

EXETER PLANNING BOARD

MINUTES

MARCH 25, 2010

Chairman Lang Plumer called the meeting to order at 7:05 PM in the Nowak Room on the above date.

**PRESENT:** Chairman Lang Plumer, Vice Chairwoman Kathy Corson, Clerk Ken Knowles, Selectmen's Representative Bill Campbell, Members: Amy Bailey, Carol Sideris and Katherine Woolhouse, Alternate Members: Gwen English and Dennis Derby, Town Planner Sylvia von Aulock and Deputy Code Enforcement Officer Barbara McEvoy.

It was noted that all regular board members would be voting; alternate members would not be voting.

**NEW BUSINESS: PUBLIC HEARINGS**

**GEORGE AND SUSAN DUKE – PB CASE #21001**

**The application for a minor subdivision of an existing 4.99-acre parcel located at 64 Kingston Road to create two (2) new single family residential lots. The subject property is located in the R-1, Single Family Residential zoning district. Tax Map Parcel #97-6.**

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

Mr. Brian Pratt, P.E. with CLD Engineers was present to address the Board on behalf of his client, Mr. George Duke, property owner of 64 Kingston Road. He acknowledged that Mr. Duke was also present with him this evening. He identified the property as a 4.99-acre parcel on the southerly side of Kingston Road (NH Route 111) just east of RiverWoods Drive with an existing farm house and barn and large field. Mr. Pratt indicated that two new lots were being proposed, one with access from Kingston Road for which they have already obtained a NHDOT driveway permit and the second lot with access off Hillside Avenue. He noted that the design of the driveways was provided at the request of the Technical Review Committee (TRC). It was represented that all of the lots would be served by municipal water and sewer.

Ms. English expressed concern about the site distance provided for the Kingston Road (NH Route 111) driveway. Mr. Pratt referred the Board to Sheet #3 of the plan set and indicated that at minimum there was 400 feet of site distance; he provided photographs for the Board to review. Mr. Campbell noted that it appeared the proposed driveway just nicked the wetlands setback area. Mr. Pratt concurred although noted that it was the 75' structural setback which it encroached and not the newly adopted 40-foot "No-Cut/Disturb" buffer. Ms. von Aulock suggested that the 40-foot buffer not only be reflected on the plan but also in the individual deeds so it is clear to new buyers that the "No-Cut/Disturb" buffer exists. She also noted that it was a requirement, and would be a condition of approval, that the wetlands be permanently delineated (at edge of wetland) with the town wetland markers affixed to a tree or permanent wooden posts.

Mr. Knowles requested that some high-visibility construction fencing be installed at the "No-Cut/Disturb" buffer line to make sure there is no disturbance of these areas during construction. He pointed out several instances on the plan detail where the silt fencing and/or drainage were located within the new required 40-foot buffer. He stated that the design, as presented, did not comply with the new buffer regulations. Ms. von Aulock clarified that this was discussed at the Technical Review Committee (TRC) meeting and was to be revised. She suspected that the plans the Board members received were the original plans submitted and not the revised version being presented this evening.

Mr. Pratt concurred. He indicated that they were originally going to design rain gardens on each lot, although after the TRC meeting they ended up doing some test pits and found the soils to be better closer to the proposed location of the homes than in the area of the proposed rain gardens. He noted that they were no longer proposing the rain gardens and would be installing infiltration trenches instead. Mr. Pratt reviewed the test pits locations. Ms. von Aulock noted that the proposed locations of the new homes (and

driveway on Hillside Avenue) shown on the plan were only conceptual. She inquired about the adequacy of the test pits given the extensive size of the building area. Mr. Pratt indicated that an adequate number of test pits had been done across the property for the more desirable building locations and he did not see them deviating too much from what was depicted on the plan.

Mr. Knowles inquired if the infiltration trench proposed for the Hillside Avenue lot could be designed without encroachment of the 40-foot "No-Cut/Disturb" buffer. Mr. Pratt responded that it appeared there was adequate elevation to accommodate it.

There being no further discussion at this time, Chairman Plumer opened the hearing for public testimony.

Mr. Sean Grahame, the direct abutter at 2 Hillside Avenue, spoke of his concern relative to the high water table in the area and potential impacts related to drainage and erosion. He requested that the Board conduct a site visit before making any decisions on the application. He inquired about the location of the driveway access onto Hillside Avenue and noted the proximity of the school bus stop area. He expressed concern about safety in this area, particularly during construction. Mr. Graham requested that there be no disturbance of the existing pine trees along the road. He also asked if a street address for this new lot had been determined and hoped that it would not be necessary to renumber other homes in the Hillside development.

Ms. von Aulock indicated that the Applicant had been through the technical review process and there may be some final comments from the Department of Public Works. She noted that the plans had also been reviewed by Underwood Engineers, on behalf of the town, and were found to be acceptable.

Ms. Sideris requested further clarification of the lot configuration. Mr. Pratt indicated that the legal frontage for the proposed lot with access onto Hillside Avenue (TM #97-6.2) was actually along Kingston Road. He stated that full wetlands delineation had been completed and given that the wetlands present on this lot being very restrictive, the buildable area was created adjacent to Hillside Avenue. He also noted that the proposed subdivision plan had been submitted to the Assessing office for assignment of street addresses, and that a driveway permit for Hillside Avenue had also been included with the application submittal.

Ms. Woolhouse suggested that given the amount of discussion regarding the wetlands and the abutters concerns, it would be beneficial to have a site walk. It was represented that the Applicant could return at the Board's next meeting on April 8<sup>th</sup> for further discussion. Board members decided to visit the site at their convenience prior to the next meeting. Mr. Grahame offered permission for Board members to walk over his property, if necessary. The Board requested the Applicant to have the driveway locations marked out with stakes.

***Ms. English moved to table further discussion of the application until the Board's April 8<sup>th</sup>, 2010 meeting; seconded by Ms. Corson. VOTE: Unanimous. APPLICATION TABLED.***

## **NH DEPARTMENT OF TRANSPORTATION (NH DOT) CMAQ GRANT APPLICATION**

**A public hearing on a New Hampshire Department of Transportation (NH DOT) CMAQ Grant proposal for a renovation of the historic baggage building located at the Exeter Train Station. The subject property is located at 58 Lincoln Street, in the C-1, Central Area Commercial zoning district. Tax Map Parcel #73-275.**

Ms. von Aulock reiterated that the forum this evening was a public hearing and she welcomed public comment after the presentation. She acknowledged that Mr. Bob Hall, Chairman of the Exeter Train Committee would be presenting the grant proposal with her assistance of a PowerPoint presentation. She indicated that their goal was to receive an endorsement from the Planning Board this evening as the application is due April 1, 2010.

Chairman Plumer acknowledged receipt of comments from Heritage Commission Chair John Merkle noting that the commission was interested in following the progress of the proposal. He noted that Ms. Bailey was the Planning Board's representative on the Heritage Commission and will share the

discussion with them. Ms. von Aulock offered to do the same presentation for the Commission; she noted that Ms. Julie Gilman had indicated she would put this item on the commissions' next agenda.

Mr. Bob Hall, Chairman of the Exeter Train Committee, addressed the Board and explained the proposal. He indicated that the DownEaster has been running for eight (8) years and two million passengers have ridden on the train since December 15, 2001. He noted that Exeter has accounted for one-half million of those riders and is the second most popular destination on the route with Portland, ME being number one. He also mentioned that out of 540 stations across the nation, Exeter is ranked #93 in terms of ridership numbers.

Mr. Hall proceeded to identify the structures associated with the train station including the open platform, the baggage building and Gerry's Variety, formerly the original B&M station. He indicated that on a typical morning (@ 7:00 AM) there are approximately 65 riders boarding the train for their commute. He stated that Exeter was the busiest station of the three (3) in New Hampshire with 40% of its riders coming from out of town. Mr. Hall pointed out that the existing station was open to the elements and offered few passenger amenities. He noted that the station has operated the last eight years relying on a private business (Gerry's Variety) to accommodate the needs of the passengers.

Mr. Hall stated that the proposed funding available through this grant would enable the Town to purchase the original baggage building and to convert it from its present use back to its more historic use as a station with multiple amenities such as providing the riders with a safe waiting area, a ticket counter, an information center and bathrooms. He stated that the estimated cost to purchase and renovate the building was \$403,200, and a 30% local match was required. He indicated that the Town Public Works Department would be in charge of the remodeling of the building. He also noted that they would like to have the students of the Seacoast School of Technology (SST) participate in the community project.

Noting that the Master Plan has recommended future improvement of the train station, Mr. Hall stated that this would be a community investment project – the perfect place for a welcoming center. He stated that the project had multi-modal benefits, noting that the station is currently utilized by bus transportation providers and would provide for possible expansion of those services. He emphasized that this was a regional station serving the Exeter area and providing public transportation from Maine to Massachusetts.

At this time, Ms. von Aulock asked if there were any questions for either Mr. Hall or her.

Mr. Knowles noted that the size of the existing baggage building would not accommodate shelter for the passenger load as represented, so basically it would be a welcoming center and house the ticket machine and bathrooms. He commented \$400,000. for essentially bathroom space seemed awfully expensive. He asked if there had been any consideration to enclosing the existing platform area to provide shelter for the passengers and house the ticket machine. Mr. Hall responded that the ticket machine was a temperature-sensitive piece of equipment that needed to be in a 50-degree or higher environment. He indicated that they had not looked into that option, but believed that bathrooms would not fit into that type of improvement.

Chairman Plumer commented on the aesthetics of the station and the area being a gateway to the town. He concurred that bathrooms were a vital need, and with the concept of the Chamber being involved, it would provide beneficial information for those who are not familiar with the town and its surroundings.

Ms. von Aulock indicated that this would be a multi-phase project with the purchase and renovation of the baggage building as Phase I. She noted that the property owners were not willing to let go of Gerry's Variety (restaurant) yet, although if sometime in the future, the town was successful in obtaining Gerry's it would make for a nice transportation center. She reiterated Mr. Hall's comments about the Exeter station being ranked as one of the top 100 of all stations in nation and Exeter being a very popular destination/arrival spot.

Mr. Campbell requested further clarification of the proposed funding associated with the grant. Ms. von Aulock explained that 70% of the project would be funded by the grant with a 30% local match. She indicated that the 30% local match would consist of 20% cash and 10% in kind services, noting that a warrant article for approximately \$80,000. would have to go before voters. Ms. von Aulock noted that the largest chunk of the cost would be the purchase price of the building at \$250,000.

Ms. Corson asked if there were any preliminary plans showing, at a minimum, that things will fit in the building. Ms. von Aulock replied that only a sketch was available at this time, but that the building was currently occupied as an apartment, noting that it was approximately 700-800 square feet in size and tied into the municipal water and sewer services. Ms. Corson asked if providing handicapped accessibility had been taken into consideration.

Ms. Sideris commented that she was attracted to Exeter when purchasing her home because of the train. She indicated that the project was appealing in that it was a phase in a long term plan to develop this area and ideally to restore the original station. She stated that the project certainly had her vote for endorsement as it is a selling point for the community, promoting business, and the right time to take advantage of the opportunity.

Ms. English inquired about the long term plan for parking. Mr. Hall noted that there were currently 68 parking spaces at the station; he indicated that the desired expansion would be immediately along Garfield Street (Bridge Transportation property) although the price tag on acquiring that is still out of reach. He stated that the town had reconfigured some of the parking along Lincoln Street and a few additional spaces were picked up as a result of this improvement. He mentioned that currently folks are encouraged to carpool, get dropped off, walk or cycle to avoid leaving cars parked there on an all-day basis.

Ms. von Aulock mentioned that the town did have some NHDOT CMAQ funds allocated for this purchase, although due to cost of property the Town could not continue with that project. She indicated that they were currently looking at the former Ocean Bank site across the street which could provide approximately 60 spaces. She stated that they were still waiting to hear from NHDOT if this would be a suitable alternative. Ms. Corson inquired about "pay-to-park" being an option. Mr. Hall responded that it would be an option for the long term parking expansion, but not being considered for the existing parking.

Ms. Woolhouse expressed her support for the project, although was concerned about staying focused on the location of the station in the quest for additional parking so the use of the baggage building would remain feasible. Mr. Hall stated that it would be very unlikely that the station location would move to the other side of the tracks. He indicated that the railroad wants the community to have the station stop on the town center side of the tracks to avoid having people cross over the tracks.

Ms. Corson asked what affiliation, if any, C&J bus service had with the train station. Mr. Hall explained that C&J runs one round-trip a day, from Dover to Boston (stopping in Dover Durham and Exeter). He indicated that this was the first available transportation out of Exeter going south (at 5:40 AM), noting that the train did not arrive in Exeter until 6:00 AM. The C&J bus returns from Boston arriving in Exeter at 4:05 PM. He indicated that this was the only bus that C&J operates that is solely for use of the DownEaster train. She expressed concern that parking will continue to be a problem in the future. Mr. Hall agreed and noted that the train will be expanding its route in 2012 to include Freeport, ME (LL Bean country) and Brunswick. Ms. Sideris commented that it was great to see the focus on public transportation.

Ms. English inquired about the daily upkeep and operation of the building. Mr. Hall responded that the Town of Exeter would be in charge of the building, although as far as who had the keys to the building, Mr. Hall indicated that he was willing to work on getting together a group of hosts (as is done in other communities) to provide the daily services of opening and locking up the building, bathroom maintenance, etc. He indicated that this has been done successfully in other locations and that he would volunteer to organize such a program for Exeter.

There being no further discussion from the Board, Chairman Plumer opened the hearing for public comment.

Mr. Don Woodward, a resident of Exeter and member of the towns' Transportation committee, spoke in support of the proposal. He indicating that the goal was to develop a local transportation center and relieve the traffic congestion by getting the traffic out of the downtown. He stated that it was a worthwhile endeavor for the town.

Mr. Arthur Baillargeon, a resident of Exeter, expressed his support of the application and hopes that it goes forward. He recalled riding the train back in the late 40's and 50's and would like to see it restored. He agreed that bathrooms were certainly a necessity for the station.

***Ms. Sideris moved to endorse the train station improvement proposal, as presented; motion was seconded by Ms. Corson. VOTE: Unanimous.***

## **OTHER BUSINESS**

### **WHEELWRIGHT COMMONS, LLC (formerly Michael Black) - PB Case #2406**

The Board reviewed correspondence from Mr. George Stern, a member of Wheelwright Common LLC, dated March 1, 2010, requesting release of the current performance bond for the "Thacher Commons" condo development at 131 Court Street.

Mr. Stern was present and addressed the Board. He explained that Sonoma Builders, Inc. was in the process of purchasing the remaining development rights for this project. He noted that the last request for a reduction of this bond was in February 2009, and the Town was currently holding a balance of \$39,397.40. He stated that a letter of intent, dated March 3, 2010 from The Provident Bank, had also been submitted on behalf of Mr. Bill Goldstein (Sonoma Builders, Inc.). Mr. Stern indicated that he was requesting the Board to approve the replacement of the current performance bond with the Letter of Credit to be provided by The Provident Bank on behalf of the new property owner.

***Ms. Corson moved to approve the request, subject to receipt of the new Letter of Credit in the Planning Office; motion was seconded. VOTE: Unanimous.***

### **WRIGHT LANE SUBDIVISION – PB CASE #2910**

The Board reviewed a memorandum dated March 25, 2010 from Town Engineer Paul Vlasich regarding a bond reduction for the project. The Board had difficulty in understanding Mr. Vlasich's calculations for the requested reduction and requested further clarification.

***A motion was made and seconded to table further consideration of this item until the Board's April 8<sup>th</sup>, 2010 meeting. VOTE: Unanimous.***

## **TOWN PLANNER ITEMS**

- Ms. von Aulock provided a PowerPoint presentation entitled "A Decade of Residential Development" for the Board.
- Revisions to the Board's Site Plan Review & Subdivision Regulations were being reviewed by Town staff and would be coming to the Board for discussion this summer.

## **APPROVAL OF MINUTES: March 11, 2010.**

***Mr. Campbell moved to approve the minutes of March 11, 2010, as presented; second by Ms. Corson. VOTE: Unanimous. Ms. Woolhouse, Ms. English and Dr. Derby abstained.***

## **REPORTS ON "OTHER COMMITTEE" ACTIVITY**

Dr. Derby reiterated his request for a board member to fill the Planning Board seat on the Historic District Commission (HDC). He indicated that his last meeting as PB rep to the commission will be next month and he hoped someone might step forward so the position would not become vacant. He noted that they meet on the third Thursday of each month, at 7:15 Pm and meetings don't normally last more than an hour. Ms. Corson indicated that she would volunteer unless someone else was interested. Ms. Sideris expressed some interest possibly as an alternate, but would give it some more thought.

Ms. von Aulock mentioned that the Capital Improvement Program (CIP) process would be starting up again soon, noting that it would start in June and run through August/September. She thanked Ms.

Corson and Ms. Bailey for their participation over the last several years. She indicated that Mr. Aldrich was the newly appointed Selectmen's Representative.

**CHAIRMAN'S ITEMS**

There being no further business before the Board, ***Mr. Campbell moved to adjourn; second by Mr. Knowles. VOTE: Unanimous. The meeting was adjourned at 8:35 P.M.***

Respectfully submitted,

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

:bsm