

Chairwoman Kathy Corson called the meeting to order at 7:00 PM in the Nowak Room on the above date.

PRESENT: Chairwoman Kathy Corson, Vice Chairman Ken Knowles, Alternate Selectmen's Representative Don Clement, Members: Gwen English and Katherine Woolhouse, Alternate Members: Clerk Lang Plumer and Pete Cameron, and Town Planner Sylvia von Aulock. It was noted that all board members in attendance would be voting.

NEW BUSINESS: PUBLIC HEARINGS

KATHY LEWIS THOMPSON – PB CASE #21104

The application for a Conditional Use Permit (CUP) for the proposed construction of an 18'x 24' barn with an 8'x 18' lean-to on concrete posts and associated site improvements encroaching within the 40' wetlands buffer. The subject property is located at 15 Drinkwater Road, in the R-2, Single Family Residential zoning district. Tax Map Parcel #85-90.

Chairwoman Corson asked Ms. von Aulock if the abutters and public had been duly notified; Ms. von Aulock responded affirmatively. She asked if the application was complete enough for the Board to consider; Ms. von Aulock indicated the application was complete. ***Mr. Plumer moved to accept the application thereby beginning the 90-day clock for the Board to act; Mr. Knowles seconded the motion. VOTE: Unanimous. APPLICATION ACCEPTED.***

Ms. Kathy Lewis Thompson approached the microphone and introduced herself to the Board. She proceeded to explain their proposal to construct a barn/garage type structure with a small garden shed area on their property which would be used mainly for storage of lawn and garden equipment and as a small workshop area. She indicated that Gove Environmental Services (GES) had conducted a site inspection to identify the wetlands in the vicinity of the proposed structure. Ms. Thompson stated that the wetland delineation report indicated that the value of the identified wetland was much diminished given the partial development in the buffer and it was very unlikely that construction of a residential garage in this area would have a negative effect on the wetlands. She noted that drawings of the proposed structure were included in their application package. She offered to answer any questions that the Board may have.

Ms. von Aulock stated that this was going to be a very typical case of what the Board may see in the future. She indicated that she considered this a very reasonable request and that the Applicant had acted diligently to prepare a complete application after discussions with the Planning & Building office. She commented that the application was a great example for future applicants and the office planned on using it as a guide for future submissions.

Mr. Plumer commented that including a locus map would have been beneficial to be able to identify the location of the property in relation to the neighborhood. He asked the Applicant to describe the location of the property; Mr. Darius Thompson responded. Mr. Knowles inquired about the uses of the proposed workshop area and whether it would involve working on vehicles. Ms. Thompson responded that it would be for woodworking, house-repair type of projects, etc. and include her gardening shed area.

Mr. Knowles inquired about the placing of the flagging on the plans. Mr. Thompson indicated that GES had prepared the base plan with the wetland flagging and he had provided the remaining coordinates for setbacks and property lines. Mr. Knowles stated that the setbacks and buffer areas are established using the location (edge) of the wetland areas and are generally determined by a licensed professional. It was further discussed that the Applicant had prepared their plans using the Town's Maps-On-Line documents, and it was pointed out that the scale identified on the plans and the physical scaled dimensions on the plan were inconsistent. Mr. Knowles expressed concern relative to the accuracy of the plans given this inconsistency.

Ms. von Aulock commented that she felt the application met the intent of the regulations. She indicated that the Applicant hired Gove Environmental Services (GES) to flag the wetland in order for them to

prepare their application. She did acknowledge that the plans, as presented, may not be totally accurate, but they did provide adequate information for the Board to render a decision. She reiterated that the intent all along was to protect the wetlands, although not overburden the resident and/or applicant with the additional time and costs associated with the process.

Chairwoman Corson stated that she understood Mr. Knowles' concerns, although mentioned that the Board was on 'new ground' relative to the review process of Wetlands Conservation Overlay District (WCOD) Conditional Use Permits for residential properties. Board discussion ensued about the process of reviewing CUP applications and being consistent with respect to the type of documentation which is required when submitting an application. Mr. Knowles stated that it was important to consider all such applications in the same manner.

Ms. English expressed some concern relative to the use of the workshop area in the future for something other than what the Applicant had represented. Consensus of the Board was that it was not practical to attempt to foresee how future property owners may use the structure. The Thompsons assured the Board that their use would remain as presented and that they did not anticipate selling the property.

There being no further discussion at this time, chairwoman Corson opened the hearing for public testimony; there was none and the public portion of the meeting was closed.

Mr. Plumer asked if Ms. von Aulock had any proposed conditions of approval; she responded she did not and that it was just a matter of granting the CUP or not. It was represented that obtaining a building permit for the proposed construction was part of the process and would not be considered a condition.

Mr. Plumer moved to grant the Conditional Use Permit request; seconded by Ms. Woolhouse.

Discussion: Ms. Woolhouse suggested that the Board address each of the criteria outlined in Section 9.1.6 as it relates to the Applicant's proposal. The Board proceeded to review the criteria, and the following items were discussed:

- It was suggested that a site walk be conducted for a better visual of where the building will be located.
- The Applicant offered to move the building forward (closer to the road) approximately eight feet (8') to further minimize the encroachment and impact to the wetland and wetland buffer.
- Mr. Thompson addressed the Board and indicated that he had prepared the plans. He indicated that he understood the Board's concerns relative to the inconsistent scale, although he stated that the actual measurements identified on the plan were correct (i.e. distances from property lines, etc.). He reviewed various locations to place the proposed structure and all impact the wetland buffer to some degree.
- It was suggested that hay bales may be a better and easier method of erosion control than silt fencing given the homeowners would be installing it and they could subsequently be recycled in the garden area afterwards.
- Ms. English stated that in the future, Applicants should be required to submit more precise plan details.

Mr. Plumer amended his motion to include the condition that the proposed structure location being moved forward (closer to Drinkwater Road) eight feet (8') to further minimize the impact on the wetland and wetland buffer; Ms. Woolhouse accepted the amended motion. VOTE: Unanimous.

OTHER BUSINESS

NOMINATION OF ROCKINGHAM PLANNING COMMISSION (RPC) Town Commissioners

Chairwoman Corson addressed correspondence received from the Rockingham Planning Commission (RPC), dated April 13, 2011, indicating that both Gwen English and Katherine Woolhouse's (Alternate) appointments as commissioners would be expiring this month (April 2011). She noted that the Board of Selectmen had acted on the reappointments at their April 25th meeting, although the Planning Board had not yet acted to nominate them for reappointment. She confirmed that both of them were seeking reappointment by the Board unless another Board member expressed an interest.

Mr. Plumer moved to nominate Ms. English and Ms. Woolhouse (as an alternate) for re-appointment to the RPC, noting that the nomination would be forwarded to the Board of Selectmen; seconded by Mr. Clement. VOTE: Unanimous.

APPROVAL OF MINUTES: April 14, 2011.

Mr. Knowles moved to approve the minutes of April 14, 2011 as written; second by Mr. Plumer. VOTE: Unanimous. Mr. Clement abstained.

TOWN PLANNER ITEMS - None

REPORTS ON "OTHER COMMITTEE" ACTIVITY - None

CHAIRMAN'S ITEMS - None

There being no further business before the Board, ***Mr. Plumer moved to adjourn; second by Mr. Clement. VOTE: Unanimous. The meeting was adjourned at 8:05 P.M.***

The next meeting of the Exeter Planning Board will be held Thursday, May 12th, 2011 at 7:00PM in the Novak Room at the Exeter Town Offices.

Respectfully submitted,

Barbara S. McEvoy
Deputy Code Enforcement Officer
Planning & Building Department

:bsm