

EXETER PLANNING BOARD

MINUTES

FEBRUARY 9, 2012

Chairwoman Kathy Corson called the meeting to order at 7:02 PM in the Nowak Room on the above date.

**PRESENT:** Chairwoman Kathy Corson, Vice Chairman Ken Knowles, Selectmen's Representative Frank Ferraro, Members: Carol Sideris, Alternate Members: Clerk Lang Plumer, Town Planner Sylvia von Aulock and Deputy Code Enforcement Officer Barbara McEvoy. It was noted that all board members in attendance would be voting.

**NEW BUSINESS: PUBLIC HEARINGS**

**BOATOFGARTEN, LLC - PB Case #21112**

**A request by Appledore Engineering (on behalf of COBHAM/Continental Microwave) for a conceptual review of a proposed amendment to the previously approved site plan for the property located at 11 Continental Drive. Proposed amendment includes additional parking and associated site improvements. The subject property is located in the I-Industrial zoning district. Tax Map Parcel #46-5.**

Ms. Jennifer Viarengo, P.E. with Appledore Engineering, Inc. was present on behalf of the Applicant. She explained that her clients were requesting that their application be re-opened for a conceptual review to discuss the potential of adding approximately twenty (20) parking spaces to support their facility needs. She distributed an additional aerial plan to the Board members for reference during her presentation. She indicated that they had looked at two different options and she would be presenting both to the Board this evening for their input.

Ms. Viarengo provided a brief overview of the previous approval granted by the Board in August for the proposed building and parking lot expansion. She proceeded to describe "Option A" as depicted on the plan consisting of 19 additional spaces being added the proposed parking area adjacent to the gravel wetland area (on the easterly side of the building site). It was noted that although this area was currently cleared, the proposed spaces would be encroaching within the 75' No Parking/Structure wetland setback and would require a waiver and amendment to the Conditional Use Permit (CUP). She also identified an area of existing pavement (off the southwesterly corner of the proposed building) which would provide three (3) more spaces, but was also within the 75' No Parking/Structure wetland buffer setback. It was represented that these three spaces were being proposed with both options. Ms. Viarengo stated that this was the option her clients preferred, although she was also prepared to present an alternative, "Option B". She identified the location of "Option B" referring to it as the "pod" and noted that it would be an extension of the proposed parking area located to the south of the proposed building structure and would include 18 additional parking spaces. She noted that additional clearing in this area would be required and that there would be some additional encroachment of the 75' No Parking/Structure buffer setback as well. Ms. Viarengo represented that she was prepared to submit documentation that the gravel wetland area would support the increase in run-off generated by the additional impervious surface.

Ms. Viarengo concluded by stating that a formal application for amendment of the original site plan approval and Conditional Use Permit (CUP) would be forthcoming. She asked for clarification as to whether the proposed revisions warranted further review by the Conservation Commission. Ms. von Aulock responded that it would not be necessary to return to ConCom.

Mr. Knowles inquired if any waivers had been granted for reduction of parking space area or aisle width as part of the original approval. Ms. Viarengo responded that there had not been. He commented that he would not be opposed to allowing the parking spaces to be reduced to 9'x 18' in the areas of encroachment and suggested possibly reducing the aisle widths in an effort to decrease the total amount of impervious surface.

Chairwoman Corson acknowledged that the plan complied with the Board's parking regulations, but she inquired if the necessity of additional parking was above and beyond the Town's parking requirement. Ms. Viarengo responded that the Town's parking requirements were calculated by the number of employees (on the maximum working shift). She indicated that the proposed additional parking will

ensure there will be no problems -- noting that it will provide adequate parking for their employees, guests, vendors, training sessions, shift overlap situations, etc. and would not necessarily be used to the maximum on a daily basis. Ms. Corson commented that this information would be useful for future discussions relative to parking requirements.

There were no objections from Board members relative to the conceptual design presented and board consensus was that Option A was preferable.

Ms. Viarengo indicated that she would prepare the appropriate paperwork and coordinate dates for submittal and public hearing with the Planning office. She thanked the Board for their time and indicated that she was looking forward to returning in March.

#### **OTHER BUSINESS**

#### **STONEGATE NH CONSTRUCTION (ERIC KATZ) – PB CASE #2423**

The Board reviewed correspondence from Mr. Eric Katz, dated January 10, 2012, requesting a performance bond reduction for Phase I of the Villages at Sterling Hill development. The Board also reviewed memorandums from PB/DPW Site Inspector Jeff Hyland (dated 1/24/12) and Town Engineer Paul Vlasich (dated 2/9/12) indicating that all site improvements associated with Phase I of the project were completed satisfactorily and the performance bond could be returned.

Mr. Knowles inquired about the status of the three items on the construction cost estimate showing at only 75% complete and indicated that the total value of work remaining in accordance with the estimate submitted was approximately \$18,000. Ms. von Aulock confirmed that the site had been inspected by the PB Inspector and again today by Mr. Vlasich, and both have provided documentation that the site improvements of Phase I of the development are complete and to the satisfaction of the town.

Board discussion followed as to the appropriate manner in which to act upon the request given the information provided. Board consensus was to act in accordance with the recommendations received by the Town Engineer and PB Inspector.

***Mr. Plumer moved to release the performance bond, in the amount of \$348,000. as recommended; second by Ms. Sideris. VOTE: Unanimous. (Mr. Knowles abstained).***

#### **TUCK REALTY CORP. – PB CASE #2910 (formerly WM. WRIGHT REVOCABLE TRUST)**

The Board reviewed correspondence from Mr. John Krebs, dated January 13, 2012, requesting the release of the performance bond for the Wright Lane subdivision off of Ashbrook Road. They also reviewed a memorandum dated 12/6/11, from Town Engineer Paul Vlasich in which it was represented that he recommended street acceptance of Wright Lane and that the performance bond could be replaced with a maintenance guarantee in the amount of \$28,902.60 and held for a period of two years after street acceptance.

***Mr. Knowles moved to reduce the performance bond in the amount of \$29,522.23; second by Mr. Plumer. Discussion: Mr. Ferraro asked if the motion should further clarify that the balance of the bond would become a maintenance bond. Mr. Knowles indicated that they were two different issues and he would expect that once the maintenance bond was in place the developer would return to request release of the remaining balance of the performance bond. Board discussion ensued as to the appropriate manner in which to act upon the request (i.e. reduction v. release/replace of bond). Ms. McEvoy indicated that the developer had provided a cash escrow deposit to satisfy the performance bond requirement. She explained that typically with cash deposits, reductions can be processed for specific amounts, although in this case the developer is requesting to basically "rollover" remaining funds into the required maintenance guarantee and be refunded the remaining balance. She noted that the unknown factor of how much interest has accrued on the current funds being held needs to be incorporated into the balance being returned to the developer. She suggested that the Board could take action to reduce the performance bond to a balance of \$28,902.60, therefore satisfying the maintenance guarantee requirement. Mr. Knowles offered an amended motion to reduce the current performance bond to a balance of \$28,902.60 to satisfy the maintenance guarantee requirement for the road; and***

**release the remaining balance to the developer, as requested; second by Mr. Ferraro. VOTE: Unanimous.**

#### **PROPOSED "ECONOMIC REVITALIZATION" ZONE FOR EPPING ROAD CORRIDOR**

Ms. von Aulock informed the Board that in conjunction with the Economic Development Commission (EDC) she had been working on the composition of a formal application to request an Economic Revitalization Zone Tax Credit Designation for the Epping Road Corridor. She indicated with the assistance of Ms. Christine Davis and Mr. Robert Barry at NH Department of Resources and Economic Development (DRED), she finalized the application and has distributed copies for review.

She noted that the Board of Selectmen had seen the application at their January 9, 2012 meeting and their initial response was favorable but they wanted further input from the Planning Board.

She provided a PowerPoint presentation to the Board for their review (see hard copy of the PP attached). Board discussion ensued during the presentation. An inquiry was made as to the process of notification to property owners. Mr. Ferraro suggested that the EDC could possibly hold public information meetings.

**Mr. Plumer moved to support the "Economic Revitalization" (ER) zone proposal as presented, and to recommend endorsement of the same by the Board of Selectmen; second by Ms. Sideris. VOTE: Unanimous. Mr. Ferraro abstained.**

#### **NOMINATION OF ROCKINGHAM PLANNING COMMISSION (RPC) COMMISSIONERS**

Chairwoman Corson acknowledged receipt of correspondence from Rockingham Planning Commission (RPC), dated 2/1/12, regarding the status of the Town's representatives to the Commission. It was noted that existing representatives, Ms. English and Ms. Woolhouse (alternate) terms had expired in April 2011. It was recommended that in order for the town to maintain full representation and participation that these appointments are renewed or two new appointments be made.

**Mr. Plumer moved to nominate both Ms. English and Ms. Woolhouse to serve as RPC commissioners for another three-year term to expire in 2014; second by Mr. Knowles. VOTE: Unanimous.** It was noted that the Board of Selectmen would be taking final action on the appointment.

#### **APPROVAL OF MINUTES: December 15, 2011 and January 12, 2012**

It was determined there was not an appropriate quorum present to act on the minutes of December 15<sup>th</sup>, 2011 and action was deferred until the Board's next meeting.

**Ms. Sideris moved to approve the minutes of January 12<sup>th</sup>, 2012 as presented; second by Mr. Plumer. VOTE: Unanimous. Mr. Ferraro abstained.**

#### **TOWN PLANNER ITEMS** - None

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

Selectmen Ferraro provided an update for the Board and public on the **Getty property** proposal. He indicated that he had further researched the status of the site and noted that an additional groundwater sample was to be taken in April 2012. He explained that if the results of this sample come back below the groundwater standards, the State will subsequently issue a "Certificate of No Further Action". He commented that the expectation is that the results in April will be favorable and the site will not need further action. However, if the results are not favorable, or other subsequent concerns arise, he indicated that the state has established a remediation fund for this specific site. He referenced his comments made at the deliberative session in which he indicated that he felt the environmental risks were well managed by the state with the 1.2 million dollar funds to 'backstop' any future risks.

Chairwoman Corson reported that the **Zoning Ordinance Review Committee (ZORC)** continued to meet on a fairly regular basis and the subcommittee was diligently moving forward with their research of Form

Based Codes (FBC). She also noted that the **Economic Development Commission (EDC)** continued to meet on a regular basis.

Selectmen Ferraro mentioned that he would be meeting with Selectmen Don Clement and Town Manager Russ Dean next week to finalize the RFP going out for bid for the **Town website** reconfiguration project. He indicated that he and Mr. Clement had been working with Town departments relative to their specific needs. He represented that all materials were to be prepared in a timely manner in order to be incorporated into the site at the time the contract is issued.

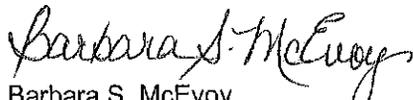
Ms. von Aulock inquired if the selected contractor would be working with the individual departments to revise department pages. Mr. Ferraro explained that initially each department was being requested to put materials together regarding content, visual layouts, etc. for submission to the contractor. Subsequently, the contractor will build the site in accordance with the individual department specs and will provide two opportunities for the departments to review a "draft" site before going live with the revisions. Ms. von Aulock commented that she was somewhat reluctant to ask her staff to put a lot of effort into designing department pages. She explained that in the past, departments had coordinated the revisions to their individual pages and without any explanation those changes had subsequently been removed. She asked who would have control of any further revisions once the site was built and up and running. Mr. Ferraro responded that it was undecided at this time. She mentioned that there were a lot of concerns related to formatting issues, and asked if there would be any standards or guidelines that would provide some direction in creating the department pages. She commented that she would like this to be a positive experience for everyone. The current discussion raised the curiosity of several Board members and Mr. Ferraro responded to further questions and comments.

**CHAIRMAN'S ITEMS** – None

There being no further business before the Board, ***Mr. Plumer moved to adjourn; second by Mr. Knowles. VOTE: Unanimous. The meeting was adjourned at 8:30 P.M.***

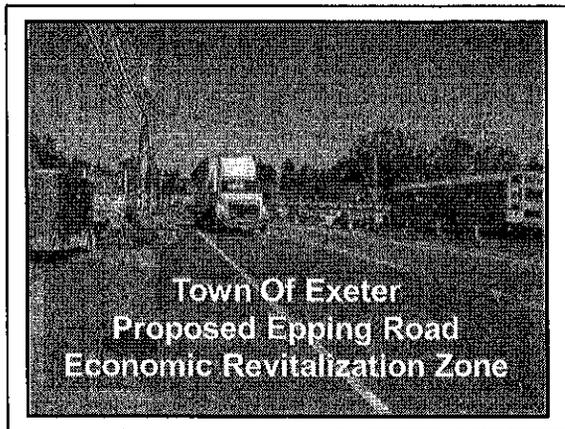
The next meeting of the Exeter Planning Board will be held Thursday, March 8<sup>th</sup>, 2012 at 7:00PM in the Novak Room at the Exeter Town Offices.

Respectfully submitted,



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

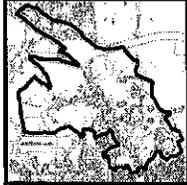
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### What is the ER Zone Tax Credit Program?



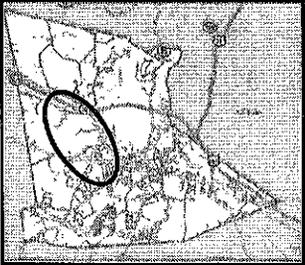
New Hampshire Department of Resources and Economic Development





### What is an ER Zone?

Any community in NH can apply to NH Dept. of Resources and Economic Dev. to create a zone, or distinct area in need of economic revitalization. There are various requirements to be considered eligible.



### What benefits are there for businesses?

## Tax Credits:

Specifically: a short-term, tax credit on profits and enterprise taxes. (Per town!) To qualify, a certain amount must be made and the location must meet demographic criteria, or be located in an industrial park, or vacant land used for industrial, commercial, or residential purposes currently not so used, or Brownfields. The amount of the credit is \$200,000.



### Why an ER Zone in Exeter

- To Foster Economic Growth
- To Expand the Commercial and Industrial Base
- To Create Jobs
- Property Owner Request

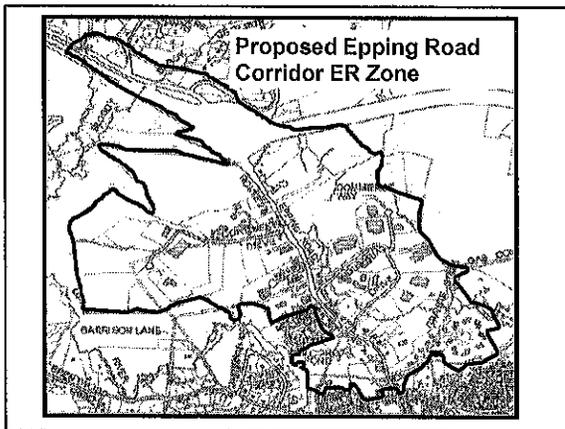
### How does it happen?

It is a two step process, whereby the municipality first applies for the designation based upon specific criteria, and secondly, a business applies for the actual tax credit.

### What Other NH Towns Have Created ER Zones?

• Raymond	• Somersworth
• Londonderry	• Rochester
• Salem	• Portsmouth
• Nashua	• Plaistow
• Dover	• Manchester
• Durham	• Hudson

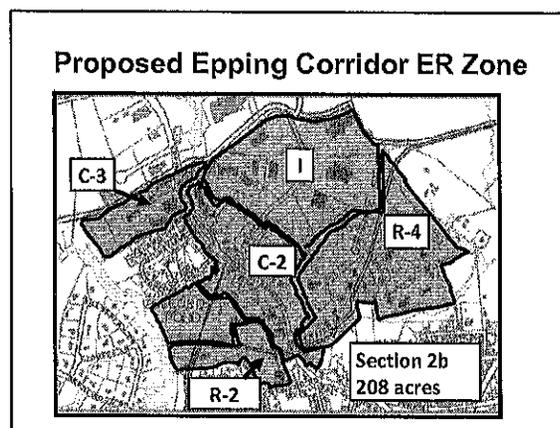
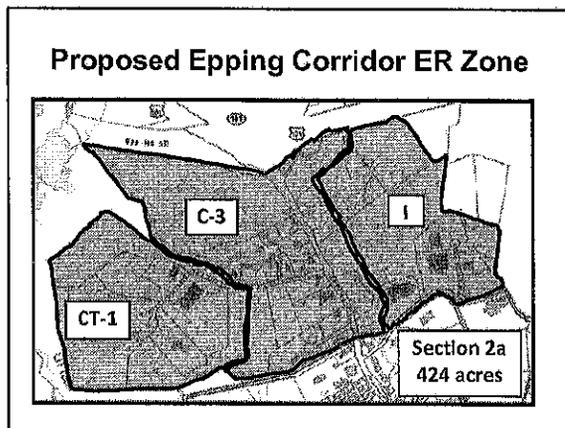
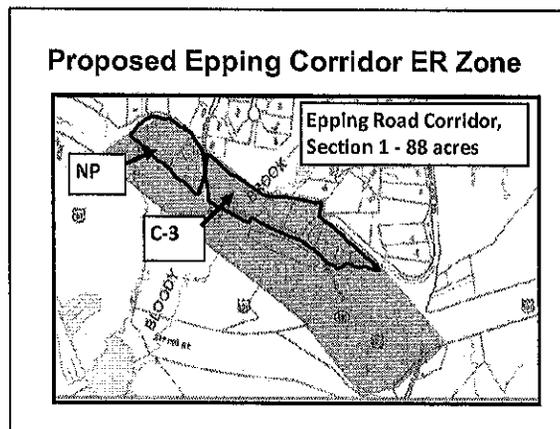
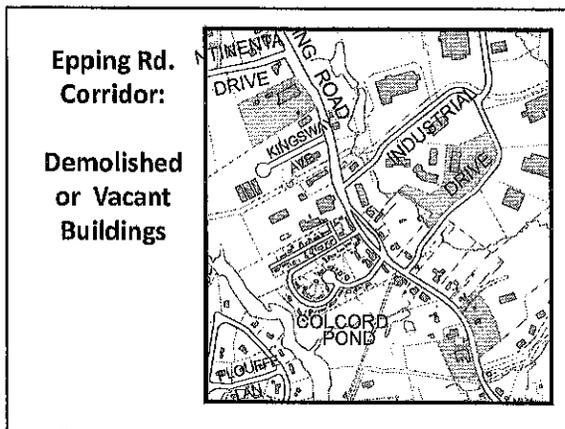




### Why the Epping Road Corridor?

**Vacant Lands:**

Tax Map-Lot #:  
 32-2 & 31;  
 40-1.1, 1.2, 9, 12;  
 41-5 thru 13;  
 46-1, 3, 4 & 7;  
 47-1.3, 1.4, 4.6,  
 4.11, 7, 8, 9;  
 48-3, 4; 54-2;  
 55-3, 75, 75.1;  
 56-3.1



### **Summary of Epping Road ER Zone**

- **Potential business growth in an area that is presently experiencing a stagnant period.**
- **Win – Win for Exeter and Exeter's existing and future businesses.**
- **No cost to the town and a tax credit for the qualifying business.**

