



**FREMONT PLANNING BOARD**

**January 23, 2012**

**Meeting Minutes**

Approved February 6, 2013

Present: Chairman Roger Barham, Vice-Chair John (Jack) Karcz, Member John (Jack) Downing, Selectman Brett Hunter, RPC Circuit Rider Glenn Greenwood, RPC Circuit Rider Jen Rowden, and Land Use AA/Recording Secretary Meredith Bolduc.

Mr. Barham opened the meeting at 7:10 pm.

Jen Rowden was introduced to the Members as the new replacement RPC Circuit Rider. Mr. Greenwood related that he will also stay on to help the Board with the process of an Open Space Preservation subdivision.

**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. Downing made the motion to approve the minutes of the December 19, 2012 meeting as written.

Motion seconded by Mr. Karcz with unanimous favorable vote.

**JACOB'S COVE**

Map 1 Lot 098-1

The Board received:

- A copy of December 7, 2012 Stantec invoice # 645776 in the amount of \$1,440.59 for inspections.
- A copy of January 11, 2013 Stantec invoice # 654286 in the amount of \$3,201.61 for services rendered at the Jacob's Cove project.
- A copy of a January 17, 2013 correspondence from Town Administrator Heidi Carlson to Town Treasurer Kimberly Dunbar requesting withdrawal from Mr. Donigian's escrow to cover both invoice amounts and \$40.00 to cover the Town's Administrative fees.

Mrs. Bolduc reported that as directed on December 12, 2012 a letter was sent to Mr. Donigian requesting an additional \$3,000 to be added to his escrow for Engineering costs. It was

subsequently established that escrow had adequate funds so a follow-up letter was sent to Mr. Donigian informing him that additional funds are not necessary at this time.

#### BLACK ROCKS VILLAGE

Map 3 Lot 015-1

The Board received:

- A copy of December 7, 2012 Stantec invoice # 645783 in the amount of \$1,033.75 for construction observation at the Black Rocks Village project.
- A copy of a January 8, 2013 correspondence from Town Administrator Heidi Carlson to Town Treasurer Kimberly Dunbar requesting withdrawal from the Black Rocks Village Engineering escrow to cover the invoice amount and \$40.00 to cover the Town's Administrative fees.

#### COPP DRIVE EXTENSION ROADWAY

The Board received:

- A copy of December 26, 2012 Rollins Consulting Services invoice #1 in the amount of \$260.95 for construction observation at the Copp Drive Extension project.
- A copy of a January 8, 2013 correspondence from Town Administrator Heidi Carlson to Town Treasurer Kimberly Dunbar requesting withdrawal from the Copp Drive Extension escrow to cover the invoice amount and \$40.00 to cover the Town's Administrative fees.

#### SEACOAST FARMS COMPOSTING, INC.

Map 5 Lot 035

Site Plan Permit Amendment

Mrs. Bolduc reported that Bob Kelly contacted her today and said that Dennis Quintal has finished adding the required notes to the plan for the Seacoast Farms amended site plan and he has that plan. However, Mr. Kelly said he did not know that Mr. Quintal is not a surveyor so he cannot stamp the plan and mylar as such. He was going to contact Lavelle Associates, who stamped the Galloway plan, and have them stamp the Seacoast plan as well. Mr. Kelly said he would try to get the surveyors stamp done tomorrow so he could deliver the plan, mylar and the associated recording fees to the Land Use Office. (Note #9 of the December 19, 2012 Site Plan amendment approval required the Mylar and plans and all recording fees to be submitted for signatures and recording within thirty (30) days of the decision. (30-days = January 19, 2013).

Mr. Kelly assured Mrs. Bolduc that he would have the mylar and plans to the Board by next week so they can be signed and recorded.

Mr. Karcz made the motion to extend the 30 day timeline in note #9 of the December 19, 2012 Seacoast Farms Site Plan amendment to February 6, 2013. The motion was seconded by Mr. Downing with unanimous favorable vote.

#### AGRICULTURAL USE OF LAND

The Building Inspector had previously reported that it has been brought to his attention that the owners of 102 Chester Road (Map 1 Lot 025) are advertising that they will be operating a maple sugar business at the property. Mr. Meade said he has issued a building permit for a 16 x 20' building for use as a sugar shack. It is also known that a farm store has opened at the site for sales including food items and body care products.

Mr. Greenwood referred the Board to RSA 674:32-b (Agricultural Uses of Land) and he said the statute clearly gives the Town the right to require Site Plan Review for a new or different activity even though it is agricultural in nature. It was found and noted that the former owners of this property received Site Plan Review approval in April of 1999 to operate an herb nursery and gift shop at the residence and the business ceased when the owner passed away in 2007. The present owners purchased the property in October of 2010.

Mr. Barham said the Building Inspector should contact the property owner and advise him to make an appointment to meet with the Planning Board to discuss the activity at his property. Mr. Meade agreed to do this.

#### ROCKINGHAM PLANNING COMMISSION

Present: RPC Assistant Director Glenn Greenwood and Commissioner Don Marshall

Mr. Marshall said for the last year he has been the commissioner representing Fremont on the Rockingham Planning Commission (RPC) and as such he is charged with reporting to the Planning Board about Commission activities of interest to Fremont. He said he also serves on the Metropolitan Planning Organization (MPO) policy committee.

Mr. Greenwood presented a power point presentation on the duties and purpose of the Rockingham Planning Commission. Through the presentation Mr. Greenwood related that the RPC is one of 9 regional planning commissions in New Hampshire established by NH RSA 36:46. The Commission's region consists of 27 communities within Rockingham County. The RPC is not affiliated with Rockingham County nor is it a State agency.

The RPC is a non-profit local government organization that serves in an advisory role to local governments in order to promote coordinated planning, orderly growth, efficient land use, transportation access, and environmental protection. It is funded by local dues and contracts, state and federal programs, grants, etc. and governed by appointed commissioners who represent each individual member town (up to 2 for each town). Membership, which is optional, is obtained through annual dues assessed to each community on a per capita basis.

Mr. Greenwood explained that the three essential work programs of the RPC are;

1. Local Planning Assistance
2. Regional land use planning

### 3. Transportation Planning

The Commission:

- Provides technical planning assistance by preparing land use and natural resource inventory maps, preparing water resource plans, providing circuit rider planner services, helping towns develop master plans and capital improvement programs, informing towns about federal and state dollars that are available, and assisting them in applying for grants.
- Encourages regional planning and is involved in regional planning programs in such fields as coastal resources management, transportation, housing, water quality management, water supply, conservation land protection, and public education.
- Is the designated Metropolitan Planning Organization (MPO) for transportation planning in the RPC service area.
- Is responsible for reviewing and commenting on projects receiving federal money in the region.

The powers & duties of the commissions are outlined in NH RSA 36:45-58.

Some of the projects Fremont has benefited with RPC are:

- Energy Technical assistance
- Hazard mitigation plan
- Master Plan updates
- Workforce Housing Law response
- Brownfields site assessments and acquisition (Rowes Gas Station and Hammond Auto)
- GIS service
  1. Map updates
  2. Zoning, Hydric Soils and Aerial Photography ma updates
  3. Parcel map rehabilitation (funded through Broadband Mapping)
- Regional Projects of Special Interest
  1. Exeter River LAC support

Mr. Greenwood agreed to get a list of benefits Fremont has attained from RPC in the last year.

At 8:30 pm Mr. Greenwood concluded his presentation and the Board thanked him for sharing the RPC information.

#### OPEN SPACE ORDINANCE

There was a conversation relative to the following:

- Required distance from well to septic.

*Zoning Article IV Section 8: All sanitary disposal systems (septic tanks, Leach fields, etc.) shall have no portion within thirty (30) feet of any lot line, or within one hundred (100) feet of any wetland or water supply. (See also Article IX Sections F-1- F-4 and Article XI E-6)*

#### Subdivision Regulation

Well Radius: Article III Section 6-b: Well Radius Placement.

1. *Each newly created lot shall show the entire well radius protection area of no less than one hundred (100) feet.*
2. *The entire required well radius shall be located within the boundaries of each newly created lot.*
3. *Well radius easements covering neighboring parcels are not permitted in new subdivisions. This insures:*
  - (a) *Protection of health and safety for individual on-site water resources from adverse impacts of land uses on adjacent and neighboring parcels.*
  - (b) *Allows for maximum flexibility in the placement of septic systems and other land uses on neighboring parcels of land.*
  - (c) *Promotes the wise and free use of property unencumbered by easements.*
  - (d) ***All well radii shall be no less than one hundred (100) feet from any septic system.***

The Planning Board has the jurisdiction to reduce the well radius (6-b-1 above) from 100' to the 75' that the State requires, but does not have the jurisdiction to reduce the 100' distance of well to septic (6-b-3-d above) because that is a zoning regulation (Article IV Section 8).

- **Open Space Preservation Ordinance**

The Open Space Preservation Ordinance is silent about the maximum percentage of each lot which may be occupied by buildings, off street parking areas, driveways, septic systems and associated leaching fields so Article IV Section 5 prevails. *The maximum percentage of each building lot which may be occupied by buildings, off street parking areas, driveways, septic systems and associated leaching fields shall be thirty (30%) percent.*

This prompted a discussion relative to some of the discrepancies between some of the Zoning Ordinance requirements and the Open Space Ordinance. Mr. Karcz said the Board may want to revisit the Open Space ordinance and the Members agreed.

#### COMMUNITY PLANNING GRANT

Mr. Barham reported that the Community Planning Grant has a second round of grants (\$10,500 of available money) Mr. Greenwood said this grant requires a 25% match, some of which could be soft match. This goal for this grant would be to identify aspects of the land use regulations and zoning ordinance that need to be amended for consistency with each other as well as with the Master Plan. Mr. Barham reminded the Members that the Board had unsuccessfully applied for the first round of grants last year.

Mr. Barham said there is a potential for the Board to apply with RPC for round 2 of the Community Planning Grant and use Brian Groth (former RPC Circuit Rider for Fremont who is already familiar with Fremont's Zoning Ordinance and regulations) for the purpose of review and make suggestions for improvements or re-crafting the open space related regulations. Mr. Barham and Mr. Greenwood will contact Mr. Groth to discuss working toward the project.

#### VISION CHAPTER OF THE MASTER PLAN

Mr. Greenwood distributed the existing draft of the Vision Chapter update that Mr. Groth had worked on for the Board to review. He asked the Board to review it and make comments to him for the next meeting.

#### RULES OF PROCEDURE

The Board received copies of the following to review at their leisure so they can be discussed and possibly modified at the next meeting.

- The current Fremont Planning Board Rules of Procedure.
- The Rules of Procedure as recommended by the LGC.

#### REORGANIZATION OF THE BOARD

Mr. Downing nominated Mr. Barham to serve as Chairman for the coming year.

Mr. Karcz seconded the nomination and the vote was unanimously in favor of the nomination:

Mr. Karcz –yes, Mr. Downing – yes, Mr. Kohlhofer – yes, Mr. Hunter – yes.

Mr. Barham accepted the nomination.

Mr. Downing nominated Mr. Karcz to serve as Vice-Chairman for the coming year.

Mr. Hunter seconded the nomination and the vote was unanimously in favor of the nomination:

Mr. Barham–yes, Mr. Downing – yes, Mr. Kohlhofer – yes, Mr. Hunter – yes.

Mr. Karcz accepted the nomination.

#### MEMBER ATTENDANCE

Mr. Barham noted that Mr. Silk has not attended a meeting since August 15, 2012 and he suggested that a correspondence be sent to Mr. Silk to find out if he is planning to resume his seat as Planning Board Alternate.

#### BUILDING OFFICIAL/CODE ENFORCEMENT OFFICER

Mr. Meade said he had nothing to bring to the Board for discussion for this meeting.

#### INCOMING CORRESPONDENCE

There was no incoming correspondence.

Mr. Karcz made the motion to adjourn at 8:55 pm.

Motion seconded by Mr. Hunter with unanimous favorable vote.

Next regular meeting: February 6, 2013.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary

Planning Board Meeting Minutes  
January 23, 2013

**ACTION ITEMS**

From the January 23 meeting:

Meade:

- Contact the owners of 102 Chester Road (Map 1 Lot 029) relative to making an appointment to meet with the Planning Board to discuss the activity at his property.

Greenwood & Barham:

- Contact Brian Groth to discuss working toward the Ordinance and Regulation “restructuring for consistency” project.

**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	