



**FREMONT PLANNING BOARD**  
**December 4, 2013**  
**Meeting Minutes**

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

Mr. Kohlhofer joined the meeting at 8:45 pm.

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 20, 2013 meeting as written.

Motion seconded by Mr. Coombs with unanimous favorable vote.

**SEACOAST UNITED SOCCER CLUB**

Map 6 Lot 020-001

The Conservation Easement Deed Amendment has been drawn and awaiting proper signatures and recording.

The Board will 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.

**BUILDING INSPECTOR**

Mr. Meade submitted his end-of-month report for November which included permits for 1 garage, 1 deck, 2 additions, 1 single family home and 7 renovations. He also issued 25 trade permits.

Mr. Meade reported:

- There has been a complaint relative to the number of unregistered automobiles stored at #8 Abbott Road (Map 1 Lot 80-1).
- Someone is looking to put a machine business on the property at Map 2 Lot 70.
- The Town Hall roof has been reshingled.
- Bob Dudley, owner of 5 acres of vacant land at Map 1 Lot 048-6 on Sandown Road is

coming to meet with the Planning Board relative to storage of his excavation equipment at his residential property.

- A Trustee of the Fremont Methodist Church will be meeting with him relative to codes.
- The Spaulding Road extension road is about 50% complete and there are 2 driveways in.

#### 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 20, 2013 that included amendments to the Site Plan Review Regulations.

Mr. Coombs drafted and submitted a condensed replacement of the Site Plan Review Regulation amendments. The original suggested amendments and Mr. Coombs submission were discussed at length. With regard to landscaping Mrs. Rowden suggested to keep the general terms and the building front aspects of the landscaping in the regulations so screening is maintained without being too restrictive.

After careful consideration by the Board Mr. Karcz made the motion to approve amendments to the Site Plan Review Regulations as follows:

**TEXT TO BE ADDED = RED**

**CURRENT TEXT IN TO BE KEPT = YELLOW**

**CURRENT TEXT TO BE DELETED = YELLOW**

### **Chapter 1.8.2 SITE PLAN COMPLIANCE MONITORING**

The Planning Board shall require that the construction of industrial, commercial and residential site plans to be monitored by the Town's Consulting Engineer.

- A. **Construction Monitoring Fees** – The Planning Board shall require that the applicant of any site or subdivision plan, approved by the Board, provide funds for construction monitoring; all professional fees and expenses associated with the work shall be borne by the applicant. Such monitoring may include construction on the site, according to the approved plan, the construction of any off-site improvement approved as part of the plan and review of revised plans, as-built plans, and applicable field changes. Such monitoring may include the construction of buildings, utilities, roads, and/or any other construction that in the opinion of the Planning Board requires monitoring for compliance with the approved plan and Town regulations. The construction monitoring shall be provided by a consultant(s) hired by the Town after funds have been made available by the applicant. Any judgment as to the adequacy of such construction shall be made by the Town.
- B. **Site Plan Compliance Monitoring Account** - A separate escrow account must be established with the Town's Administration Department for monitoring of construction work in progress, for compliance with the approved plan and related work. If at any point during the construction process the escrow is depleted all construction will cease until additional escrow is provided.

**1.15.L. Drives and parking areas must be constructed to the following minimum specifications:**

1. Loam and/or yielding material must be removed to a depth of no less than fourteen (14) inches below finished grade.
2. Bank run gravel sub-base of six (6) inches must be applied or compacted, followed by a six (6) inch base of crushed gravel, then compacted and rolled true to grade lines with a roller weighing not less than twelve (12) tons.
3. A two (2) inch binder course and a one (1) inch wearing surface of bituminous concrete pavement must be installed with a self-propelled mechanical spreader and rolled by a tandem roller with not less than two-hundred eighty-five (285) pounds per inch of wheel width.
4. ~~The minimum grade for parking areas shall be one half of one percent (.5%); the maximum grade shall be five percent (5%).~~

**Parking lot Pavement Grades:**

- a. Minimum slopes for all applications shall be one (1%) percent (on a case-by-case basis, designs may be approved using one half of one (0.5%) percent dependent upon the recommendation of the Town's Consulting Engineer and approval by the Planning Board).
- b. Maximum slopes for the following applications shall apply:
  1. On-Street parking (perpendicular, parallel, diagonal, etc) shall not exceed six (6%) percent in any direction.
  2. Off-street parking lots, parking pods or clusters, etc. shall not exceed four (4%) percent slope in any direction.

Prior to placing select gravels, the Town's consulting Engineer shall witness a proof rolling of the graded, compacted subgrade. If any areas show signs of weaving, pumping, or ribboning, the material shall be removed and replaced with stable fill material.

Prior to importing the select gravels an ASTM approved washed sieve must be completed to verify that each gravel meets the specified gradation requirements on the approved plans.

All granular fill placed, to achieve the approved subgrade elevation, bankrun gravel and crushed gravel lifts shall be compacted to at least ninety five (95%) percent of the modified proctor.

**1.15.M.**

~~Sufficient areas shall be provided for easy access into and out of the parking spaces. The following standards shall be used in determining aisle widths:~~

1.

<del>Angle of Parking Space</del>	<del>Aisle Width Required</del>
<del>90</del>	<del>22 feet</del>
<del>60 or less</del>	<del>18 feet</del>
<del>45 or less</del>	<del>12 feet</del>

~~The final design of the parking lot shall be subject to approval of the Planning Board, which may require other standards as circumstances warrant.~~

**1.15.M.**

Sufficient areas shall be provided for easy access into and out of the parking spaces.

- All parking lot designs must consider the current ADA regulations, as required by the State of NH. Should a conflict arise between these standards referenced in tables 1.15.M 1 and 1.15.M 2 and the ADA, the more stringent shall apply.
- The applicant must demonstrate that appropriate space has been provided has been for anticipated delivery needs.

The following parking lot design standards shall be used:

- The designs of smaller, separated parking lots are encouraged, rather than large contiguous parking lots. Additionally, during design review, the Board may request that some or all of the parking be designed to the rear of the site, so the building and other improvements assist in providing a permanent visual screen for the parking area.
- All parking areas within ten (10) feet of any property line may, at the discretion of the Planning Board, be required to have a curb or tire bumper no less than four (4) feet from the lot lines for property protection.
- Any fixture used to illuminate any parking area shall be so arranged as to direct the light away from the street and away from adjoining premises used for residential purposes.
- Parking areas shall be so designed that backing or maneuvering can be safely and adequately accomplished on the premises. If requested, a plan showing the movements of applicable vehicles must be provided for review and approval. A buffer of at least eighteen (18”) inches must be provided between all curb lines, buildings, and parking spaces and the overhang of the subject vehicle.
- All spaces perpendicular or diagonal to sidewalks shall have wheel stops installed to limit vehicular encroachment into the sidewalk and provide a minimum three foot wide travel way. Other options may include a wider sidewalk, or a grass strip between the stop/curbing and the sidewalk.

Individual Parking Spaces: - Table 1.15 M 1

<b>Description</b>	<b>Width</b>	<b>Length</b>
Grocery markets, building supply stores or warehouses and any other commercial application where it can be demonstrated to the board that the use of carts or carriages to move goods to parked vehicles:	10'	22'
Professional park/office building or similar use where it can be demonstrated to the board that the majority of the vehicles are employees and the cycling parking rate is low:	9'	18'
Retail or similar use where it can be demonstrated to the board that a high cycling parking rate is assumed:	10'	20'
Within a retail use, employee parking that is physically separated and properly signed as "employee parking only":	9'	18'
Residential site plans:	10'	20'

Parking Isle Widths: Table 1.15 M 2

Description	Width
All two-way travel applications:	24'
All one-way travel applications:	18'

**1.15.N**

Parking Lot Landscaping / Screening

The purpose of this section is for screening between lots. All or some of the requirements in this section may be required at the discretion of the Planning Board.

- a. Front landscaping areas are intended to enhance the appearance of the use on the lot but not to screen the use from view. A front landscaped area shall be required. The required landscaped area shall be covered with grass or other ground cover and shall include trees and shrubs all of which shall be selected to withstand salt and other typical roadside pollution. At a minimum, one shade tree having a caliper of two (2) inches and a height of six (6) feet shall be planted for each fifty (50) feet or fraction thereof of lot frontage.
- b. Where lot size and shape or existing structures make it feasible to comply with a front landscape area for landscaped parking area, the Planning Board may substitute planters, plant boxes for pots containing trees, shrubs and/or flowers to comply with the intent of this regulation.
- c. In all commercial and industrial zones, the required front yard, except for the driveway, shall be landscaped a minimum of ten (10) feet back from the front lot line. View from public streets of large parking lots should be screened with low two and one half (2 ½) foot to four (4) foot evergreen shrubs, densely twigged deciduous shrubs, evergreen trees, mounds, berms, walls, or a combination thereof, provided that adequate sight distance is maintained.
- d. Buffer areas shall contain sufficient existing vegetation as approved by the Planning Board or be planted with evergreen type plantings of such height, spacing and arrangement as, in the judgment of the Planning Board, will effectively screen the activity on the lot from the neighboring residential area. At a minimum the planting shall consist of trees six (6) feet in height planted at intervals of ten (10) feet on center. Non-evergreen plantings may be included to supplement evergreen planting, but not to take its place.
- e. An earthen berm, wall or fence of location, height, design, and material approved by the Planning Board may be proposed to be substituted for any portion of the required planting and/or buffer area requirements. All plants in the buffer area shall be permanently maintained by the owner\ occupants so as to maintain a dense screen year-round.
- f. A landscaped area shall be provided along the perimeter of any parking area except where the parking area is functionally integrated with adjoining parking areas on abutting lots. The landscaped area shall have a minimum dimension of five (5) feet, shall be planted with grass or shrubs, and shall include at least one deciduous tree of not less than

two (2) inch caliper, at least 6 feet in height for every fifty (50) feet along the perimeter of the parking area.

- g. When the proposed use on a site presents the potential for obtrusive sound or noise pollution to adjoining lots, appropriate sound buffering shall be incorporated into the site design. The use of walls, berms, fencing, dense plantings, or a combination thereof may be required.
- h. Landscape areas shall be provided within parking areas to provide visual and climatic relief from broad expanses of pavement. In addition to the front landscaped area and buffer area requirements, parking areas shall comply with the following minimum standards.
- i. All uses providing twenty (20) or more off-street parking spaces shall have at least five (5%) percent of landscaped open area within the paved portion of the parking area. This does not include perimeter planting.

#### **1.22 SITE PLAN DEVELOPMENT AGREEMENT**

The Applicant is required to enter into and execute the most recent version of the Town of Fremont Site Plan Development Agreement with the Planning Board, prior to final approval of the plan and prior to the commencement of any construction activities.

#### **1.24 SITE PLAN COMPLIANCE MONITORING**

- A.** The Planning Board shall require the site construction for residential and commercial site plans to be monitored by the Town's consulting Engineer.
- B.** The Applicant shall submit the required surety for review and approval and provide the estimated monitoring escrow.
- C.** The Planning Department shall schedule a preconstruction meeting. The following shall attend:
  - 1. Applicant/Owner
  - 2. Design Engineer
  - 3. Contractor
  - 4. Applicable Town Department Heads
  - 5. Town's Consulting Engineer

Prior to scheduling the preconstruction meeting the applicant shall provide to the Town:

- 1. The required copies of approved plans
  - 2. The site plan compliance monitoring escrow
  - 3. Acceptable form of surety
  - 4. Estimated construction schedule, completed by the Applicant's Contractor
  - 5. Stamped shop drawings for applicable structures (fire cisterns, box culverts, retaining walls, etc.)
- D.** The Town's Consulting Engineer shall monitor the following items (but not limited to), on a part-time basis:
    - 1. Erosion control (construction entrance, silt fence, etc)
    - 2. Clearing and grubbing
    - 3. Cuts and fills

4. Subgrade
  5. Drainage
  6. Gravels
  7. Pavement and pavement striping
  8. Guardrail
  9. Retaining walls
  10. Site lighting
  11. Landscaping
  12. Off-site improvements
  13. As-Built review
  14. Other (as applicable, per project)
- E.** Design Changes – Any proposed changes to the approved plans must be proposed to the Town prior to constructing the revised improvements. The Town staff must approve the proposed changes; however, if the proposed changes are deemed to be significant, by the Staff, the Applicant may be required to present the changes to the Planning Board for their approval. All changes, technical in nature shall be subject to review by the Town’s Consulting Engineer. Minor, technical changes may be approved in the field by the Town’s consulting engineer.
- F.** Building Permit issuance – Prior to the Town issuing building permit(s) for the project, the Town’s Consulting Engineer shall visit the subject site and provide a written recommendation to the Planning Board regarding the adequacy of the vehicular access to the building site for inspection and safety/emergency vehicles. The access road and/or travel way to the building site must be at gravel grade, compacted and graded. All underground utility crossings must be installed and no trenching / excavation may be conducted within the travel way and/or access through the site, blocking access for inspections and/or safety vehicles and personnel.
- G.** Surety reductions or release – See Subdivision Regulations
- H.** Certificate of Occupancy (CO) issuance – The Town’s Consulting Engineer shall issue a memo recommending the issuance of the CO(s) for the project. Prior to issuing the memo, all site work shall be completed. The only item that may be incomplete, due to winter weather constraints is the required landscaping. If the landscaping is not complete, the applicant must agree, in writing, to install the landscaping during the following spring growing season. Additionally, the written agreement must recognize that if the landscaping is not installed by the agreed date, the Town will use the project surety to have the landscaping installed by an independent contractor.
- I.** All costs relating to the site plan compliance monitoring by the Town’s Consulting Engineer shall be the responsibility of the Applicant/Developer and will be paid from escrow funds held by the Town.

Motion seconded by Mr. Coombs with unanimous favorable vote.

At 7:40 pm Mr. Karcz made the motion to close this Public Hearing.  
Motion seconded by Mr. Coombs with unanimous favorable vote.

LAWRENCE LOURETTE

Approved December 18, 2013

197 Sandown Road, Map 1 Lot 5

Present: Owner Nancy Lourette, son Erik Lourette

At 7:40 pm the Lourette's met with the Board to explain use of their property at 197 Sandown Road and to discuss possible Site Plan Review. Mr. Lourette said there has been a paint ball outdoor recreation operation on the property since 1984. It began with backyard paintball games for fun and has grown into more pursuit sports in an outdoor recreation. Mr. Lourette said they usually have around 100 people participating in the games and he added that the most they have had at one time was 177 participants. He said they are a field that keep adults and kids playing together. Mr. Lourette said they usually operate large events on weekends, but they are looking to have events on weekdays for the disabled. Mr. Lourette said this is what he does for his living.

Mr. Lourette showed a map that showed the play trails and parking areas on the property. This business has a web site, but he said it is mostly word of mouth driven.

Commercial use of the property was discussed and Mr. Barham said that in response to a previous question by the Selectmen of a commercial operation Mr. Lourette submitted a checklist form dated January 1, 2010, in which he stated that his property has had a commercial firewood operation and business since the mid '70's. At that time the Board also acknowledged that the property had been used commercially for years for the operation of Mr. Lourette's welding business. There was no mention of an outdoor recreation operation being conducted at the property.

The scope of the commercial operation was further discussed. Mr. Meade said that the business has grown from the back yard games it originally began with to a larger scale business, and went from advertising with a pole out front to a sign. He also voiced concern relative to parking along the road.

Mr. Barham said what it comes down to is if the business has grown or changed they will need to do Site Plan Review and the question is whether the nature of the activity warrants a minor site plan review or major. He reiterated that documentation on the property is for cordwood and welding and no mention of paintball. Mr. Barham said he thinks there needs to be at least minor site plan review. The Board agreed that minor Site Plan Review is appropriate in this case versus major.

Mr. Karcz asked about wetlands and Mr. Lourette showed a stream and wet area on the map. The property is not in the Aquifer Protection District or in a wetland.

Mr. Coombs made the motion that this business requires minor Site Plan Review and that Mr. Lourette be required to submit an application for Site Plan Review within 90 days from today's date. Motion seconded by Mr. Hunter with unanimous favorable.

At 8:45 pm the Lourette's thanked the Board and left the meeting.

INCOMING CORRESPONDENCE

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There was no incoming correspondence.

#### LEGISLATIVE BILLS

The following bills are among those introduced for the 2014 Legislative Session. Mrs. Bolduc will follow these bills and report any results to the Board.

- House Bill 114: This bill would allow Planning Boards to use their discretion in requiring a landowner subdividing their property grant a right of way to their neighbor if the neighbor's property is landlocked.

#### LANDLOCKED PROPERTY

Mr. Coombs said there is a piece of property behind the PJP gravel pit property on Rt 107 that is landlocked and the landowner has asked him what he could do about access. This prompted a discussion relative to access and easements across or through an abutting property. Mrs. Bolduc said that at this time she knows of nothing that requires a property owner to grant access through his property to a landlocked piece. There have been subdivisions in the past where the developer has willingly granted an easement to a landlocked parcel, but they could not be forced to do so.

Mr. Karcz made the motion to adjourn at 9:05 pm.

Motion seconded by Mr. Downing with unanimous favorable vote.

Next regular meeting: December 18, 2014.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary

#### ACTION ITEMS

##### 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

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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	