



TOWN OF EXETER, NEW HAMPSHIRE

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

LEGAL NOTICE EXETER PLANNING BOARD AGENDA

The Exeter Planning Board will meet on Thursday, December 9, 2021 at 7:00 P.M. in the Nowak Room of the Exeter Town Office building located at 10 Front Street, Exeter, New Hampshire to consider the following:

APPROVAL OF MINUTES: October 28 and November 18, 2021

NEW BUSINESS: PUBLIC HEARINGS

Continued public hearing on the application of ZV Investments LLC for a multi-family site plan review for the proposed conversion of the structures located at 50 Newfields Road into four (4) residential condominium units. The subject property is located in the RU-Rural Residential zoning district. Tax Map Parcel #35-9. PB Case #21-10.

OTHER BUSINESS

- Exeter Station Properties, LLC – PB Case #18-11
Request for Extension of Conditional Approval - 1 Rockingham Street, TM Parcel #73-175
- Ben & Sarah Anderson – 66 Newfields Road , Tax Map Parcel #24-29
Consideration of Planning Board recommendation for granting of sight easement
- Master Plan Discussion
- Field Modifications
- Bond and/or Letter of Credit Reductions and Releases

EXETER PLANNING BOARD

Langdon J. Plumer, Chairman

*Posted 11/24/21: Exeter Town Office and Town of Exeter website
Revised 11/29/21*

**TOWN OF EXETER
PLANNING BOARD
NOWAK MEETING ROOM
OCTOBER 28, 2021
DRAFT MINUTES**

I. PRELIMINARIES:

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

STAFF PRESENT: Town Planner Dave Sharples

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

III. OLD BUSINESS

APPROVAL OF MINUTES

October 14, 2021

Edits were suggested by Mr. Cameron, Ms. English and Vice-Chair Brown.

Mr. Cameron motioned to approve the October 14, 2021 Meeting Minutes as amended. Ms. Cowan seconded the motion. A vote was taken, Mr. Grueter and Chair Plumer abstained. The motion passed 5-0-2.

IV. NEW BUSINESS

PUBLIC HEARINGS

1. Continued public hearing on the application of ZV Investments LLC for a multi-family site plan review for the proposed conversion of the structures located at 50 Newfields Road into four (4) residential condominium units
RU-Rural Residential zoning district
Tax Map Parcel #35-9
Planning Board Case #21-10

Mr. Sharples noted the applicant still needs to go before the Conservation Commission concerning septic issues. The Conservation Commission's deadline is today for their November 9, 2021 meeting.

41 ***Vice-Chair Brown motioned to continue Planning Board Case #21-10 to Thursday, November 18, 2021***
42 ***at 7 PM. Mr. Grueter seconded the motion. A vote was taken, all were in favor, the motion passed 7-***
43 ***0-0.***

44

45 Mr. Sharples noted the Budget Review Committee will be using the meeting room on the 18th and the
46 Board will meet in the Wheelwright Room if it is available. If not he will find another meeting room and
47 notice it.

48

49 2. The application of Public Service Company of New Hampshire d/b/a Eversource Energy for a
50 Wetlands Conditional Use Permit and a Shoreland Conditional Use Permit for the replacement of three
51 (3) existing transmission line structures within an existing ROW corridor located between NH Route 101
52 west bound and Epping Road (NH Route 27)

53 RU – Rural and R-1 Low Density Residential zoning districts

54 Tax Map Parcels #29-1, #29-2, #29-31 and #29-32

55 Planning Board Case #21-11

56

57 Chair Plumer read out loud the Public Hearing Notice.

58

59 Mr. Cameron recused himself and disclosed that he is a PSNH retiree. Chair Plumer activated Alternate
60 Marc Dettore as a voting member.

61

62 Mr. Sharples noted the applicant is seeking approval of a Wetlands Conditional Use Permit and a
63 Shoreland Conditional Use Permit for replacement of three (3) existing transmission line structures
64 within an existing ROW corridor as depicted. The applicant submitted plans and supporting documents
65 dated September 8, 2021. There are no site plan review, subdivision or waivers requested. There was
66 no TRC review, but the staff did review and had no comments or objections. The applicant appeared
67 before the Conservation Commission at their October 12, 2021 meeting. Chairman Koff submitted his
68 letter dated 10/13/21 with no objection by the Commission or comments. Mr. Sharples noted he has no
69 recommended conditions of approval and is ready for review purposes.

70

71 ***Ms. English motioned to open Planning Board Case #21-22. Vice-Chair Brown seconded the motion. A***
72 ***vote was taken, all were in favor, the motion passed 7-0-0.***

73

74 Kristopher Wilkes of VHB presented the application on behalf of Eversource. Mr. Wilkes noted that
75 Eversource periodically inspects and identifies structures that are deficient by age or damage. A lot of
76 the existing structures are wood with a limited life span due to rot and woodpecker damage and are to
77 be replaced with weathered steel. Maintenance work was done a couple of years ago and this is the
78 next phase. He noted there would be WCD impacts, shoreland impact to the Little River watershed and
79 temporary direct impacts including within the 40' buffer. Some replacement will be within 12' of the
80 existing structure but #176 will be moved back 200' to get it out of the wetlands because it sits in the
81 floodplain wetland. This structure will be moved to the upland near Epping Road. Work will begin in
82 November which is more beneficial to the environmental impacts outside the growing season with less
83 ground disturbance. There will be timber mats and 100'x100' staging areas except for #177 which will
84 require a 50'x50' for the structure being removed. They will inspect the area in the spring for

85 restoration needs. Access for #176 and #175 will be Epping Road. DOT has issued temporary driveway
86 permits for those. Access for #177 will be Route 101 west and is being discussed with DOT.

87

88 Ms. Martel asked how the project fell within the shoreland buffer and Mr. Wilkes explained the
89 jurisdiction of Little River is not well defined here but any contiguous wetland associated with Little
90 River may fall into that jurisdiction and they prefer to be on the safe side. The wetland edge is in the
91 district buffer; all one system within one buffer and USGS mapped as Little River.

92

93 Mr. Wilkes noted the WCD impacts are 7,415 SF of direct temporary impact in W31.

94

95 Mr. Sharples added that the Planning Board regulates the buffer. #177 and #175 are in those buffers.

96

97 Mr. Wilkes noted there would be 6,090 SF of temporary impact in the WCD buffer and 40 SF of buffer in
98 W31 and W32. There would be 10,000 SF of temporary shoreland impact within the 300' shoreland
99 buffer for placement of the 100'x100' work pad and 714 SF temporary impact within the 300' buffer.

100

101 Chair Plumer asked about future impacts down the line after work is completed in the winter and Mr.
102 Wilkes explained they avoid impacting species Fish & Game are concerned about which would be
103 hibernating during the work timeframe. Post construction there would be an inspection to be sure
104 there were no ruts or need for further restoration and seeding. He noted Fish & Game does not have
105 the same requirements for observing species during the winter months that it does during the active
106 season which ends November 1st.

107

108 Mr. Dettore asked about future upgrades and Jeremy Fennell of PSNH noted future poles will fail and
109 need replacing. Access in the uplands is often left to facilitate access.

110

111 Chair Plumer opened the hearing to the public for comments and questions at 7:48 PM and being none
112 closed the hearing for deliberations.

113

114 Ms. English asked about species Fish and Game may be concerned about and Mr. Wilkes explained there
115 were no plants identified but Blanding's, Spotted and Wood Turtles were identified as were the Black
116 Racer snake species and all would be in hibernation during the timeframe of the work. Erosion and
117 sediment controls would be in place.

118

119 Chair Plumer asked if the criteria needed additional review and Mr. Sharples noted it was up to the
120 Board, but the applicant had submitted 13 pages as to why the project meets the criteria.

121

122 **Mr. Dettore motioned after reviewing the criteria for a Wetlands Conditional Use Permit that the**
123 **request of PSNH-Eversource Energy (PB Case #21-11) for a Conditional Use Permit be approved. Mr.**
124 **Grueter seconded the motion. A roll call vote was taken Grueter – aye, Brown – aye, English – aye,**
125 **Cowan – aye, Martel – aye , Dettore – aye and Plumer - aye. The motion passed 7-0-0.**

126

127 **Mr. Grueter motioned after reviewing the criteria for a Shoreland Conditional Use Permit that the**
128 **request of PSNH-Eversource Energy (PB Case #21-11) for a Conditional Use Permit be approved. Mr.**

129 *Dettore seconded the motion. A roll call vote was taken Dettore – aye, Martel – aye, Cowan – aye,*
130 *English – aye, Grueter – aye, Brown – aye and Plumer – aye. The motion passed 7-0-0.*

131

132 Master Plan Discussion

133

134 Field Modifications

135

136 Bond and/or Letter of Credit Reductions and Releases

137

138 Public Comment

139

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

141 Mr. Sharples noted he will be attending the annual Sustainability Conference next Thursday (11/4) and
142 there are no agenda items for that date. The Board agreed they will not meet on November 4th and the
143 next meeting will be November 18th at 7:00 PM.

144 **VII. CHAIRPERSON'S ITEMS**

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

146 **IX. ADJOURN.**

147 *Mr. Dettore motioned to adjourn the meeting at 7:59 PM. Vice-Chair Brown seconded the motion. A*
148 *vote was taken all were in favor, the motion passed 7-0-0.*

149

150 Respectfully submitted,

151 Daniel Hoijer,

152 Recording Secretary

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**TOWN OF EXETER
PLANNING BOARD
WHEELWRIGHT MEETING ROOM
NOVEMBER 18, 2021
DRAFT MINUTES**

I. PRELIMINARIES:

BOARD MEMBERS PRESENT BY ROLL CALL: Chair Langdon Plumer, Gwen English, John Grueter, and Nancy Belanger, Alternate.

STAFF PRESENT:

II. CALL TO ORDER: Chair Plumer called the meeting to order at 7:00 PM and activated Alternate Nancy Belanger. The members introduced themselves.

III. OLD BUSINESS

APPROVAL OF MINUTES

October 28, 2021 - Tabled

IV. NEW BUSINESS

PUBLIC HEARINGS

1. Continued public hearing on the application of ZV Investments LLC for a multi-family site plan review for the proposed conversion of the structures located at 50 Newfields Road into four (4) residential condominium units
RU-Rural Residential zoning district
Tax Map Parcel #35-9
Planning Board Case #21-10

Chair Plumer indicated the applicant was not prepared and asked to continue again.

Ms. Belanger motioned to approve the request of ZV Investments LLC, Planning Board Case #21-10 for a continuance of their application to the Thursday, December 9, 2021 meeting at 7 PM. Mr. Grueter seconded the motion. A vote was taken, all were in favor, the motion passed 4-0-0.

Master Plan Discussion

Field Modifications

41 Bond and/or Letter of Credit Reductions and Releases

42

43 Public Comment

44

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

46 **VII. CHAIRPERSON'S ITEMS**

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

48 **IX. ADJOURN.**

49 *Ms. Belanger motioned to adjourn the meeting at 7:01 PM. Mr. Grueter seconded the motion. A*
50 *vote was taken all were in favor, the motion passed 4-0-0.*

51

52 Respectfully submitted,

53 Daniel Hoijer,

54 Recording Secretary



TOWN OF EXETER

Planning and Building Department

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

www.exeternh.gov

Date: December 1, 2021
To: Planning Board
From: Dave Sharples, Town Planner
Re: ZV Investments, LLC PB Case #21-10

The Applicant is seeking approval for a multi-family site plan review for the proposed conversion of the structures located at 50 Newfields Road into four (4) residential condominium units. The subject property is located in the RU-Rural Residential zoning district and is identified as Tax Map Parcel #35-9.

The Applicant submitted a revised site plan and supporting documents, dated November 15, 2021 which were not distributed to the Board due to the delayed submission, however, they are included in this mailing. The responses did not address DPWs comments and there were still outstanding staff concerns regarding the DOT driveway permit and the concern of the whether a Phase I Environmental review should be conducted given the conversion to residential use. The Applicant was contacted regarding these issues and subsequently requested a continuance to the December 9th, 2021 Planning Board meeting.

The Applicant has submitted another revised site plan and supporting documents, dated November 30, 2021 and these are enclosed for your review.

There are no waivers being requested for this application.

I will be prepared with suggested conditions of approval at the meeting in the event the board decides to act on the request.

Planning Board Motion:

Multi-Family Site Plan Motion: I move that the request of ZV Investments, LLC (PB Case #21-10) for Multi-Family Site Plan approval be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Thank You.

Enclosures

JONES & BEACH ENGINEERS INC.

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

November 30, 2021

Exeter Planning Board
Attn: Langdon Plumer, Chairman
10 Front Street
Exeter NH, 03833

**RE: Response Letter
50 Newfields Road, Exeter, NH
Tax Map 35, Lot 9
JBE Project No. 21064**

Dear Mr. Plumer:

We are in receipt of comments from Jennifer Mates, P.E., Assistant Town Engineer dated October 12, 2021. Review comments are listed below with our responses in bold.

SITE LAYOUT:

1. *The area behind the parking stalls is too narrow. A minimum of 22 feet is typical for perpendicular parking.*

RESPONSE: Sufficient pavement is being depicted to be added to provide 22' for perpendicular parking.

2. *How will trash and recycling be handled?*

RESPONSE: Dumpster is being proposed and depicted on the revised plans.

3. *Contact NHDOT to see if a driveway permit is required for the change in use.*

RESPONSE: DOT Permit has been submitted for approval.

4. *Was a Phase 1A environmental study done for the former dry cleaners?*

RESPONSE: Not to the applicant's knowledge.

SEPTIC SYSTEM:

5. *Will the existing septic system continue to be used?*

RESPONSE: No. A new community septic system is proposed.

6. *Has the existing septic tank and leach field been inspected and confirmed to be functional? There are 2 previous subsurface approvals from 2004 (4 BR house) and 1989 (3 BR house). Only the 1989 application received operational approval. Was the 1989 system upgraded in 2004? If the current system is from 1989, it is reaching the end of its anticipated useful life.*

RESPONSE: Existing septic and tanks to be abandoned in place.

7. *There is an existing septic approval from January 2021 (ECA2021012914) for 825 gpd for a 4 BR house and 1 ADU. How many bedrooms are in each of the new units? If there are 3 1-BR units and a 4-BR house, the total design flow is 1275 gpd.*

RESPONSE: New septic system proposed.

8. *Show the piping to the proposed septic leach field.*

RESPONSE: Piping depicted on revised plan.

WATER SUPPLY:

9. *What size is the existing water service?*

RESPONSE: Applicant is unaware of the existing water service size.

10. *Will the owners of units 2-4 have access to the well controls that appear to be in the primary residence? Confirm what is required by building code.*

RESPONSE: Well controls to be relocated to the common utility room.

11. *Has a pump test been done to confirm there is sufficient capacity for the additional units?*

RESPONSE: New well is proposed to be installed.

12. *Has water quality testing been conducted to determine if treatment is needed?*

RESPONSE: New well is proposed to be installed.

13. *When was the well installed? How deep is the casing? The current well is located within a wetland and may be subject to groundwater intrusion and contamination if not properly constructed.*

RESPONSE: Existing well to be abandoned. A new well is proposed to be installed.

14. *Has an alternate well location been identified?*

RESPONSE: A new well is proposed to be installed.

Included with this response letter are the following:

1. Seven (7) Full Size Plan Sets.
2. Fifteen (15) Half Size Plan Sets.

Thank you very much for your time.

Very truly yours,

JONES & BEACH ENGINEERS, INC.



Barry W. Gier, P.E.
Vice President

JONES & BEACH ENGINEERS INC.

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

November 15, 2021

Exeter Planning Board
Attn: Langdon Plumer, Chairman
10 Front Street
Exeter NH, 03833

**RE: Response Letter
50 Newfields Road, Exeter, NH
Tax Map 35, Lot 9
JBE Project No. 21064**

Dear Mr. Plumer:

We are in receipt of comments from Jennifer Mates, P.E., Assistant Town Engineer dated October 12, 2021. Review comments are listed below with our responses in bold.

SITE LAYOUT:

1. *The area behind the parking stalls is too narrow. A minimum of 22 feet is typical for perpendicular parking.*

RESPONSE: Sufficient pavement is being depicted to be added to provide 22' for perpendicular parking.

2. *How will trash and recycling be handled?*

RESPONSE: Dumpster is being proposed and depicted on the revised plans.

3. *Contact NHDOT to see if a driveway permit is required for the change in use.*

RESPONSE: DOT Permits are only required for work in the DOT right-of-way. No work is proposed within the right-of-way.

4. *Was a Phase 1A environmental study done for the former dry cleaners?*

RESPONSE: Not to the applicant's knowledge.

SEPTIC SYSTEM:

5. *Will the existing septic system continue to be used?*

RESPONSE: No. A new community septic system is proposed.

6. *Has the existing septic tank and leach field been inspected and confirmed to be functional? There are 2 previous subsurface approvals from 2004 (4 BR house) and 1989 (3 BR house). Only the 1989 application received operational approval. Was the 1989 system upgraded in 2004? If the current system is from 1989, it is reaching the end of its anticipated useful life.*

RESPONSE: Existing septic and tanks to be abandoned in place.

7. *There is an existing septic approval from January 2021 (ECA2021012914) for 825 gpd for a 4 BR house and 1 ADU. How many bedrooms are in each of the new units? If there are 3 1-BR units and a 4-BR house, the total design flow is 1275 gpd.*

RESPONSE: New septic system proposed.

8. *Show the piping to the proposed septic leach field.*

RESPONSE: Piping depicted on revised plan.

WATER SUPPLY:

9. *What size is the existing water service?*

RESPONSE: Applicant is unaware of the existing water service size.

10. *Will the owners of units 2-4 have access to the well controls that appear to be in the primary residence? Confirm what is required by building code.*

RESPONSE: Well controls to be relocated to the common utility room.

11. *Has a pump test been done to confirm there is sufficient capacity for the additional units?*

RESPONSE: Not at this time.

12. *Has water quality testing been conducted to determine if treatment is needed?*

RESPONSE: Not at this time.

13. *When was the well installed? How deep is the casing? The current well is located within a wetland and may be subject to groundwater intrusion and contamination if not properly constructed.*

RESPONSE: Applicant is unaware of well conditions.

14. *Has an alternate well location been identified?*

RESPONSE: Alternative location is identified on revised plans.

Included with this response letter are the following:

1. Seven (7) Full Size Plan Sets.
2. Fifteen (15) Half Size Plan Sets.

Thank you very much for your time.

Very truly yours,

JONES & BEACH ENGINEERS, INC.



Barry W. Gier
Vice President

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



CELEBRATING OVER 35 YEARS OF SERVICE TO OUR CLIENTS

RECEIVED

NOV 22 2021

LIZABETH M. MACDONALD
JOHN J. RATIGAN
DENISE A. POULOS
ROBERT M. DEROSIER
CHRISTOPHER L. BOLDT
SHARON CUDDY SOMERS
DOUGLAS M. MANSFIELD
KATHERINE B. MILLER
CHRISTOPHER T. HILSON
HEIDI J. BARRETT-KITCHEN
JUSTIN L. PASAY
ERIC A. MAHER
CHRISTOPHER D. HAWKINS
BRENDAN A. O'DONNELL
ELAINA L. HOEPPNER
WILLIAM K. WARREN
SAM M. GONYEA

November 22, 2021

Langdon Plumber, Chair
Exeter Planning Board
10 Front Street
Exeter, NH 03833

EXETER PLANNING OFFICE

RETIRED
MICHAEL J. DONAHUE
CHARLES F. TUCKER
ROBERT D. CIANDELLA
NICHOLAS R. AESCHLIMAN

Re: Request for Extension for Exeter Station Properties, LLC
Map 73, Lot 175, 1 Rockingham Street
Planning Board Case #18-11

Dear Chair Plumer and Board Members:

The Applicant hereby requests a further one-year extension of the conditional approval granted on December 6, 2018. As you are aware, the approval was previously extended to 2020 and again to 2021.

As with the request presented for an extension in 2020, the applicant is still facing considerable economic uncertainty and market disruptions, which now include supply chain and labor issues, all of which are attributable to the COVID-19 pandemic. As referenced in the request last year, the underlying soils in the former railyard contain concentrations of low-level polycyclic aromatic hydrocarbon (PAH) have been quantified and the significant cost of removal is now being evaluated. Additionally, low-level cadmium contamination discovered in an isolated corner-pocket of groundwater on the property has been reported to and is currently under formal review by the Department of Environmental Services.

Finally, with a recent change in the ownership structure of Exeter Station Properties, LLC, the applicant is recalibrating the future direction of the subject property and the overall fit with its other real estate holdings in Exeter.

The combination of the above factors weigh heavily and accordingly the applicant would be very appreciative of the benefit the added time would allow for further evaluation. In the interim, and from a

DONAHUE, TUCKER & CIANDELLA, PLLC

16 Acadia Lane, P.O. Box 630, Exeter, NH 03833

111 Maplewood Avenue, Suite D, Portsmouth, NH 03801

Towle House, Unit 2, 164 NH Route 25, Meredith, NH 03253

83 Clinton Street, Concord, NH 03301

1-800-566-0506

www.dtclawyers.com

Langdon Plumber, Chair
Exeter Planning Board
November 22, 2021
Page 2

positive standpoint, the former mill complex is productively servicing community needs of a diverse clientele that currently includes local artists, artisans, automotive restorers, a brewery, cabinetmakers, designers, distributors, a machine shop, mechanics, woodworkers, and temporary storage for a school.

There have been no intervening changes to the Board's Site Plan Review Regulations or Zoning Ordinance that effect the project as proposed. We respectfully request that this matter be placed on the Board's agenda for December 9, 2021. Please contact me if you have any questions.

Very truly yours,
DONAHUE, TUCKER & CIANDELLA, PLLC

A handwritten signature in cursive script that reads "Sharon Cuddy Somers".

Sharon Cuddy Somers
SCS/sac

cc: Exeter Station Properties, LLC

S:\EM-EZ\Exeter Station Properties, LLC\1 Rockingham Street\Planning Board\2021 Extension\2021 11 22 extension request.docx



TOWN OF EXETER

Planning and Building Department

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

www.exeternh.gov

Date: December 1, 2021

To: Planning Board

From: Dave Sharples, Town Planner

Re: Ben & Sarah Anderson – (d/b/a “Word Barn”) - 66 Newfields Road
Tax Map Parcel # 24-29
Sight Easement with NH DOT

The Applicant is seeking a site easement at the request of the New Hampshire Department of Transportation (NH DOT) for the necessary sight line required for the second driveway access to their property at 66 Newfields Road. The subject property is located in the RU-Rural Residential zoning district and is identified as Tax Map Parcel #24-29.

The Applicant has provided a letter of explanation, dated November 19, 2021 and addressed to Select Board Chair Niko Papakonstantis and supporting documents for the Board's review. The Applicant is requesting the Planning Board to consider their request and is seeking their support in accordance with NH RSA 41-14-a (attached). The Select Board needs to receive a recommendation from both the Conservation Commission and the Planning Board before voting to accept the easement.

The Applicant appeared before the Conservation Commission at their November 9th, 2021 meeting and received full support from the Commission for the granting of the easement. A copy of the recommendation letter (via e-mail dated 11/16/21 from Andrew Koff, CC Chair to Mr. Anderson) is enclosed in the materials provided by the Applicant. Subsequently, the Applicant presented their request to the Select Board, at their November 22nd, 2021 meeting. The Select Board indicated their support of the request, however, did not formally vote to grant the easement pending review by the Planning Board.

Planning Board Motion:

Request for Letter of Recommendation motion: I move that the request of Ben & Sarah Anderson for a Letter of Recommendation in accordance with NH RSA 41-14-a be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Thank You.

Enclosures

TITLE III
TOWNS, CITIES, VILLAGE DISTRICTS, AND
UNINCORPORATED PLACES

CHAPTER 41
CHOICE AND DUTIES OF TOWN OFFICERS

Selectmen

Section 41:14-a

41:14-a Acquisition or Sale of Land, Buildings, or Both. –

I. If adopted in accordance with RSA 41:14-c, the selectmen shall have the authority to acquire or sell land, buildings, or both; provided, however, they shall first submit any such proposed acquisition or sale to the planning board and to the conservation commission for review and recommendation by those bodies, where a board or commission or both, exist. After the selectmen receive the recommendation of the planning board and the conservation commission, where a board or commission or both exist, they shall hold 2 public hearings at least 10 but not more than 14 days apart on the proposed acquisition or sale; provided, however, upon the written petition of 50 registered voters presented to the selectmen, prior to the selectmen's vote, according to the provisions of RSA 39:3, the proposed acquisition or sale shall be inserted as an article in the warrant for the town meeting. The selectmen's vote shall take place no sooner than 7 days nor later than 14 days after the second public hearing which is held.

II. The provisions of this section shall not apply to the sale of and the selectmen shall have no authority to sell:

- (a) Town-owned conservation land which is managed and controlled by the conservation commission under the provisions of RSA 36-A.
- (b) Any part of a town forest established under RSA 31:110 and managed under RSA 31:112.
- (c) Any real estate that has been given, devised, or bequeathed to the town for charitable or community purposes except as provided in RSA 498:4-a or RSA 547:3-d.

Source. 1994, 197:3. 1997, 38:1. 2001, 187:2. 2005, 80:1. 2007, 221:2. 2008, 109:1, eff. July 27, 2008.

Niko Papakonstantis, Chair
Select Board
Town of Exeter, NH

Friday, November 19, 2021

Dear Niko,

We would like to request our property (66 Newfields Road) be given a 5'-10' sight easement in the area indicated on the attached map along Newfields Road (RT 85) of Raynes Farm, 61 Newfields Road, Exeter, for our lower field access road.

We currently have an agreement with the Conservation Committee and Raynes Farm Stewardship Committee to maintain this roadside area, however, NH DOT is requiring we solidify this sight easement before they will certify that this entry point meets criteria and is in compliance.

A sight easement does nothing but ensure growth or other obstructions that could interfere with the visibility of vehicles is kept clear.

Beyond improving sight lines for our lower field access road, regular maintenance of this area improves public safety for regular (vehicle/bike/ped) traffic along RT 85, as well as Raynes Farm own access roads. This area is within normal DOT ROW, as well as under a utility line.

The Conservation Committee voted 7-0 in favor of recommending the Town of Exeter grant this sight easement.

Thank you for your consideration,

Ben & Sarah Anderson
66 Newfields Road, Exeter, NH





ENTRY POINT

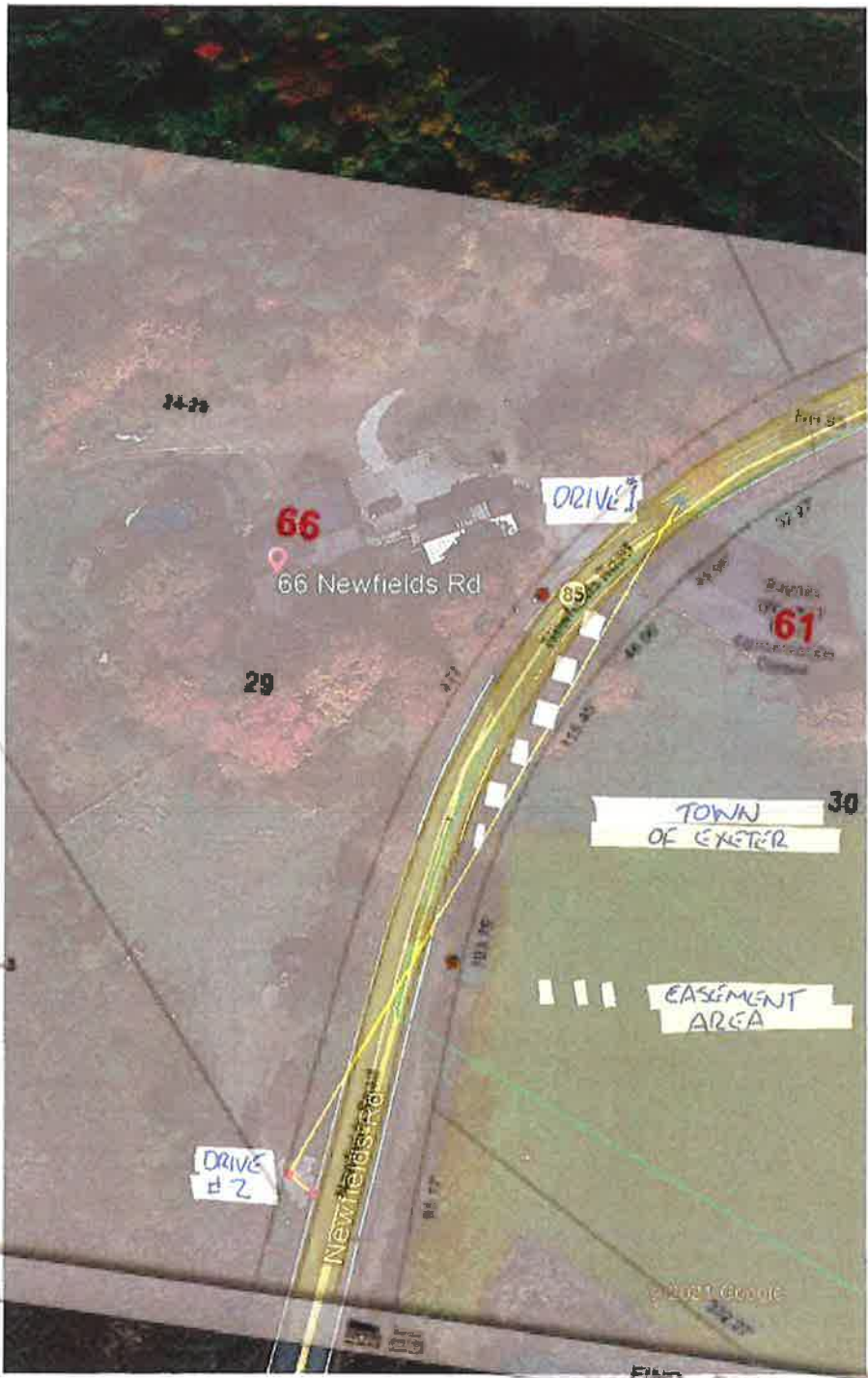
AREA IN QUESTION
w/utility lines overhead





11-3-2021

Find Layers About



11-3-2021

by PeopleGIS

FIND ZOOM FOLLOW





Ben Anderson <ben@brightandlyon.com>

Select Board Mtg | The Word Barn

Andrew Koff <drewkoff@gmail.com>

Tue, Nov 16, 2021 at 5:27 PM

To: Ben Anderson <ben@brightandlyon.com>

Hello Ben- This email servers as the conservation commission recommendation letter for the town to grant a sight line easement to you as discussed and voted on during our November 9,2021 meeting. The area in question is within the existing ROW so the commission fully supported this request with a vote of 7-0. Please let me know if you need anything else from us to resolve this matter.

Regards,
Andrew Koff
Chair of the conservation commission

[Quoted text hidden]



Victoria F. Sheehan
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Assistant Commtssioner

October 8, 2021

Mr. Ben Anderson
The Word Barn
66 Newfields Road
Exeter, N.H. 03833

Exeter, NH 85, 66 Newfields Road, The Word Barn

Dear Mr. Anderson:

In response to our August 31, 2021 email to you, on September 24, 2021, we received a copy of a letter from the Exeter Conservation Commission that grants permission for you to clear trees and brush on their land in order to achieve 400 ft. of sight distance for a proposed driveway. This agreement will need to be formalized in easement deed along with a plan that is to be recorded at the Rockingham County Registry of Deeds.

This easement needs to state that you, your heirs and assigns, as well as the NHDOT, have to right to maintain the required 400 feet of safe sight distance from the second driveway that you have requested. Attached is an easement template.

Please contact Kerry Locke at (603) 868-1133 if you have any questions on this matter.

Very Truly Yours,

Roger L. Appleton P.E.
Assistant District 6 Engineer

cc: Town of Exeter

SIGHT LINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT [I/WE]

The Town of Exeter for good and valuable consideration grant to Benjamin C. and Sarah A. Anderson, property owners of 66 Newfields Road, Exeter, NH 03833, their heirs and assigns, and the State of New Hampshire the following described property right(s) on land of the Grantor located at 61 Newfields Road in the Town of Exeter, County of Rockingham, State of New Hampshire.

Sight Line Easement:

Granting the right to clear and to keep clear land of the Grantor abutting or near Route 85 from any structure, growth or other obstruction that may interfere with the line of sight or visibility of vehicles beginning at the point on the southeasterly side of said Newfields Road at a drill hole set in a stone wall at land of Bruce B. Norton Revocable Trust of 1997 and Katherine R. Norton Revocable Trust of 1997, thence for seventeen courses by said Newfields Road and in part by a stone wall as follows: North 20° 37' 50" East, 103.75 feet; North 35° 34' 18" East, 115.45 feet; North 51° 18' 14" East, 48.06 feet; North 56° 55' 50" East, 49.96 feet; North 66° 30' 50" East.

Executed this _____ day of _____, 20__.



Barbara Mcevoy <bmcevoy@exeternh.gov>

66 Newfields Road Planning Board Request for Recommendation

1 message

Ben Anderson <ben@brightandlyon.com>

Fri, Nov 26, 2021 at 2:00 PM

To: Barbara McEvoy <bmcevoy@exeternh.gov>

Cc: David Sharples <Dsharples@exeternh.gov>, Molly Cowan <molly.cowannh@gmail.com>

Hi Barb,

Not sure of the deadlines, but Kristen suggested I submit this before the end of the week so that it could make it into the Dec 9 Planning Board packet.

We are seeking a sight easement at the request of NH DOT. As outlined in the cover letter, the necessary sight line for our second driveway crosses Raynes Farm. We have an agreement with the Conservation Commission to maintain this area, but NH DOT would like it solidified via an easement before they will certify this second driveway is in compliance.

The CC recommended this to the Select Board via unanimous vote, and while the SB suggested it also had their approval, they refrained from an official vote so it could be considered by the PB for recommendation as well, per legal advice sought given this easement request is a first for all involved.

Happy to provide any needed information.

Much thanks,
Ben

Ben Anderson

Bright & Lyon Productions | The Word Barn

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 **Request for Consideration 66 Newfields Road.pdf**
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