

1 **TOWN OF EXETER**
2 **PLANNING BOARD**
3 **NOWAK MEETING ROOM**
4 **10 FRONT STREET**
5 **AUGUST 22, 2024**
6 **APPROVED MINUTES**
7 **7:00 PM**

8 **I. PRELIMINARIES:**
9

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

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

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

18 **III. OLD BUSINESS**
19

20 **APPROVAL OF MINUTES**
21

22 July 11, 2024
23

24 Ms. English and Ms. Belanger recommended edits.
25

26 ***Mr. Grueter motioned to approve the July 11, 2024 minutes, as amended. Ms. Belanger seconded the***
27 ***motion. A vote was taken, all were in favor, the motion passed 5-0-0.***
28

29 August 8, 2024
30

31 Ms. English recommended edits.
32

33 ***Mr. Grueter motioned to approve the August 8, 2024 minutes, as amended. Ms. Belanger seconded***
34 ***the motion. A vote was taken, all were in favor, the motion passed 5-0-0.***
35

36 **IV. NEW BUSINESS:**

- 37 1. Second public hearing on the 2025 Capital Improvements Program (CIP) projects as presented by
38 the Town Departments. Copies of the proposed document(s) will be available at the Planning
39 Department Office prior to the meeting

40 Mr. Sharples noted that at the last meeting the Department Heads presented their projects for the
41 Capital Improvements Program (CIP) and this second hearing is to get public input and for the Board to

42 provide a letter with their recommendations. Mr. Sharples provided a draft letter and noted that the
43 last sentence would be replaced with the Board's recommendations. Chair Plumer noted the
44 replacement fuel island has gone for several years and needs to be done. Ms. English noted that water
45 and sewer were important projects especially the effluent flume on page 3. She noted she was excited
46 about the Styrofoam recycling project and encouraged participation by recycling Styrofoam once the
47 system is installed. Mr. Sharples indicated the groundwater source development project was important.
48 Pump tests are being done now and Phillips Exeter Academy is providing an easement.

49 Mr. Sharples indicated he would add replacement of the fuel island, the stormwater effluent, and
50 groundwater source development projects to the letter. Chair Plumer extended his thanks to the
51 department heads.

52 2. The continued public hearing on the application of Meniscus Financial Holdings, LLC for site plan
53 review and Wetlands and Shoreland Conditional Use Permits for the proposed construction of a
54 commercial vehicle storage area, a 22,500 S.F. accessory storage building and associated site
55 improvements on the property located at 127 Portsmouth Avenue.
56 C-2, Highway Commercial zoning district
57 Tax Map Parcel #52-112-2
58 PB Case #24-4.

59 Chair Plumer read out loud the Public Hearing Notice.

60 Mr. Sharples indicated that the applicant appeared before the Planning Board at their July 11th meeting
61 and there were concerns with stormwater impact and water quality. There were comments from
62 Underwood Engineering (UEI) and the applicant appeared before the Conservation Commission on
63 August 13th and the Commission did not recommend the Conditional Use Permits. Mr. Sharples
64 provided a memo from Conservation & Sustainability Planner Kristen Murphy. The applicant provided
65 revised plans and supported documents on August 7th. UEI reviewed the documents and had no further
66 comment.

67 Ms. Martel arrived.

68 Christian Smith of Beals Associates explained that the design had pulled the building completely out of
69 the 150' shoreland setback. He noted at the July hearing the big issue was water quality and UEI
70 comments regarding the treatment system. Mr. Smith explained the collection of runoff from stone
71 trenches and overflow pipes. He noted the only area with the propensity to drain to Water Works Pond
72 is the area behind the retaining wall. He noted the Conservation Commission recommended removal of
73 the entire building and keeping away from the reservoir and Water Works Pond.

74 Mr. Smith indicated the shoreland impact was reduced, the building size was reduced to 20,000 SF from
75 22,500 SF, 2,500 SF smaller. There is an existing 19,000 SF within the 300' setback. Stormwater flows
76 off GTE Road untreated. He noted UEI agreed with their stormwater calculations.

77 Vice-Chair Brown asked how much of an improvement in runoff elimination. Mr. Smith estimated half.

78 Vice-Chair Brown noted that by the Conservation Commission approving the parking area without the
79 building they were calling the lot unbuildable, and no structure would be approved. Mr. Sharples noted

80 that when a lot is subdivided it can't be an unbuildable lot, so when it is created it must show that it can
81 be built without CUP.

82 Ms. English commented on the impacts due to the removal of vegetation.

83 Conor Madison, Vice-Chair of the Conservation Commission indicated the Commission has seen this
84 project the last few months and were asking for an alternative design. He noted that while the new
85 design slightly reduced impact there is still impact to drinking water. He explained the protection
86 afforded by the shoreland protection district. The footprint of the building was a big concern. While the
87 wetland CUP was not as concerning due to values, the shoreland protection area was. The Commission
88 did not recommend the wetland or shoreland CUP.

89 Mr. Smith explained the area of clearing that would be needed if the building were removed and they
90 just did the parking lot. He estimated an additional 15' without the building but the grading would be
91 the same.

92 Chair Plumer opened the hearing to the public for comments and questions at 7:29 PM and being none
93 closed the hearing to the public for deliberations.

94 Chair Plumer asked about landscaping and Mr. Smith indicated a robust planting plan.

95 Chair Plumer asked if there would be a silt fence and Mr. Smith indicated a mulch or compost berm.

96 Ms. Martel suggested the three trees to be planted on the north side be relocated along GTE Road. She
97 noted tall trees from the existing wood line would shade them out and they would provide more benefit
98 along GTE Road.

99 Mr. Sharples read out loud proposed conditions of approval for both CUPs:

100 The proposed building shall be completely removed from the plans and tree removal shall be limited to
101 only what is necessary to grade the easterly side of the parking area to the existing grade.

102 The Town Engineer and the Town Planner shall review the final plans and they can either approve the
103 final plans or require the applicant to return to the Planning Board for approval.

104 Ms. Martel asked if the 15' grading buffer could be reduced to decrease the need for tree removal as
105 there are significant trees identified. Mr. Smith indicated he would confirm with AoT that he could do
106 that.

107 Ms. Martel asked about the 6' concrete sidewalk and Mr. Smith indicated without the building there
108 would be no need for it.

109 Mr. Sharples recommended a condition that the extent of tree removal be shown on the plan.

110 ***Vice-Chair Brown motioned that the request of Meniscus Financial Holdings, LLC., Planning Board Case***
111 ***#24-4 for site plan approval be approved with the conditions read by the Town Planner Dave Sharples.***

112 ***Mr. Brown withdrew his motion.***

113 ***Vice-Chair Brown motioned that after reviewing the criteria for granting a CUP, the request of***
114 ***Meniscus Financial Holdings, LLC., Planning Board Case #24-4 for a Wetlands Conditional Use Permit***

115 ***be approved with the conditions read by the Town Planner Dave Sharples. Mr. Grueter seconded the***
116 ***motion. A vote was taken, all were in favor, the motion passed 6-0-0.***

117 Mr. Sharples recommended the same conditions of approval for the Shoreland Conditional Use Permit.

118 ***Vice-Chair Brown motioned that after reviewing the criteria for granting a shoreland CUP, the request***
119 ***of Meniscus Financial Holdings, LLC., Planning Board Case #24-4 for a shoreland Conditional Use***
120 ***Permit be approved with the conditions read by the Town Planner, Dave Sharples. Ms. English***
121 ***seconded the motion. A vote was taken, all were in favor, the motion passed 6-0-0.***

122 Mr. Sharples read out loud the proposed conditions of approval:

- 123 1. An electronic as-built plan of the property with details acceptable to the Town shall be provided
124 prior to the use of the parking lot. This plan must be in a dwg or dxf file format and in NAD 1983
125 State Plane New Hampshire FIPS 2800 feet coordinates;
- 126 2. A preconstruction meeting shall be arranged by the applicant and his contractor with the Town
127 engineer prior to any site work commencing. The following must be submitted for review and
128 approval prior to the preconstruction meeting:
 - 129 i. The SWPPP (Stormwater pollution prevention plan), if applicable, be submitted
130 to and reviewed for approval by DPW prior to preconstruction meeting.
 - 131 ii. A project schedule and construction cost estimate.
- 132 3. Third party construction inspections fees shall be paid prior to scheduling the preconstruction
133 meeting;
- 134 4. The Stormwater System Operation and Maintenance Report shall be provided as part of the
135 Stormwater Management Inspection and Maintenance Manual. This report shall be completed
136 and submitted to the Town Engineer annually on or before January 31st. This requirement shall
137 be an ongoing condition of approval.
- 138 5. All applicable State permit approval numbers shall be noted on the final plans;
- 139 6. All appropriate fees to be paid including but not limited to: sewer/water connection fees, impact
140 fees and inspection fees (including third party inspections) prior to issuance of a building permit
141 or use of the parking lot, whichever is applicable as determined by the Town;
- 142 7. All landscaping shown on plans shall be maintained and any dead or dying vegetation shall be
143 replaced, no later than the following growing season, as long as the site plan remains valid.
- 144 8. The three deciduous trees along the southern edge of the parking area shall be relocated to the
145 north side of the parking area along GTE Road (so-called).
- 146 9. The applicant shall submit the land use and stormwater management information about the
147 project using the PTAPP Online Municipal Tracking Tool. The PTAPP submittal must be accepted
148 by the DPW prior to the pre-construction meeting.

149 ***Vice-Chair Brown motioned that the request of Meniscus Financial Holdings, LLC, Planning Board Case***
150 ***#24-4 for site plan approval be approved with the conditions read by the Town Planner Dave Sharples.***
151 ***Ms. English seconded the motion. A vote was taken, all were in favor, the motion passed 6-0-0.***

- 152 3. The application of 107 Ponemah Road LLC for a multi-family site plan review for the conversion of
153 the existing single-family residence and attached barn located at 50 Linden Street into three (3)

154 residential condominium units. The subject property is located in the R-2, Single Family Residential
155 zoning district. Tax Map Parcel #82-11. PB Case #24-11.

156 Chair Plumer read out loud the Public Hearing Notice and indicated that the applicant has requested to
157 table the application to the September 12th meeting.

158 **Ms. Belanger motioned to table Planning Board Case #24-11 to the September 12, 2024 Planning**
159 **Board meeting at 7 PM. Ms. English seconded the motion. A vote was taken, all were in favor, the**
160 **motion passed 6-0-0.**

161 4. The application of Patrick Houghton for a multi-family site plan review for the proposed
162 construction of two residential duplex structures (total of 4 units) on the property located at 46
163 Main Street. The subject property is located in the R-2, Single Family Residential zoning district. Tax
164 Map Parcel # 63-1. PB Case #24-12.

165 Chair Plumer read out loud the Public Hearing Notice and asked if the case was ready to be heard.

166 Mr. Sharples indicated the case was ready for review purposes.

167 **Ms. English motioned to open Planning Board Case #24-12. Ms. Belanger seconded the motion. A**
168 **vote was taken, all were in favor, the motion passed 6-0-0.**

169 Mr. Sharples indicated the application was for multi-family site plan approval. He noted the service
170 station would be demolished and there would be two new duplexes constructed with associated site
171 improvements. He noted the applicant obtained three variances from the Zoning Board of Adjustments
172 to permit the multi-family use, for minimum front setback and to exceed density.

173 Mr. Sharples noted that the application was reviewed by Technical Review Committee and UEI on
174 August 1st and UEI provided a letter on August 5th. Revised plans and supporting documents were
175 submitted on August 13th. Two waivers were applied for, for High Intensity Soil Survey and stormwater
176 management for redevelopment, section 9.3.2.7.

177 Erin Lambert presented the plan on behalf of the applicant. She noted there would be a multifamily
178 development at 46 Main Street on .6 acres currently an auto repair station. She reviewed the three
179 variances for the multi-family, front setback and density. She noted the duplexes would have garages
180 under, two for each unit. Ten spaces are required and they are providing 12. She noted the curb cut
181 would be reduced to pull the sidewalk in. The parcel would have municipal water, sewer, gas, electric
182 and telephone. TRC recommended underground utilities and they have initiated conversation. Runoff
183 volume will be decreased. She indicated there would be stone drip edges and collection of runoff to
184 catch basins to underground infiltration gallery.

185 Ms. Lambert explained that she would be requesting a waiver from section 9.3.2 to connect to the
186 existing municipal storm drain system.

187 Ms. Lambert showed the landscaping plan and proposed 6' fence which would taper to 3' to provide a
188 site line at the driveway to Main Street. She noted there would only be residential lighting on the
189 building.

190 Ms. Martel asked how much wider she was making Main Street. Ms. Lambert indicated at least 5.'

191 Mr. Grueter asked about underground gas tanks. Ms. Lambert noted they had been removed and
192 Department of Environmental Services closed out the monitoring wells.

193 Chair Plumer asked about soil testing and access to the house behind.

194 Ms. Belanger asked the timeframe on whether there would be a telephone pole and Ms. Lambert did
195 not know.

196 Ms. English asked if she received positive feedback for the tie-in with the municipal system and Mr.
197 Sharples indicated that he brought it up with Paul Vlasich and asked what storm would go into it. Ms.
198 Lambert noted a small amount each storm until a 50-year storm event. She noted the gallery would cut
199 the infiltration rate in half.

200 Ms. Lambert noted the triangular area shown on the plan would be for snow storage.

201 Chair Plumer opened the hearing to the public for comments and questions at 8:15 PM.

202 Kevin Blair of 55 & 59 Main Street asked the curb cut size. Mr. Sharples indicated 24.’ Mr. Blair asked
203 why not 12,’ as he had, and Mr. Sharples indicated the regulations allow for 24.’

204 Mr. Blair commented that three-way intersections are antiquated and there should be three stop signs
205 on the road, one on each side to slow traffic and noise. Ms. Belanger recommended talking with Mr.
206 Vlasich. Mr. Sharples noted the Town has an intersection improvement plan.

207 Beth Griffin of 60 Main Street noted she rents a carriage house at 60A. She expressed concerns with
208 flooding, buffer and having dead trees removed.

209 Arden Griffin expressed concerns with grading as the proposed driveway is close to 60A. Ms. Lambert
210 noted there would be curbing and she would not store snow along the fence.

211 Dave of 44 Main Street expressed concerns with parking and taking out the retaining wall which would
212 cause him to lose three parking spaces and be out of compliance. Vice-Chair Brown indicated that if he
213 was parking off his property he may already be out of compliance and that encroachment is a separate
214 matter, but this sounds like a grading issue. Ms. Martel noted the wall crosses the property line and
215 may be something to look into as grading within 5’ of a property line is prohibited without a waiver.

216 The abutter noted he had environmental concerns. There was a tank leak in 1988 and the rest of the
217 property had been a junkyard. Contamination was discovered during sidewalk construction. Ms.
218 Lambert noted there was no legal reason for more testing. Mr. Sharples noted the contractor would
219 have responsibility if anything were found during development. The abutter expressed concerns with
220 being closed in by the new fence.

221 Paul Markey expressed concerns with delivery vehicles turning around on the blind corner. He asked if
222 the lilac bushes could be repurposed.

223 Chair Plumer closed the hearing to the public at 8:56 PM.

224 Mr. Grueter asked where the Board was on the environmental issues. Chair Plumer noted there had
225 been monitoring wells and contractors will be responsible. Vice-Chari Brown asked the applicant if he
226 had plans to do environmental review before purchasing and if the duplexes would be rentals or

227 condominiums. He noted it would be in his best interest to resolve any issues before reselling and the
228 bank will also do their own research. Mr. Sharples indicated that condominium documents would be a
229 condition of approval.

230 Ms. English asked if the developer would be open to having a vegetated buffer instead of the fence.

231 Ms. Martel asked about lighting and Mr. Sharples indicated it was residential, just on buildings. He
232 noted there was nothing to stop new owners from putting lighting up after approval without needing
233 approval of the Board.

234 Ms. Martel recommended the asphalt walkway would look better as concrete. She asked about the
235 retaining wall shown in front of Unit 3 and 4 what it would look like. Ms. Lambert will show it on the
236 plan.

237 Mr. Sharples noted the HISS waiver was not required as the applicant is being connected to municipal
238 sewer

239 ***Vice-Chair Brown motioned that despite the applicant requesting a waiver for High Intensity Soil***
240 ***Survey, the waiver was not required. Ms. Belanger seconded the motion. A vote was taken, all were***
241 ***in favor, the motion passed 6-0-0.***

242 Ms. Lambert read the criteria for her request for a waiver for stormwater for redevelopment 9.3.2.7.
243 She noted the volumes would not be greater, there would be less flow than what flows today. Mr.
244 Sharples indicated if the volume were less the waiver was not required. He explained that a waiver
245 request for grading within 5' of the property line would need to be submitted in writing.

246 ***Vice-Chair Brown motioned that despite the applicant requesting a waiver for section 9.3.2.7***
247 ***stormwater for redevelopment, the waiver was not required. Ms. Belanger seconded the motion. A***
248 ***vote was taken, Mr. Grueter abstained. The motion passed 5-0-1.***

249 Ms. Lambert read into the record her request for a waiver under section 9.3.6.4 for grading within 5' of
250 a property line. She noted the retaining wall was no longer needed and the grading will be behind the
251 wall.

252 ***Vice-Chair Brown motioned to approve the applicant's request for a waiver from section 9.3.6.4***
253 ***grading within 5' of a property line as the applicant presented a need for grading the property as part***
254 ***of the project. Ms. Belanger seconded the motion. A vote was taken, all were in favor, the motion***
255 ***passed 6-0-0.***

256 Mr. Sharples read out loud the standard conditions of approval:

- 257 1. An electronic as-built plan of the property with details acceptable to the Town shall be provided
258 prior to the issuance of a certificate of occupancy for any units. This plan must be in a dwg or
259 dxf file format and in NAD 1983 State Plane New Hampshire FIPS 2800 feet coordinates;
- 260 2. All monumentation shall be set in accordance with Section 9.25 of the Site Plan Review and
261 Subdivision Regulations prior to the signing of the final plans.
- 262 3. The Stormwater Management Operation and Maintenance Plan checklist for the stormwater
263 features on site shall be provided to the satisfaction of the Town Engineer and Town Planner
264 prior to signing the final plans. The checklist shall be completed and submitted to the Town

265 Engineer annually on or before January 31st. This requirement shall be an ongoing condition of
266 approval.

- 267 4. All applicable State permit approval numbers shall be noted on the final plans;
268 5. All appropriate fees to be paid including but not limited to: sewer/water connection fees, impact
269 fees and inspection fees (including third party inspections) prior to issuance of a building permit
270 or a certificate of occupancy whichever is applicable as determined by the Town;
271 6. All landscaping shown on plans shall be maintained and any dead or dying vegetation shall be
272 replaced, no later than the following growing season, as long as the site plan remains valid.
273 7. The applicant shall submit the land use and stormwater management information about the
274 project using the PTAPP Online Municipal Tracking Tool. The PTAPP submittal must be accepted
275 by the DPW prior to the prior to signing the final plans.

276 Mr. Sharples added the conditions requested by the Board

- 277 8. All condominium documents, including the declaration and by-laws shall be submitted to the
278 Town Planner for review and approval for consistency to the Planning Board's approval prior to
279 signing the final plans. In the event the Town Planner deems that review is needed by the Town
280 attorney then this review shall be at the applicant's expense.
281 9. Condominium documents shall include maintenance requirements for all the stormwater
282 features and the annual reporting requirements.
283 10. Final Plans shall show any significant trees that will be removed to accommodate the proposed
284 development. If any significant trees are identified to be removed, they shall be replaced at a
285 1:1 ratio with native deciduous trees with minimum 3" caliper and shown on the final plans.
286 11. Final plans shall contain a detail of the proposed retaining wall
287 12. Vinyl fence may be replaced all or in part with a living fence.

288 Ms. Martel questioned if there would be enough space for a living fence.

289 Mr. Sharples indicated there was nothing to stop the new owners from putting up a fence as they did
290 not need to come to the Planning Board for approval.

291 Ms. Lambert noted the location of the infiltration gallery. Mr. Sharples recommended that if the lilacs
292 were on the abutters property to just leave them but noted the proposed condition would cover it.

293 ***Ms. English motioned that the request of Pat Hooten, Planning Board Case #24-12 for a multi-family***
294 ***site plan approval be approved with the conditions read by the Town Planner Dave Sharples. Ms.***
295 ***Belanger seconded the motion. A vote was taken, all were in favor, the motion passed 6-0-0.***

296 V. OTHER BUSINESS

- 297
- 298 • Master Plan Discussion

299 Mr. Sharples noted that Mr. Cameron has not been able to make the last few meetings and
300 questioned whether an interim representative should be selected, or they could meet with just
301 two representatives. He noted the Housing Advisory Committee topics recommend zoning
302 amendments around short-term rentals and RSA 79A.

303 • Field Modifications

304 Mr. Sharples noted the cold storage facility at the old Glerups site has a smaller building and has
305 filed an intent to cut.

306
307 • Bond and/or Letter of Credit Reductions and Release
308

309 **VII. TOWN PLANNER’S ITEMS**

310 **VIII. CHAIRPERSON’S ITEMS**

311 **IX. PB REPRESENTATIVE’S REPORT ON “OTHER COMMITTEE ACTIVITY”**

312 **X. ADJOURN**

313 ***Mr. Grueter motioned to adjourn the meeting at 9:46 PM. Ms. Martel seconded the motion.***
314 ***A vote was taken, all were in favor, the motion passed unanimously.***

315 Respectfully submitted.

316 Daniel Hoijer,
317 Recording Secretary (Via Exeter TV)