



FREMONT PLANNING BOARD
December 3, 2014
Meeting Minutes

Present: Vice-Chairman John (Jack) Karcz, Members Jack Downing, Andy Kohlhofer, Selectmen Brett Hunter, Alts. Phillip Coombs and Tom O'Brien, 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.

Chairman Roger Barham joined the meeting at 7:10 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 19, 2014 meeting as written. Motion seconded by Mr. Coombs with unanimous favorable vote except for Mr. O'Brien who abstained as he was not present at that meeting.

BUILDING INSPECTOR

Mr. Meade reported:

16 Tibbetts Road – During a return phone call as a result of correspondence from Mr. Meade, the owner of the property at 16 Tibbetts Road has agreed to move a shed that she placed too close to a lot line.

Portable shed: Mr. Meade questioned whether the Board considers a portable metal shed, more than 100sq, open at both ends, a structure. Information that Mr. Coombs gathered suggested that if the unit is anchored to the ground properly it could be considered a structure. After some conversation Mr. Meade said he will use the definition out of the building code and portable sheds greater than 100 sf will be considered structures and will need a permit.

NH RSA: 644:2, III and III-(a) covers excessive noise and noise emanating from a sound system in a motor vehicle. This is to be enforced by a police officer. This is a follow-up to a complaint about a noise disturbance and loud music at 927 Main Street. (not the first noise complaint for the property)

TOM NISBET

Map 3 Lot 037-1 (former Fremont Fire House)

Present: Owner Tom Nisbet

At 7:35 pm Mr. Nisbet met with the Board to discuss opening a triathlon fitness business on the left side of the former Fremont Fire House building at 326 Main Street. The business would focus mainly on bike training and spin classes for bikers in the winter when they cannot ride and may spill over to other seasons depending on interest.

Mr. Nisbet passed around a handout that included a letter of intent, a floor plan of the portion of the building he is proposing to use for the business and what he is proposing to do. He wants to remodel and divide it into 2 sections. He would have morning and evening bike spin classes possibly from November to March of each year. He talked about having 8 bikes and a trainer. Parking was discussed and Mr. Nisbet said there are 4 parking spots across Spaulding Road that are designated on the original plan for the former Fire House building and he said there are 4 potential additional adjacent parking spots. He said plans to landscape in front of the building so there will be no parking there.

Mr. Nisbet said the other half (right side) of the building is used for cold storage for machines.

Mr. Barham said he thinks this would be a major Site Plan Review because there will be a lot of requirements since it involves changes to an already engineered plan. Mr. Coppleman noted that the building exceeds 1,000 sf maximum total space including the basement so it is not eligible for minor Site Plan Review.

After some discussion the Members collectively agreed that this would be a major Site Plan Review.

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

BEEDE SPAULDING

Map 3 Lot 056

Bond reduction: **2nd Surety Recommendation**

The Board received:

1. A November 12, 2014 letter from Joseph Nichols of Beals Associates representing Beede Spaulding LLC.

This is written to formalize a request for waiver specific to the reference subdivision surety amount.

Petitioner seeks the following relief:

Article IV, Section B – Release of Performance Guarantee. During the recent surety reduction dated November 12, 2014 we are asking that a waiver be granted that will remove the 20% retainer under Article IV, Section B. The petitioner is asking that a waiver be granted based on the percent completion of the project, and construction inspections performed by the Town's Engineer during the construction process. An escalation line item has been added into the surety in the amount of 10% under the Engineering & Contingency to cover any additional costs.

Approved December 17, 2014

2. A November 26, 2014 letter from Dan Tatem of Stantec Consulting Services:

We have reviewed the following information for the subject project, which was received on November 12, 2014, via email:

- *Construction Surety Reduction Estimate, prepared by Beals Associates, PLLC (BAP), dated November 12, 2014*
- *Written waiver request, prepared by BAP, dated November 12, 2014*

We visited the site on November 26, 2014 to view the completed work items and review the Construction Surety Reduction estimate submitted by BAP. Based on direction from the Planning Board Chairman, the recommended surety amount includes the values of all remaining work plus 25% of the value of those remaining work items (15% for engineering and contingencies, and 10% for escalation). With the condition that the written waiver request is approved, we recommend the Board approve the surety reduction request, submitted by BAP, of \$59,825, reducing the current surety amount of \$285,811.39 by \$225,986.39.

3. Construction Surety Reduction spreadsheet for approximately 1,750 lf of roadway (Spaulding Road)

Mr. Barham said he discussed the requirement of posting 20% of the original bond estimate (Article IV, Section B of the Subdivision Regulations) with Dan Tatem relative to the Jacobs Cove project. Mr. Tatem said it was excessive and that the 10% for escalation and 15% for the Engineering & contingency is adequate coverage. Mr. Tatem recommended giving relief on the requirement the 20% of the original bond estimate. Mr. Barham said he feels this should be the same theory for the Beede Spaulding project.

Mr. Karcz said that he would like Mr. Tatem to explain why he recommends relieving the requirement of posting 20% of the original bond since he was the one who came up with this requirement. Mr. Barham said he will discuss this further with Mr. Tatem.

It was agreed by the Members that any items that are not completed should be bonded.

After further discussion, Mr. Kohlhofer made the motion to grant the requested waiver that will remove the 20% retainer requirement under Article IV, Section B of the Subdivision Regulations regarding the Beede Spaulding project at Map 3 Lot 056.

Motion seconded by Mr. Coombs with unanimous favorable vote.

Mr. Kohlhofer made the motion that based on the recommendation of the Town Engineer, and on the Board's vote to waive the requirement to retain 20% of the original project cost (Article IV, Section B), the Board accept and recommend the requested road bond reduction for the Beede Spaulding subdivision project at Map 3 Lot 056 from the current surety amount of \$285,811.39 to \$59,825.00.

Motion seconded by Mr. Coombs with unanimous favorable vote.

Developer Frank Catapano and project manager Joe Nichols will be notified of the waiver and bond reduction decisions.

Approved December 17, 2014

RECODIFICATION ZONING ORDINANCE

The Board received the Rockingham Planning Commission (RPC) contract agreement for professional Planning Assistance for the first part of re-codification revisions to the Town of Fremont's Zoning Ordinance which encumbers \$1,000 from the Town and matching funds from the NH Office of Energy and Planning Targeted Block Grant to begin the process of reorganization the zoning ordinances. Mr. Barham noted that the cost of the total project is projected to be approximately \$5,000 to \$6,000 and it can be worked on in sections. Recodification will not change the intent of the Ordinance, but will clarify the verbiage to make it easier to understand.

Mr. Barham signed the contract agreement which will be forwarded to the Selectmen for their approval and to the RPC along with the Town's \$1,000 portion of the matching funds for the first part of the zoning ordinance recodification project.

JACOB'S COVE

Map 1 lot 098-1

Jacob Donigian and LLS Kevin Hatch were scheduled to meet with the bond relative to a bond reduction for Jacobs Cove, but Mr. Donigian called Mrs. Bolduc to say that they did not have the calculations report from Bob Moynihan for the water drainage information for the 2 ponds they are trying to eliminate.

Mr. Donigian has rescheduled his meeting with the Board for 7:30 pm on December 17, 2014.

CIP

There was no update at this time.

INCOMING CORRESPONDENCE

Received:

- A notice of the December 10, 2014 public hearing for adoption of the 2015 Regional Master Plan for the Rockingham Planning Commission Region draft copy of the plan.

Mr. Kohlhofer made the motion to adjourn at 9:00 pm.

Motion seconded by Mr. Coombs with unanimous favorable vote.

Next regular meeting: December 17, 2014.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary

ACTION ITEMS

From November 19

Bolduc:

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

Coombs:

- Get information relative to portable sheds. Completed.

From December 3

Bolduc:

- Forward to the Selectmen the waiver and road bond reduction decisions for the Beede Spaulding project.
- Notify Beede Spaulding developer Frank Catapano and project manager Joe Nichols of the waiver and bond reduction decisions.
- Forward to the Selectmen the Rockingham Planning Commission (RPC) contract agreement for professional Planning Assistance for the first part of re-codification revisions to the Town of Fremont’s Zoning Ordinance.

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	2014 August 20
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 Energy Chapter	Pending		Completion date		Contract Completion Date	
MP Growth Control Chapter	Completed				Contract Completion Date	Approved