

### **TOWN OF EXETER, NEW HAMPSHIRE**

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#### LEGAL NOTICE EXETER PLANNING BOARD AGENDA

The Exeter Planning Board will meet on Thursday, June 26, 2025 at 7:00 P.M. in the Nowak Room of the Town Office building located at 10 Front Street, Exeter, New Hampshire, to consider the following:

APPROVAL OF MINUTES: April 24 and June 12, 2025

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

The application of Foss Motors for design review of a proposal to demolish the existing building located at 133 Portsmouth Avenue and construct a new 36,500 square foot car dealership with expanded parking, vehicle display area and associated site improvements. The subject property is located in the C-2, Highway Commercial zoning district. Tax Map Parcels #52-110, #52-111 and #52-112-2. PB Case #25-4.

#### **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 06/16/25: Exeter Town Office and Town of Exeter website

1	TOWN OF EXETER	
2	PLANNING BOARD	
3	NOWAK ROOM	
4	10 FRONT STREET	
5	APRIL 24, 2025	
6	DRAFT MINUTES	
7	7:00 PM	
8	I. PRELIMINARIES:	
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10	BOARD MEMBERS PRESENT BY ROLL CALL: Chair Langdon Plumer, Vice-Chair Aaron Brown, Gwen	
11	English, John Grueter, Jen Martel, Nancy Belanger, Select Board Representative, Alternate Marty	
12	Kennedy, and Alternate Dean Hubbard	
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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. <u>NEW BUSINESS:</u>	
20	1. The application of StoneArch Development for a multi-family site plan review for the proposed	
21	construction of a six (6) unit townhouse style residential condominium development along with	
22	associated parking and site improvements. The subject property is located at 57 Portsmouth Avenue.	
23	C-2, Highway Commercial zoning district	
24	Tax Map Parcel #73-14	
25	Planning Board Case #25-1.	
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27	Chair Plumer read the Public Hearing Notice out loud.	
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29	Town Planner, Dave Sharples indicated that the applicant appeared before the Board at their April 10,	
30	2025 meeting to present their plans for the proposed project. The Board tabled the application to	
31	tonight's meeting. The Board held a site walk on April 10 at 8 AM to review site conditions.	
32	The conflict of the standard o	
33	The applicant obtained several variances for the proposed construction and the notices of decision and	
34	minutes were provided from the November 19, 2024 meeting	
35 36	The applicant submitted plans and supporting documents dated April 16, 2025 and submitted additiona	
37	handouts to the Board this evening.	
38	handouts to the board this evening.	
39	The applicant is requesting three waivers, two of which were referenced in the letter from Beals	
40	Associates dated January 28, 2025 and the third in their letter of today requesting the stormwater	
41	waiver as a result of the Underwood Engineering (UEI) comment letter.	
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Christian Smith indicated that architect Robert Baldwin was present along with John O'Neil. He indicated the architect rendering, floor plans, and elevations were submitted. He noted that as a result of the UEI letter received Tuesday afternoon a waiver was suggested for the stormwater design. Mr. Smith described the change to the retaining wall proposed to be connected to the building which is no longer the retaining structure behind the building. He referenced the utility closet and landscaping consultant plan changes.

Mr. Grueter asked about the walkway located in between the two guest parking spaces. Mr. Smith indicated 9' is the width of a wide car and firetrucks are 8-9.' Ms. Martel noted the adjacent door and commented that if cars park there, they can't get out the door, and asked if the door could open in.

Ms. English indicated she was not comfortable with the UEI comments of April 16, 2025 concerning stormwater and not having a response. Mr. Smith referenced #24 of the April 22, 2025 response letter.

Chair Plumer opened public comment at 7:37 PM.

Ms. Martel asked the width of the units and Mr. Smith indicated 22.' She asked that the size of Unit D be reduced because guest parking is tight. Mr. Baldwin indicated that the width is a minimum for a two-car garage but offered to eliminate the entry door or slide it down so it doesn't open to the walkway. Mr. Grueter noted the door was not as much an issue as the two parking spaces and asked if there could be one guest space. Mr. Smith indicated 14 spaces were required and 14 were provided, and are the size of every standard stall in town.

Mr. Smith reviewed the response letter dated April 22, 2025 since the Board did not have a copy in their packets. He reviewed #24 concerning treatment and infiltration, reduction of retaining walls and underground detention and noted that would cause a real mess because there are so many utilities running under the drive aisle. He noted it was addressed in the waiver request.

Mr. Smith reviewed #25 of the response letter dated April 22, 2025 and referenced the runoff on site and waiver request.

Mr. Smith reviewed #26 of the response letter dated April 22, 2025 and noted they did reduce flows to  $1/100^{th}$  of a CFS under the two-year storm and the threshold in the town regulations which is also addressed in the waiver request.

Mr. Smith reviewed #31 of the response letter dated April 22, 2025 and noted the comment concerning building setback lines on the plans to show the setbacks granted by the Zoning Board of Adjustment.

Mr. Smith referenced the permeable pavers and infiltration and noted he will add three spot grades in the final plan.

Ms. Martel asked about the stormwater management plan and Mr. Smith described the pervious paver patio, roof run off to paver area, front gutter to stone reservoir and stone mulch outside the building which he reviewed with the Town Engineer, who had no issue.

Ms. Martel asked where the stormwater would be treated, and Mr. Smith indicated the waiver request.

Ms. Martel asked about hydrostatic pressure behind the wall and Mr. Smith noted there was not a great deal of water and the requirements under 50-year storm under ICFS and storage area under pavers, the 20' slope and ample depth to bleed. He referenced auger pits that were done. He noted the foundation retaining wall is sealed.

Chair Plumer indicated that Alternate, Marty Kennedy would be activated for this hearing and Alternate Hubbard would not be acting for this hearing.

Chair Plumer asked about the decorative stone mulch and Mr. Smith indicated the trees on the side which were being saved.

Ms. Martel asked about the lawn strip out front if it was the only lawn strip and Mr. Smith referenced the area on the side where the trees are.

Ms. English asked if the other engineer indicated what he would like to see them do (concerning stormwater management), and Mr. Smith responded that they don't do that.

107 Ms. Martel asked about subsurface infiltration and Mr. Smith indicated the area where water and sewer and gas, and cable are located.

Mr. Smith indicated there was a decent amount of runoff to the site up slope coming from off site being captured and infiltrated as well.

Mr. Sharples advised that he asked Town Engineer Paul Vlasich about the waiver request and he wrote back that he talked to Mr. Smith and was okay with this minor request.

116 Chair Plumer indicated there was no public to comment on this application.

118 Ms. Martel asked if this project triggered state stormwater and Mr. Smith responded no, just the permit for adding new manholes.

Mr. Hubbard asked Mr. Sharples about the April 16, 2025 letter, #11 and the UEI response that without retaining walls the project would not be possible. Mr. Sharples responded that he was not an engineer but the April 22, 2025 letter says any previous comment no longer listed is addressed satisfactorily. The foundation is not essentially the retaining wall. Mr. Hubbard noted there was still a two-foot landscaping wall and asked the difference. Mr. Smith responded that they can build up to four-foot wall, without a structural engineering design. The wall between the buildings will need structural engineering preconstruction.

Mr. Smith read the criteria for the waiver for road and fire lane width which he noted the DPW requested be waived. He referenced the width for the town's aerial ladder truck and decrease in

stormwater flow as a benefit. He noted it was not detrimental to public health, safety, welfare or injurious to other property. He noted the access to Portsmouth Avenue and uniqueness of the existing curb cut which is in the same location and the spirit and intent is to provide adequate width for cars to pass and the town's ladder truck. He noted it will not vary the ordinance or master plan. Fire access will be provided and the Fire Inspector noted they would fight a fire from Portsmouth Avenue where the hydrant is also located.

Vice-Chair Brown motioned that after reviewing the criteria for granting waivers the request of Stonearch Development, Planning Board Case #25-1 for a waiver from Section 9.14.9 of the site plan review and subdivision regulations to permit proposed roadway and fire lanes to be less than 24' be approved. Ms. Belanger seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Mr. Smith reviewed the criteria for the waiver for grading within 5' of property line. He noted there will be adequate space to work and it will not be detrimental to public health, safety, welfare or injurious to other properties. He noted the location of access on Portsmouth Avenue and curb cut in the same location and that it would be illogical to move the driveway further west. He noted there would be no disturbance to adjacent properties and adequate screening. He noted it would not be contrary to the spirit and intent of the ordinance and would not alter the ordinance or master plan. He noted there are no structures in the 5' property line including the edge of pavement.

Mr. Grueter motioned that after reviewing the criteria for granting waivers the request of Stonearch Development, Planning Board Case #25-1 for a waiver from Section 9.3.6.4 of the site plan review and subdivision regulations for grading within 5' of property line be approved. Ms. Belanger seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Mr. Smith reviewed the April 24, 2025 stormwater waiver request letter. He noted flows and volumes are better than existing conditions and the removed proposal to connect to the municipal drainage system. He noted flow volumes which were minimal for the two-year event and that the DPW agreed the minimal increase would have no impact. He noted the decrease in peak flow, pervious walkway and stone mulch which will provide additional treatment and will not be contrary to public health, safety, welfare or injurious to other properties. He noted the treatment was unique and not applicable to other properties. He indicated the town regulations which allow for uncertainty in math rounding. He noted denial would be a hardship to require mitigation in another way. He indicated the ordinance and master plan would not be varied.

Ms. English asked if maintenance would be in the condominium documents and Mr. Smith referenced the annual inspection requirement. Mr. Sharples noted that is a standard condition. Ms. English asked if gutters could be specified.

Vice-Chair Brown questioned if the calculations were compared prior to post if there would even be an increase. Mr. Smith agreed that if modeled under the older house and driveway, no, and that calculation for pervious pavers out front and stone mulch were not done.

 Chair Plumer asked about waterproofing for the foundation and Mr. O'Neil indicated there was a lifetime warranty and ½" rubber used.

Vice-Chair Brown motioned after reviewing the criteria for granting waivers that the request of Stonearch Development, Planning Board Case #25-1 for a waiver from Section 9.3.2 of the site plan review and subdivision regulations regarding discharge for redevelopment projects, be approved. Mr. Kennedy seconded the motion. A roll call vote was taken, Mr. Kennedy voted aye, Mr. Grueter voted aye, Chair Plumer voted aye, Vice-Chair Brown voted aye, Ms. English voted nay, Ms. Belanger voted aye and Ms. Martel voted nay. The motion passed 5-2-0.

Vice-Chair Brown indicated he had no issues with the minimal increase and noted the applicant should not be punished for it being an empty lot right now. Chair Plumer indicated he was comfortable with it. Ms. English stated that the comments were not addressed. Ms. Martel agreed and referenced the stormwater behind the retaining wall and asked where the drain was. Mr. Smith noted there were no underdrains, and the flow goes into the groundwater matrix. Chair Plumer noted the abutting lots were not exactly level and there is no sign of sudden wash, and it is a pretty steep slope. Mr. Smith noted the neighbors are doing the same and have no issues. Vice-Chair Brown noted there is no erosion. Mr. Kennedy noted he did not think there is going to be a problem.

Ms. Martel asked about lighting and requested a photometric be supplied. She asked if there was lighting out front and Mr. Smith indicated only safety lighting with a manual on/off activated by the homeowners and all lighting is dark sky compliant. Vice-Chair Brown asked if the streetlight was close and Mr. Smith indicated it was located at the corner of property by Hampton Inn. Vice-Chair Brown noted it throws a lot of light to the front.

Ms. English asked about traffic turning to the left to exit and vehicles taking a right having to go around the hospital. Mr. Smith noted they could turn around in a parking lot. Mr. Kennedy indicated it was not a good idea to prohibit the turn and have it ignored. Vice-Chair Brown noted the corrected signal coordination will help.

Mr. Sharples addressed conditions and recommended the door open in by the mechanical room.

Ms. Martel requested spot elevations for the patio.

Mr. Sharples read the standard conditions of approval:

1. An electronic as built plan with details acceptable to the Town shall be provided prior to the issuance of a certificate of occupancy. This plan must be in a dwg or dxf file format and in NAD 1983 State Plane New Hampshire FIPS 2800 feet coordinates;

2. A preconstruction meeting shall be arranged by the applicant and his contractor with the Town engineer prior to any site work commencing. The following must be submitted for review and approval prior to the preconstruction meeting:

i. the SWPPP (storm water pollution prevention plan), if applicable, be submitted to and
 reviewed for approval by DPW prior to the preconstruction meeting; and
 ii. A project schedule and construction cost estimate.

3. Third party construction inspection fees shall be paid prior to scheduling the preconstruction meeting.

4. All condominium documents including the declaration and bylaws shall be submitted to the town planner for review and approval prior to signing the final plans. Condominium documents to include maintenance requirements for all stormwater practices (including gutters, annual reporting etc.) shown on the plans. In the event the town planner deems review is required by the town attorney, this review shall be paid for at the applicants' expense.

5. All applicable state permit approval numbers shall be noted on the final plans.

6. All applicable fees to be paid including, but not limited to sewer/water connection fees, impact fees and inspection fees (including third party inspection fees) prior to issuance of a certificate of occupancy.

7. All landscaping shown on plans shall be maintained and any dead or dying vegetation shall be replaced, no later than the following growing season. as long as the site plan remains valid.

8. All outdoor lighting (including security lights) shall be shown on the final plans and shall be down lit and shielded so no direct light is visible from adjacent properties and/or right of ways.

9. The applicant shall submit the land use and stormwater management information about the project using the PTAPP online municipal tracking tool. The PTAPP submittal must be accepted by DPW prior to the preconstruction meeting.

Mr. Sharples read the proposed special conditions of approval:

10. The side door on the first floor of the northeast side of the rear building shall open into the garage
 and shall be moved to the rear of the garage as to not conflict with the guest parking stalls

11. Spot grades of the pervious walkway in the rear shall be shown on the final plans.

Ms. Belanger motioned that the request of Stonearch Development, Planning Board Case #25-1 for a multi-family site approval be approved with the conditions read by Town Planner Dave Sharples. Mr. Kennedy seconded the motion. A vote was taken, Ms. Martel voted nay, Ms. English voted nay, Ms. Belanger voted aye, Vice-Chair Brown voted aye, Chair Plumer voted aye, Mr. Grueter voted aye, and Mr. Kennedy voted aye. The motion passed 5-2-0.

2. The application of Willey Creek Company for design review of the site plans, lot line adjustment and Wetlands and Shoreland conditional use permits for the proposed relocation of Building D of the Ray Farm Condominium development and associated site improvements off of Ray Farmstead Road.

263 C-3, Epping Road Highway Commercial zoning district 264 Tax Map Parcel #47-8 and #47-8.1 265 Planning Board Case #22-3. 266 267 Ms. Belanger and Mr. Kennedy recused themselves. Alternate Hubbard was activated. 268 269 By Roll Call Vice-Chair Brown motioned to go into non-public session pursuant to 91-A:3(II)(I) at 8:45 270 PM. Ms. English seconded the motion. A roll call vote was taken, Mr. Hubbard voted aye, Mr. Grueter 271 voted aye, Vice-Chair Brown voted aye, Chair Plumer voted aye, Ms. English voted aye, and Ms. 272 Martel voted aye. The motion passed 6-0-0. 273 274 The Board reopened the meeting to the public at 9:15 PM. 275 276 Chair Plumer read out loud the Public Hearing Notice for Planning Board Case #22-3. He commented 277 that the Board has no jurisdiction to resolve property disputes and would limit discussion on property 278 rights. 279 280 Mr. Sharples noted the Technical Review Committee indicated the case was not ready for review 281 purposes and is looking for preliminary design discussion. 282 283 Attorney Tim Phoenix noted that Jon Shafmaster and Kat Morrill from Millenium Engineering were 284 present with Bill Blackett from CKT and Wiley Creek. 285 286 Attorney Phoenix requested the Board identify the property dispute discussions and Chair Plumer 287 indicated letters from various attorneys, owner and Select Board. 288 289 Attorney Phoenix indicated the case was tabled in 2022 with four buildings and three built, four 290 including Building D were approved. 291 292 Kat Morrill of Millenium Engineering referenced relocation of Building D showing the area on the plan in 293 the upper right corner and referenced the 24' access road, existing drainage and stormwater 294 management. She noted 72 parking spaces would be provided with half under. She indicated a 295 Conditional Use Permit would be applied for. 296 297 Chair Plumer opened the hearing to comments from the public at 9:23. 298 299 Marty Kennedy indicated he lived at 7 Wiley Creek Road, Building A and was a member of the 300 condominium association but not representing them. He noted concerns and ongoing discussions such 301 as the private driveway with 50' easement connected to an adjacent property and that he would prefer 302 a town road funded through the TIFF process rather than incurring the long-term cost of maintaining the 303 road. He noted that the Epping Road pedestrian crossing would be dangerous with 12,000 vehicles in 304 afternoon peak hours making it impossible to cross without signalized control.

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306	Russ Hilliard of Upton and Hatfield indicated he represented Scott Carlisle. He stated that we have
307	never objected to the relocation of the building so long as whatever happens doesn't interfere with Mr.
308 309	Carlisle's right of way that leads to his property.
310	Ms. English noted the plans were hard to read, a lot was missing, buffers, shoreland protection area.
311	
312	Attorney Phoenix stated that he hasn't asked the Board to resolve a property dispute, that CKT has a
313	right as an abutter to access a road, and referenced an unspecified right to the Board to delegate and to
314	apply ordinary standards.
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316	Vice-Chair Brown motioned that the design review process for Planning Board Case #22-3 has
317	concluded and instructs the Town Planner to notify the applicant in accordance with NH RSA 676:4.
318	Mr. Grueter seconded the motion. A vote was taken, all were in favor, the motion passed
319	unanimously.
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321	Attorney Phoenix asked about scheduling and Vice-Chair Brown indicated they would need to receive a
322	full application.
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324	IV. OLD BUSINESS
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326	APPROVAL OF MINUTES
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328	March 27, 2025
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330	Ms. Belanger, Ms. English, and Mr. Hubbard recommended edits.
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332	Ms. Belanger motioned to approve the March 27, 2025 meeting minutes, as amended. Ms. English
333	seconded the motion. A vote was taken, Mr. Grueter abstained. The motion passed 6-0-1.
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335	April 10, 2025
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337	Mr. Hubbard and Mr. Grueter recommended edits.
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339	Ms. English motioned to approve the April 10, 2025 minutes, as amended. Mr. Grueter seconded the
340	motion. A vote was taken, Ms. Belanger abstained. The motion passed 6-0-1.
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342	V. OTHER BUSINESS
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344	Master Plan Discussion
345	Waster Flam Bissassion
346	Field Modifications
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348	Bond and/or Letter of Credit Reductions and Release
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350	VI. TOWN PLANNER'S ITEMS
351	VII. CHAIRPERSON'S ITEMS
352	VIII. PB REPRESENTATIVE'S REPORT ON "OTHER COMMITTEE ACTIVITY"
353 354	Ms. English referenced the Rockingham Planning Commission survey for the regional master plan which is on their website.
355	Ms. Martel noted there are three designs for Pairpoint Park with a quick survey on the Town website.
356	IX. ADJOURN
357 358	Mr. Grueter motioned to adjourn the meeting at 9:38 PM. Ms. Martel seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.
359	Respectfully submitted.
360 361	Daniel Hoijer, Recording Secretary (Via Exeter TV)

1	TOWN OF EXETER
2	PLANNING BOARD
3	NOWAK ROOM
4	10 FRONT STREET
5	JUNE 12, 2025
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, Gwen
11	English, Jen Martel, Nancy Belanger, Select Board Representative, Alternate Marty Kennedy, Alternate
12	Dean Hubbard and Alternate Sam MacLeod.
13	
14	STAFF PRESENT: Town Planner Dave Sharples.
15	·
16	II. CALL TO ORDER: Chair Plumer called the meeting to order at 7:18PM and introduced the
17	members.
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19	III. <u>NEW BUSINESS:</u>
20	1. The application of Willey Creek Company for design review of the site plans, lot line adjustment and
21	Wetlands and Shoreland conditional use permits for the proposed relocation of Building D of the Ray
22	Farm Condominium development and associated site improvements off of Ray Farmstead Road.
23	C-3, Epping Road Highway Commercial zoning district
24	Tax Map Parcel #47-8 and #47-8.1
25	Planning Board Case #22-3.
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27	Ms. Belanger and Mr. Kennedy recused themselves. Alternates Hubbard and MacLeod were activated.
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29	Chair Plumer read out loud the Public Hearing Notice.
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31	Mr. Sharples noted the case was ready for review purposes.
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33	Vice-Chair Brown motioned to open Planning Board Case #22-3. Ms. English seconded the motion. A
34	vote was taken, all were in favor, the motion passed unanimously.
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36	Attorney Tim Phoenix noted that Jon Shafmaster and Kat Morrill from Millenium Engineering were
37	present with Bill Blackett from CKT and Wiley Creek. He noted that Attorney Ed Ford and Attorney Chris
38	Hilson were also present to discuss pending litigation. Attorney Pheonix reviewed the history of the
39 40	approval of the four buildings A, B and C and D in another location. He noted the applicant wished to relocate Building D at the end of the TIFF road. There are variances pending for use. He noted there
41	would be a multi-family site plan, lot line adjustment and conditional use permits for wetlands and

shoreland. He noted there would be waivers for school and recreation impact fees and a reduced recreation area waiver request.

Kat Morrill showed the new proposed location of Building D and the proposed lot line adjustment to acquire additional land from CKT. She noted the access using the town right of way and tapering to a 24' driveway. She referenced the proposed connection for access between buildings C and D and emergency vehicle turnaround. She noted utilities will continue off Ray Farmstead Road allowing connection of water and sewer. She referenced one large wetland crossing and the need for two conditional use permits. She referenced the crossing and buffer and noted the crossing was preferred. She noted 1800 SF of direct wetland impact and that there would be a dredge and fill permit. She referenced the existing metal culvert which would be replaced with a 5'x14' open bottom box culvert which is better for wildlife and will be evaluated further through the state permitting process. She showed Watson Brook which is perennial until the culvert. She noted Building D would be outside the shoreland buffer and noted the stormwater feature and slope to be revegetated which were in the shoreland buffer. She noted the applicant went before the Conservation Commission on Tuesday for the CUPs and had a site walk. She noted they are going to reevaluate the boardwalk and 2'x4' bridge and make a path. She noted the trail system which Conservation would like to fit better with the natural area, boulders and significant trees. She noted there would likely be reduced parking impact because of new legislation which reduces the number of parking spaces required. There are 36 spaces under the building and two handicapped and EV spaces would be on the ground. She posted the building site plan and noted a mailbox in the first-floor lobby. She showed the draft landscape plan and turning detail for fire trucks.

Chair Plumer opened the hearing to public comment at 7:26 PM.

Marty Kennedy of 7 Wiley Creek noted he is on the Condominium Association board and has had significant concerns since April. Residents don't want to be caught in litigation and prefer the wooded area be left alone. The 50' ROW is in dispute and there are concerns about the rights to the Carlisle property being developed and additional traffic to the adjacent parcel. He noted concerns with pedestrian safety on Epping Road and no gaps for a safe pedestrian crossing. He noted there would be 350 units in a one-block segment of Epping Road plus the draw of the trail system. He noted there is a piece needing further approval for sidewalks, a short segment before the Mobil Station. The residents want the trees to be taken down marked so they can see which will be cleared. He noted residents are older and there will be construction debris and trucks. Building A will get dirty, and he would like a condition that it be power washed at their expense, as needed. He requested a more strenuous inspection because there have been issues with the other buildings. He noted the TRC meeting was awhile ago and wondered if they had gone back with resubmitted plans. He will provide a list of 30 items to the Board.

Attorney Russ Hilliard representing Scott Carlisle referenced a letter dated June 6 from Attorney Driscoll.

Attorney Joe Driscoll noted he represents the Exeter Select Board and discussed the extension of the TIFF road and Ray Farmstead Road and the June 6 letter and the Judge's decision that the town has no

ability to accept the extension of the road as a town dedication. Mr. Carlisle lacks the authority to dedicate it to the town. The Select Board is satisfied with the agreement.

Patricia Evans of Ray Farmstead Road noted she did not understand what the attorney explained and doesn't want a private driveway that will become the condominium's financial burden if Carlisle uses it to access future development. Attorney Driscoll explained that the town has no rights beyond what the town owns and no ability to control a private driveway.

Attorney Chris Hilson noted the balance of the private easement cannot be improved by the town. He noted the project was approved with the fourth building in another position. The condominium association would have been responsible for that other access and would need a mutual maintenance agreement to share costs. There is nothing the applicant can do about traffic on Epping Road; the project has already been approved they are just moving the building.

Vice-Chair Brown noted that Attorney Hilson raised a good point and asked if the applicant could provide the net delta on how much shorter the access would be than the other location. He noted there are 32 residents paying condominium fees for common areas. Mr. Blackett noted that the expense would not be solely on the condominium association, there would need to be a maintenance agreement. Vice-Chair Brown noted any future development by Mr. Carlisle was speculative at this point and not the application in front of the Board.

Richard P. of 7 Wiley Creek noted the maintenance cost of one section versus another is irrelevant if Mr. Carlisle has to come across, that's where the issue would come in. He questioned the width of the road with heavier traffic on it.

Eileen T. of 24 Wiley Creek Road disagreed that it's not the same as the old location that didn't have an easement on it. They have to negotiate with Carlisle to come to you with something equitable and pay attorney's fees. She noted she wanted the town to guarantee no access to the Carlisle property and would rather it be a public road. Vice-Chair Brown explained that the town already tried to make it a public road and was unsuccessful. She questioned if there could be restrictions on residential use and weight limits for vehicles.

John P. of 7 Wiley Creek Road noted development could be sizable, a hotel or a brewery and carry constant equipment day or night.

Herbert Schalock noted he is a member of the condominium board and expressed concerns with the parking for the new building and stairs from lower to higher levels. The residents are in their 70s and 80s and will have to go up a grade. Attorney Phoenix noted the primary parking is beneath the building and as Kat Morrill mentioned there is a state law with less parking impact. There may only need to be one space per unit. Private property owners have a right to develop, and the Carlisle easement has existed for over 100 years, and he has the right to access his property over it. That is a private issue not before this Board. He referenced the existing approval, and three buildings approved without offsite improvements for Epping Road. The construction management plan will control tree removal and dust. The Conservation Commission he noted is looking for a path not a concrete sidewalk. The building has

129 to be built in compliance with town regulations. New residents will also pay condominium fees and that 130 is a private issue not before the Planning Board. 131 132 Vice-Chair Brown asked the difference in the roadway lengths and Kat Morrill indicated the roadway is 133 500' and there is not a significant reduction it is comparable. 134 135 Ms. Martel requested a pedestrian plan to access the trail network and trail markers. Ms. Morrill noted 136 it is not mapped and seasonal. Ms. Martel requested 10 more canopy trees and evergreens to provide 137 shade in the parking lot. She did not recommend planting in the wetland areas. She asked about 138 plowing. Ms. Morrill referenced the license agreement to allow truck turnaround and that it would be 139 similar to the existing. 140 141 Ms. English asked about a lighting plan and Ms. Morrill noted it was being updated. She requested that 142 lighting be kept out of the wetlands. Ms. English asked about the two wide strips on the plan and Ms. 143 Morrill referenced the sidewalk and center line of pavement. Ms. English noted it was not shown on the 144 site plan, sheet 6. 145 146 Ms. English asked if the 100' and 150' buffer lines could be labeled. Ms. Morrill noted the site plan 147 doesn't show shoreland. Ms. English noted 20,000 SF in shoreland impact is a lot. 148 149 Ms. Martel reviewed the Conservation Commission memo with their proposed conditions and also 150 requested that signage be provided for low salt areas. 151 152 Attorney Phoenix noted the wetland impacts are less with this design. Ms. Morrill noted the shoreland 153 impacts and 14,750 of temporary impact and water quality improvement where the stormwater 154 treatment is. 155 156 Chair Plumer took a short break to ask the next case to continue as it was getting late. 157 158 Ms. Morrill discussed the waiver requests for 100% of the school impact fees, 75% of the public 159 recreation impact fees which as the same as granted for Buildings A, B and C. She referenced the 160 request for less than required recreation area. Ms. Martel asked about age restriction units. 161 162 Ms. Martel motioned after reviewing the criteria for granting waivers that the request of Wiley Creek, 163 Planning Board Case #22-3 for a wavier from 100% of the school impact fees be approved with the 164 same conditions of the 7/25/2019 approval. Mr. Hubbard seconded the motion. A roll call vote was 165 taken, all were in favor, the motion passed unanimously. 166

Ms. Martel read the prior decision and proposed the condition for the pedestrian circulation plan and

noted fees are for overburdening the existing recreational facilities. There are always going to be trails

Shafmaster's other properties are undevelopable steep and wet.

trail markers. Vice-Chair Brown noted it would be better suited to the next waiver request. Mr. Blackett

there. Ms. English questioned the "miles" of trails around Buildings A-D. Attorney Phoenix noted a lot of

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173 Sam MacLeod asked about parking for 4-6 cars. Mr. Blackett noted that it was a question for the 174 condominium association. Vice-Chair Brown noted the association doesn't own this piece yet. Attorney Phoenix noted the additional liability and again requested to approve what was before. 175 176 177 Sam MacLeod noted the town just purchased a van so seniors could participate in more senior activities. 178 Ms. English noted that Riverwoods had added space for the public to access their trails. Ms. Martel 179 noted she would like to hear the criteria on this one. 180 181 Ms. Morrill reviewed the findings in 13.7 concerning public health, safety and welfare not injurious to 182 other properties and noted they are just moving the building. She noted \$925,000 in recreational 183 improvements per the earlier approval. Vice-Chair Brown asked if anyone knew the cost and the CFO 184 for Wiley Creek indicated over \$1 million dollars. Attorney Phoenix indicated the clubhouse, trails, 185 sidewalks, fitness room, patios and grilling areas. 186 187 Ms. Morrill reviewed 13.7.3, shape, topography and hardship. Attorney Phoenix indicated it was the 188 same. 189 190 Ms. Morrill reviewed 13.7.4 not contrary to spirit and intent and Attorney Phoenix indicated the cost 191 and nature of the infrastructure. 192 193 Ms. Morrill noted it would not vary the provisions of zoning or the master plan. Attorney Phoenix added 194 that no zoning relief was required. 195 196 Vice-Chair Brown noted he is willing to grant that waiver because of what they have provided and that 197 75% is appropriate. 198 199 Ms. Martel motioned after reviewing the criteria for granting waivers that the request of Wiley Creek, 200 Planning Board Case #22-3 for a waiver from Section 11.7.1 regarding payment of impact fees that a 201 75% waiver be approved. Vice-Chair Brown seconded the motion. A roll call vote was taken, Mr. 202 MacLeod voted nay. The motion passed 5-1-0. 203 204 Ms. Morrill reviewed the request for a waiver for reduced recreation area and noted the same criteria. 205 206 Ms. Martel asked how much was required and how much reduction there would be. Ms. Morrill noted 207 she did not have those numbers and referenced the concept of the waiver the trails and recreation 208 space provided and total square feet per unit required. 209 210 Ms. Martel asked to apply the condition that the pedestrian circulation plan be mapped and provided to 211 planning staff for approval, including trail markers or way finders. 212

Vice-Chair Brown questioned what would quantify a trail on a map, and for this site or the whole

project? He noted he did not think they could require that of the other property not owned by the

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applicant.

Page **5** of **11** 

Attorney Phoenix noted most trails were created by the public, the former building D area won't be developed, and he didn't know how valuable the trailhead map would be because it is separate but because it is part of the whole property approval.

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Ms. English noted they haven't walked out there.

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Ms. Martel noted that it seems contradictory to ask for this waiver but not show us where it is. Vice-Chair Brown noted they are limited to the property before the Board. Ms. Martel indicated she would like to see a pedestrian circulation plan. Ms. Martel noted a stone dust trail with stabilizer could be used for the path between the buildings. Mr. Sharples indicated 400 SF required per unit with 32 units would need 12,800 SF of recreation area. Attorney Phoenix noted that buildings C and D are part of the overall development this will be part of. He referenced the DTC Lawyers letter from 2018. Vice-Chair Brown noted the area could be an unimproved open space. Mr. Blackett noted most of the area available was in the wetland buffer. Ms. Morrill noted the grilling spaces and patios add to the wooded areas that they can walk on. Attorney Phoenix referenced the 2018 approval with the 3,500 SF clubhouse, 11,735 SF of sidewalk, 3,120 TIFF sidewalk and a total of 16,000 SF which he stated is very adequate for the condominium association when done but he could not tell how much of it is on this particular lot. Vice-Chair Brown noted it was very little.

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Vice-Chair Brown motioned after reviewing the criteria for granting waivers that the request of Wiley Creek, Planning Board Case #22-3 for a waiver from Section 11.3.4 of the site plan and subdivision regulations to provide less than required recreation area be approved. Ms. Martel seconded the motion. A roll call vote was taken, Ms. Martel and Ms. English voted nay. The motion passed 4-2-0.

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Ms. Morrill reviewed the application for wetland CUP and noted that while some impacts are expected to be reduced, what is shown on the plan is the maximum. She reviewed the criteria and noted the design is permitted in the zoning district, there is no alternative design that has less impact. She noted the better access, improved open bottom box culvert, change from the previous entrance design, function and values report of the wetland scientist and stormwater treatment. She noted the Conservation Commission's proposed condition that the higher-level ecosystem be protected by the condominium documents, the restoration proposal and revegetation where required. She reviewed the other permits which will be provided prior to construction.

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Ms. Martel motioned after reviewing the criteria for granting a wetlands conditional use permit that the request of Wiley Creek, Planning Board Case #22-3 for a wetlands conditional use permit be approved with the following conditions:

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- 1. To reduce impacts associated with the pedestrian trail connecting Buildings C and D and retain a natural and limited use of buffers to extent possible.
- 2. To protect from further development the original Building D location in perpetuity in the 257 condominium documents.

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259 Mr. Hubbard seconded the motion. A roll call vote was taken, all were in favor, the motion passed 5-260 0-0.

261 Vice-Chair Brown returned to the meeting table.

Ms. Morrill reviewed the criteria for the shoreland conditional use permit application. She referenced the access road impacts, grading and stormwater management features and the potential to reduce parking. She reviewed the criteria:

Surface water tributary – noting the stormwater management system, access to building, water quality, 100' setback of the building and treatment of runoff, best management practices for erosion control and restoration. She indicated there would be no wastewater, hazardous or toxic waste. The property will be served by sanitary sewer at the town treatment plant.

Spawning or wildlife habitat – she referenced the improvement of the open bottom box culvert, restoration and stormwater treatment elements.

275 9.3.4 – Ms. Morrill noted this complies with the shoreland ordinance.

9.3.1 purpose of the district – she noted it will protect and enhance treatment of stormwater entering
 the Squamscott River, the habitat, recreation trails and restoration. She indicated she would provide a
 written attachment for this as required.

Ms. Martel motioned after reviewing the criteria for granting the shoreland conditional use permit that the request of Wiley Creek, Planning Board Case #22-3 for a shoreland conditional use permit be approved with the following conditions:

- 1. Reduce parking and associated impacts in the shoreland buffer to the greatest extent possible.
- 2. Additional landscaping plan be provided specifying the seed mix for restoration of the disturbed areas and submitted plant list be revised to include only native plants.
- 288 3. Temporary impacts within the shoreland buffer meet 85% revegetation upon completion of project.
  - 4. To minimize salt usage on the access road, specifically the wetland crossing, and to add signage at the wetland crossing to this effect.

Chair Plumer asked about snow plowing. Ms. English recommended looking into a barrier fence.

*Mr. Hubbard seconded the motion. A roll call vote was taken, all were in favor, the motion passed 6-***0-0.** 

Ms. Morrill reviewed the lot line adjustment. She posted the plan and showed the lot line to be removed (the M shape on the right of the plan) with the line to be moved down where Building D will now sit below Ray Farmstead Road. She noted the addition comes from the lot owned by CKT, combined will be 15.75 acres.

Ms. English moved that the request of Wiley Creek, Planning Board Case #22-3 for a lot line adjustment approval be approved. Mr. Hubbard seconded the motion. A roll call vote was taken, all were in favor, the motion passed 6-0-0.

Marty Kennedy suggested scheduling a site walk. Vice-Chair Brown indicated the Conservation Commission had a site walk and he, Chair Plumer and Ms. English had visited the site. Vice-Chair Brown noted he had see the property since development. He noted there is a lot of concern about the Carlisle easement and driveway and impact to condominium property owners financially which he felt would be addressed if and when Carlisle comes forward with a project. He noted it was not appropriate to speculate and didn't think the Board could require them to build this road to public specifications.

Vice-Chair Brown asked if the applicant had returned to the Technical Review Committee (TRC) and Attorney Phoenix indicated, no, that it could be a conditional approval.

Vice-Chair Brown noted that Mr. Kennedy brought up legitimate issues not in the purview of the Planning Board.

318 Chair Plumer read the standard conditions of approval:

 An electronic as-built plan with details acceptable to the Town shall be provided prior to the issuance of a certificate of occupancy. This plan must be in a dwg or dxf file format and in NAD 1983 State Plane New Hampshire FIPS 2800 feet coordinates;

2. A preconstruction meeting shall be arranged by the applicant and his contractor with the Town engineer prior to any site work commencing. The following must be submitted for review and approval prior to the preconstruction meeting:

- i. the SWPPP (storm water pollution prevention plan), if applicable, be submitted to and reviewed for approval by DPW prior to the preconstruction meeting; and
- ii. A project schedule and construction cost estimate.

3. Third party construction inspection fees shall be paid prior to scheduling the preconstruction meeting.

4. The inspection and maintenance manual in the stormwater management shall be completed and submitted to the Town Engineer annually on or before January 31<sup>st</sup>. This requirement shall be an ongoing condition of approval.

5. All comments in review letters of UEI dated 6/10/25 and TRC letter dated 4/9/25 shall be addressed to the satisfaction of the Town Planner and Town Engineer, or their designee, prior to signing the final plans.

6. All condominium documents including the declaration and bylaws shall be submitted to the town planner for review and approval prior to signing the final plans. Condominium documents to include maintenance requirements for all stormwater practices shown on the plans and other applicable conditions of this application. In the event the town planner deems review is required by the town attorney, this review shall be paid for at the applicants' expense.

- 349 7. All applicable state permit approval numbers shall be noted on the final plans. 350 351 8. All applicable fees to be paid including, but not limited to sewer/water connection fees, impact fees 352 and inspection fees (including third party inspection fees) prior to the issuance of a certificate of 353 occupancy. 354 355 9. All landscaping shown on plans shall be maintained and any dead or dying vegetation shall be 356 replaced, no later than the following growing season. as long as the site plan remains valid. 357 358 10. All outdoor lighting (including security lights) shall be shown on the final plans and shall be down lit 359 and shielded so no direct light is visible from adjacent properties and/or right of ways. 360
- 11. The applicant shall submit the land use and stormwater management information about the project
   using the PTAPP online municipal tracking tool. The PTAPP submittal must be accepted by DPW prior to
   the preconstruction meeting.
- 365 Attorney Phoenix requested a copy.366

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367 Vice-Chair Brown read out loud the additional conditions:

12. Age restricted as previously discussed.

- 370371 13. This approval is considered condition subsequent meaning there would be no more Planning Board
- 373
   374 14. Plan shall adhere to the notes by the Conservation Commission letter dated 6/12/25.

meetings required provided the applicant adheres to the conditions of this approval.

- 376 15. If possible, sidewalks be added to the interior of the site.
- Vice-Chair Brown noted he would like to see improvement without triggering the ADA requirement of a
   sidewalk up to that threshold to the satisfaction of the Conservation Commission or their
   representative, Conservation and Sustainability Planner, Kristen Murphy.
- 16. Minimize impact on Building A during and post construction and require applicant to meet with existing condominium owners to satisfy their concerns.
- 38438517. Minimum of 10 canopy trees with three-inch caliper be added to the plan.
- 18. Applicant shall submit a lighting plan for review by the town's representative UEI that shows no light trespass on the wetlands.
- 390 19. All conditions and plan sets are subject to UEI acceptance and review.
- 392 20. A completed landscape plan showing plants and snow storage.

393 394	Ms. English recommended going through the plan index.		
395	Attorney Phoenix noted that the condominium documents had been reviewed by counsel and asked if		
396	they needed to be reviewed again and Vice-Chair Brown answered so long as there are no changes.		
397	they needed to be reviewed again and thee chair brown answered so long as there are no changes.		
398	Ms. English motioned that the request of Wiley Creek, Planning Board Case #22-3 for a multi-family		
399	site plan application be approved with the conditions outlined by the Board. Vice-Chair Brown		
400	seconded the motion. A roll call vote was taken, all were in favor, the motion passed unanimously 6-		
401	0-0.		
402			
403	2. The application of Foss Motors for design review of a proposal to demolish the existing building		
404	located at 133 Portsmouth Avenue and construct a new 36,500 square foot car dealership with		
405	expanded parking, vehicle display area and associated site improvements.		
406	C-2, Highway Commercial zoning district		
407	Tax Map Parcels #52-110, #52-111 and #52-112-2		
408	PB Case #25-4.		
409			
410	Vice-Chair Brown motioned to continue Planning Board Case #25-4 to June 26, 2025 at 7 PM at the		
411	Nowak Room of the Town Office Building. Mr. Hubbard seconded the motion. A vote was taken, all		
412	were in favor, the motion passed unanimously.		
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414	Mr. Kennedy and Ms. Belanger returned to the meeting table at 10:15 PM.		
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416	IV. OLD BUSINESS		
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418	APPROVAL OF MINUTES		
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420	April 24, 2025 - <i>Tabled</i>		
421			
422	V. OTHER BUSINESS		
423	V. G.II.E. Boomes		
424	• Election of Officers		
425	Vice-Chair Brown nominated Langdon Plumer as Chair. Mr. Hubbard seconded the motion. A		
426	vote was taken, all were in favor, the motion passed unanimously.		
427	Chair Plumer nominated Aaron Brown as Vice-Chair. Ms. English seconded the motion. A vote		
428	was taken, all were in favor, the motion passed unanimously.		
429	The Board agreed to wait until Mr. Grueter was present to elect the Clerk. Chair Plumer noted		
430	that representatives were needed on committees such as the Master Plan Oversight Committee		
431	and Ms. Belanger noted the Housing Advisory Committee which meets on the 2 <sup>nd</sup> Friday at 8:30		
432	AM.		
433	Master Plan Discussion		

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435	Field Modifications
436	
437	<ul> <li>Bond and/or Letter of Credit Reductions and Release</li> </ul>
438	
439	VI. TOWN PLANNER'S ITEMS
440	VII. CHAIRPERSON'S ITEMS
441	VIII. PB REPRESENTATIVE'S REPORT ON "OTHER COMMITTEE ACTIVITY"
442	IX. ADJOURN
443	Chair Plumer adjourned the meeting at 10:20 PM.
444	Respectfully submitted.
445	Daniel Hoijer,
446	Recording Secretary (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: June 20, 2025

To: Planning Board

From: Dave Sharples, Town Planner

Re: Foss Motors PB Case #25-4

The Applicant has applied for design review of a proposal for the redevelopment of the existing Foss Motors car dealership located at 133 Portsmouth Avenue. The proposal includes the demolition of the existing building and new construction of a 36,500 square foot car dealership with expanded parking, vehicle display area and associated site improvements. The subject properties are located in the C-2, Highway Commercial zoning district and are identified as Tax Map Parcels #52-110, #52-111 and #52-112-2.

The Applicant has submitted an application, preliminary site plans and supporting documents, dated 5/21/25, for your review. These materials were previously mailed and included in the 6/12/25 meeting packet. At the June 12<sup>th</sup>, 2025 meeting, the Board voted to continue discussion of this application to the June 26, 2025 given the discussion of the first agenda item was anticipated to extend beyond 10:00 PM.

Please note that this is only a design review. Design review is covered under NHRSA 676:4 that allows the Planning Board and the applicant to engage in a *non-binding* discussion of the proposal. As this is design review and abutters have been notified, the Board can discuss matters beyond general and conceptual discussions which can involve specific engineering details and design. Staff will provide a complete review through the Technical Review Committee process once a complete submission has been provided by the Applicant.

In the event the Board determines that the Design Review process has ended, I would suggest the Board make that determination with a vote. If the Board determines that additional review is needed, I would ask that the Board table the item until a date certain. I have provided motions below for your convenience.

#### **Planning Board motions:**

**Design Review has ended Motion:** I move that the Design Review process for Foss Motors (PB Case #25-4) has concluded and instruct the Town Planner to notify the applicant in writing in accordance with NHRSA 676:4.

Design Review Table Motion:	I move that the	Design Review application for Foss Motors (PE
Case #25-4) is Tabled until the	(date)	Planning Board meeting at 7:00 PM.

Thank you.

# TOWN OF EXETER



Planning and Building Department

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

www.exeternh.gov

Date: June 3, 2025

To: Planning Board

From: Dave Sharples, Town Planner

Re: Foss Motors PB Case #25-4

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In the event the Board determines that the Design Review process has ended, I would suggest the Board make that determination with a vote. If the Board determines that additional review is needed, I would ask that the Board table the item until a date certain. I have provided motions below for your convenience.

#### **Planning Board motions:**

**Enclosures** 

**Design Review has ended Motion:** I move that the Design Review process for Foss Motors (PB Case #25-4) has concluded and instruct the Town Planner to notify the applicant in writing in accordance with NHRSA 676:4.

<b>Design Review Table Motion:</b> Case #25-4) is <b>Tabled</b> until the	Design Review application for Foss Motors (PE Planning Board meeting at 7:00 PM.
Thank you.	

# **Town of Exeter**



# Planning Board Application for Site Plan Review

October 2019



#### SITE PLAN REVIEW APPLICATION CHECKLIST

#### A COMPLETED APPLICATION FOR SITE PLAN REVIEW MUST CONTAIN THE FOLLOWING

1.	Application for Hearing	$(\checkmark)$
2.	Abutter's List Keyed to Tax Map (including the name and business address of every engineer, architect, land surveyor, or soils scientist whose professional seal appears on any plan submitted to the Board)	( <b>√</b> ) ( <b>√</b> )
3.	Completed- "Checklist for Site Plan Review"	(N/A) (Preliminary)
4.	Letter of Explanation	$(\checkmark)$
5.	Written Request for Waiver (s) from "Site Plan Review and Subdivision Regulations" (if applicable)	(N/A) (Preliminary)
6.	Completed "Preliminary Application to Connect and /or Discharge to Town of Exeter- Sewer, Water or Storm Water Drainage System(s)" (if applicable)	(N/A) (Preliminary)
7.	Planning Board Fees	$(\checkmark)$
8.	Seven (7) full-sized copies of Site Plan	$(\checkmark)$
9.	Fifteen (15) 11"x17" copies of the final plan to be submitted <u>TEN DAYS</u> PRIOR to the public hearing date.	( <b>√</b> )
10.	Three (3) pre-printed 1"x 2 5/8" labels for each abutter, the applicant and all consultants.	$(\checkmark)$

All required submittals must be presented to the Planning Department office NOTES:

for distribution to other Town departments. Any material submitted directly to other departments will not be considered.



# TOWN OF EXETER, NH APPLICATION FOR SITE PLAN REVIEW

	OFFICE USE ONLY
THIS IS AN APPLICATION FOR:  COMMERCIAL SITE PLAN REVIE  ( ) INDUSTRIAL SITE PLAN REVIE  ( ) MULTI-FAMILY SITE PLAN RE  ( ) MINOR SITE PLAN REVIEW  ( ) INSTITUTIONAL/NON-PROFIT	W PLAN REVIEW FEE ABUTTERS FEE LEGAL NOTICE FEE
* Design Review	INSPECTION FEE INSPECTION COST REFUND (IF ANY)
	ECORD: Meniscus Financial Holdings LLC (Map 52 Lot 112-
	enue, Exeter, NH 03833
NAME OF APPLICANT: Foss Mo ADDRESS: 133 Portsmouth Aven	
	TELEPHONE: (603) 772-7777
RELATIONSHIP OF APPLICANT Owner	TO PROPERTY IF OTHER THAN OWNER:
(Written permission from Owner is re-	quired, please attach.)
DESCRIPTION OF PROPERTY:	Existing Car Dealership
ADDRESS: 133 Portsmouth Ave	nue, Exeter, NH 03833
TAX MAP: 52 PARG	CEL #: 110, 111, & 112-2 ZONING DISTRICT: C-2
	cres (combined) PORTION BEING DEVELOPED: North of GTE F



5.	ESTIMATED TOTAL SITE DEVELOPMENT	COST \$+/- \$8 Million	
6.	EXILEM WITON OF TROTOSKE.	psal includes razing the existing building and construct parking, designated areas for customers, employees to improve circulation and site functionality.	
7.	ARE MUNICIPAL SERVICES AVAILABLE? (	(YES/NO) Yes	
	If yes, Water and Sewer Superintendent must grant If no, septic system must comply with W.S.P.C.C.	**	
8.	LIST ALL MAPS, PLANS AND OTHER ACCOMMITH THIS APPLICATION:	MPANYING MATERIAL SUBMITTED	
	<u>ITEM:</u>	NUMBER OF COPIES	
	A. Letter of Explanation	10	
	B. Abutters List keyed to Tax Map	10	
	C. Abutter Labels	3 each	
	D. RCRD BK2693 PG1341 (Sewer Easement)	10	
	E. D-42854 (Sign & Sewer Easements)	10	
	F. D-43581 (Access, Drainage, and Sewer Easements)	10	
	G. Preliminary Site Plan Set	(7) full sized, (10) 11"x17" copies	
9. 10.	ANY DEED RESTRICTIONS AND COVENANT (YES/NO) Yes IF YES, ATT	FACH COPY.  - Sewer Line Easement - Access Easement - Sign Easement	
	NAME: Emanuel Engineering, Inc. (Civil	Engineers)	
	ADDRESS:118 Portsmouth Avenue		
	PROFESSION: Civil Engineer	TELEPHONE: ( <u>603</u> ) 772-4400	
	LIST ALL IMPROVEMENTS AND UTILITIES ne proposal includes razing the existing building and constructing a	TO BE INSTALLED: new 36,500 SF car dealership with expanded parking, reconfigured drive	eway:
laı	ndscaping, lighting, stormwater management infrastructure, and uti	lity connections including water, sewer, electric, and gas. Designated are	eas fo
cu	stomer and employee parking, as well as vehicle display and stora	ge, are also included to support site operations.	_
			_
			_



#### 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)
No
13. WILL THE PROPOSED PROJECT INVOLVE DEMOLITION OF ANY EXISTING BUILDINGS OF APPURTENANCES? IF YES, DESCRIBE BELOW.
(Please note that any proposed demolition may require review by the Exeter Heritage Commission in accordan with Article 5, Section 5.3.5 of the Exeter Zoning Ordinance).
Yes, the existing building on site is to be razed.
· · · · · · · · · · · · · · · · · · ·
14. WILL THE PROPOSED PROJECT REQUIRE A "NOTICE OF INTENT TO EXCAVATE" (State of NH Form PA-38)? IF YES, DESCRIBE BELOW.
Yes, groundwork will be required to build the new car dealership, parking areas, and
associated utilities and drainage.
associated diffices and drainage.
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 PLAN REVIEW PLAN REVIEW AND SUBDIVISION PLAN REVIEW PLAN REVIE
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.
TAGKLE TO TAT ALL COSTS ASSOCIATED WITH THE REVIEW OF DAS ALL EICATION.
DATE 37075 OWNER'S SIGNATURE MUTUALIFICA
5.20.25

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.



PLEASE LIST ALL PERSONS WHOSE PROPERTY IS LOCATED IN NEW **ABUTTERS**:

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 TAX MAP 51 LOT 15	TAXMAP TAX MAP 52 LOT 51		
NAME KEVIN KING ENTERPRISES CO LLC -C/O HANNAFORD BROS CO			
ADDRESS PO BOX 6500			
CARLISLE, PA 17013	ADDRESS 100 PORTSMOUTH AVENUE EXETER, NH 03833		
TAX MAP TAX MAP 52 LOT 52			
NAME 108 HEIGHTS LLC	TAX MAP TAX MAP 52 LOT 53		
NAME 108 HEIGHTS LLC ADDRESS 65 POST ROAD	NAME <u>EXETER LUMBER</u>		
HOOKSETT, NH 03106	ADDRESS 120 PORTSMOUTH AVENUE EXETER, NH 03833		
TAX MAP TAX MAP 52 LOT 54			
NAME SANEL AUTO PARTS INC	TAXMAP TAX MAP 52 LOT 106		
ADDDESS PO BOX 504	NAME PORTSMOUTH AVENUE TRUST		
-CONCORD, NH 03302	ADDRESS 344 WATER STREET EXETER, NH 03833		
TAX MAP TAX MAP 52 LOT 107			
NAME TILAK HOSPITALITY LLC	TAX MAP TAX MAP 52 LOT 109		
440 HADTIMEH AVENUE OUTE 000	NAME TOBEY EXETER PROPERTIES LLC		
ADDRESS 110 HART WELL AVENUE, SUITE 300 LEXINGTON, MA 02421	ADDRESS 2110 EXECUTIVE DRIVE SALISBURY, NC 28147		
TAX MAP TAX MAP 52 LOT 112			
NAME NH EXETER PROPERTIES LLC	TAX MAP TAX MAP 52 LOT 112-1		
ADDRESS 120 NORTHWEST BOULEVARD	NAME OSRAM SYLVANIA INC		
-NASHUA, NH 03063	ADDRESS 275 WEST MAIN STREET HILLSBORO, NH 03244		
TAX MAP TAX MAP 65 LOT 123	<del></del>		
NAME TOWN OF EXETER	TAX MAP TAX MAP 65 LOT 123-1		
ADDRESS 10 FRONT STREET	NAME EXETER SPORTSMANS CLUB		
-EXETER, NH 03833	ADDRESS PO BOX 1936 EXETER, NH 03833		
TAX MAP			
NAME	TAX MAP		
ADDRESS	NAME		
	ADDRESS		
TAX MAP			
NAME	TAX MAP		
ADDRESS	NAME		
	ADDRESS		
TAX MAP	TAX MAP		
NAME	NAME		
ADDRESS	ADDRESS		

#### Please attach additional sheets, if needed

(See Abutter's List Keyed to Tax Map for Abutters, Professionals, and Owners)



May 20, 2025

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

RE: Letter of Explanation - "Foss Motors Site Plan Application (Design Review)" 133 Portsmouth Avenue Road (Site)
Exeter, NH 03833
Tax Map 52, Lots 110, 111, and 112-2

Dear Members of the Exeter Planning Board,

On behalf of our client, we are submitting materials for Design Review for the proposed redevelopment of the Foss Motors property, located along Portsmouth Avenue (Route 108). This submittal is preliminary in nature and does not constitute a full Site Plan Review application. Its purpose is to introduce the overall concept and gather initial feedback from the Planning Board and Town departments.

The site spans three parcels totaling 9.904 acres: Tax Map 52, Lots 110 and 111 (owned by Laurence D. & Debra G. Foss) and Lot 112-2 (owned by Meniscus Financial Holdings, LLC). The entire area currently supports Foss Motors' operations and will continue to do so under the proposed conditions. As part of the redevelopment, these parcels are expected to be formally consolidated.

The project proposes to demolish the existing 18,355 SF building and construct a new 3-story car dealership with a 36,500 SF footprint, resulting in a more efficient use of the site with improved circulation, parking, and operations. The proposed building straddles the existing property line between Lots 111 and 112-2, leveraging a significant grade drop to reduce the visual impact of the height while allowing for vertical construction.

#### Key components of the proposal include:

- Demolition of the existing dealership building and regrading of the site.
- Construction of a new three-story facility with improved functional layout.
- Expansion and reconfiguration of parking and drive aisles, providing approximately 150 parking spaces plus dedicated vehicle display and storage areas.
- Use of public water, sewer, and utilities, consistent with existing service.
- No increase in curb cuts along Portsmouth Avenue; the site will retain its existing five curb cuts, including the GTE road (which is shared via easement with Osram Sylvania, Lot 112-1).
- Installation of three retaining walls to maximize usable space.

#### **Environmental Considerations:**

Portions of the proposed development will impact existing wetlands, including approximately 6,150 SF of man-made wetlands and 15,900 SF of natural wetlands, primarily located at the rear of the site along Lot 112-2. In response, we are proposing a bioretention basin with an internal storage reservoir (ISR) in place of the impacted wetlands. This system will provide a significant upgrade in stormwater treatment by using anaerobic filtration to reduce organic matter (BOD), nitrogen, and phosphorus, addressing runoff concerns more effectively than existing conditions, where stormwater flows untreated into wetland areas.

#### **Impervious Area Summary:**

• Existing impervious: 216,955 SF

• Proposed impervious: 297,000 SF (Net increase: 80,045 SF)

Existing pavement: ~150,000 SF
Proposed pavement: ~211,900 SF

• Gravel area on Lot 112-2 (future porous pavement): 48,600 SF

Existing building footprint: 18,355 SF
Proposed building footprint: 36,500 SF

• Building coverage: 8.46% (below 30% max allowed)

• Open space: 31.16% (above 15% min required)

No additional development is proposed south of the GTE road, where prior approvals allowed for a porous pavement vehicle storage area, which is currently under construction.

#### **Alternative Consideration:**

An earlier design concept explored a retrofit of the existing building with additions totaling 53,000 SF of building footprint and 54,400 SF of total floor area. That layout proved less efficient and would have resulted in nearly identical wetland impacts and impervious area increases compared to the current proposal.

This site has supported Foss Motors for many years, and the owners are committed to maintaining operations in Exeter. The business has experienced significant growth, and redevelopment is necessary to accommodate their operational needs. The owners are committed to remaining at this location, which has long served their family and customers, and see this redevelopment as an opportunity to continue investing in and improving their operations in Exeter.

We look forward to working with the Planning Board and Town staff through the design review process. Please do not hesitate to contact us if additional information is needed.

Sincerely,

JJ MacBride, PE Civil Engineer

#### DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That SYLVANIA ELECTRIC PRODUCTS, INC., now known as GTE PRODUCTS CORPORATION, a corporation duly existing under law and having a place of business on Portsmouth Avenue, Exeter, County of Rockingham, State of New Hampshire, for consideration paid, grants to LAURENCE E. FOSS of RR#1, Box 352, Center Ossipee, County of Carroll, State of New Hampshire, an easement ten feet in width and across a portion of the premises owned by the Grantor on the Southerly side of Portsmouth Avenue, so-called, Exeter, New Hampshire, the location of which easement is more particularly bounded and described as follows:

Beginning at the Northwesterly end of the "Proposed 8" Sewer" as shown on a certain plan entitled "Site Plan for Foss Motors Expansion in Exeter, New Hampshire, Seacoast Engineering Associates, Inc., Greenland, New Hampshire, dated February 5, 1987" (to be recorded in Rockingham County Registry of Deeds) and running in a straight line along a course North 79° 29' 35.4" West a distance of 105.85 feet at a point at or near the area in the right of way at Portsmouth Avenue as shown on said plan marked "S.M.H.", said easement being shown on said Plan as "10' SEWER EASEMENT" on said plan and said easement extends to a width of five feet on each side of the aforesaid line.

Said easement is granted for the purpose of installing, repairing, replacing, using, and generally maintaining a sewer line running from the "Existing Foss Motors" building and shown as "Proposed 8" Sewer" as shown on said Plan to the municipal sanitary system located in Portsmouth Avenue and shown as "S.M.H." on said Plan.

This easement shall inure to the benefit of the Grantee, his heirs, executors, administrators, successors, transferees, and assigns.

For title reference see deed of Lawrence E. Foss and Faina R. Foss to Sylvania Electric Products, Inc. dated December 21, 1962 and recorded in Rockingham Records Book 1655, Page 95.

WITNESS its hand and seal this day of well 1987. GTE PRODUCTS Witness: STATE OF New Hampshire COUNTY OF ROCKINGHAM On this the Harold A. Etchell , 1987, before me, 21st day of July \_, the undersigned officer, before me personally appeared , who acknowledged of Sylvania Electric himself to be the General Manager Products, Inc., now known as GTE Products Corporation a corporation, and that he, as such General Manager authorized so to do, execute the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as General Manager In witness whereof I hereunto set my hand and of stail

STATE OF NEW HAMPSHIRE

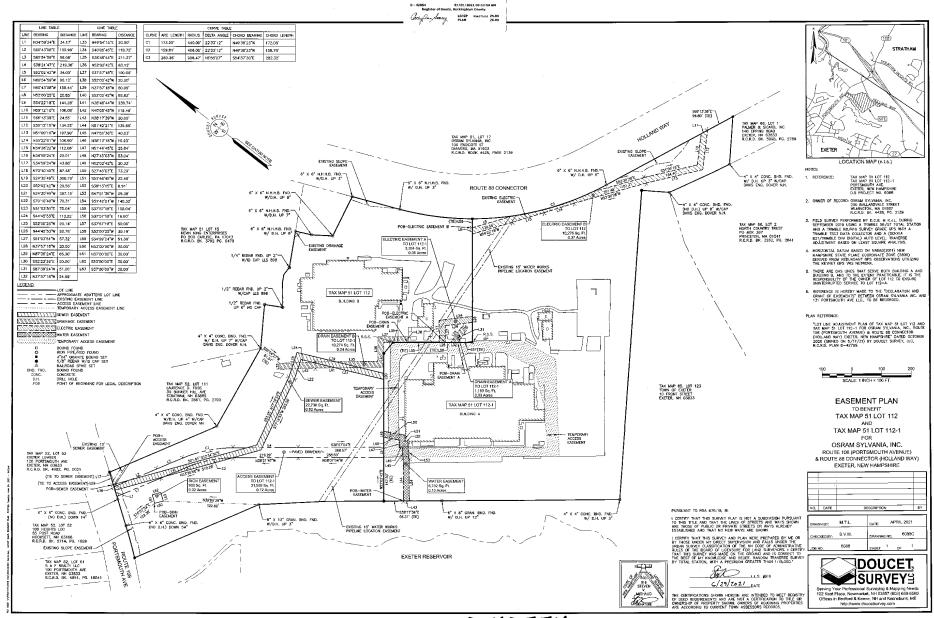
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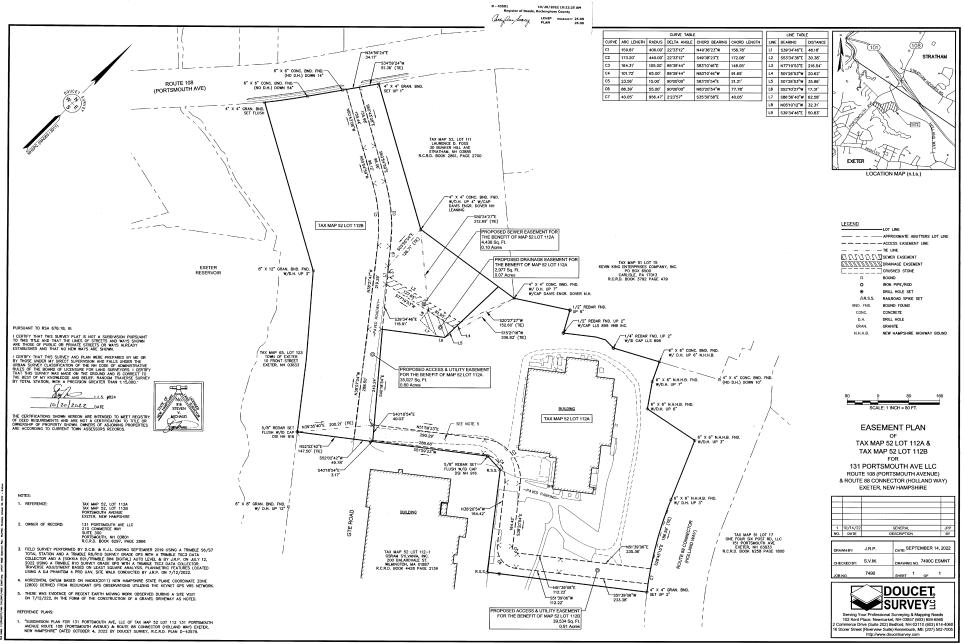
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D-42854



ABUTTER'S LIST KEYED TO TAX MAP PREPARED BY: EMANUEL ENGINEERING, INC. EEI JOB #: 24-1194 DATE: MAY 20, 2025

OWNERS:

TAX MAP 52 LOTS 110 & 111 LAURENCE D. & DEBRA G. FOSS 30 BUNKER HILL AVENUE STRATHAM, NH 03885

TAX MAP 52 LOT 112-2 MENISCUS FINANCIAL HOLDINGS, LLC 133 PORTSMOUTH AVENUE EXETER, NH 03833

APPLICANT:

FOSS MOTORS, INC.
133 PORTSMOUTH AVENUE
EXETER, NH 03833

PROFESSIONALS:

CIVIL ENGINEER EMANUEL ENGINEERING, INC. 118 PORTSMOUTH AVENUE, SUITE A202 STRATHAM, NH 03885

LAND SURVEYOR JAMES VERRA & ASSOCIATES, INC. 101 SHATTUCK WAY, SUITE 8 NEWINGTON, NH 03801

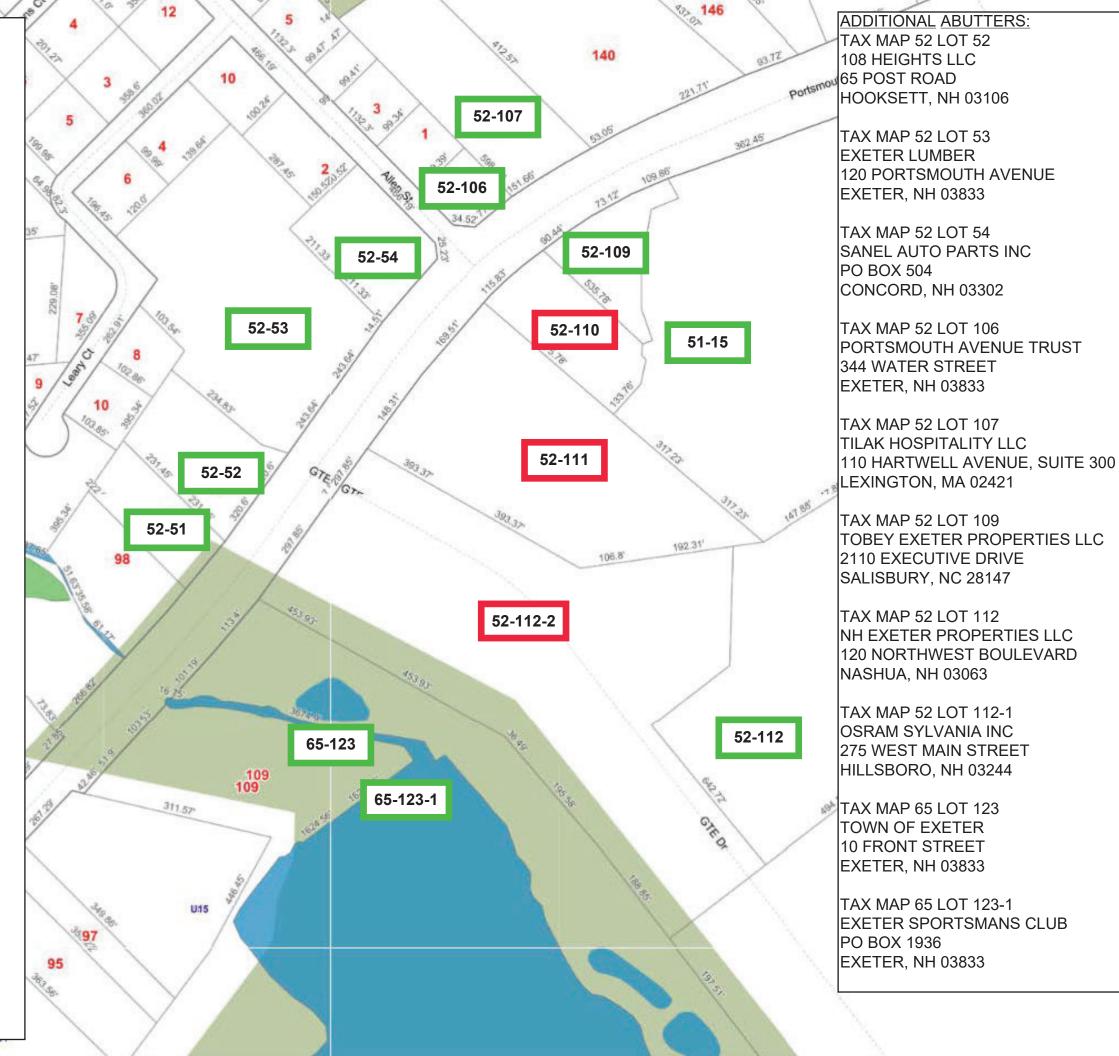
SOIL & WETLAND CONSULTANT BAILEY ASSOCIATES, INC. 217 COTTON HILL ROAD GILFORD, NH 03249

JEWETT CONSTRUCTION COMPANY 25 SPAULDING ROAD, SUITE 17-2 FREMONT, NH 03044

**ABUTTERS:** 

TAX MAP 51 LOT 15
KEVIN KING ENTERPRISES CO LLC
C/O HANNAFORD BROS CO
PO BOX 6500
CARLISLE, PA 17013

TAX MAP 52 LOT 51 S A F REALTY LLC 100 PORTSMOUTH AVENUE EXETER, NH 03833



# OWNER

TAX MAP 52, LOT 110 & 111 LAURENCE D. & DEBRA G. FOSS 30 BUNKER HILL AVENUE STRATHAM, NH 03885

TAX MAP 52, LOT 112-2 MENISCUS FINANCIAL HOLDINGS, LLC 133 PORTSMOUTH AVENUE EXETER NH 03833

# **APPLICANT**

FOSS MOTORS, INC. 133 PORTSMOUTH AVENUE EXETER, NH 03833

# **CIVIL ENGINEER**

EMANUEL ENGINEERING, INC. 118 PORTSMOUTH AVENUE, SUITE A202 STRATHAM, NH 03885

# LAND SURVEYOR

JAMES VERRA & ASSOCIATES, INC. 101 SHATTUCK WAY, SUITE 8 NEWINGTON, NH 03801

# SOIL & WETLAND CONSULTANT

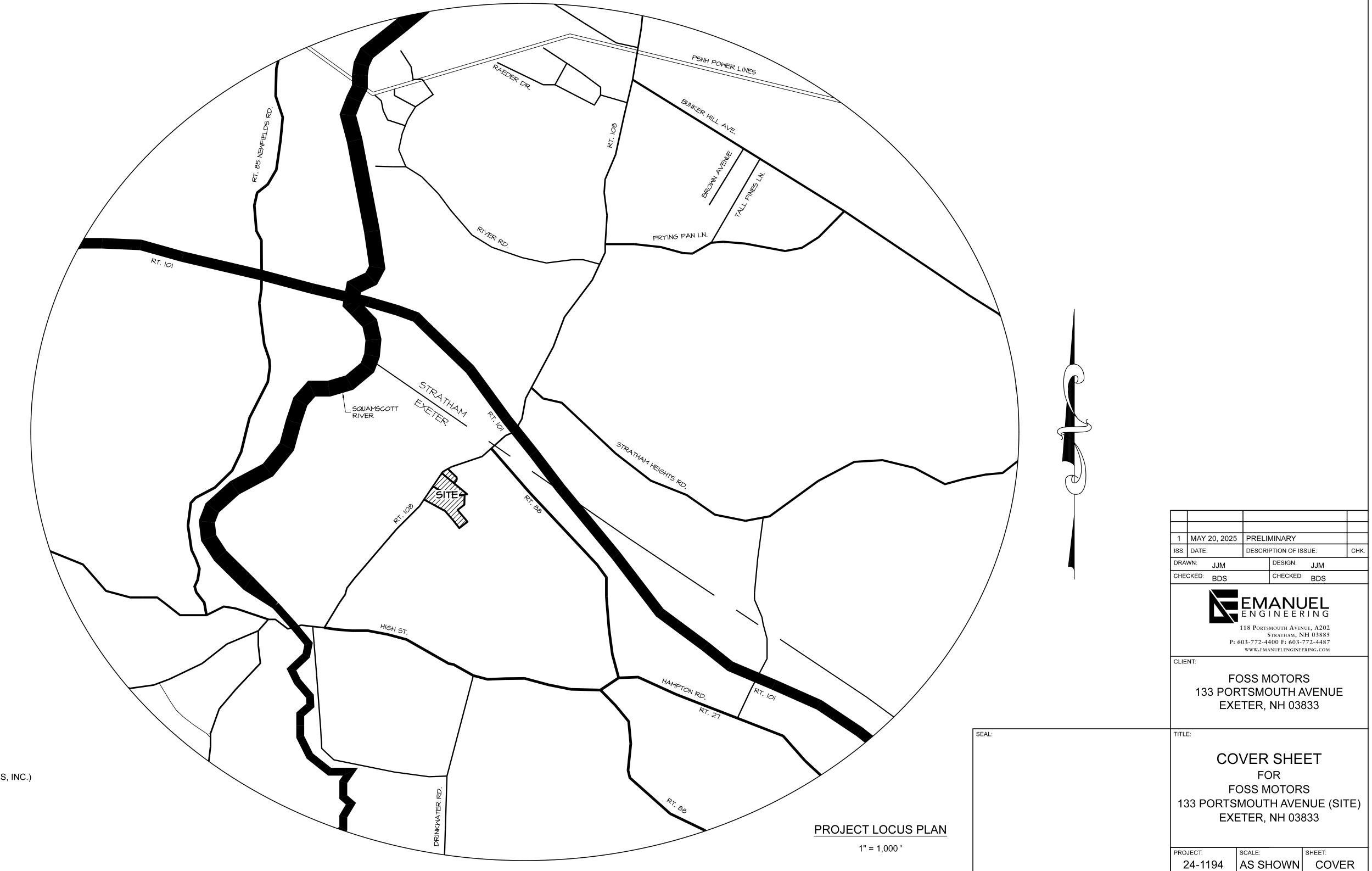
BAILEY ASSOCIATES, INC. 217 COTTON HILL ROAD GILFORD, NH 03249

# **GENERAL CONTRACTOR**

JEWETT CONSTRUCTIOON COMPANY 25 SPAULDING ROAD, SUITE 17-2 FREMONT, NH 03044

# PRELIMINARY SITE PLAN FOR FOSS MOTORS, INC.

EXETER, NH TAX MAP 52 LOT 110, 111, AND 112-2 133 PORTSMOUTH AVENUE (SITE) EXETER, NH 03833



# PROJECT DRAWING SET:

**COVER SHEET** 

EXISTING CONDITIONS PLAN (BY JAMES VERRA & ASSOCIATES, INC.)

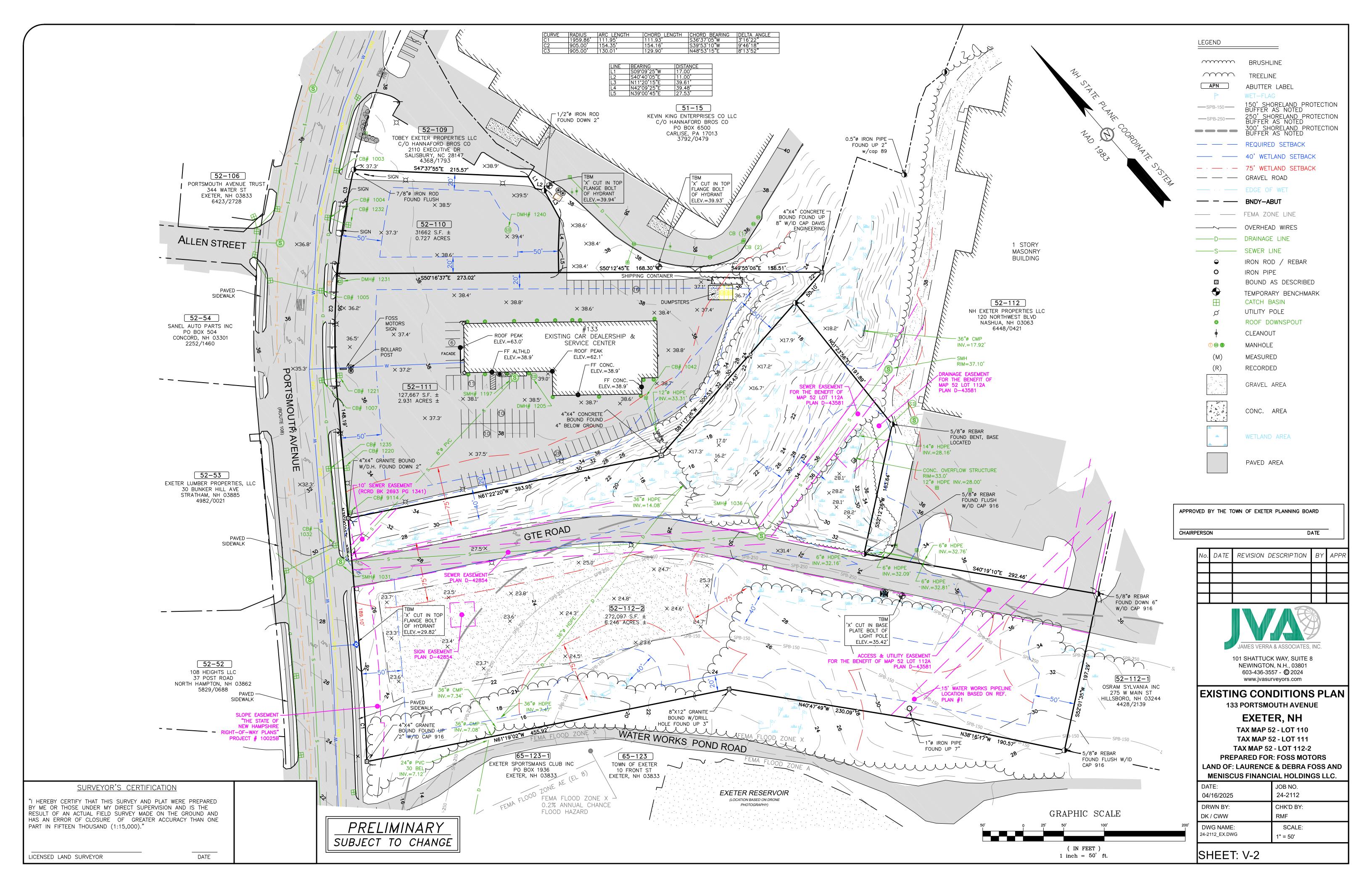
PRELIMINARY SITE PLAN

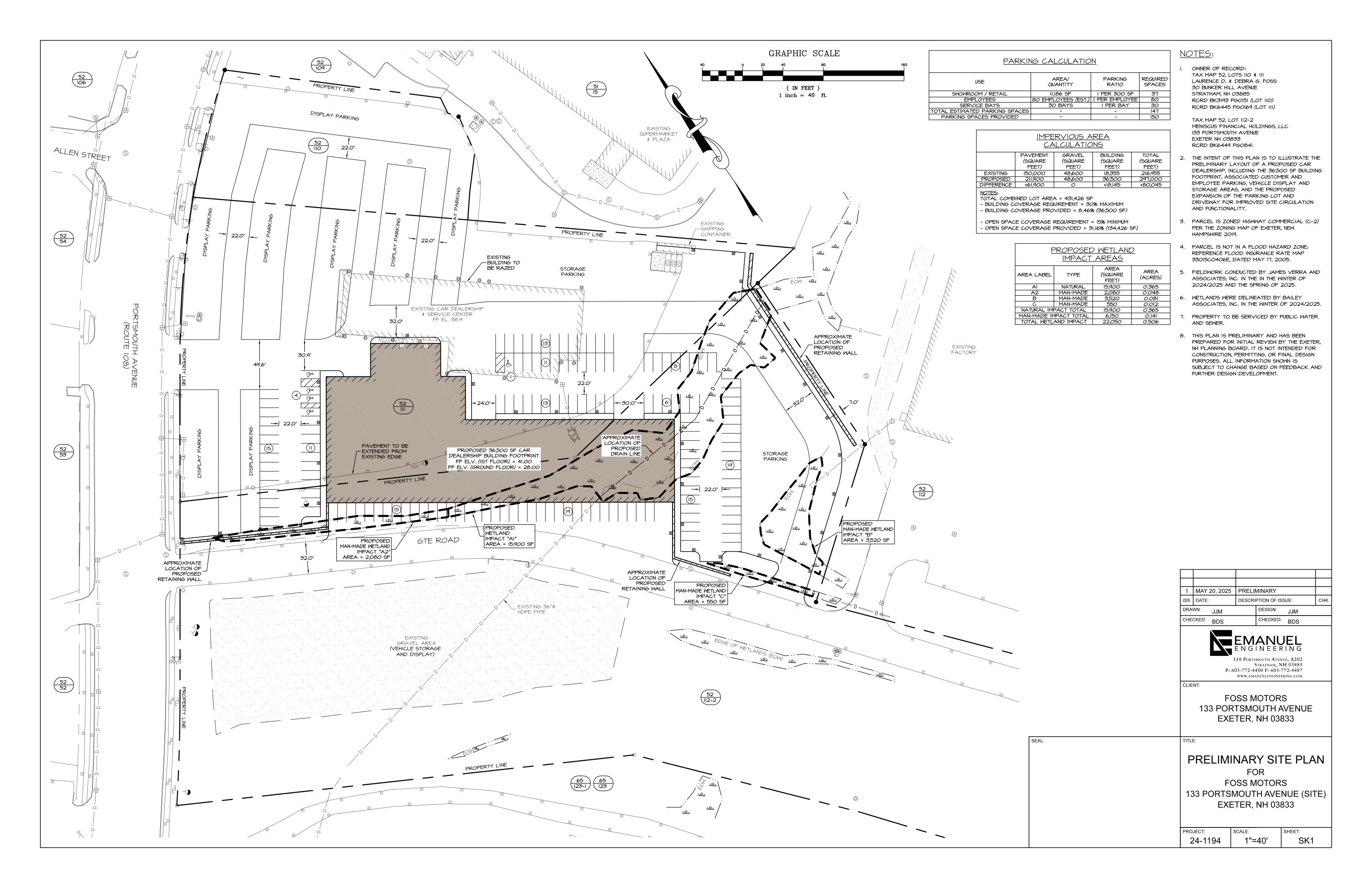
SK1 SK2 PRELIMINARY GRADING PLAN

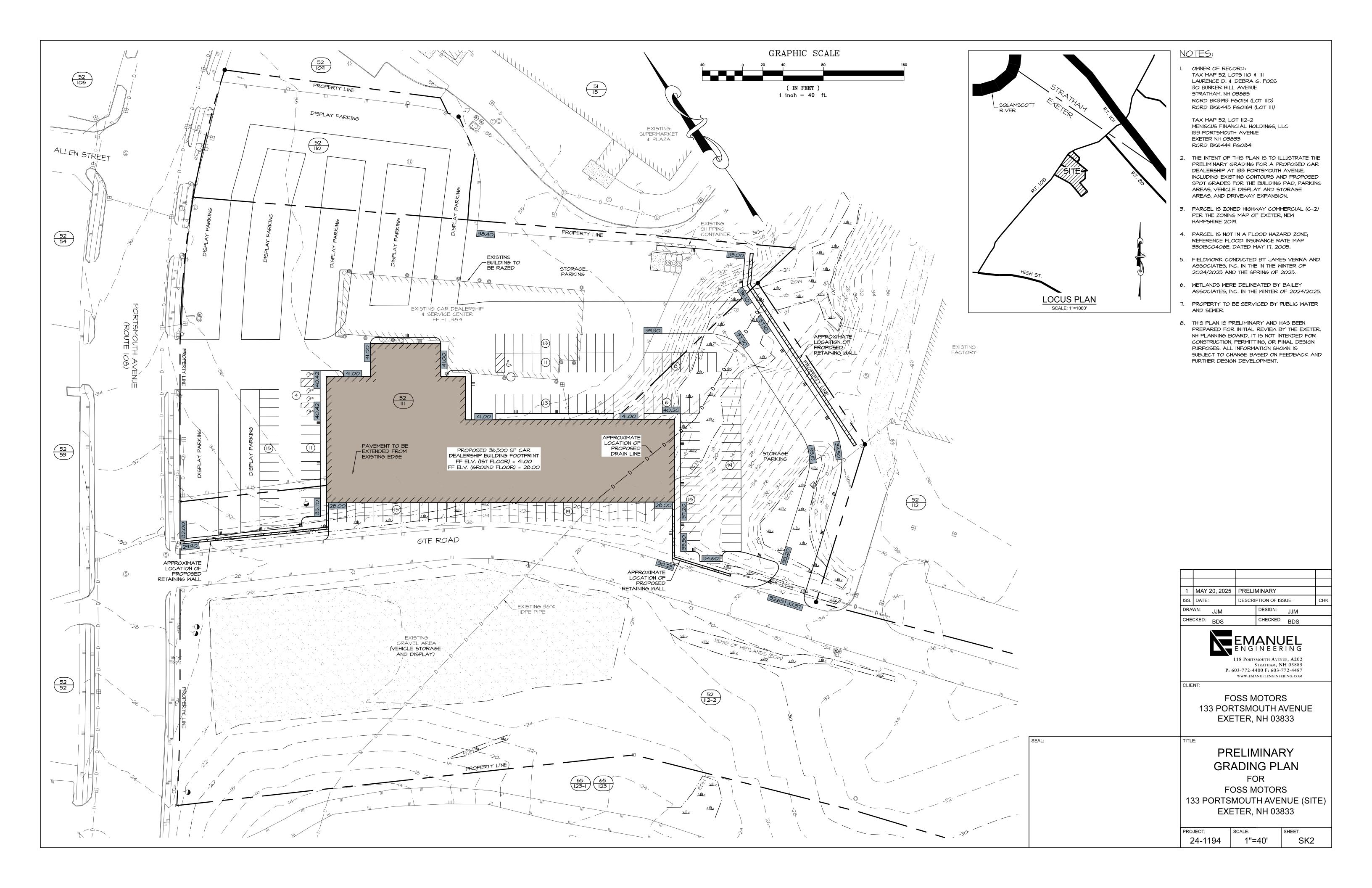
MULTI-STORY FOOTPRINT COMPARISON PLAN

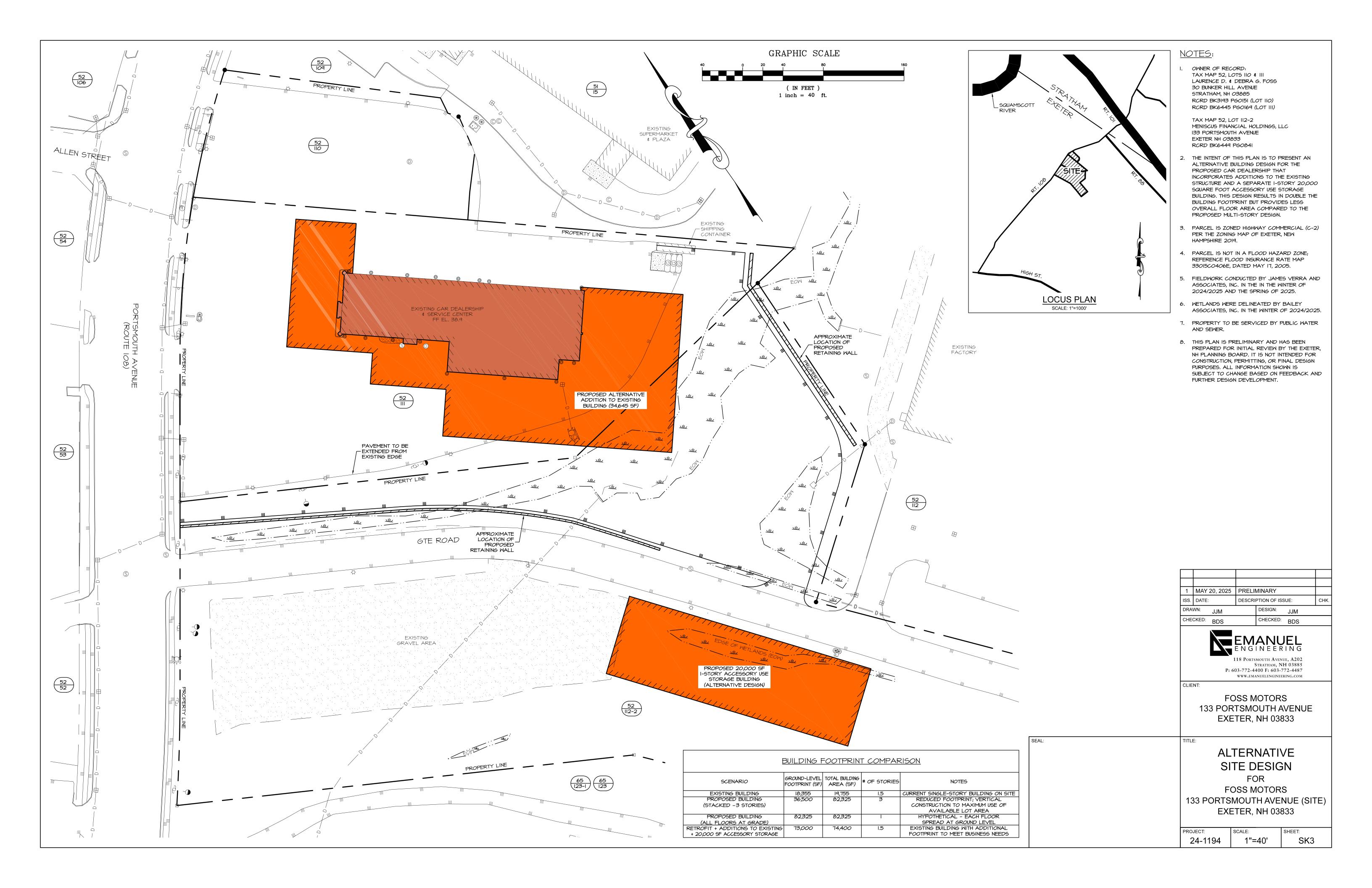
ALTERNATIVE SITE DESIGN

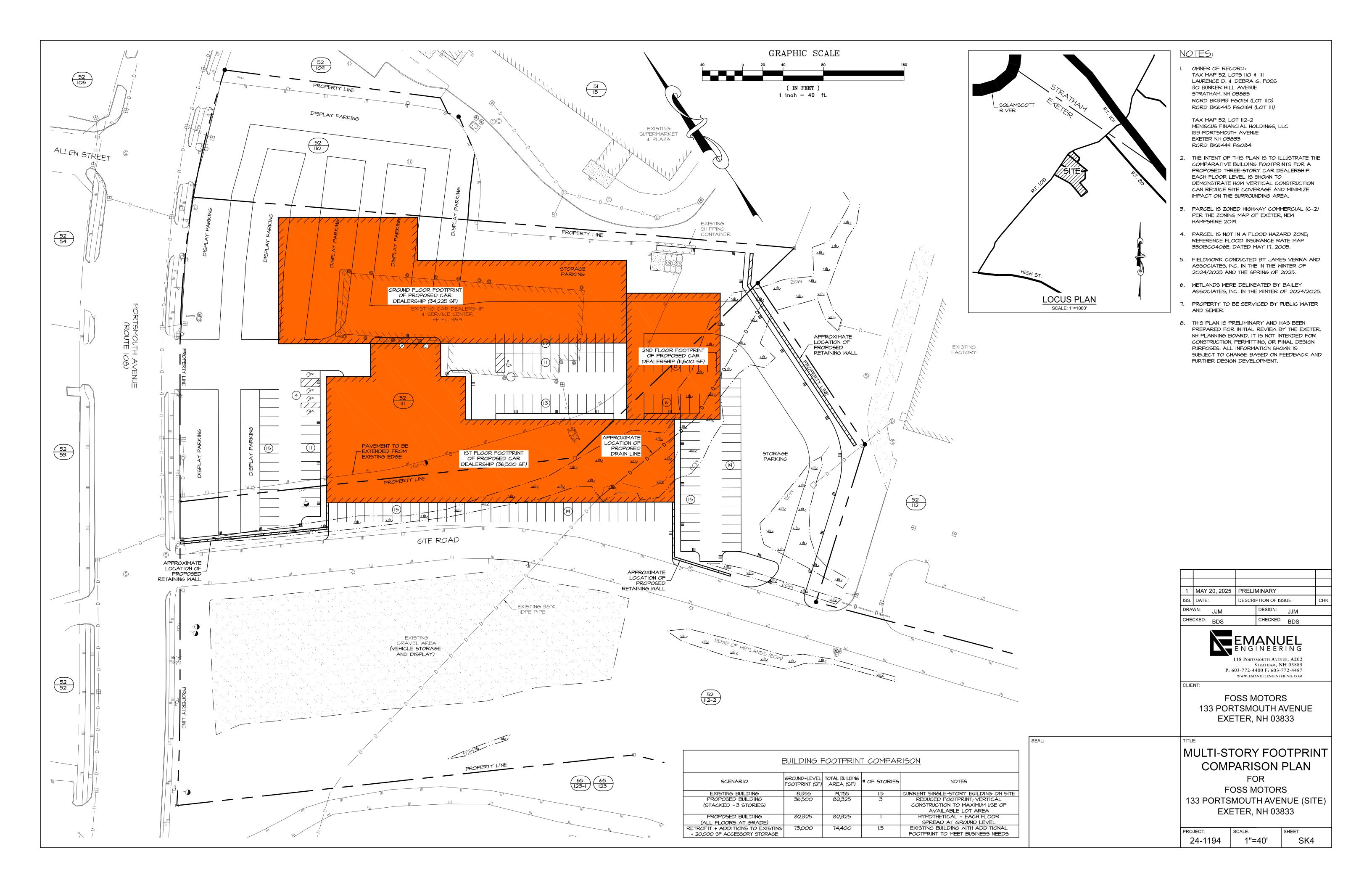
PRELIMINARY DETAILS

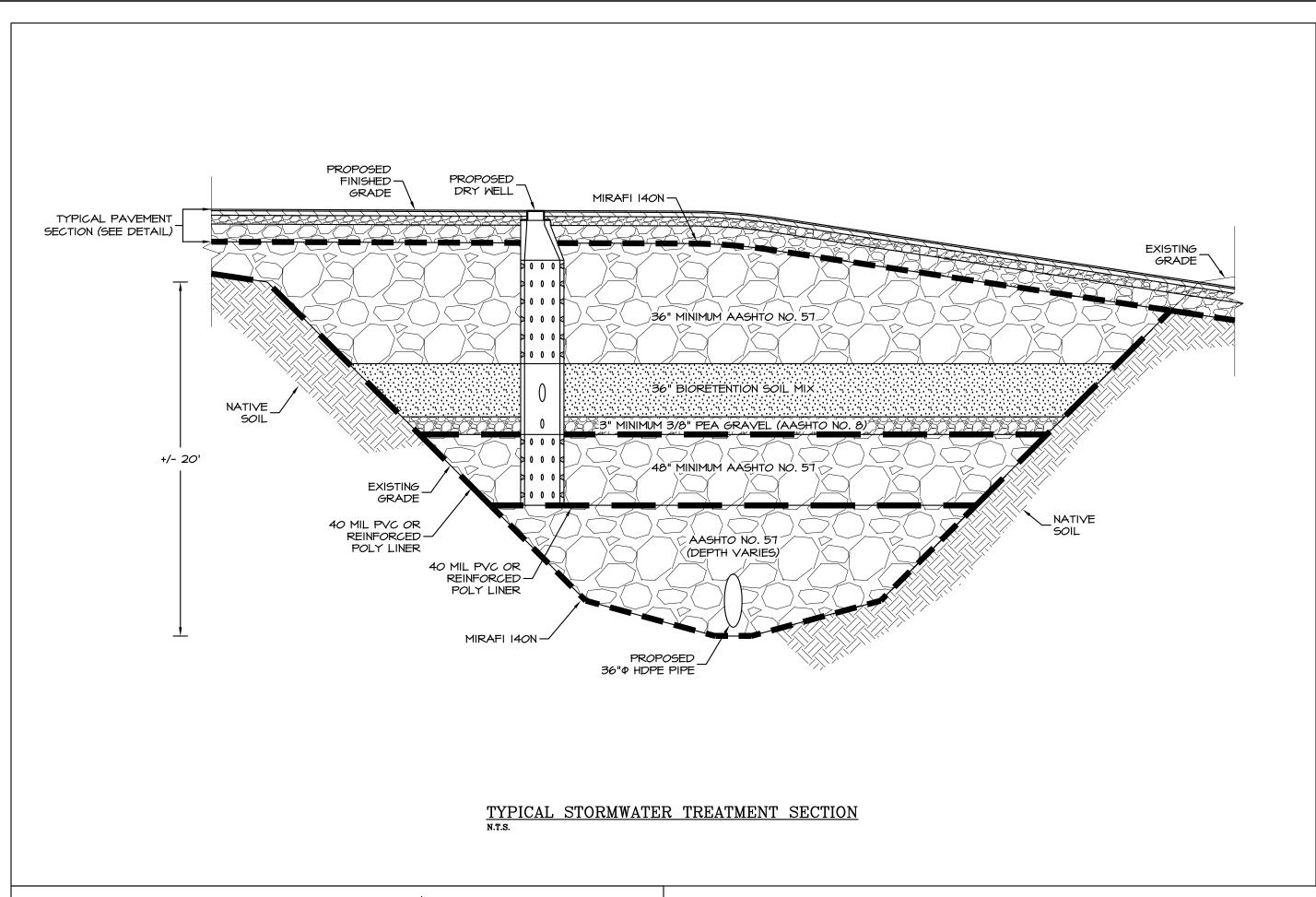


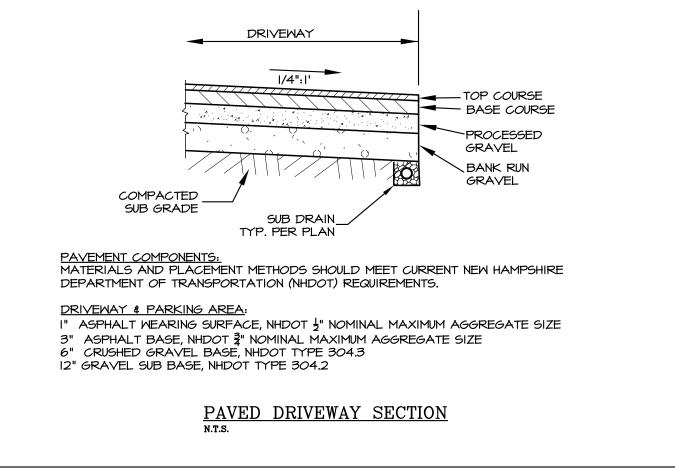












1	MAY 20, 2025	PRELIMINARY			
ISS.	DATE:	DESCRIPTION OF ISSUE:		CHK.	
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EMANUEL ENGINEERING					

ENGINEERING

civil & structural consultants, land planners

118 Portsmouth Avenue, A202

Stratham, NH 03885

P: 603-772-4400 F: 603-772-4487

WWW.EMANUELENGINEERING.COM

CLIENT:

FOSS MOTORS 133 PORTSMOUTH AVENUE EXETER, NH 03833

SEAL	TITLE:				
	PRELIMINARY DETAILS  FOR  FOSS MOTORS  133 PORTSMOUTH AVENUE (SITE)  EXETER, NH 03833				
	PROJECT:	SCALE:	SHEET:		
	24-1194	AS SHOWN	SK5		