bmcevoy@exeternh.gov, Elizabeth DiBona <elizabethdibona@gmail.com>

Hi, Dave.

Per our conversation this morning, I've attached a letter seeking a planning approval extension for 1 Wayside Drive. Although we had planned to begin construction in the spring, the events of the past eight months caused us to rethink our plans, but we now hope to begin construction later this year.

Please let me know if there is anything else that you need from me.

Thanks!

-Tad

--

Thaddeus P. Jusczyk, AIA

**Archiphernalia**

3 Grove Street

Exeter, NH 03833

Cell: 401-286-6415

tjusczyk@archiphernalia.com



**Extension-request-Sparkle-Street-1-Wayside.pdf**

73K

**TOWN OF EXETER  
PLANNING DEPARTMENT MEMORANDUM**

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Date: August 31, 2020  
To: Exeter Planning Board  
From: Kristen Murphy, Natural Resource Planner  
Subject: Exeter Squamscott River Local Advisory Committee (ESRLAC) Letter of Support for Watershed Plan Update grant

The ESRLAC is applying to NH Department of Environmental Services for grant funds to update their 2012 Watershed Management Plan. You can find a copy of this current plan on their website [exeterriver.org/watershed-management-plan-resources](http://exeterriver.org/watershed-management-plan-resources). In addition to their role in review of development applications to the State along our designated rivers, ESRLAC has provided support for a variety of river-based outreach and education activities such fish ladder tours and the Alewife Festival. Their watershed management plan overlaps with many actions identified as a priority in our Master Plan.

Their goals for this update is to include new information from municipal and regional climate vulnerability assessments, MS4 Stormwater Permit activities in the watershed, and recently completed aquatic connectivity reports. Through this effort, Rockingham Planning Commission will also assist with a GIS inventory of state-owned lands in the watershed and a description of the importance of these lands to river characteristics.

ESRLAC has always been a great partner to the Town and is one of the few local committees that include representatives from all towns in the watershed. As we learned through the 2015 Watershed Integration Plan for Exeter (WISE) report which provided nitrogen control recommendations for our wastewater and stormwater permits, 50% of the nitrogen loading in the Exeter/Squamscott River comes from upstream, unpermitted communities. I believe the management plan update has the potential to identify actions and further partnerships throughout the watershed and therefore request your consideration in signing the attached letter of support for their grant application.



# TOWN OF EXETER, NEW HAMPSHIRE

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[www.exeternh.gov](http://www.exeternh.gov)

September 10<sup>th</sup>, 2020

Katherine Zink, Watershed Specialist, Watershed Assistance Section  
NH Department of Environmental Services  
29 Hazen Drive  
Concord, NH 03302  
Katherine.zink@des.nh.gov

Dear Ms. Zink,

The Exeter Planning Board supports the application submitted by the Rockingham Planning Commission (RPC) for 604(b) Water Quality Planning grant funds to assist the Exeter-Squamscott River Local Advisory Committee (ESRLAC) with an important update to the 2012 Exeter-Squamscott River Watershed Management Plan.

The update to the 2012 Watershed Management Plan, will include new information from municipal and regional climate vulnerability assessments, MS4 Stormwater Permit activities in the watershed, and recently completed aquatic connectivity reports. This update will have significant overlap with goals and priorities of the Exeter's 2018 Master Plan and aid the Town of Exeter in meeting these targets.

ESRLAC is one of very few committees that include representatives from towns throughout the watershed. Reestablishing these relationships through a plan update and incorporating current data on vulnerability, river condition and water quality improvement efforts is essential to long term water quality enhancement in the Exeter and Squamscott River as a whole.

On behalf of the Exeter Planning Board, I am submitting our letter of support and request DES consider funding the Rockingham Planning Commission's request for 604(b) Water Quality Planning funds.

Sincerely,

Langdon Plumer  
Chair, Exeter Planning Board