



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, May 25, 2023 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: April 13 and May 11, 2023

NEW BUSINESS:

The application of Richard and Debbi Schaefer for a minor subdivision of the existing 21+/- acre parcel located at 24 Powder Mill Road. The Applicant is proposing to subdivide off a 5.01+/- acre parcel with frontage on Powder Mill Road for a new residence. The subject property is located in the R-1, Low Density Residential zoning district. Tax Map Parcel #102-4. PB Case #23-3.

Continuation of Planning Land Use Series.

OTHER BUSINESS

- Master Plan Discussion
- Land Use Regulations Review
- Field Modifications
- Bond and/or Letter of Credit Reductions and Releases

EXETER PLANNING BOARD
Langdon J. Plumer, Chairman

Posted 05/12/23: Exeter Town Office and Town of Exeter website

1 **TOWN OF EXETER**
2 **PLANNING BOARD**
3 **NOWAK ROOM – TOWN OFFICE BUILDING**
4 **10 FRONT STREET**
5 **APRIL 13, 2023**
6 **DRAFT MINUTES**
7 **7:00 PM**

8 **I. PRELIMINARIES:**

9
10 **BOARD MEMBERS PRESENT BY ROLL CALL:** Chair Langdon Plumer, Vice-Chair Aaron Brown,
11 Pete Cameron, Clerk, Jennifer Martel, Gwen English, and Nancy Belanger Select Board
12 Representative

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

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

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19 **III. OLD BUSINESS**

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21 **APPROVAL OF MINUTES**

22
23 January 26, 2023

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25 Ms. Belanger and Ms. English recommended edits.

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27 ***Ms. Belanger motioned to approve the January 26, 2023 meeting minutes, as amended. Ms. English***
28 ***seconded the motion. A vote was taken, Mr. Cameron abstained, the motion passed 5-0-1.***

29
30 February 9, 2023

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32 Mr. Cameron and Ms. English recommended edits.

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34 ***Mr. Cameron motioned to approve the February 9, 2023 meeting minutes, as amended. Ms. Belanger***
35 ***seconded the motion. A vote was taken, all were in favor, the motion passed 6-0-0.***

36
37 March 23, 2023

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39 Ms. English and Ms. Belanger recommended edits.

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41 ***Ms. Belanger motioned to approve the March 23, 2023 meeting minutes, as amended. Mr. Cameron***
42 ***seconded the motion. A vote was taken, all were in favor, the motion passed 6-0-0.***

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IV. NEW BUSINESS:

1. The application of Richard Schaefer and Debbi Schaefer for a minor subdivision of the existing 21 +/- acre parcel located at 24 Powder Mill Road. The applicant is proposing to subdivide off a 5.01 +/- acre parcel with frontage on Powder Mill Road for a new residence.
R-1, Low Density Residential zoning district
Tax Map Parcel #102-4
Planning Board Case #23-3

Chair Plumer read out loud the Public Hearing Notice.

Mr. Sharples noted the application was complete for review purposes.

Mr. Cameron motioned to open Planning Board Case #23-3. Vice-Chair Brown seconded the motion. A vote was taken, all were in favor, the motion passed 6-0-0.

Mr. Sharples noted the applicants are seeking a minor subdivision and have submitted a minor subdivision plan and supporting documents dated February 23, 2023. Mr. Sharples noted the applicants appeared before the Zoning Board of Adjustment at their November 15, 2022 meeting and were granted a variance for tests pits for an individual sewage disposal system 24 inches to the seasonal high water table. There was no TRC meeting but the application was reviewed by staff. There were no waivers requested.

Mr. Sharples noted that Code Enforcement Officer Doug Eastman determined that the proposal meets the minimum dimensional requirements however the property is located within the special flood hazard area (AE Flood one) and is subject to the recently amended Article 9.4 Floodplain Development Ordinance which prohibits new expansion except to correct a malfunction. The applicant was advised that relief will be necessary from the Zoning Board of Adjustment. Mr. Sharples noted the application was received after posting the ordinance to be adopted and that typically the Planning Board doesn't approve subject to a variance being obtained. Mr. Sharples offered to share the advice of legal counsel in non-public session.

By Roll Call Vice-Chair Brown motioned to go into non-public session pursuant to RSA 91-A:3(II) consideration of advice of legal counsel. Ms. Belanger seconded the motion. A roll call vote was taken: Ms. Belanger voted aye, Ms. English voted aye, Mr. Brown voted aye, Mr. Plumer voted aye, Mr. Cameron voted aye and Ms. Martel voted aye. The motion passed 6-0-0.

The meeting room was closed to the public at 7:24 PM.

Vice-Chair Brown motioned to come out of non-public session. Ms. Belanger seconded the motion. A vote was taken, all were in favor, the motion passed 6-0-0.

The meeting room was reopened to the public at 7:32 PM.

86

87 Vice-Chair Brown explained to the applicants that they were caught in a weird time frame and for that
88 reason the Board will listen to their presentation but not take action so as to not influence the Zoning
89 Board of Adjustment.

90

91 Henry Boyd of Millennium Engineering presented the application on behalf of the applicants who he
92 noted were subdividing a five-acre lot for the benefit of their daughter. He explained the flood zone and
93 elevations unique to the property and felt it was not possible for flood water to inundate the system,
94 however he noted the applicants were before the Board to subdivide the lot, not to build and building is
95 in the purview of the Building Inspector.

96

97 Mr. Sharples noted that at the time the applicant first went before the Zoning Board of Adjustment the
98 Zoning Board of Adjustment would not have known the specifics of the proposed floodplain ordinance
99 as it had not been finalized or posted before November 15th. Mr. Sharples advised that the filing
100 deadline for the ZBA was May 1st for their May 16th meeting.

101

102 ***Vice-Chair Brown motioned to continue the application of Richard Schaefer and Debbi Schaefer,***
103 ***Planning Board Case #23-3 to the Planning Board's May 25, 2023 meeting at 7:00 PM. Ms. English***
104 ***seconded the motion. A vote was taken, all were in favor, the motion passed 6-0-0.***

105

106 2. The application of C/A Design, Inc. (Wakefield Thermal) for a site plan review for the proposed
107 construction of a 40,000 SF addition to an existing industrial building, expanded parking, loading areas
108 and associated site improvements on the property located at 131 Portsmouth Avenue.

109 CT-Corporate Technology Park and C-2 Highway Commercial zoning districts

110 Tax Map Parcel #52-112

111 Planning Board Case #23-4

112

113 Chair Plumer read out loud the Public Hearing Notice.

114

115 Mr. Sharples noted the application was complete for review purposes.

116

117 ***Vice-Chair Brown motioned to open Planning Board Case #23-4. Ms. English seconded the motion. A***
118 ***vote was taken, all were in favor, the motion passed 6-0-0.***

119

120 Mr. Sharples noted the applicant was seeking site plan approval for the proposed construction of a
121 40,000 square foot addition to the existing building at 131 Portsmouth Avenue (former OSRAM Sylvania
122 property). The applicant submitted site plan review application, plans and supporting documents dated
123 February 28, 2023. A Technical Review Committee (TRC) meeting was held on March 23, 2023. A copy
124 of the TRC comment letter dated March 24, 2023 and UEI comment letter dated March 24, 2023 were
125 provided to the Board for review.

126 Mr. Sharples noted revised plans and supporting documents, TRC & UEI response comment letters were
127 received on March 31, 2023 and a second UEI comment letter dated April 6, 2023 were provided to the
128 Board for review.

129 Mr. Sharples noted the applicant obtained a variance from the Zoning Board of Adjustment on
130 September 20, 2022 to permit the expansion of the existing non-conforming light industrial use on the
131 property.

132 Mr. Sharples noted the applicant appeared before the Conservation Commission at their February 21,
133 2023 meeting to review the letter from wetland scientist, Jay Aube dated February 14, 2023 and their
134 NH DES Expedited Wetlands Permit application. An email dated March 23, 2023 was provided from
135 Conservation and Sustainability Planner, Kristen Murphy forwarding comments from Chair Andrew Koff
136 to Mr. Sharples dated 2/23/23. No Conditional Use Permit (CUP) was required because the wetlands
137 were manmade and not subject to buffer or CUP requirements. Ms. Murphy indicated the invasive
138 species management plan was satisfactory. There are no waivers being requested.

139 Tom Burns of TF Moran and Matt Van Zile, C/A Design, Inc. (Wakefield Thermal) presented the
140 application for site plan review. Mr. Burns indicated the proposal is to redevelop part of the office,
141 61,000 SF building, second story which is 37' high built in 1978 and existing gravel parking lot. Mr. Burns
142 displayed the proposed plan. He showed the existing access on GTE Drive and proposed second primary
143 access off Holland Drive. He noted the property had sewer, drainage, water and gas. Mr. Burns noted
144 that variance was obtained from the ZBA for expansion of the non-conforming light industrial use in the
145 C2 zoning district. Mr. Burns noted there would be a 40,000 SF addition (shown in red on the plan) on
146 the SW side and the parking area would be rebuilt and expanded and there would be a loading area and
147 parking for 153 cars. Mr. Burns reviewed the traffic analysis and lessened traffic impacts from utilizing
148 Holland Drive.

149 Mr. Burns reviewed the proposed drainage system and stormwater treatment system which would tie
150 into the existing system. He reviewed the NHDES Alteration of Terrain permit application currently
151 under review. He noted they received the dredge and fill permit last week and sewer discharge permit.

152 Mr. Burns reviewed the architectural design of the renovation and addition which would have light gray
153 insulated metal panels and faux wood panels.

154 Mr. Burns noted there were 150 employees proposed with three shifts but they would start with about
155 75 employees.

156 Chair Plumer opened the hearing to the public for comments and questions at 8:08 PM and being none
157 closed the hearing to the public.

158 Mr. Burns reviewed some of the outstanding comments, #7 concerning shallow pipe run which they can
159 adjust to run between structures, although slopes are allowable.

160 Mr. Burns noted buoyancy calculations for groundwater test pits which he asked the surveyor to update.

161 Mr. Burns addressed comment #12 water line on utility plan which he will have the surveyor update.

162 Mr. Burns addressed comment #18 concerning the 2 of 3 pipes shown – will connect.

163 Mr. Burns noted the lines would be turned on the landscaping sheet plans. He noted the tree roots will
164 not interfere with the easement line and offered to relocate another tree. Mr. Burns addressed the
165 loading docks and updating the drain line. He noted on the SE corner a line of trees to be shifted out of

166 the easement. Mr. Burns commented on the detail sheet, the insert should remain until the stormwater
167 system is online.

168 Ms. Martel asked about reviewing the existing tree line for significant trees and Mr. Burns responded
169 that no trees with greater than 20” caliper had been found.

170 Ms. Martel asked about lighting and photometrics and Mr. Burns indicated lighting would be downcast
171 and dark sky compliant and there would be no light spillage off site.

172 Chair Plumer asked if lights would be on all night because the facility is open 24 hours and Mr. Burns
173 responded – yes.

174 Vice-Chair Brown asked about invasive species and Mr. Burns indicated there were no hits at Natural
175 Heritage Bureau (NHB) for species.

176 Chair Plumer asked if the storm water management would handle the weight of trucks and Mr. Burns
177 responded – yes.

178 Chair Plumer asked about the roof line tie-in with the addition and Mr. Van Zile explained the tie-in to
179 the exiting roof.

180 Ms. English asked what the east side of the building would be used for and the white concrete retaining
181 wall. Mr. Burns explained there would be a drive up ramp with wall on either side, the dock as 4’ height
182 doors.

183 Chair Plumer asked about snow storage and Mr. Burns pointed out three areas on the plan.

184 Vice-Chair Brown asked about the fourth paragraph in the memo and whether one day the necessary o
185 the variance would not be required. Mr. Sharples noted the ordinance is proposing to change next year
186 or the year after.

187 Vice-Chair Brown asked about the Conservation Commission’s letter. Mr. Sharples noted it was part of
188 the TRC review and Ms. Murphy had emailed Steve at the DPW.

189 Mr. Cameron asked about electric vehicle charging stations and Mr. Burns showed the location
190 proposed for four stations pointing to the center of the bottom of the building plan. Mr. Cameron asked
191 if they would be for visitors or employees. Mr. Sharples noted the requirement is for readiness,
192 providing conduit and dedicated circuits for two percent. Mr. Burns noted there would likely be two
193 stations for four parking spaces.

194 Ms. Martel remarked that a future concern could be the equity of EV charging stations to be ADA
195 compliant and Vice-Chair Brown agreed that an employee could foreseeably require that.

196 Mr. Cameron asked if delivery trucks would be parked overnight and Mr. Van Zile responded that they
197 did not have a fleet of trucks and typically the trucks would come in and go out.

198 Ms. Belanger commented that she didn’t remember the school being taken into consideration in the
199 traffic analysis.

200 Ms. English asked about constructing solar panels and Mr. Van Zile responded that they are considering
201 it.

202 Ms. Martel asked if they had considered partnering to reduce the amount of paving. Mr. Burns noted
203 they looked at connecting but the grading was a steep difference at the corner. Mr. Burns noted the
204 access would improve truck circulation. Mr. Sharples explained that taking a left onto GTE Drive could
205 be a long wait and they discussed partnering at the TRC meeting.

206 Ms. Martel asked if anyone wanted to conduct a site walk and the Board seemed satisfied that a site
207 walk was not necessary.

208 Mr. Sharples noted that for future cases Section 9.2.3 of the regulations state that architectural design
209 guidelines may apply to industrial buildings. It does not appear that any part of this building will be
210 visible from the roadway but in future situations where the building is highly visible the "may" will mean
211 yes.

212 Mr. Sharples reviewed the proposed conditions of approval.

213 1. An electronic as-built plan of the entire property with details acceptable to the Town shall be
214 provided prior to the issuance of a Certificate of Occupancy. This plan must be in a dwg or dxf file
215 format and in NAD 1983 State Plane New Hampshire FIPS 2800 Feet coordinates;

216 2. All monumentation shall be set in accordance with Section 9.25 of the Site Plan Review and
217 Subdivision Regulations prior to signing the final plans.

218 3. A preconstruction meeting shall be arranged by the applicant and their contractor with the Town
219 Engineer prior to any site work commencing. The following must be submitted for review and approval
220 prior to the preconstruction meeting:

221 i. The SWPPP (stormwater pollution prevent plan), if applicable, be submitted to and received
222 for approval by DPW prior to preconstruction meeting; and

223 ii. A project schedule and construction cost estimate.

224 4.. Third party construction inspection fees shall be paid prior to scheduling the preconstruction
225 meeting.

226 5. All comments in the Underwood Engineers Inc. review letter dated 4/6/23 shall be addressed to the
227 satisfaction of the Town Planner prior to signing the final plans.

228 6. All outdoor lighting (including security lights) shall be down lit and shielded so no direct light is visible
229 from adjacent properties and/or roadways.

230 7. The three forms in the stormwater management report dated 2/20/23 rev. 3/31/23 which are:

231 i. stormwater operation and maintenance plan;

232 ii. de-icing lot; and

233 iii. jellyfish filter inspection and maintenance log

234 shall all be submitted to the Town Engineer annually on or before January 31st. This requirement shall
235 be an ongoing condition of approval.

236 8. All applicable State permit approval numbers shall be noted on the final plans.

237 9. All appropriate fees to be paid including but not limited to: sewer/water connection fees, impact
238 fees, and inspection fees (including third party inspections) prior to the issuance of a building permit or a
239 Certificate of Occupancy whichever is applicable as determined by the Town.

240 10. All landscaping shown on plans shall be maintained and any dead or dying vegetation shall be
241 replaced, no later than the following growing season, as long as the site plan remains valid. This
242 condition is not intended to circumvent the revocation procedures set forth in State statutes.

243 11. If determined applicable by the Exeter Department of Public Works, the applicant shall submit the
244 land use and stormwater management information about the project using the PTAPP Online Municipal
245 Tracking Tool. The PTAPP submittal must be accepted by DPW prior to the pre-construction meeting.

246 Vice-Chair Brown asked about the April 23, 2023 UEI letter, Page 2, outstanding items and Mr. Sharples
247 added that those should be consistent with what was presented this evening.

248 Mr. Sharples proposed:

249 12. The responses to the April 6, 2023 UEI comment letter shall be consistent with what was presented
250 this evening.

251 Mr. Burns commented on condition #2 monumentation and noted that was put in when the subdivision
252 was done. Mr. Sharples asked that he update the final plans.

253 ***Vice-Chair Brown motioned that the request of C/A Design, Inc. – Wakefield Thermal, Planning Board***
254 ***Case #23-4, for Site Plan approval be approved with the conditions outlined by Town Planner Dave***
255 ***Sharples. Ms. Belanger seconded the motion. A vote was taken, all were in favor, the motion passed***
256 ***6-0-0.***

257 VI. OTHER BUSINESS

- 258 • Master Plan Discussion

259 Mr. Sharples noted there would be a Master Plan Oversight Committee meeting next Thursday
260 at 8:15 AM.

- 261 • Land Use Regulations Review

262

- 263 • Field Modifications

264

265 Mr. Sharples reported on the 12-lot Carlisle subdivision off Watson. The potential buyer had
266 dropped the steep grade of the road and DPW and UEI are reviewing the proposal and there is
267 no change to any of the lots.

268

- 269 • Bond and/or Letter of Credit Reductions and Release

270

271 **VII. TOWN PLANNER'S ITEMS**

272 **VIII. CHAIRPERSON'S ITEMS**

273 **IX. PB REPRESENTATIVE'S REPORT ON "OTHER COMMITTEE ACTIVITY"**

274 **X. ADJOURN**

275 *Vice-Chair Brown motioned to adjourn the meeting at 9:05 PM. Ms. Belanger seconded the motion.*
276 *A vote was taken all were in favor, the motion passed 5-0-0.*

277 Respectfully submitted,

278 Daniel Hoijer,
279 Recording Secretary
280 Via Exeter TV

1 **TOWN OF EXETER**
2 **PLANNING BOARD**
3 **NOWAK ROOM – TOWN OFFICE BUILDING**
4 **10 FRONT STREET**
5 **MAY 11, 2023**
6 **DRAFT MINUTES**
7 **7:00 PM**

8 **I. PRELIMINARIES:**
9

10 **BOARD MEMBERS PRESENT BY ROLL CALL:** Chair Langdon Plumer, Vice-Chair Aaron Brown,
11 Pete Cameron, Clerk, Jennifer Martel, Gwen English, John Grueter, and Nancy Belanger Select
12 Board Representative
13

14 **STAFF PRESENT:** Town Planner Dave Sharples
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16 **II. CALL TO ORDER:** Chair Plumer called the meeting to order at 7:00 PM and introduced the
17 members.
18

19 **III. OLD BUSINESS**
20

21 **APPROVAL OF MINUTES**
22

23 April 13, 2023 - *Tabled*
24

25 *Mr. Cameron motioned to table approval of the April 13, 2023 meeting minutes to the May 25, 2023*
26 *Planning Board meeting at 7:00 PM. Ms. Belanger seconded the motion. A vote was taken, all were*
27 *in favor, the motion passed 7-0-0.*
28

29 **IV. NEW BUSINESS:**

30 Planning Land Use Series

31 Mr. Sharples thanked Nate Kelley at Horsley Witten for his assistance.

32 Mr. Sharples noted that while Part 1 of the series focused on the benefits of undeveloped land, Part 2 of
33 the series will focus on the benefits of developed land. He noted that while undeveloped land provides
34 the materials for some of the resources we use, developed land turns those materials into the products
35 we use.

36 Mr. Sharples noted some examples of developed land were housing, jobs, mobility, goods and services,
37 a vibrant economy, tax base and emotions (security/hope).

38 Mr. Sharples charged the Board with rating each of the examples with a 1 or a 2 as to what were the
39 important benefits to them.

40 Mr. Sharples reviewed what was special about housing such as wealth, security, safety, and shelter
41 during different stages of life where you may start in a multi-family, then move to single-family and then
42 age restricted housing.

43 Mr. Sharples reviewed what was special about jobs such as the economy, finance, commerce, circulation
44 of currency, and investment in the community.

45 Mr. Brown asked if housing was still one of the top contributors to jobs as it used to be with
46 construction or whether technology had moved up to the top.

47 Mr. Sharples reviewed what was special about mobility such as trains, planes, roads, bridges, railroads
48 and even trash removal. Mobility allows you to get to the grocery store, the hairdresser, nail salon, auto
49 repair shop, travel, and contributes to the quality of life day to day, every day.

50 Chair Plumer asked about fire and police and how they fit in. Mr. Sharples noted they fit in with
51 healthcare and public safety.

52 Mr. Sharples reviewed what was special about a vibrant economy such as goods and services,
53 restaurants, a good education.

54 Mr. Sharples explained how the tax base relates to developed land. Homes, businesses, garages, sheds
55 are taxable and provide the means for public safety, maintenance, repair, infrastructure, trash removal
56 and education.

57 Mr. Brown noted that often undeveloped land can be an equal contributor to the tax base because the
58 revenue does not come with the costs that developed land does. Mr. Sharples noted he would discuss
59 the financial side next, striking a balance.

60 Ms. Martel asked about other areas where taxes on developed land do not provide the majority of the
61 tax base. Mr. Sharples indicated that for the purposes of the series, he would be relating to Exeter. Ms.
62 Martel opined that tax revenue should not be the only consideration. Mr. Brown noted examples where
63 zoning boards impact affordable housing, some communities where dense housing isn't welcomed and
64 the impact on schools. Mr. Sharples noted there are a lot of factors. Supply and demand drives the cost
65 up. Mr. Brown explained how the less dense housing supply drives the cost of land up.

66 Mr. Sharples described how education is important to the long term economic strategy of a community
67 providing essentials to the workplace, research and development.

68 Mr. Sharples noted what was special about the emotional security and hope housing provides including
69 security and safety. Ms. Martel noted examples of recreation, parks, theaters, gathering places, religion
70 and entertainment.

71 Mr. Sharples reviewed the question asked at the end of the first series, which was *what is the densest*
72 *single-family subdivision in Exeter?* He stated that the answer is Exeter Farms with 4.9 units per acre.
73 He recommended the Board members go into the neighborhood and see how it is a well maintained,
74 desirable neighborhood.

75 Ms. Martel asked about Rose Farm. Mr. Sharples noted it is an open space subdivision and he will try to
76 find out the answer for the next meeting.

77 Chair Plumer asked about the Academy’s pocket neighborhoods and Mr. Sharples noted those share
78 common lots. Mr. Brown noted the real density comes from condominiums and multi-family
79 developments.

80 Mr. Sharples provided the next question at the end of this second series, which was *what is the most*
81 *controversial zoning provision?*

82 Mr. Cameron provided a topic for discussion which was how regulations are gotten around. Mr.
83 Sharples agreed there were examples of regulations that were the same for everybody and examples of
84 ambiguity found in the language such as “to the extent practical” or “may.”

85 Mr. Cameron noted another topic is variances and how they are used to evade regulations. Mr.
86 Sharples noted the variances were set by statute and the criteria can’t be changed.

87 Mr. Brown noted the series was a great educational tool.

88 Ms. English reviewed the housing series done by Harmony Homes. She noted that RPC recorded the
89 meeting.

90 Ms. Belanger reported on the Housing Advisory Committee and their planned fieldtrip for the fall.

91 VI. OTHER BUSINESS

- 92 • Election of Officers

93 ***Mr. Grueter motioned to keep the same slate of officers as the past year. Ms. English***
94 ***seconded the motion. A vote was taken, all were in favor, the motion passed 7-0-0.***

- 95 • Master Plan Discussion

96 Vice-Chair Brown reported on the Master Plan Oversight Committee’s meeting this morning. He
97 noted that in addition to the Master Plan review, they talked about the bike and pedestrian
98 feedback and will eventually present to the Planning Board and Select Board. He noted they
99 talked about bad intersections including Winter Street and Front Street and the 2024 Greenway
100 project to connect trails. Mr. Sharples indicated that while Seabrook is a challenge with the
101 marsh, the plan is eight miles next year. Vice-Chair Brown noted that they provided some
102 impressive maps showing hiking trails, crosswalks and sidewalks.

- 103 • Field Modifications

104 Mr. Sharples reported that there was a modification to 32 Charter Street as they had trouble
105 with the wait time for a large transformer that was to go underground (about 18-24 months)
106 and will go end to pole to pole underground. The modification was approved by himself and
107 Paul Vlasich.

- 108 • Bond and/or Letter of Credit Reductions and Release

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110

111 **VII. TOWN PLANNER'S ITEMS**

112 **VIII. CHAIRPERSON'S ITEMS**

113 **IX. PB REPRESENTATIVE'S REPORT ON "OTHER COMMITTEE ACTIVITY"**

114 **X. ADJOURN**

115 *Vice-Chair Brown motioned to adjourn the meeting at 8:27 PM. Mr. Cameron seconded the motion.*
116 *A vote was taken all were in favor, the motion passed 5-0-0.*

117 Respectfully submitted,

118 Daniel Hoijer,
119 Recording Secretary
120 Via Exeter TV



TOWN OF EXETER

Planning and Building Department

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

www.exeternh.gov

Date: May 18, 2023
To: Planning Board
From: Dave Sharples, Town Planner
Re: Richard & Debbi Schaefer PB Case #23-3

The Applicant is seeking a minor subdivision of an existing 21-acre parcel located at 24 Powder Mill Road into two (2) residential building lots. The Applicant is proposing to subdivide off a 5-acre parcel with frontage on Powder Mill Road for a new single-family residence. The subject property is located in the R-1, Low Density Residential zoning district and is identified as Tax Map Parcel #102-4.

The Applicant submitted a minor subdivision plan and supporting documents, dated February 23, 2023 which have been previously mailed (for the 4/13/23 PB meeting).

The Applicant appeared before the Zoning Board of Adjustment, at their November 15th, 2022 meeting, and was granted a variance for relief from the requirement to provide the 24 inches to the seasonal high-water table for test pits for an individual sewage disposal system. A copy of the ZBA decision letter and minutes from that meeting have previously been provided.

There was no Technical Review Committee meeting; the materials were reviewed by staff for compliance with zoning and subdivision regulations. It was determined that the proposal met the minimum dimensional requirements, however, the subject property is located within the special flood hazard area (AE Flood zone) and is subject to the recently adopted amendment to Article 9.4 Floodplain Development Ordinance (of the Town's Zoning Ordinance) which prohibits "*new or expansion of existing septic systems, except to correct malfunctions of the septic system.*" The Applicant was advised that relief from the Zoning Board of Adjustment would be necessary for the proposed construction of a new individual sewage disposal system on the property.

The Applicant requested to move forward with the public hearing on their application, which had been scheduled for the April 13th, 2023 Planning Board meeting, to discuss any further comments and/or concerns the Board and/or public may have. At that meeting, the Board voted to continue discussion of the application to their May 25, 2023 meeting (at 7:00 PM) to allow the Applicant adequate time to prepare and file an application for consideration at the May 16th, 2023 Zoning Board of Adjustment meeting.

Subsequently, the Applicant did present their variance application for relief from Article 9, Section 9.4.5 of the Floodplain Development Ordinance to permit the installation a new individual sewage disposal system within the special flood hazard area (AE Flood zone) to the Zoning Board of Adjustment at the May 16th, 2023 meeting. The ZBA determined that a variance was not warranted based on the circumstances, as presented, and therefore voted unanimously to make a finding that the common law standard for vesting was reasonable and would be appropriate in this application. A copy of the Notice of Decision is enclosed for your review. The meeting minutes were not yet available at the writing of this memorandum, but will be provided for the meeting.

There are no waivers being requested in conjunction with this application.

I will be prepared with conditions of approval at the meeting should the Board decide to act on the application.

Planning Board Motion:

Minor Subdivision Motion: I move that the request of Richard and Debbi Schaefer (PB Case #23-3) for Minor Subdivision approval be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Thank You.

Enclosures



TOWN OF EXETER, NEW HAMPSHIRE

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

www.exeternh.gov

May 18, 2023

Justin L. Pasay, Esquire
Donahue, Tucker & Ciandella PLLC
16 Acadia Lane
POB 630
Exeter, New Hampshire 03833

Re: Zoning Board of Adjustment Case #23-7 – Variance Request
Christine and Doug Rupp
24 Powder Mill Road, Exeter, N. H.
Tax Map Parcel #102-4

Dear Attorney Pasay:

This letter will serve as official confirmation that the Zoning Board of Adjustment, at its May 16th, 2023 meeting, determined that the above-captioned application for a variance from Article 9, Section 9.4.5 of the Floodplain Development Ordinance to permit the installation a new individual sewage disposal system within the special flood hazard area (AE Flood zone) was not necessary based on the application of the common law doctrine of vesting to the circumstances presented; and further voted unanimously to find that the common law standard for vesting was reasonable and would be appropriate in this application and that all necessary relief was obtained with the standing variance approval (ZBA Case #22-18) granted by the Zoning Board of Adjustment at its November 15, 2022 meeting.

Please be advised that in accordance with Article 12, Section 12.4 of the Town of Exeter Zoning Ordinance entitled “Limits of Approval” that all approvals granted by the Board of Adjustment shall only be valid for a period of three (3) years from the date such approval was granted; therefore, should substantial completion of the improvements, modifications, alterations or changes in the property not occur in this period of time, this approval will expire.

If you should have any questions, please do not hesitate to contact the Building Department office at (603) 773-6112.

Sincerely,

Robert V. Prior
Chairman
Exeter Zoning Board of Adjustment

cc: Christine and Doug Rupp
Richard and Debbi Schaefer, property owners
Henry H. Boyd, Jr., LLS
Douglas Eastman, Building Inspector/Code Enforcement Officer
Janet Whitten, Town Assessor

RVP: bsm



RECEIVED

EB 23 2023

TOWN OF EXETER
MINOR SUBDIVISION, MINOR
SITE PLAN, AND/OR LOT LINE
ADJUSTMENT APPLICATION

EXETER PLANNING OFFICE

PH: date 4/13/23

OFFICE USE ONLY

THIS IS AN APPLICATION FOR:

() MINOR SITE PLAN
 MINOR (3lots or less) SUBDIVISION () LOTS
 () LOT LINE ADJUSTMENT

APPLICATION	
DATE RECEIVED	
APPLICATION FEE	175.00
PLAN REVIEW FEE	
ABUTTER FEE	60.00
LEGAL NOTICE FEE	50.00
INSPECTION FEE	
TOTAL FEES	285.00
AMOUNT REFUNDED	

pd. 2/23/23 ✓ #7131

1. NAME OF LEGAL OWNER OF RECORD: RICHARD AND DEBBI SCHAEFER
 ADDRESS: 24 POWDER MILL RD.

TELEPHONE: (603) 772-8637

2. NAME OF APPLICANT: SAME
 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: 24 POWDER MILL RD.

TAX MAP: 102 PARCEL #: 4 ZONING DISTRICT: B-1

AREA OF ENTIRE TRACT: 21 ACRES PORTION BEING DEVELOPED: SEEK TO SUBDIVIDE OFF 5 ACRE LOT FOR DAUGHTER



5. EXPLANATION OF PROPOSAL: SEEK TO DIVIDE A 5 ACRE LOT OFF THIS 21 ACRE LOT FOR DAUGHTER TO BUILD A HOME

6. ARE MUNICIPAL SERVICES AVAILABLE? (YES/NO) NO
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.

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

<u>ITEM:</u>	<u>NUMBER OF COPIES</u>
A. <u>(7) 22x34 PLAN COPIES</u>	
B. <u>(15) 11x17 PLAN COPIES</u>	
C. _____	
D. _____	
E. _____	
F. _____	

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

9. NAME AND PROFESSION OF PERSON DESIGNING PLAN:

NAME: HENRY H BOYD JR, US MILLENIUM ENGINEERING, INC
ADDRESS: P.O. BOX 745 EXETER, NH 03833
PROFESSION: LAND SURVEYOR TELEPHONE: 603 778-0528

10. LIST ALL IMPROVEMENTS AND UTILITIES TO BE INSTALLED: _____
PROPOSED HOUSE, DRIVEWAY, WELL & SEPTIC



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

(Please check with the Planning Department Office to verify) (YES/NO) NO IF YES, LIST BELOW AND NOTE ON PLAN.

NOTICE:

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

DATE 2/23/23 APPLICANT'S SIGNATURE *Robert Schaefer*
Delti Schaefer TTEES

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 EITHER 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 102-4
 NAME RICHARD AND DEBBI SCHAEFER
 ADDRESS 24 POWDER MILL RD.
EXETER, NH 03833

TAX MAP 73-47
 NAME BOSTON AND MAINE RAILROAD
 ADDRESS 1700 IRON HORSE PARK
NORTH BILLERICA, MA 01862

TAX MAP 102-5
 NAME TOWN OF EXETER
 ADDRESS 10 FRONT ST
EXETER, NH 03833

TAX MAP _____
 NAME _____
 ADDRESS _____

TAX MAP 102-6
 NAME TOWN OF EXETER
 ADDRESS 10 FRONT ST.
EXETER, NH 03833

TAX MAP _____
 NAME _____
 ADDRESS _____

TAX MAP 102-7
 NAME THOMAS AND RENEE CREGAN
 ADDRESS 19 POWDER MILL RD
EXETER, NH 03833

TAX MAP _____
 NAME _____
 ADDRESS _____

TAX MAP 102-3
 NAME TOWN OF EXETER
 ADDRESS 10 FRONT ST.
EXETER, NH 03833

TAX MAP _____
 NAME _____
 ADDRESS _____

TAX MAP 113-1
 NAME TOWN OF EXETER
 ADDRESS 10 FRONT ST.
EXETER, NH 03833

TAX MAP _____
 NAME _____
 ADDRESS _____

TAX MAP 113-4
 NAME BRUCE AND TIMOTHY WHITE
 ADDRESS 126 LINDEN ST.
EXETER, NH 03833

TAX MAP _____
 NAME _____
 ADDRESS _____

TAX MAP 97-23
 NAME RIVERWOODS CO AT EXETER
 ADDRESS 7 RIVERWOODS DR.
EXETER, NH 03833

TAX MAP _____
 NAME _____
 ADDRESS _____

Please attach additional sheets if needed



CHECK LIST FOR MINOR SITE PLAN REVIEW, MINOR SUBDIVISION AND LOT LINE ADJUSTMENT

APPLICANT	TRC	REQUIRED EXHIBITS, SEE REGULATION 6.6.2.4
<input checked="" type="checkbox"/>	<input type="checkbox"/>	a) The name and address of the property owner, authorized agent, the person or firm preparing the plan, and the person or firm preparing any other data to be included in the plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	b) Title of the site plan, subdivision or lot line adjustment, including Planning Board Case Number.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	c) Scale, north arrow, and date prepared.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	d) Location of the land/site under consideration together with the names and address of all owners of record of abutting properties and their existing use.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	e) Tax map reference for the land/site under consideration, together with those of abutting properties.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	f) Zoning (including overlay) district references.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	g) A vicinity sketch showing the location of the land/site in relation to the surrounding public street system and other pertinent location features within a distance of 1,000-feet.
<input type="checkbox"/>	<input type="checkbox"/>	h) For minor site plan review only, a description of the existing site and proposed changes thereto, including, but not limited to, buildings and accessory structures, parking and loading areas, signage, lighting, landscaping, and the amount of land to be disturbed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	i) If deemed necessary by the Town Planner, natural features including watercourses and water bodies, tree lines, and other significant vegetative cover, topographic features and any other environmental features which are significant to the site plan review or subdivision design process.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	j) If deemed necessary by the Town Planner, 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 type="checkbox"/>	<input type="checkbox"/>	k) If deemed necessary by the Town Planner for proposed lots not served by municipal water and sewer utilities, a High Intensity Soil Survey (HISS) of the entire site, or portion thereof. Such soil surveys shall be prepared and stamped 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"/>	l) State and federal jurisdictional wetlands, including delineation of required setbacks.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	m) A note as follows: "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"/>	n) Surveyed exterior 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.

NA

Millennium Engineering, Inc.

P.O. Box 745
(603) 778-0528

Exeter, NH 03833
FAX (603) 772-0689

February 23, 2023

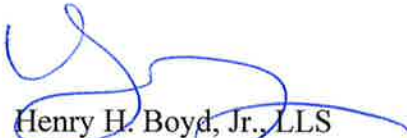
Town of Exeter
Planning Board
10 Front Street
Exeter, NH 03833

Re: Application for Minor Map 102 Lot 4, 24 Powder Mill Road Exeter, NH.

Dear Chairman:

The request is made to divide a 5-acre lot off from this 21-acre parcel so that the applicant's daughter can build a new home. The proposed dwelling will have its own well and individual septic disposal system.

Respectfully,



Henry H. Boyd, Jr., LLS
Millennium Engineering Inc.



TOWN OF EXETER, NEW HAMPSHIRE

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

www.exeternh.gov

November 16, 2022

Henry H. Boyd, Jr., LLS
Millennium Engineering, Inc.
13 Hampton Road
POB 745
Exeter, New Hampshire 03833

Re: Zoning Board of Adjustment Case #22-18 - Variance Request
Richard & Debbi Schaefer, 24 Powder Mill Road, Exeter, N. H.
Tax Map Parcel #102-4

Dear Mr. Boyd:

This letter will serve as official confirmation that the Zoning Board of Adjustment, at its November 15th, 2022, voted to grant the above-captioned application for a variance from Article 5, Section 5.3.3. to permit the use of test pits for an individual sewage disposal system with less than the required 24 inches to seasonal high-water table, as presented, subject to an Enviro-Septic pipe or similar system be installed.

Please be advised that in accordance with Article 12, Section 12.4 of the Town of Exeter Zoning Ordinance entitled "Limits of Approval" that all approvals granted by the Board of Adjustment shall only be valid for a period of three (3) years from the date such approval was granted; therefore, should substantial completion of the improvements, modifications, alterations or changes in the property not occur in this period of time, this approval will expire.

If you should have any questions, please do not hesitate to contact the Building Department office at (603) 773-6112.

Sincerely,

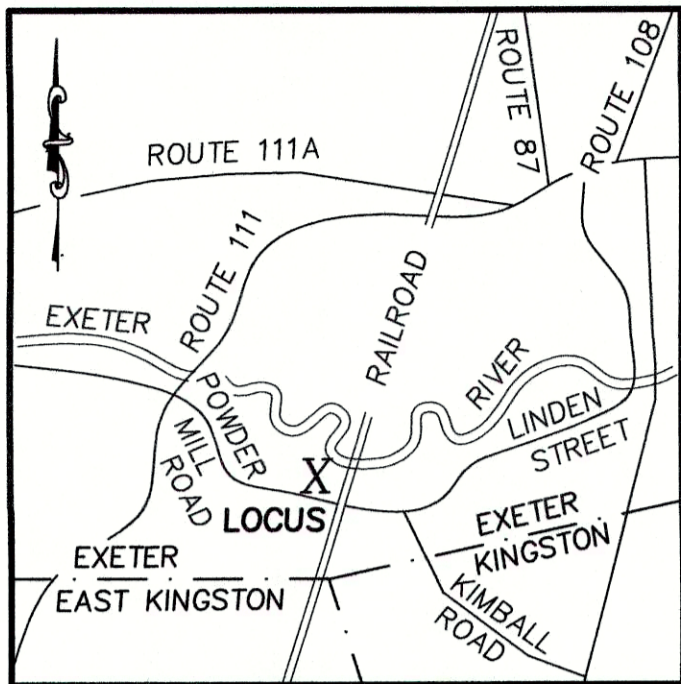
A handwritten signature in cursive script that reads "Kevin M. Baum".

Kevin M. Baum
Chairman

Exeter Zoning Board of Adjustment

cc: ✓ Richard and Debbi Schaefer, property owners
Douglas Eastman, Building Inspector/Code Enforcement Officer
Janet Whitten, Town Assessor

KMB: bsm



REMAINING AREA
16 ± ACRES

SEE LOMR 18-01-0144P
EFFECTIVE: 11-05-2018.

NOTES:

- 1) THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT VISIBLE USES OF THE LAND; HOWEVER, THIS DOES NOT CONSTITUTE A GUARANTEE THAT NO SUCH EASEMENTS EXIST.
- 2) THIS PARCEL LIES PARTIALLY WITHIN AE FLOOD ZONE, 0.2% ANNUAL FLOOD CHANCE ZONE AND THE REGULATORY FLOOD WAY. SEE F.I.R.M. COMMUNITY PANEL 330135C 0403 E EFFECTIVE DATE MAY 17, 2005.
SEE LOMR 18-01-0144P EFFECTIVE: 11-05-2018.
- 3) "THE LANDOWNER IS RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL WETLANDS REGULATIONS, INCLUDING ANY PERMITTING AND SETBACKS REQUIRED UNDER THESE REGULATIONS."
- 4) ELEVATIONS ARE BASED ON NAVD29.
- 5) PROPOSED HOME MUST BE BUILT TO PLAIN DEVELOPMENT ORDINANCE 9.4 WITHIN THE TOWN ZONING REGULATIONS.

PLAN NOTE

THE PURPOSE OF THIS PLAN IS TO SHOW THE DIVISION OF THIS PARCEL INTO 2 LOTS FOR SINGLE FAMILY RESIDENTIAL PURPOSES.

VARIANCE NOTE

SEE VARIANCE CASE #22-18 NOVEMBER 15, 2022 TO PERMIT THE USE OF TEST PITS FOR INDIVIDUAL SEPTIC DISPOSAL SYSTEM WITH LESS THAN 24" TO SEASONAL HIGH WATER TABLE. SUBJECT TO ENVIRO-SEPTIC OR SIMILAR SYSTEM TO BE INSTALLED.

RECORD OWNERS
SCHAEFER FAMILY REV. TRUST
RICHARD C. & DEBBI L. SCHAEFER TRUSTEES
24 POWDER MILL ROAD
EXETER, NH 03833
BK. 4329 PG. 1795

21± ACRES
PER DEED

PLAN REFERENCES

D-32415 C-11567 D-10095
SEE RAILROAD VAL. PLAN V2NH/47

N/F
BOSTON & MAINE RAILROAD
1700 IRON HORSE PARK
NORTH BILLERICA, MA 01862

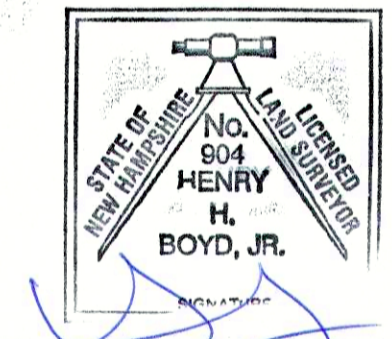
THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET REGISTRY OF DEEDS REQUIREMENTS AND ARE NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT TOWN/CITY ASSESSORS' RECORDS.

I CERTIFY:

THAT THIS ACTUAL SURVEY WAS MADE ON THE GROUND IN JANUARY 2023.

THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF REGISTER OF DEEDS.

THAT THIS SURVEY CONFORMS TO THE REQUIREMENTS FOR ACCURACY FOR N.H. URBAN SURVEY.



03-09-2023
DATE

PLANNING BOARD CASE NUMBER 23-XX

PLAT OF LAND
IN
EXETER, NH

SHOWING
A MINOR SUBDIVISION
AT 24 POWDER MILL ROAD
(ASSESSORS MAP 102 LOT 4)

RECORD OWNER
SCHAEFER FAMILY TRUST
RICHARD C. & DEBBI L. SCHAEFER TRUSTEES
24 POWDER MILL ROAD EXETER, NH 03833

MILLENNIUM ENGINEERING INC.
ENGINEERS AND LAND SURVEYORS
P.O. BOX 745 13 HAMPTON ROAD EXETER, NH 03833
PHONE: (603) 778-0528 FAX: (603) 772-0689

WETLANDS DELINEATION BY
GOVE ENVIRONMENTAL, INC.
8 CONTINENTAL DRIVE UNIT H
EXETER, NH 03833

IN ACCORDANCE WITH THE U.S. ARMY CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, TECHNICAL REPORT Y-87-1 (JANUARY, 1987); REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTH CENTRAL AND NORTHEAST REGION (OCTOBER 2012); NEW ENGLAND HYDRIC SOILS TECHNICAL COMMITTEE'S "FIELD INDICATORS OF IDENTIFYING HYDRIC SOILS IN NEW ENGLAND," VERSION 4, 2017; CODE OF ADMINISTRATIVE RULES. NHDES WETLANDS BUREAU (CURRENT).

NO.	DATE	DESCRIPTION	BY
1	03-09-23	REVISE 4K AREA	H.H.B.
		DESCRIPTION	

SCALE: 1"=40'	CALC. BY: R.S.G.	PROJECT: E222977
DATE: FEB. 23, 2023	CHKD. BY: H.H.B.	

ZONING DISTRICT

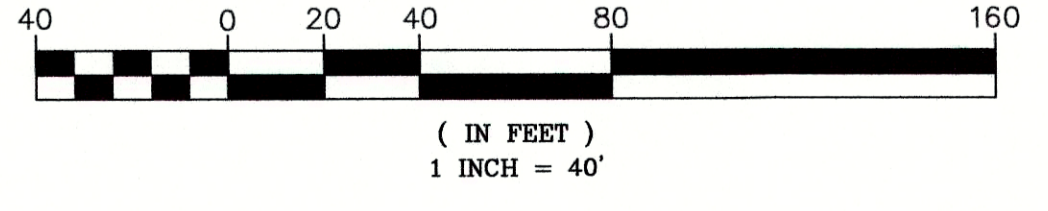
R-1 LOW DENSITY

AREA	2 ACRES
WIDTH	150'
DEPTH	150'
FRONTAGE	150'
BUILDING HEIGHT	
MAXIMUM	35'
BUILDING SETBACKS	
FRONT	25'
SIDE	15'
REAR	25'
BUILDING COVERAGE	
MAXIMUM	15%
OPEN SPACE	
MINIMUM	80%

LEGEND

- I.P. IRON PIPE
- I ROD FOUND
- ASSESSORS MAP AND PARCEL
- OHW OVER HEAD WIRE
- UTILITY POLE
- WETFLAG
- WETLAND

GRAPHIC SCALE



102 5

N/F
TOWN OF EXETER
10 FRONT STREET
EXETER, NH 03833

113 1

N/F
TOWN OF EXETER
10 FRONT STREET
EXETER, NH 03833
BK. 1500 PG. 0347

C-11567