



FREMONT PLANNING BOARD
July 30, 2014
Meeting Minutes

Present: Chairman Roger Barham, Vice-Chairman John (Jack) Karcz, Members Jack Downing, 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 July 16, 2014 meeting as written. Motion seconded by Mr. Downing with unanimous favorable.

MICHAEL HEATON

660 Fremont Road

Chester, NH Map 1 Lot 018

The Board received and reviewed a copy of a Dredge & Fill application submitted to the NH DES by BAG Land Consultants for Michael Heaton for Map 1 Lot 18 in Fremont, NH and Map 10 Lot 14 in Chester, NH. This application is for permission to construct a 5' wide x 1103' long wooden conservation walkway so the land owner can create areas to better view and study the Exeter River wildlife environments. According to the narrative submitted the total proposed wetland impact is 50 square feet and is setback 300' from the Exeter River and located about a mile upstream of the designated river starting point on Rt 102 in Chester.

JACOB'S COVE / JAKE DONIGIAN

Map 1 Log 098-1

Dan Tatem reported via e-mail message to Mrs. Bolduc that he and Jake Donigian met at the site of Jacob's Cove on July 29, 2014. Mr. Donigian agreed to submit a work schedule to Mr. Tatem by the end of the week then Mr. Tatem will be following up with a letter to the Board.

BUDGET

The Board used a table created by Mr. Barham that showed the 2014 P/Z budget, actual spending and percentage of that budget spent as of June 30, projected requests and the variance of difference for each line to decide for budget line item requests for the 2015.

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Points discussed and department requests relative to the P/Z Budget line items included:

- 030 Clerical To be determined by the Selectmen \$21,836
No change from 2014.
- 100 Postage
This line was reduced from \$1,400 in 2013 to \$1,000 in 2014. The Board agreed to request \$2,000, an increase of \$1,000, to reflect actual 2014 costs, postage increases and projected 2015 costs.
- 110 Office Supplies
The Board agreed to request \$800, an increase of \$200, to reflect actual spending and increased cost of office supplies and office activity.
- 200 Training Workshops
This line was reduced from \$500 to \$200 in 2013. The introduction of free webinars by the LGC reduced the need and cost of training and workshops. For this reason the Board agreed to request \$200, a reduction of \$100 from 2014 to reflect actual projections.
- 010 Mileage
The Board agreed to request \$200 - No change from 2014.
- 250 Advertising
This line was reduced from \$1,250 to \$1,000 in 2013. The Board agreed to request \$1,750 due to the increase in Planning/Zoning cases and the fact that there is only \$240 left in this line, enough for only 2 additional cases. This requested \$750 increase reflects actual costs for 2014 & projections for 2015.
- 260 Office Equipment
The Board agreed to request \$300, a \$100 increase, to reflect office equipment cost increase.
- 310 Recording Fees
This line funds miscellaneous recording charges for plan and copies from the Registry of Deeds. The Board agreed to request \$250, a reduction of \$100 from 2014 to reflect actual spending projections.
- 320 Printing
This funds printing of Zoning Ordinances, Planning Board Regulations, CIP, Master Plan Chapters as needed. The Board agreed to request \$500 -no change from 2014.
- 500 Circuit Rider Planner
This contract increased by \$474 over 2014 because the hourly rate increased by \$3.00 to \$58. The 158 core service hours remain the same as the last three years.
The Board agreed to request \$9,164, an increase of \$464 to reflect the actual RPC Circuit Rider Contract for 2015.

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700 Professional Services

This line was reduced from \$3,000 to \$1,800 in 2013.
 The Board agreed to request \$1,000, a reduction of \$800 from 2014 is to reflect actual projections.

750 Matching Grants

Matching grants typically fund planning assistance for updating one or two Master Plan Chapters or creating new Master Plan Chapters or regulations when needed. The whole amount may or may not be used depending on the amount of the Grant 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 Grant and loses the ability for discounted assistance.

This line was reduced from \$3,000 to \$1,800 in 2013 and again to \$500 last year (2014).
 The Board agreed to request \$500. No change from 2014.

Total 2015 Budget request is increased by \$1,514 over 2014.

<u>2014</u>	<u>2015</u>	<u>Increase</u>
\$36,986.00	\$38,500	\$1,514

The revenue as of the end of July this year was over \$6,600. Figures will be available according to projected revenue for the next year.

2014 = 5 ZBA cases and 10 PB cases as of June 30
 2013 = 0 ZBA cases and 9 PB cases as of June 30

Mr. Downing made the motion to submit the 2015 Planning/Zoning budget request as outlined below subject to further changes.

4191030 Clerical	To be determined by the Selectmen	\$21,836
4191100 Postage		\$ 2,000
4191110 Office Supplies		\$ 800
4191200 Training Workshops		\$ 200
4191210 Mileage		\$ 200
4191250 Advertising		\$ 1,750
4191260 Office Equipment		\$ 300
4191310 Recording Fees		\$ 250
4191320 Printing		\$ 500
4191500 Circuit Rider Planner		\$ 9,164
4191700 Professional Services		\$ 1,000
4191740 Matching Grants		<u>\$ 500</u>
		\$38,500

Motion seconded by Mr. Coombs with unanimous favorable vote.

This budget request will be submitted to Town Administrator Heidi Carlson and an appointment will be made with the Selectmen if necessary to present this budget request.

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DAN PERRY/SCRIBNER ESTATES

Map 2 Lot 001

Present: Dan Perry

At 7:30 pm Mr. Perry met with the Board to discuss the increase in the road bond estimate for Thunder Road.

On July 2, 2013 a letter was sent to Mr. Perry advising him that his bond amount needs to be amended from the previous amount of \$130,800 to the current estimate of \$144,900 per Caron Engineering's recent bond estimate. The letter required Mr. Perry to post the additional \$14,100 within 30 days (by August 2, 2014) either by amending the LOC or by submitting cash or a certified check.

It was found that while the current Engineers road bond estimate is \$144,900, the current 2014 replacement Irrevocable Standby Letter of Credit issued by TD Bank which expires on January 2, 2015 is \$137,340; a difference of \$7,560 and not the \$14,100 first thought.

Mr. Perry said is working on crushing the gravel and laying the gravel down on the 600' that is not paved. The cost would be about \$16,000 and he also hopes to pave the road (binder coat) by the end of the year. Mr. Caron will do another inspection when the binder coat is done and he will do another bond estimate at that time.

Mr. Barham said if the material is onsite and he is looking to do the road within 60 days he is happy with the Bond amount as it is. The Board agreed.

At 7:40 pm Mr. Perry thanked the Board and left the meeting.

FRANK GARBOUCHIAN

Map 2 Lot 048

Present: Frank Garbouchian

At 7:40 pm Mr. Garbouchian met with the Board relative to his plans to establish a gunsmith business at his residence at 589 Main Street which lies within the Flexible Use Residential District and the Commercial Highway District.

Mr. Garbouchian said the operation will include doing firearm repairs, making parts and accessories for sale. Mr. Garbouchian stated that he is familiar with the Home Occupation regulation and he is confident that he can meet all of the criteria. He will have no sign, he will be the only worker with no employees, the equipment he will use is a lathe and a milling machine that makes no more noise than a sewing machine.

Mr. Garbouchian said he will be doing some buying and selling online. In answer to a question by Mr. Barham he said he is in the process of getting his Federal Firearms Licence (FFL).

The Board agreed by consensus that the gunsmith business Mr. Garbouchian proposes to operate from his home meets the Home Occupation requirements at this time. It was agreed that if at any time the business should grow to outside the Home Occupation requirements an application for

Conditional Use Permit and Site Plan Review with the Planning Board will be required.

At 8:45 pm Mr. Garbouchian thanked the Board and left the meeting.

MARK PITKIN

Map 5 Lot 039-1

Present: Owner Mark Pitkin, Tim Lavelle, LLS

At 8:45 pm Mr. Pitkin met with the Board to discuss an excavation permit application for a pond project at his property.

Mr. Barham read Article 3 of the Fremont Excavations which states “*no owner shall permit any excavation of earth on his premises without first obtaining a permit except as follows*”:

1. *Existing excavations*
2. *Stationary manufacturing plants*
3. *Highway excavations*
4. *Excavation that is exclusively incidental to the lawful construction or alteration of a building or structure or the construction or alteration of a parking lot or way including a driveway on a portion of the premises where the removal occurs*
5. *Excavation that is incidental to agricultural or silvicultural activities, normal landscaping or minor topographical adjustment.*
6. *Excavation from a granite quarry for the purpose of producing dimension stone, if such excavation requires a permit under RSA 12-E and such operation shall further be subject to Site Plan Review.*

In all cases under this part, the total volume of material must be limited to no more than one thousand (1,000) cubic yards.

Bonding and surety: 14.2

Surety of a minimum of one thousand (\$1000.00) dollars will be required for engineer review as deemed necessary by the regulators. This amount is to be held in escrow and will not be used for payment of any fees, but will be released to the owner at such time as the excavation pit is completely finished and reclaimed.

Mr. Barham said Mr. Pitkin is not exempt from needing an Excavation Permit. The Board agreed.

Mr. Lavelle asked what the Board is looking to see with the application. He stated that they are digging a pond so there will be no reclamation. He noted that a lot of the criteria in the Excavation Regulations would not apply to this project because it is not a gravel pit. Mrs. Rowden said the applicant can request waivers from any regulation that does not apply such as reclamation, groundwater monitoring wells.

In answer to questions about the need for State permits, Mr. Lavelle said there are no DES permits required. He said the small size keeps it under the requirement for an alteration of terrain permit.

Mr. Pitkin said the estimated amount of material generated by digging the pond is 8,000 cubic yards and there is no place for the material onsite so he must remove it from the site. He said he has cut the trees for the pond and is in the process of stumping. He asked if he can start digging. He said if he does not keep working the project will go into next year. It was agreed that he could keep working as long as he does not take more than 1,000 cubic yards offsite.

Mr. Pitkin and Mr. Lavelle showed a plan of the pond project and Mr. Barham said he thinks the plan is giving sufficient information.

It was noted that on May 27, 2014 the ZBA approved a Special Exception for Mr. Pitkin to allow dredging, filling and drainage resulting in the creation of an approximately 26,000 sq pond on his property closer than 100', but not closer than 20', to a wetland. During that process the Selectmen issued comments that they are comfortable with the application if the issues as raised by the Fremont Conservation Commission and Rockingham County Conservation District are met and that they would review the proposal again if it is approved by the Zoning Board of Adjustment, as it will then go to the Planning Board for excavation permit review.

At 8:05 pm Mr. Pitkin and Mr. Lavelle thanked the Board and left the meeting.

MASTER PLAN

Growth Control Chapter.

Mrs. Rowden submitted an updated draft of the Growth Management Chapter of the Master Plan via e-mail which was forwarded to all Members. The updates included the following recommendations she and the Board made at the last meeting.

- 1. No growth control ordinance should be enacted in Fremont at this time.*
- 2. The planning board should consider the information provided in this chapter to determine how land use regulations may impact town services and associated costs for the short- and long-term.*
- 3. The data found in this chapter (population growth, traffic volume, building permits issued, tax rates and school enrollment) should be updated by the planning board every five years to ensure that the information reflects the growth rate in Fremont accurately.*

There were some minor editorial changes to the introduction, the graphs remain the same, and the conclusion reflected Board comments from the last meeting.

Mr. Downing made the motion to send this final draft of the Growth Management Chapter of the Master Plan on to public hearing for possible adoption.

Motion seconded by Mr. Karcz with unanimous favorable vote.

CIP

There was no update at this time.

BUILDING INSPECTOR

Mr. Meade reported:

- Mackey -25 Kingman Court: Filling wetlands. Mr. Mackey is working with Eben Lewis of DES to fix the problem and make it right. DES has been in and made him seed and reslope the area.
- David Sears – 811 Main Street: A neighbor complained about timber cutting and

excavation at the Sears property. Mr. Sears has filed an Intent to Cut, NH Forestry and DES was contacted and it was found that there are no violations.

- Tom Waters – Bean Road: A neighbor complained about timber cutting at the Waters property. Mr. Waters has filed an Intent to Cut, NH Forestry was contacted and it was found that there are no violations.
- Jeremy Danley - 35 Main Street: A letter went out to Mr. Danley relative to a sign on a tree advertising his interior demolition business and merchandise visibly for sale that did not fit with the Home Occupation. Mr. Danley has removed them the sign and merchandise.
- Tom Fraser, 99 Louise Lane: Mr. Fraser's building plan shows that the septic and building is less than 100' from wetland.
- Martin Ferwerda/Governor's Forest, Rt 107: Mr. Ferwerda wants to put in shared driveways for some of the lots in the center section of Tarah Way that are not on the approved plan. The plan shows individual driveways on each lot. Mr. Meade has told Mr. Ferwerda to show the Planning Board a plan for that middle section and see what they will or can approve.
- Whittall, Abbott Road: Mr. Coombs said there still a number of cars on the property. Mr. Meade said in the spring Ms. Whittall was given a year to remove or register the vehicles. She is down to seven vehicles and some are now registered.

INCOMING CORRESPONDENCE

There was no incoming correspondence.

Mr. Karcz made the motion to adjourn at 8:30 pm.

Motion seconded by Mr. Downing with unanimous favorable vote.

Next regular meeting: August 20, 2014.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary

ACTION ITEMS

From July 16:

Bolduc

- Send a copy of approved excavation permits to Merrill Excavation. Completed.
- Process Walker notice of decision. Completed.
- Set up a site meeting between Tatem and Donigian. Completed.
- Review the budget and present it at the next meeting. Completed.

Barham:

- Review the budget and present it at the next meeting. Completed.

From July 30:

Bolduc:

- Set up the public hearing for adoption of the Growth Management Chapter of the MP.
- Draft and submit the 2015 P/Z budget to Town Administrator Heidi Carlson.

LEGISLATIVE BILLS

House Bill 1210: This bill would require written notification of any zoning changes or amendments to abutters or anyone whose land would be affected. It reads in part:

Any person owning property in the municipality may request notice of all public hearings on proposed amendments to the zoning ordinance, and the municipality shall provide notice, at no cost to the person, electronically or by first class mail. If a proposed amendment to a zoning ordinance would change a boundary of a zoning district and the change would affect 100 or fewer properties, notice of a public hearing on the amendment shall be sent by first class mail to the owners of each affected property. If a proposed amendment to a zoning ordinance would change the minimum lot sizes or the permitted uses in a zoning district that includes 100 or fewer properties, notice of a public hearing on the amendment shall be sent by first class mail to the owner of each property in the district.

Approved and effective July 1, 2014.

This bill is among those introduced for the 2014 Legislative Session.

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.

Pending.

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.
- 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.
- Growth Control Chapter of MP – Funded through the 2013 Targeted Block Grant (TGB); Completion date of June 30, 2014.

Updated project timeline table below. **RPC**

Projects Non-CTAP	Status	2010 30 June	2012 April 30	2012 June 30	2014 June 30
CIP Process	Pending	Contracted			
Submittal Materials (2010 TBG)		Completion Date			
1 final copy of updated MP, CIP elements (2010 TBG)	Pending	Contracted			
MP		Completion Date			
Energy Chapter	Pending		Completion date		Contract Completion Date
MP					Contract Completion Date
Growth Control Chapter	Pending				Contract Completion Date