



FREMONT PLANNING BOARD  
November 19, 2014  
Meeting Minutes

Present: Vice-Chairman John (Jack) Karcz, Members John (Jack) Downing, Andy Kohlhofer, Selectmen Brett Hunter, Alt. Phillip Coombs, Building Official Bob Meade, interim RPC Circuit Rider Glenn Copleman, and Land Use AA/Recording Secretary Meredith Bolduc.

Mr. Karcz 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. Downing made the motion to approve the minutes of the November 5, 2014 meeting as written. Motion seconded by Mr. Coombs with unanimous favorable vote.

#### PJP, INC.

##### Map 2 Lot 151.2

Darlene Olson has contacted Mr. Meade relative to the PJP excavation pit and permit. She thought there needed to be some activity at the pit by January 2015 and she asked if having a truck in the pit, removing equipment, or having people looking at the pit (for purchase) would count as "activity". She also asked if the Town would consider giving her an extension of time.

It was noted that according to RSA 155-E: 5-a activity is described as "removal of earth material of sufficient weight or volume to be commercially useful." The Board agreed that selling at least 1 ten-yard truckload with proof of sale would suffice. Having a truck in the pit, removing equipment, or having people looking at the pit (for purchase) would not count as "activity".

The Code Enforcement Officer has previously confirmed that the PJP excavation pit was being worked as late as March 2013 so at the June 19, 2013 meeting the Planning Board agreed that is when the inactivity period should begin, if activity is not already resumed. The end of the 2-year period will be March 31, 2015.

Also according to RSA 155-E: 5-a if the site is inactive for a period of two years, the site must be reclaimed per RSA 155-E: 5. If the site is to be reclaimed, the owner must provide a reclamation plan for review and approval so the reclamation can commence immediately after the 2-year period passes. It was agreed that since this is an RSA and not a Planning Board regulation the Board cannot grant an extension.

Mrs. Bolduc will pass this information on to Ms. Olson.

Mr. Meade reported that according to Ms. Olson the people from California that met with the Board last Spring have defaulted on the purchase & sale relative to the PJP property so she has put the for sale sign back up.

#### BEEDE SPAULDING

Map 3 Lot 056

The Board received a copy of a November 17, 2014 invoice #846530 from Stantec in the amount of \$633.21 for Spaulding Road subdivision construction monitoring and a correspondence from Town Administrator Heidi Carlson to Treasurer Kimberly Dunbar relative to withdrawal of \$633.21 from the Beede Spaulding escrow account to cover the invoice.

#### JACOB'S COVE

Map 1 lot 098-1

Mr. Donigian was scheduled to meet with the Board to discuss the Jacob's Cove bond reduction. This has been rescheduled to the December 3, 2014 Planning Board meeting.

The Board received a copy of a November 17, 2014 invoice #846529 from Stantec in the amount of \$1,877.96 for Jacob's Cove subdivision construction monitoring and a correspondence from Town Administrator Heidi Carlson to Treasurer Kimberly Dunbar relative to withdrawal of \$1,877.96 from the Donigian escrow account to cover the invoice.

#### RECODIFICATION OF THE ZONING ORDINANCE

Mrs. Rowden has verified that there is \$1,000 left in this year's RPC grant (ending 6/30/2015) to start reorganizing the zoning ordinances (these are 50% match grant funds). At the last meeting Mr. Barham said he has looked at the P/Z expenditure sheet and he thinks there is about \$1,000 that can be used for this.

Mr. Downing made the motion to authorize spending of \$1,000 for recodification of the zoning ordinances from the Professional Services line of the current budget.  
Motion seconded by Mr. Hunter with unanimous favorable vote.

Mr. Greenwood at RPC will be notified with a request to draft and send the contract as soon as possible

#### CHRISTOPHER FUHS

13 Beede Hill Road

Map 3 Lot 112

Present: Christopher Fuhs

At 7:30 pm Mr. Fuhs met with the Board as a result of an October 16, 2014 correspondence to him from the Board of Selectmen relative to Site Plan Review Regulations violation, possible zoning sign ordinance violation, and safety concerns as a result of "nearly continuous" yard sales at his property. The letter instructed Mr. Fuhs to meet with the Planning Board to review his situation and to discuss whether "nearly continuous" yard sale activity at his property would trigger Site Plan Review.

Mr. Meade has also sent two letters to Mr. Fuhs relative to signs and merchandise in the street right-of-way.

Mr. Fuhs said he knows that his yard sales and the signs have been an issue and he wants to remedy the situation. He said he has not been able to work due to a medical issue he is working through so he has been home and his yard sales have given him something to do. Mr. Fuhs said he wants to continue having yard sales on a regular basis and will probably start up them up again about in May, 2015. He said he is planning go through Site Plan Review in the future for this activity and possibly for an antique shop as well. Mr. Fuhs said he has widened his driveway and created a parking area as a start to site plan review.

Continuous yard sales and placement of signs and merchandise by Mr. Fuhs within the State road right-of-way were discussed. It was agreed that if Mr. Fuhs wants his business of selling merchandise and antiques to begin in May, 2015 he will need to apply for Site Plan Review by the middle of March to allow time for the process. Mr. Fuhs said he will submit an application by then.

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

CIP

There was no update at this time.

#### BUILDING INSPECTOR

Mr. Meade reported:

Governor's Forest, Linda Way: There has been recent excavation activity at Governor's Forest. The excavator is gone now, but material on Linda Lane has been moved. The Engineer should do the annual excavation inspection this year.

The horseshoe driveway: Mr. Ferwerda has submitted a sketch of the home and driveway and will submit an as-built when the project is finished.

Jacobs Cove: There is a substantial amount of material in several large piles being stored onsite. (this will be further discussed when the bond reduction request is discussed)

Portable shed: Mr. Meade questioned if the Board considers a portable metal shed, more than 100sq, open at both ends, a structure. Mr. Coombs will bring in some information for the next meeting

Hall Road: Street lights. Last year Lewis Builders came to the board and got permission to turn the quadplex on Hall Road at units 99-1 through 4 due to elevation issues. Now there is a complaint from a resident of one of the units of a dark area at the end of a spur that comes off the driveway and the desire for street lights. The complaining resident has 2 large lights on his garage. It was agreed that this is an association/Lewis Builder matter and a private development so the Planning Board should not go further with this.

Mr. Coppleman asked if the power company has a pole close to the area that the owner could

lease. It was noted that if that end unit is so close to Route 107 and to someone else's back yard then it would not be an ideal location for a street light.

Mr. Meade suggested that the Board should consider any future changes in a plan they may want to look at what the change could affect.

Chester Road: The Fire Chief has told him that a resident on Chester Road wants to put in a 1,000 oil tank to refuel his work truck. The NFPA says you cannot have more than 660 gallons stored on a residential site. Mr. Meade questioned that if the fuel is going to be used for a commercial truck the owner should come in for Site Plan Review. This prompted a discussion relative to the issue.

Simon Ackerman, 673 Main Street: All the registered cars are gone, but there are 5 unregistered cars and there may be 2 more in the back.

Solar panels: There are 3 permits issued for solar panels and 2 more potential permits to be issued. The 2015 codes are going to include requirements for access around the solar energy panels. Fremont follows the State fire code and it is slated to be an RSA in 2016.

#### ZONING ORDINANCE AMENDMENT PUBLIC HEARING

At 8:20 pm Mr. Karcz opened this second Public Hearing and read the notice as follows:

*In accordance with NH RSA 675:6 and 675:7, you are hereby notified that the Fremont Planning Board will hold a Public Hearing on Wednesday November 5, 2014 at 7:30 p.m. in the downstairs Land Use Meeting Room of the Fremont Town Hall to address adding a new **Article III Section 6** (Camper trailer/ Motor Home/ Trailer coach), and amendments to **Article IX Section H.2** (Wetland and Watershed Protection District) and **Article XI Section E-6** (Aquifer Protection District) of the Fremont Zoning Ordinance. A second Public Hearing will be held on Wednesday November 19, 2014 at 7:30 p.m. if necessary.*

*The full text of the proposed amendment will posted at the Fremont Town Hall, Library, Safety Complex, and Post Office, will be on file in the offices of the Selectmen, Planning/Zoning and Town Clerk, and can be viewed during regular business hours.*

It was noted that the only Zoning Article being considered at this second Public Hearing is Article III Section 6 because amendments to Article IX Section H.2 and Article XI Section E-6 were approved at the first Public Hearing which was held on November 5, 2014.

Mrs. Bolduc reported that Town Attorney Diane Gorrow has reviewed the proposed zoning amendment and approved the changes from the first public hearing as not substantive.

Full text:

*Camper trailer/ Motor Home/ Trailer coach*

- *Definitions:*

*Camper trailer/ Motor Home/ Trailer coach: Any vehicle used or intended to be used for living and/or sleeping purposes which is or may be equipped with wheel or wheels or similar devices for the purpose of transporting the unit.*

- *Use:*

*1. A Camper trailer/ Motor Home/ Trailer Coach may be stored unoccupied at the owners premises or permanent domicile in any zone in the Town of Fremont for any period of time.*

*2. A Camper trailer/ Motor Home/ Trailer Coach may be occupied for camping in all zones of the Town of Fremont for up to ninety (90) days of the year providing the Camper trailer/ Motor Home/ Trailer Coach presents no threat to public health and safety.*

*3. A Camper trailer/ Motor Home/ Trailer Coach shall not be occupied as a permanent dwelling at any time in the Town of Fremont.*

After careful consideration by the Board, Mr. Hunter made the motion that the Planning Board approve and recommend as a new Fremont Zoning Ordinance Article III Section 6 (Camper trailer/ Motor Home/ Trailer Coach) as written above and put it before the voters on the 2015 Warrant.

Motion seconded by Mr. Downing with favorable vote from all Members present except for Mr. Coombs who voted no.

This decision will be posted for a period of thirty (30) days.

At 8:40 pm Mr. Coombs made the motion to close the Public Hearing. Motion seconded by Mr. Hunter with unanimous favorable vote.

#### INCOMING CORRESPONDENCE

There was no incoming correspondence.

Mr. Kohlhofer made the motion to adjourn at 8:40 pm.

Motion seconded by Mr. Downing with unanimous favorable vote.

Next regular meeting: December 3, 2014.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary

**ACTION ITEMS**

From November 5

**Bolduc:**

- Draft notices of decision for approved Zoning Amendments. Completed.
- Resend Kingston’s CIP to Members. Completed.

**Rowden:**

- Verily the available amount that is available from this year’s RPC grant to be used for zoning ordinance recodification. Completed.

From November 19

**Bolduc:**

- Send to Mr. Hunter the PB minutes pertaining to yard sale ordinance.
- Contact RPC relative to the zoning ordinance recodification contract.
- Contact Darlene Olson about timeline and “activity” relative to the PJP Gravel pit.

**Coombs:**

- Get information relative to portable sheds.

**LEGISLATIVE BILLS**

Pending: House Bill 114: This bill did not pass.

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.

**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<br>Non-CTAP  | Status    | 2010<br>30 June                  | 2012<br>April 30   | 2012<br>June 30 | 2014<br>June 30                | 2014<br>August 20 |
|---|-----------|----------------------------------|--------------------|-----------------|--------------------------------|-------------------|
| CIP Process<br>Submittal<br>Materials<br>(2010 TBG)             | Pending   | Contracted<br>Completion<br>Date |                    |                 |                                |                   |
| 1 final copy<br>of updated<br>MP, CIP<br>elements<br>(2010 TBG) | Pending   | Contracted<br>Completion<br>Date |                    |                 |                                |                   |
| MP<br>Energy<br>Chapter   | Pending   |                                  | Completion<br>date |                 | Contract<br>Completion<br>Date |                   |
| MP<br>Growth<br>Control<br>Chapter                              | Completed |                                  |                    |                 | Contract<br>Completion<br>Date | Approved          |

Planning Board Meeting Minutes - November 19, 2014  
Approved December 3, 2014