



FREMONT PLANNING BOARD

July 27, 2011

Meeting Minutes

Approved August 10, 2011

Present: Chairman Roger Barham, Vice-Chair John (Jack) Karcz, Selectman Brett Hunter, Alternate Andrew Kohlhofer, RPC Circuit Rider Brian Groth, and Land Use AA/Recording Secretary Meredith Bolduc.

Mr. Barham opened the meeting at 7:05 pm.

At the June 15, 2011 meeting Chairman Roger Barham designated Alternate Andrew Kohlhofer to fill the vacancy on the Fremont Board Planning until such time as the Selectmen have appointed someone to serve as a full Board Member to fill that vacancy. It is noted that the appointment remains in effect.

MINUTES

Mr. Karcz made the motion to approve the minutes of the June 29, 2011 meeting as written. Motion seconded by Mr. Barham with unanimous favorable vote except for Mr. Kohlhofer and Mr. Hunter who abstained as they were not present at that meeting.

GRAVEL OPERATIONS – Town Engineer Fees for Site Inspections

The Board received and reviewed the July 8, 2011 invoices from Stantec relative to recent annual excavation site inspections.

- Merrill/Fremont Park (Beede Hill Road, Map 4 Lot 015)
- John Galloway (Shirkin Road, Map 5 Lot 035)
- Governor's Forest/Martin Ferwerda (Rt 107, Map 3 Lot 002)
- PJP, Inc./Dan Olson gravel pit (Rt 107, Map 2 Lot 151.2)

After some consideration, Mr. Karcz made the motion to approve payment to Stantec as invoiced.

Motion seconded by Mr. Hunter with unanimous favorable vote.

There was further conversation relative to the Engineer involvement in the annual inspections. No decisions were made.

RPC CIRCUIT RIDER/PLANNER CONTRACT

Planning Board Minutes
July 27, 2011

The Board received and discussed the annual contract for the Circuit Rider Planner submitted by the Rockingham Planning Commission. The contract project period covers July 1, 2011 – June 30, 2012 with the core services and hourly rate the same as the last two year’s contracts:

Night Meetings	24 meeting x 3.5 Hrs	84 Hours
General Assistance	52 Weeks x 0.5 Hrs	26 Hours
	12 Months x 4.0 Hrs	48 Hours
Contract Total		158 Hours x \$55.00/Hr = \$8,690

Mr. Karcz made the motion that the Board recommend approval and authorized Mr. Barham to sign the July 1, 2011– June 30, 2012 RPC Circuit Rider contract, and forward it to the Board of Selectmen for their Chairman’s signature.

Motion seconded by Mr. Hunter with unanimous favorable vote.

MARK WOODMAN
BEST MACHINE, INC.
79 Beede Hill Road
Map 3 Lot 062

Site Plan Review – Public Hearing continued

Present: Owner Mark Woodman.

At 7:30 pm Mr. Barham opened this Public Hearing for Mark & Cheryl Woodman and stated that this is a continuation of the June 29, 2011 portion of this Public Hearing which was continued to a July 6, 2011 site visit to the property; and to 7:30 pm on July 20, 2011 at the Fremont Town Hall. Mr. Barham related that the Public Hearing was rescheduled to July 27, 2011 because there was no quorum at the July 20, 2011 meeting.

Mr. Groth reported issued the following report relative to the July 6, 2011 site visit.

In Attendance:

Jack Karcz, Brian Groth, Mark Woodman, Jr.

Comments:

Current application would require a special exception for an industrial use within the Aquifer Protection District. Extension of current residential driveway would keep activity out of Aquifer Protection District, eliminating the need for a Special Exception from the ZBA. An alternative configuration of the driveway may be able to remain out of the Aquifer Protection District while still accomplishing the owner’s preference for separate driveways. This driveway would run between the existing leech field to the right of the house and an old shed that borders the Aquifer Protection District. A site planning study would be necessary to determine the feasibility of this option.

Recommendations:

The applicant may extend the current residential driveway without needing a special exception. The applicant may also pursue a Special Exception from the ZBA to have an industrial use within the Aquifer Protection District. Lastly, the applicant may attempt to design a driveway that remains out of the protected area near the proposed driveway. However, it is unknown if the point of access for this alternative would meet the road agent’s specifications regarding minimum distance between access points.

Mr. Groth submitted the following July 20, 2011 report relative to the application status.

Planning Board Minutes

July 27, 2011

Regarding the site plan application made by Mark Woodman of BEST MACHINE, INC. at 79 Beede Hill Road, Map 3 Lot 062, the plan is complete and meets applicable zoning and regulatory standards with the following exception:

The current application requires a special exception for an industrial use (driveway leading to industrial building) within the Aquifer Protection District. Alternatives to the Special Exception include:

- *Extension of current residential driveway would keep activity out of Aquifer Protection District, eliminating the need for a Special Exception from the ZBA.*
- *An alternative configuration of the driveway may be able to remain out of the Aquifer Protection District while still accomplishing the owner's preference for separate driveways. This driveway would run between the existing leech field to the right of the house and an old shed that borders the Aquifer Protection District.*

Recommendations:

The planning Board may not take jurisdiction on this plan unless a special exception is received or a revised plan is submitted. If a revised plan is submitted that prescribes to one of the two alternatives noted above and conforms to applicable standards, the application can be considered complete. If the revised plan meets all applicable standards and the Board finds the waivers requested acceptable, the Planning Board may approve this application.

Mr. Woodman had submitted a revised plan #654 drawn by Beals Associates and dated June 2011 that shows everything relative to the existing business and the proposed expansion outside of the Aquifer Protection District. The plan showed the locations of all existing improvements on the property including the well, house, pool, shed, driveway, leachfield and reserve septic area. It showed the Aquifer boundary, property line, building setback line and locations of all abutters. The plan also showed the proposed well, proposed machine shop building, proposed well and septic locations, proposed parking area, snow storage area.

Mr. Groth stated that he feels that the revised plan meets all applicable standards and the Planning Board may approve this application.

Following review of the revised plan, Mr. Karcz made the motion to accept and take jurisdiction of the plan presented.

Motion seconded by Mr. Hunter with unanimous favorable vote.

The Board reviewed the list of waivers requested and there was some discussion relative to the rational for most of them. Fire protection was discussed and Mr. Woodman stated that the Fire Chief had related concern relative to trucks at the premise. He stated that the driveway has plenty of room for delivery trucks as well as fire trucks and there is space for them to turn. Mr. Woodman said he would not like to sprinkle his new building. The Board said sprinkling would be appropriate if it is a code requirement.

After careful consideration by the Board, Mr. Kohlhofer made the motion to approve the following waivers to Site Plan Review Regulations:

Chapter 1

1.13: E-1, E-3, M, S-11, S-12, S-13, S-14, S-16, S-17

1.14: F, G

Planning Board Minutes
July 27, 2011

1.15: A, C, K, L-1, 2, 3, 4

1.16:, E, F

Motion seconded by Mr. Hunter with unanimous favorable vote.

The Board agreed that the following Regulations do not apply to this Site Plan Review.

1.13: I, L, L-1, 2, 3, 4, 5, 6, N-1, O, O-1, P, Q, S-2, S- 7, S-8, T-1, 2, 3, 4, 5, 6, 6A.

1.14: B, C, D, E, H, I, J, J-1, N

1.15: B, D, E, F, G, H, I, J, M

1.16: B, C, D

1.17: A, B, C, D, E (the property is not in the flood zone)

After careful consideration by the Board, Mr. Karcz made the motion that the Planning Board issue a Conditional Use Permit and approve the Site Plan Review as requested by Mark & Cheryl Woodman, pursuant to the information and site plan submitted and including all approved waivers, to allow the applicants continue to expand their existing metal products business located at their residence at 79 Beede Hill Road, Map 3 Lot 062, Fremont, New Hampshire with the following conditions.

1. The approval is for the current owner only and for the current business only and will not convey to a future party.
2. No portion of the business including an access driveway shall be located in the Aquifer Protection District.
3. This approval is subject to all other Local, State or Federal permits and approvals that may be required and does not relieve the applicant from the obligation to obtain such other permits.
4. Any future expansion of the approved business shall require an amendment to this approval.
5. Outdoor lighting will be dark sky compliant as per the Site Plan Review Regulation 1.15.2
6. The provisions of RSA 676:17 shall be applicable.

Motion seconded by Mr. Kohlhofer with unanimous favorable vote.

Mr. Woodman will submit the recording and administrative fees at the time he submits the mylar and plans to the Board for signatures and recording. The notice of decision will be recorded at the Rockingham Registry of Deeds at the applicant's expense.

Mr. Karcz made the motion to close this Public Hearing at 9:00 pm

Motion seconded by Mr. Hunter with unanimous favorable vote.

COOPERAGE FOREST
Map 2 Lot 054-1

The Board received an invoice from Stantec for Engineering services for Dan Tatem's attendance at a June 16, 2011 meeting at Spaulding Road to discuss the remaining work items, and for Mr. Tatem and Rene LaBranche to discuss bonding and payment issues for completion of

Planning Board Minutes

July 27, 2011

the road work.

The Developers Attorney has sent word to Town Council John Ryan that they would prefer to have the Town engage their contractor to finish the road work and pay them directly. The Board also received a July 20, 2011 correspondence from Town Administrator Heidi Carlson relating her concerns that this is in the Town's best interest as presented. She noted that if the Town was to hire a contractor to finish the project, we would not simply hire someone contacted by the Developer, but would put a set of specifications together and put the work out to bid. We would also then be able to account for administration costs that the Town will no doubt have to bear, but may not be authorized by the Bank. She added that she believes the Town completing this project will add significant administrative costs. Heidi also related that the intent when the letter of credit was called in accordance with its terms, was that it would be held as an "escrow" and released at such time as work was properly completed.

After some conversation the Board agreed that the Town is now responsible for fixing/completing the road in the Cooperage Forest subdivision and it should be done through a bid process. They recommend the following:

- Have the Town Engineer prepare bid documents.
- Town to put the work out to bid.
- Town to request bids, review bids, and award the contract.
- Town to reserve the option to engage the Town Engineer to provide project management and oversight.

SEACOAST FARMS

(Shirkin Road, Map 5 Lot 035)

The July 6, 2011 site visit was cancelled pending further information. Mr. Barham suggested that copies of the signed plan be reviewed at the next meeting.

CIP

Mr. Barham and Mr. Groth briefly discussed contact with RPC Assistant Director Glen Greenwood relative to resuming the CIP process. Mr. Groth said that Mr. Greenwood will give Mr. Barham a call.

PROFIT & LOSS STATEMENT

The Board received and reviewed the Planning/Zoning P&L statement for January through June, 2011.

BUDGET – 2012

Town Administrator Heidi Carlson has reminded all departments that their 2012 are due in the Selectmen's office no later than August 15.

The Board reviewed and discussed the P/Z budget for 2012. Mr. Karcz made the motion to recommend the following budget for 2012 which results in the same bottom line figure of \$42,771 as the 2011 budget.

001 Clerical	To be determined by the Selectmen	\$20,996
---------------------	--	-----------------

Planning Board Minutes

July 27, 2011

Consists of one full time office position servicing all Land Use Boards i.e.; Conservation Commission, Planning and Zoning Boards; 26 hours per week includes 15 posted office hours/week plus 9 hrs inclusive of all meetings; Planning Board (3 per month), Conservation Commission (2 per month), Zoning (1-2 per month), Cemetery Trustees bi-monthly and additional open office time. Includes each Board's clerical duties and support, maintaining the office for public assistance; support and assistance for the public relative to the various applications, recording all decisions and mylar plans, aiding the public with the FEMA Flood Insurance Program. Also includes Notary Public services.

Position is under the general direction of the Planning Board Chairman, Zoning Board of Adjustment Chairman, Conservation Commission Chairman, Code Enforcement Officer, and Cemetery Trustees in terms of effectiveness of results. Consultation occurs with supervisors of each department on matters of unusual nature or when policy or procedures are changed for that department.

Shares space with Code Enforcement Office resulting in convenience for the public securing permit applications (building, electrical, plumbing, etc.) during times when that office would otherwise be closed.

002 Office Supplies

\$ 750

Envelopes, labels, pads, pens, tape, computer & copy paper, computer ink cartridges, markers, CD and ZIP discs, thumb drives, annual RSA Land Use Handbooks \$120; copier cartridge \$100/ea; also includes printer paper, file hanging folders, manila folders, page protectors, binders, labels and label printer cartridges, and incidental office supplies and equipment as needed.

This line remains the *same* as 2011.

003 Postage

\$ 1,700

Figure based on actual usage (average 10-12 abutters per, notices are up to \$5.54 each actual postage cost), reimbursed by applicants. Includes all public hearing notices mailed to applicants and abutters. Also includes the purchase of stamps as needed for correspondences.

This line remains the *same* as 2011 and accurately reflects anticipated spending based on the current years actual spending.

004 Professional Services

\$ 3,200

This line is used to fund outside services and technical assistance for ordinance, regulation, CIP preparation and Master Plan updates most of which need to be done on an annual basis. (New Master Plan chapters and updates as well as a current CIP are required by statute).

This line remains the *same* as 2011.

005 Advertising

\$ 1,500

This line covers the expense for advertising of public meetings and hearings as required by statute. Applicants reimburse the majority of expense in this line. The Town pays for advertising of zoning changes, regulation changes etc.

This line remains the *same* as 2011.

006 Office Equipment

\$ 200

This line funds repairs of office printers and/or other office equipment.

This line remains the *same* as 2011.

007 Recording Fees

\$ 350

Miscellaneous recording charges for plan and copies from the Registry of Deeds.

This line remains the *same* as 2011 in anticipation of actual spending.

010 Mileage

\$ 175

The Town records newly approved plans and approvals. This line includes mileage round trip to Brentwood for recording plans which is fully reimbursed by applicants.

This also includes round trip mileage for other Land Use Office related trips including attendance to workshops and seminars by members. This is mostly spent near the end of the year for reimbursement due to timing of incidental spending and workshop attendance. The mileage rate is currently at .44/mi.

This line remains the *same* as 2011.

020 Matching Grants

\$ 3,000

Review/revision of all Town Ordinances and Regulations for changes and updates necessary, this covers the Town's matching portion of grants received from the Planning Commission, State or Federal government.

RPC awards Targeted Block Grants, which is a matching fund grant where RPC pays 50% and the Town pays 50%, in amounts ranging from \$1,500 to \$3,000 for planning assistance typically for updating one or two Master Plan Chapters. The whole amount may or may not be used depending on the amount of the

Planning Board Minutes

July 27, 2011

TBG for that year. The Town’s portion must be appropriated in order to even apply for the matching grant. If it is not appropriated the Town does not qualify for the TBG and loses the ability for discounted assistance.

This line remains the *same* as 2011.

035 Training Workshops

\$ 500

This line covers the cost of Planning/Zoning training at various cost and participation per session. Some of the training is mandatory and some is elective. All training is essential to keep up on changes and updates to RSA’s and regulation mandates.

This line remains the *same* as 2011.

109 Printing

\$ 500

Printing of ordinances and regulations as needed. Costs reimbursed by sale of copies of ordinances. This year, because of so many updates, several copies of chapters of the Master Plan Chapters will need to be printed.

This line remains the *same* as 2011.

500 Circuit Rider Planner

\$9,900

This is the annual contract for the Circuit Rider Planner from Rockingham Planning Commission. The Planner currently attends two Planning Board meetings per month; assists the Town as needed with phone and onsite support. The hourly \$55 hourly rate and the 158 core service hours remain the same as 2010 and 2011.

The rationale for this expenditure is service is rendered for 3.5 hours x 24 night meetings = 84 hrs; 4 hours per month for general assistance = 48 hrs; and 0.5 hour per week for extra in-office assistance and contact (such as phone & e-mail). This makes for a core service of 158 hours x \$55 per hour charged = \$8,690. Hours and the Planner's time are adjusted by the agreement with the Planning Board if the Town's needs vary during the contract year. Contract is paid in two installments during the year.

This reflects in an actual bottom line of \$8,690 to RPC, but the Board wishes to budget \$9,900 in anticipation of an increase for the 2012-2013 budget to cover a higher rate because RPC’s contract year budget timeframe does not match Fremont’s.

This line remains the *same* as 2011.

Motion seconded by Mr. Kohlhofer with unanimous favorable vote.

An appointment will be made with the Selectmen to present this budget recommendation.

ZONING ORDINANCE

There was a discussion relative to Zoning Article XVIII and whether the Aquifer Protection District and the Village District should be included in the article. It was agreed that a table for those districts would add clarity.

INCOMING CORRESPONDENCES

Received:

- A June 30, 2011 correspondence from the Selectmen to JRTC Realty Trust, Hazel Sawyer, Trustee relative to ongoing activity at her property located at 11 Lyford Drive (Map 6 Lot 024-014.001).
- Invitation from the Raymond Planning Board to a September 22, 2011 multi-town Planning Board forum to discuss issues of mutual concern.

Mr. Karcz made the motion to adjourn at 9:40 pm.

Motion seconded by Mr. Kohlhofer with unanimous favorable vote.

Respectfully submitted,

Planning Board Minutes
July 27, 2011

Meredith Bolduc, Land Use AA/Recording Secretary

Next regular meeting: August 10, 2011.

ACTION ITEMS

From the March 16, 2011 Meeting.

Mr. Groth:

- Work with Mrs. Bolduc on restructuring the regulations and present a draft to the Members at a future meeting.
- Take a look at the new NHDES Alteration of Terrain Program's criteria and report back to the Board.

Mrs. Bolduc:

- Work with Mr. Groth on restructuring the regulations and present a draft to the Members at a future meeting.
- Work with Mr. Greenwood on the CIP process.

PROJECTS PENDING/COMPLETED WITH RPC

- Master Plan Audit - Funded with CTAP Phase II funds = **\$3,500**; completion date of August 1, 2010. Completed February 16, 2011.
- CIP Annual Process - Funded with the 2010 Targeted Block Grant (TGB); completion date of June 30, 2010. Paid Towns share of **\$1,000** in December 2009. Pending as of October 27, 2010.
- Provide one (1) final paper copy and one (1) electronic version of the updated MP. Provide one (1) final copy of all elements of the CIP annual update process- Funded with the 2010 Targeted Block Grant (TGB); completion date of June 30, 2010. Paid Towns share of **\$1,000** in December 2009. Pending as of October 27, 2010.

Updated project timeline table below.

CTAP Phase II

Projects	Status	2010 1 Aug	2010 22 Sept	2010 27 Oct	2011 16 Feb
CTAP Phase II					
Master Plan Audit	Completed	Projected Completion date			Completed

NON-CTAP

Projects	Status	2009 30 June	2010 30 June	2010 22 Sept	2010 27 Oct
Non-CTAP					
CIP Process Submittal Materials (2010 TBG)	Pending		Contracted Completion Date		
1 final copy of updated MP, CIP elements (2010 TBG)	Pending		Contracted Completion Date		

Planning Board Minutes
July 27, 2011