



FREMONT PLANNING BOARD
November 20, 2013
Meeting Minutes

Present: Chairman Roger Barham, Vice-Chairman John (Jack) Karcz, Members John (Jack) Downing and Andrew Kohlhofer, Selectman Brett Hunter, Alt. Phillip Coombs, Building Official Bob Meade, RPC Circuit Rider Jenn Rowden and Land Use AA/Recording Secretary Meredith Bolduc.

Mr. Barham opened the meeting at 7:00 pm.

At the August 7, 2013 meeting Mr. Barham designated Alt. Coombs to fill a vacancy on the Board until the Board of Selectmen fills the vacancy, as allowed by RSA 673:12, III. This designation remains in effect.

MINUTES

Mr. Karcz made the motion to approve the minutes of the November 6, 2013 meeting as written. Motion seconded by Mr. Downing with unanimous favorable vote except for Mr. Kohlhofer and Mr. Hunter who abstained as they were not present at that meeting.

BEEDE SPAULDING, LLC,
Map 3 Lot 56

The Board received:

- A copy of a November 7, 2013 invoice from the Town Attorneys law firm of Soule, Leslie, Kidder, Sayward & Loughman in the amount of \$111.00 for legal services rendered on the revised deed restriction for the Beede Spaulding Subdivision and a copy of a November 13, 2013 correspondence from Town Administrator Heidi Carlson to Treasurer Kimberly Dunbar relative to withdrawal of from escrow account to cover the invoice.
- A copy of a November 8, 2013 invoice #739531 from Stantec in the amount of \$2,552.68 for Spaulding Road construction monitoring and a November 14, 2013 correspondence from Town Administrator Heidi Carlson to Treasurer Kimberly Dunbar relative to withdrawal of \$2,552.68 from the Beede Spaulding escrow account to cover the invoice.

SEACOAST UNITED SOCCER CLUB

Map 6 Lot 020-001

Mrs. Bolduc reported that the Conservation Easement Deed Amendment has been drawn and awaiting proper signatures and recording.

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The Board received and reviewed a plan from Mr. Albert for the Board to use when they visit the site that shows exactly where the trees have recently been planted.

Mr. Downing made the motion to conduct a site visit at the site of SUSC at 2:00 pm on Friday December 6, 2013 for the purpose of viewing the plantings as per requirement of the Board. Motion seconded by Mr. Karcz with unanimous favorable vote.

BUILDING INSPECTOR

Mr. Meade reported:

- Erik Lourette came in yesterday and met with him and Mrs. Bolduc relative to the paint ball and outdoor recreation business being conducted on his parent's property at 197 Sandown Road. Mr. Lourette is scheduled to meet with the Planning Board informally on December 4, 2013 to explain the business and see if the Board thinks Site Plan Review is in order.
- The Fire Chief came in tonight and said the cistern is in at the Beede Spaulding subdivision project off Spaulding Road (Map 3 Lot 56).
- Mentioned spending a lot of time on code complaints.

GOVERNOR'S FOREST

Map 3 Lot 002

Present: Owner Martin Ferwerda

At 7:30 pm Mr. Ferwerda met with the Board to discuss some possible changes in driveway locations in Governor's Forest.

Mr. Meade said there were originally two issues for Mr. Ferwerda; one being a foundation location and the other being some driveway locations. Mr. Meade said there was some concern whether a foundation is put in the right place so he met with Mr. Ferwerda at the site, did some measurements and found the foundation to be where it should be. Mr. Barham said Mr. Ferwerda has an approved site plan that he needs to follow. Mr. Ferwerda said he is following the plan.

As for the driveways, Mr. Meade said the signed set of plans he consulted shows individual driveways and a block for each manufactured home. Mr. Ferwerda said the plan that is recorded at the registry shows no driveways. He explained that he was approved under a zoning section that has since been replaced and one of the issues was the distance between homes has to be 30'. He said has a 68 acre parcel and all houses have to be placed. Mr. Ferwerda said he plans to use one common drive for the three spaces on the left side of Tarah Way going up the hill because of ledge. And he plans to use one common drive for the 7 or 8 spaces between Tarah Way and Linda Lane in order to keep the driveways flat. The recorded plan was reviewed and there are no driveways denoted on the plans.

Mr. Ferwerda said he will bring as built drawings in a month or so before he constructs the common driveways to be sure the Board is on board with placements. He will also have a plan showing the common driveways for #4 & 8 Tarah Way.

At 7:45 pm Mr. Ferwerda thanked the Board and left the meeting.

JACOB'S COVE

Map 1 Lot 098-1

Present: Owner/developer Jacob Donigian

At 7:45 pm Mr. Donigian met with the Board relative to outstanding conditions of the approval for the October 6, 2010 11-lot re-subdivision of Jacob's Cove.

Note: Condition #8 of the October 6, 2010 conditional approval of the Jacob's Cove subdivision says "The subdivision construction shall follow the schedule that was submitted by the applicant on October 6, 2010. At that point, or by November 1, 2011, the project must be completed or bonded." On November 7, 2011 the Board granted a one-year extension to condition #8 from November 1, 2011 to November 1, 2012.

There have been no further extensions requested or granted.

Mr. Donigian said he needs to ask the Board for another extension of time for construction completion. There was a discussion relative to granting another extension and for how long since it is already beyond one year since the last extension deadline. Mr. Barham said he is alright with granting another extension at this time, but this is the last one. Mr. Donigian suggested an extension deadline of another year and he said he will not need another extension after this one.

With little further discussion Mr. Kohlhofer made the motion that the Board grant an extension to condition #8 of the October 6, 2010 subdivision approval for Jacob's Cove from November 1, 2012 to November 1, 2014.

Motion seconded by Mr. Coombs with unanimous favorable vote.

It was agreed by the Board at the November 6, 2013 meeting that the road needs to be bonded or built before building permits can be issued and there can be no occupancy permits issued until the road is built. Mr. Donigian asked if the road needs to be completed and Mr. Karcz said he thinks the top coat can be bonded. This will need to be verified from the regulations.

Mr. Meade said Mr. Donigian asked about permits and he thought he understood that he cannot issue building permits until the road is done.

At 7:55 pm Mr. Donigian thanked the Board and left the meeting.

PSNH

Present: Sherrie Trefry with GZA GeoEnvironmental, Inc. and Laura Games with PSNH

At 7:55 pm Sherrie Trefry Laura Games met with the Board relative to an uprate project proposed by PSNH.

Ms. Games said PSNH is looking to upgrade the power line which was built in 1950. This will include raising the lines in the areas where the lines are expected to sag because of higher temp output and could arc close to the ground. The project includes replacing 4 line poles in 2 areas of wetland impact and 2 spans where wire splice work requires access. They will need to access the

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structures down the length of the PSNH the right of way. Ms. Games said this is part of what PSNH calls their 10-year plan.

(Note: The lots involved identified as Map 2 Lots 22-38, 70, 156, 156-1-23-1, & 156-2)

Ms. Trefry said GZA has been hired by SPNH to obtain state and local permitting for the uprate project.

Ms. Trefry presented pictures and a plan set prepared by GZA GeoEnvironmental, Inc. dated October 2013 that showed the PSNH easement that runs through Fremont. The plans are titled "PSNH Thermal Uprate of H141 Transmission Line 115kV Kingston Tap to Great Bay Substation" and names the towns of Danville, Fremont, Brentwood, Exeter and Stratham, NH. Denotations on the plans included wetland delineation, edge of PSNH right of way, existing route of transmission line and proposed temporary impact area. It also showed locations of proposed conductor splicing, existing structures, replacement of existing structures, stump grindings and erosion control barriers as well as observation areas of state threatened plant, endangered animal species and an archeological resources area.

Using the plan submitted, and noting that structure height includes 10% plus 2' underground, Ms. Trefry and Ms. Games explained the pole height differences as:

- Figure 235 is an existing 50' structure to be replaced with a 60' structure.
- Figure 236 is an existing 55' structure to be replaced with a 60' structure.
- Figure 325 is an existing 50' structure to be replaced with a 55' and is in a prime wetland.
- Figure 260 is an existing 50' structure to be replaced with a 65' structure.

Ms. Trefry said PSNH will access the areas where there is existing access so they will not go over an area that has not been previously disturbed. She added that to get access to the areas they need some wetland and buffer impacts. She added that the ground will be cleared in the areas of locations of replacement poles. These areas of impact are Fremont wetland 6 and 16 as designated by GZA. Ms. Trefry said timber mats are used for heavy equipment access through wetland and archeologically sensitive areas and explained what that does and how it works. She added that GZA will be onsite for erosion control. Ms. Games said she believes they will be using bucket trucks for the splicing and a larger version of a bucket truck for replacement. Mr. Barham said whether it is tracked or wheeled the timber matting reduces the damage to wetland.

Ms. Trefry explained that the project is scheduled to begin in early October 2014 and power outages are proposed due to this project will be scheduled from end of October to end of November 2014.

Ms. Trefry said the wetlands permit application was filed with the town of Brentwood at the request of Frank Richardson of DES. She added that the state wetlands permit applications are being reviewed by PSNH and will be filed to NH DES. She said she plans to file for a Special Exception to Article IX Section H of the Fremont Zoning Ordinance to work within 100' of wetlands.

She said other concerns that have been raised are:

- Does PSNH need to request a Variance to zoning Article V Section 3 = *Occupied buildings and structures shall not exceed two and one-half (2 ½) stories or thirty-five (35) feet in height.*

- Is Site Plan Review required? There is no site plan for the PSNH power lines as they were installed prior to the 1989 adoption of the Site Plan Review Regulations.

Mr. Barham said from a practical standpoint and reviewing the plans, he is happy with what Ms. Trefry and Ms. Games have presented, noting that these are transmission lines in a carved out right of way. Mr. Karcz said it is going to look the same only taller. Mrs. Rowden stated that there is a visual impact because of the increased height so it may be a change in the site. She added that she believes they are going to need a variance from the ZBA for increased height (in excess of 35') within the Aquifer Protection District.

Mr. Barham said in terms of this being an upgrade to only 4 existing poles, he does not think site plan review is necessary. Mr. Coombs asked what will happen with the existing wooden structures and Ms. Games said they are cut at the ground surface and left in the ground. Mr. Coombs said that he would be concerned with leaving treated wood in the ground. Mr. Barham said the poles being 55 or 60 years old they are pretty much bleached out by now and if DES had a concern they would have voiced it. Mr. Hunter asked if the new poles are coated and Ms. Games said they are pressure treated.

In answer to questions by the Board as to who notifies landowners of these projects, Ms. Trefry said PSNH notifies all landowners and GZA notifies all owners of the wetland impacted lots and sometimes beyond.

After some further consideration, Mr. Karcz made the motion that a Site Plan Review is not necessary for this action.

Motion seconded by Mr. Kohlhofer with unanimous favorable vote.

At 8:30 pm Ms. Trefry thanked the Members again and left the meeting.

REGULATION AMENDMENTS PUBLIC HEARING - continued

At 8:30 pm Mr. Barham opened this portion of this Public Hearing and explained that this is a continuation of a portion of the Public Hearing from November 6, 2013 that included amendments to the Subdivision and Site Plan Review Regulations. The Subdivision Regulation amendments were approved at the November 6, 2013 Hearing and Site Plan Review Regulations amendments were continued to tonight to allow Mr. Coombs to submit a condensed replacement of the regulation amendments that he has drafted.

Mr. Coombs said he e-mailed his suggested replacement draft of revisions to the Site Plan Review Regulation amendments to the Land Use Office. This was not received so the Members have not had a chance to review it. Mr. Coombs will try to send it again and Mrs. Bolduc will forward to the Members. The Members agreed to continue this hearing until they could review Mr. Coombs suggestions.

Mr. Coombs made the motion to continue this public hearing to 7:00 pm on December 6, 2013 to allow time for the Members to receive and review the condensed amendment he has drafted.

Motion seconded by Mr. Karcz with unanimous favorable vote.

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OCCUPANCY PERMITS

Mr. Meade questioned the Board as to when he could issue occupancy permits with a subdivision like Jacob’s Cove. It was agreed that building permits cannot be issued until the road is complete or bonded and occupancy permits cannot be issued until the road is complete.

INCOMING CORRESPONDENCE: There was no incoming correspondence.

Mr. Karcz made the motion to adjourn at 8:45 pm.
 Motion seconded by Mr. Downing with unanimous favorable vote.

Next regular meeting: December 4, 2013.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary

ACTION ITEMS

From the November 20 meeting:
 Bolduc:

- Draft and post notice for SUSC site visit.

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. Completed.
- Energy Chapter of MP – Funded through the Energy Technical Assistance Program (ETAP) (no Town cost-share). Completion date of April 30, 2012. Pending as of this date.

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	Completed							Contract Completion date
MP Energy Chapter	Pending					Completion date		

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