



**FREMONT PLANNING BOARD**

**May 2, 2012**

**Meeting Minutes**

Approved May 16, 2012

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

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

**BOARD MEMBERS/ALTERNATES**

At the June 15, 2011 meeting and the March 7, 2012 meeting Mr. Barham designated Alternates Andrew Kohlhofer and Chris Silk, respectively, to fill the vacancies on the Planning Board until such time as the Selectmen have appointed someone to serve as a full Board Member to fill that vacancy. These appointments remain in effect.

**MINUTES**

Mr. Karcz made the motion to approve the minutes of the April 18, 2012 meeting as written. Motion seconded by Mr. Downing with unanimous favorable vote.

**MASTER PLAN**

**VISIONING CHAPTER – Public Input Session #1**

There was no public.

Mr. Groth distributed Fremont Master Plan survey sheets for the Members to fill out and submit at the May 5, 2012 second session. Mr. Groth will turn the survey into an on-line survey through Survey Monkey for a wider distribution.

The second public input session is scheduled for 10:00 am on Saturday May 5, 2012.

**MASTER PLAN**

Mr. Kohlhofer reported that in the Master Plan the projected Ellis school enrollment for this school year in the Plan is 595. The actual March 2012 number was 479. Mr. Barham suggested finding out where the information comes from.

**ABDALLAH CONSTRUCTION**

**Public Hearing**

Map 2 Lot 181

Site Plan Review

Present: Owner George Abdallah, Matthew Abdallah, Engineer Eric Mitchell, abutters William & Noreen Johnson.

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Mr. Barham opened the Public Hearing at 8:15 pm and read the hearing notice:

*In accordance with NH RSA 675:7 and 676:4, you are hereby notified that the Fremont Planning Board will hold a Public Hearing at 8:15 p.m. on Wednesday May 2, 2012 in the Basement Meeting room at the Fremont Town Hall, concerning a Site Plan Review application for Abdallah Construction.*

*The applicant proposes to construct a 4-unit multi-family building at 107 Copp Drive, Map 2 Lot 181, Fremont, New Hampshire.*

*You are invited to appear in person or by agent or counsel. Written comments will be accepted up until the day of the hearing.*

Mr. Barham reported that this hearing was noticed on April 10, 2012 at the Fremont Post Office and Fremont Town Hall, and on the Fremont Website; in the April 16, 2012 edition of the Manchester Union Leader. The applicant and all abutters were notified via certified mail on April 14, 2012 and all returns have been received except for abutter Smith. The application package included: 6 copies of the engineered plan, building plans and photos, waiver letter for traffic impact analysis, proper check amount, letter of intent, drainage report and a current list of abutters.

Comment sheets have been received from:

Building Inspector/Code Enforcement Officer: *I have been to the site and reviewed a septic design and do not foresee any concerns from this department.*

Health Officer: *There are wetlands out back, I see no other health issues. I have no objections to this project.*

Road Agent: *I would like to see driveway shifted away from Rt 107 as much as possible (10' off property line) to keep driveway away from corner.*

Fire Chief: *Is it to be sprinkled and access to building with fire apparatus?*

The Board is in receipt of a copy of the June 24, 2008 ZBA decision granting a Variance to allow the construction of a 4-plex building with not less than 89.52' of frontage.

Mr. Mitchell presented and discussed plan #12-20 drawn by Eric C. Mitchell & Associates and dated March 30, 2012 for Map 2 Lot 181, 107 Copp Drive, owned by Abdallah Construction Corp. and, as stated in note #1 on the plan, the purpose is to show a proposed condominium site plan for a 4-unit multi-family building. The plan showed the entire 14.66-acre parcel, locations of the proposed 4-unit building, the proposed well and well radius, driveway and parking area. It also showed locations of wetland and wetland setback, wooded land, granite bounds and iron pipes, edge of pavement, minimum building setback and stone wall.

Other notes on the plan include:

- Property is partially located in the 100-year flood zone.
- Plan contains 7 sheets, 1 & 2 to be recorded.
- Site to be serviced by individual water supply and on-site subsurface sewage disposal system.
- Site is not located within the Aquifer Protection district.
- Total area of wetlands and of uplands.
- Parking requirements.

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- Sprinkler systems shall be installed in compliance with applicable NFPA 13D or NFPA 13R.
- Hours of construction: Monday – Saturday; 7:00 am – 7:00 pm.
- No excess material is planned to be removed from the site.
- Existing trees outside of the construction areas shall not be cut.

The plan set included the following sheets:

- #1: Cover Sheet
- #2: Condominium Site Plan
- #3: Existing Conditions Plan
- #4: Landscaping, Utility and Grading Plan
- #5: Enviro-Septic Leaching System Design
- #6: Erosion Control Detail Sheet
- #7: Construction Detail Sheet

Mr. Mitchell also submitted a drawing showing an architectural design and some photos of the proposed units.

Mr. Mitchell reported they have received the NH DES Subdivision Approval for Condominiums and the State approval for the septic system design.

Mr. Mitchell said he had recently found he should have submitted the plans to Rockingham Planning Commission, but this was not done. There was some discussion relative to the incomplete status of the application due to the plan not being sent to the RPC for review by Mr. Groth (per 1.12-F of the Site Plan Review Regulations) and the checklist was not included with the application. Mr. Mitchell submitted the plan to Mr. Groth tonight and he will send the checklist to the Land Use Office to add to the application. Mr. Groth said now that he has the plans he could review them and have his report ready by the next meeting. He said he felt the Board can now consider the application complete and take jurisdiction over the plan and application and schedule a site visit.

Mr. Karcz motioned to take jurisdiction over the plan. The motion was seconded by Mr. Downing with unanimous favorable vote.

With jurisdiction taken the Board has 65 days (July 6, 2012) to make a decision.

Requested waivers were discussed and it was agreed to address them after the Board has conducted a site visit and after Mr. Groth has reviewed the application and issued his report.

Mr. Barham asked if the abutters have any concerns. Mrs. Johnson said she has a concern about site distance of the driveway because of the curve. She said it is a bad curve for anyone coming out of the driveway. She asked if there would be children and bus stops. Mr. Mitchell agreed that with the brush and hill it is hard to see around the corner and said they propose to cut brush so site distance is opened. Mr. Hunter said the Road Agent may have some comments about the curve. Mrs. Johnson asked if it was possible the widening in the road at the front of the property

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could be used for the driveway. Mr. Abdallah said that area is owned by the Town and he has no interest in moving the driveway offsite. His plan shows the driveway to be as far from 107 as possible as the Road Agent suggested. He asked that the Board rely on the plan and the site line distances being met and not consider requiring any other improvement.

Mr. Abdallah asked if he could do some of the site line work to remove trees and regrade prior to the site visit. After some discussion the Board agreed that he could do some site work provided that it is alright with the Road Agent. Mr. Abdallah requested to be allowed to stump the site and cut the top of the hill off. He noted that they will have approximately 3,000 cu yds of excess material on the site in conjunction with the construction of the 4-plex that will need to be removed. The Excavation Regulations were consulted and Article 3 Section 3.5(d) says that to be exempt from the excavation permit requirements no more than 1,000 cu yds of material can be removed from the property. Mr. Barham told Mr. Abdallah he could remove up to 1,000 cu yards of material per the regulations.

Mr. Groth checked the plans and said they appear complete and he did not contemplate many issues, but that he needed to conduct a full review prior to comment.

A site visit was discussed. Mr. Mitchell offered to hang flagging to show delineation of the limit of cut for the Board to see during the site visit. The Board agreed that this would be helpful.

Mr. Karcz made the motion to continue this Public Hearing to a site visit of the subject property at 107 Copp Drive (Map 2 Lot 181) at 6:00 pm on May 14, 2012; and to 8:00 pm on May 16, 2012 at the Fremont Town Hall.

Motion seconded by Mr. Downing with unanimous favorable vote.

George and Matthew Abdallah, Mr. Mitchell and Mr. & Mrs. Johnson left the meeting at 8:45 pm.

#### SEACOAST UNITED SOCCER CLUB (SUSC)

Map 6 Lot 020-001

Mr. Barham has scanned the site plan and Mr. Groth will superimpose it onto the aerial photo to see potential wetland impact. This will be further discussed at the next meeting.

#### SEACOAST FARMS

Map 5 Lot 035

On February 21, 2012 correspondence was sent from Mr. Barham to Mr. Kelly via certified mail relating that the Board is requiring him to submit, within sixty (60) days of receipt of the correspondence, an application for Site Plan Amendment on the basis that the current site plan layout is not reflective of the approved site plan dated 1999. The letter was received and signed for on March 21, 2012 so May 20, 2012 is the timeline for the submittal.

Mrs. Bolduc reported that she received an April 30, 2012 e-mail correspondence from Mr. Kelly that stated he was going through a stack of papers this weekend and found the Planning Board letter from February. He apologized and said it has been a busy Spring and it must have gotten

lost in the shuffle. Mr. Kelly requested an extension on his coming into the Planning Board for a site plan amendment until mid to late June.

Mr. Barham suggested that the Board agree to accommodate Mr. Kelly's request for extension to late June. After some discussion the Members agreed to the requested extension and that a letter be sent to Mr. Kelly to relate that if he does not meet the deadline for submission required by the Board for amendment of the Seacoast Farms existing site plan he could be subject to further action by the Board up to and including cease and desist of all activities on the site.

#### JACOB'S COVE

Map 1 Lot 098-1

The Board received and reviewed Town Engineer Dan Tatem's construction monitoring estimate for the Jacob's Cove subdivision project generated as per the monitoring frequency and approach that was discussed with the Road Agent during the April 18, 2012 preconstruction meeting.

It was noted that Mr. Donigian has recently added to his escrow account and now has in excess of the \$7,128 for the \$4.00 per linear foot of roadway required by the Town. The estimate has been determined by Mr. Tatem to be \$14,564.70 (approximately \$8 per linear foot). This variance is a result of the road section being short and incurring higher unit costs for observation. Therefore, the developer needs to add to his escrow approximately \$7,000 to fund the estimated engineering costs. It was agreed to contact Mr. Donigian relative to the additional funding.

Mr. Tatem reviewed the estimated construction costs and has recommended variance in unit costs which will result in a higher bond amount if required. The Board agreed that the bond amount for whatever portion of the project is not finished by November will be based on Stantec's revised unit costs.

#### EXCAVATION SITE VISITS

Mrs. Bolduc reported that annual site visits for the four gravel operations have been scheduled with Town Engineer Dan Tatem and noticed for May 10, 2012 as follows:

- 10:00 am - Merrill/Fremont Park on Beede Hill Road, Map 4 Lot 015.
- 11:00 am - John Galloway gravel operation on Shirkin Road, Map 5 Lot 035.
- 1:30 pm - PJP, Inc. on Rt. 107, Map 2 Lot 151.2.
- 2:30 pm - Governor's Forest on Rt. 107, Map 3 Lot 002.

#### MEETING SCHEDULE

The July meeting schedule was discussed and it was agreed that since July 4 falls on the first Wednesday of the month, the Planning Board will only meet on July 18 with the understanding that if it becomes necessary another meeting will be added.

**INCOMING CORRESPONDENCES**

Received:

Notice of the June 1, 2012 “Flood Zones of the Lamprey River” workshop to be held from 8:00 am to 1:00 pm at the Raymond Baptist Church Function Hall.

Mr. Karcz made the motion to adjourn at 9:00 pm.  
 Motion seconded by Mr. Downing with unanimous favorable vote.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary  
 Next regular meeting: May 16, 2012.

**ACTION ITEMS**

From the April 4, 2012 meeting.

Groth:

- Research the possibility of an economic enterprise zone and State tax breaks for development.
- Forward the map to Ms. Davis for her information. Completed.

From the April 18, 2012 meeting.

Bolduc:

- Schedule the Public Hearing for Driveway Regulation amendments.
- Schedule annual site visits for each of the 4 gravel operations. Completed.

**PROJECTS PENDING/COMPLETED WITH RPC**

- 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 this date.
- 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 this date.
- Vision Chapter of MP - Funded with the 2012 Targeted Block Grant (TGB); completion date of June 30, 2012. Paid Towns share of **2,500** in November 2011. Pending as of this date.
- Energy Chapter of MP – Funded through the Energy Technical Assistance Program (ETAP) (no Town cost-share). Completion date of April 30, 2012.

Updated project timeline table below.

**RPC**

Projects Non-CTAP	Status	2009 30 June	2010 30 June	2010 22 Sept	2010 27 Oct	2012	2012 April 30	2012 June 30
CIP Process Submittal Materials (2010 TBG)	Pending		Contracted Completion Date					
1 final copy of updated MP, CIP elements (2010 TBG)	Pending		Contracted Completion Date					
MP Vision Chapter update	Pending							Contract Completion date
MP Energy Chapter	Pending					Completion date		

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