



Present: Vice-Chairman John (Jack) Karcz, Jack Downing, Andy Kohlhofer, Brett Hunter, Tom O'Brien, Selectman Leon Holmes Sr, RPC Planner Jenn Rowden and Building Official Bob Meade.

This meeting was live broadcast on FCTV channel 22.

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

1. NEW APPLICATIONS

Public Hearing – Galloway / Seacoast Farms Site at parcel 05-035 located on Shirkin Road

Present: John and Andy Galloway, Dennis Quintal, Janice O'Brien, Kathleen and Travis Baum, Arleigh Greene, Jim Watkins, Renee & John King, Mark Pitkin and Laurie Trostle-Pitkin.

Mr. Karcz opened the Public Hearing and read the notice:

NOTICE of PUBLIC HEARING

In accordance with NH RSA 675:7 and 676:4 you are hereby notified of a Public Hearing to be held on November 4, 2015 at 7:00 pm in the basement meeting room at the Fremont Town Hall concerning an application for an amendment to an existing Site Plan for the activities located on Shirkin Road at Map 5 Lot 35 concerning Seacoast Farm Compost Products Inc and the Galloway Excavation Operation.

There are existing approved composting areas and an excavation operation on this site. The intent of this amendment is to alter the excavation portion of the site plan to show the proposed limit of three acres for a staging and loading area for asphalt millings and crushed non-hazardous concrete, and show the location of another office trailer on the site.

Plans are available for review at the Fremont Town Hall on the main floor during business hours. You are invited to appear in person or by agent or counsel. Written comments will be accepted up through the date of the Public Hearing.

Roger Barham, Chairman

This was published in the Union Leader on Wednesday October 21, 2015. All certified notices have been received by abutters, and cards returned to the Town.

Surveyor/Engineer Dennis Quintal made a presentation with Andy Galloway on behalf of landowner John Galloway.

There was a question as to whether this is a minor or major use. There was discussion of DOT/DES requirements and establishing nonhazardous material (third party inspections)-inspected before demolition and after tear down and Andy Galloway presented documents from the process of what was being done in

Kingston/Plaistow. Both asbestos and lead paint were brought up. Ms. Rowden asked if this was an amended excavation site plan. There was discussion about a change of use.

Plan Comment Sheets were reviewed:

Police Department: *No issues*

Building Official/Code Enforcement Officer / Health Officer: *How do we make sure this is non-hazardous concrete? Where this area could not be paved, is having piles of unprocessed and processed asphalt allowed? This is not the same type of material on the site. There are wetlands nearby and the Aquifer runs through this lot. Should the Town Engineer get involved?*

Conservation Commission: *Please read the attached package of information. Memo was submitted that reads as follows, along with other supplemental informational reports.*

To: Fremont Planning Board

From: Fremont Conservation Commission

Regarding: Amended Excavation Site Plan for Map 5 Lot 35" (dated 10/02/2015)

Date: November 3, 2015

Although the "Amended Excavation Site Plan for Map 5 Lot 35" (dated 10/02/2015) respects the 100 foot setback from wetlands, the site is adjacent to both the Aquifer Protection District and Prime Wetland #16. The proposed site appears to be 4 feet above water table and has a porous, quick draining soil with the direction of the drainage arrows on the plan showing water from the site draining toward them. The potential for leachate and wind blown particulates from the asphalt millings containing polycyclic aromatic hydrocarbons (an EPA targeted pollutant) contaminating the Prime Wetland/Aquifer are relatively high. In addition, the potential for leachate and wind blown particulates from the crushed concrete adversely raising the soil and water pH of the Prime Wetland/Aquifer are also relatively high. Impacting the water quality in this manner would have a deleterious affect on the plants and animals associated with the Prime Wetland.

Because of these concerns, the Conservation Commission advises the Fremont Planning Board to require the Applicant:

Submit the proposed Plan to the New Hampshire Wetlands Bureau for review and approval.

Follow all of the recommendations proposed by Dan Tatem in his email to Heidi Carlson dated 11/02/2015.

Obtain baseline water quality data from a third party, environmental consultant for both the Prime Wetland surface water and the monitoring wells at the site that include, but are not limited to, testing for hydrocarbons, pH, alkalinity and hardness. Further, that water quality testing be continued every six months from then on. The results of the water testing are to be made available to the Fremont Building Officer/ Code Enforcement Officer and Health Officer or their agent.

Secure a bond to be held by the Town that would be sufficient to remove any detrimental contaminants from the asphalt millings and crushed concrete from the site should the Prime Wetland or Aquifer be impacted as a result of these materials being brought to the proposed site.

Sincerely,

Bill Knee, Chair

Fremont Conservation Commission

Fire Rescue Department: Verbal from the Fire Chief 11/04/2015: *Asphalt millings have oil byproduct that should not be in the wetlands, who is testing the incoming material? Will there be any fuel storage for equipment? What will the increase in truck traffic be?*

Board of Selectmen: *Review not complete yet, waiting for more information on the project.*

Road Agent: *Note 7 on the excavation site plan: sweeping sand and rocks off Beede Road has not been kept up with very well. I would like to see the entrance at Beede and Shrikin paved at least 100 feet.*

PUBLIC INPUT TO THE HEARING

Ms. King asked about trucks and noise. Mr. Pitkin asked about monitoring wells, hours of operation and elevation/drainage. Mr. Greene asked about Zoning and usage. Mr. Baum asked about not using the Jake brake and Mr. Galloway stated that they could ask their drivers not to use it.

Mr. King asked about traffic, hours, noise, lighting, number of loads and what types of businesses are allowed in the Corporate Commercial District.

Mr. Pitkin asked about seasonal high water and a cap on material.

Mr. Greene showed pictures of the Kingston/Plaiستow operation and said he did not believe that this is a minor site plan. Mr. Galloway stated that this is not much different than what is already approved. There was some talk about Seacoast Farms, shooting out back, going past hours of operation.

Mr. Karcz closed the public input to the hearing.

There was mention of public safety and discussion again as to whether this would be a Minor or Major Site Plan review. The board seemed split but leaning towards major. Mr. Karcz and Ms. Rowden suggested a site walk which will convene Saturday November 14th at 9:00 am.

Mr. Karcz asked for a motion to continue this public hearing to December 2, 2015. Mr. Downing made the motion and Mr. Hunter seconded with unanimous approval. Most of the abutters and public started leaving at 8:10 pm.

2. MINUTES

Mr. Downing made a motion to approve the minutes of the October 21, 2015 meeting and Mr. Hunter seconded with all voting in favor.

3. CAPITAL IMPROVEMENTS PLAN (CIP)

PB Members are Roger Barham and Tom O'Brien from the Planning Board to the CIP Subcommittee. Project worksheets were due to RPC by 10/15/2015. Jenn Rowden gave an update on her progress. The first CIP Meeting has been changed to Monday November 16, 2015 at 7:00 pm in the basement meeting room at the Town Hall. The next meeting will be December 7 for Fire, Police and Highway. The last meeting will be for the school. Ms. Rowden said the project sheets are coming along.

BUILDING INSPECTOR'S REPORT

Dan Perry had asked to see in writing where it stated he had to have a binder coat down before a C.O. could be issued. His lender had asked for this. Mr. Meade sent copies of our regulations, previous Planning Board minutes and e-mails that had gone back and forth about getting the binder coat down. Mr. Meade was asked to find out when Mr. Perry would have the binder coat in place and when he expected the home to be complete.

Jeremy Lennon has asked about erecting a large garage (Approx. 45X60) at his house site on Brentwood Road. Mr. Meade suggested that where a business is being run at the property that he come in for a Site Plan Review. Mr. Lennon is on a Flexible Use road, he is in the Aquifer Protection District. The Board agreed a letter should be written and a Site Plan be submitted before permits issued.

Paul Powers is ready for an occupancy permit at his new home on Copp Drive, and has proposed an alternative to payment of the Impact Fee. He has proposed to upgrade both condensing units at the Town Hall in lieu of the impact fee payment. Most seemed to think that it was a good idea. Mr. Holmes said he would bring it up at the Board of Selectmen's meeting but ultimately we should have legal review of the idea, as the Impact Fee is designed for School Capital costs. Meade read aloud the Ordinances waiver provision and the first half of the language sounds like it would work but then goes on to state "only used towards facilities of like kind." There was discussion if this meant it can only be for schools or "contribution of real property, or facility improvements of equivalent value and utility to the public?"

Scott Suprenant had been discussed at previous Planning Board meetings. It had been decided that he was at the threshold of exceeding a home occupancy. There have been a number of calls to the Road Agent and Town Administrator though no official complaints have been submitted in writing, and no call or complaint has come in to Code Enforcement. Mr. Meade took another ride over, the driveway has not been taken care of, the fill is still there, quite a few cars in the yard and a large tank with a hose for dispensing fuel with no permits or containment. This is beyond a home occupancy and Mr. Suprenant should come in for Site Plan Review. The lot is on a Flexible Use road but there are wetlands nearby. A letter will go out.

Mr. Meade went out to meet with Mr. Holmes, Mike and Sara Agri about the cull de sac, driveway and water runoff at the end of the town approved section of Gristmill Road. Weymouth said he could not afford to move workers or do anything more on Gristmill Road until lots have sold. He is hopeful for next year. Like Thunder Road, so much time has passed, the Board considered looking at the bond amount.

MASTER PLAN

The Energy Committee plans to meet in the middle of November and they are still waiting for the Energy Chapter from Ms Rowden.

OFFICE HOURS

The plan is to have Ms. Rowden in for three hours on Tuesday afternoons to help with Land Use questions and applications. This is projected to start next week and go for several months (perhaps until March).

ZONING ORDINANCE

It is time to get any changes written. There was some discussion on signs, solar and shooting ranges. Ms. Rowden and Mr. Meade will work on a Solar Ordinance.

INCOMING CORRESPONDENCE

1. RCP forum on Wednesday night November 18th which is our next meeting.

With no further business to come before the Board, Mr. Holmes made the motion to adjourn at 8:55 pm. Motion seconded by Mr. Downing with unanimous favorable vote.

Next regular meeting: November 18, 2015

Respectfully submitted,

Bob Meade
Building Inspector / Code Enforcement Officer

ACTION ITEMS

Letters to Mr. Perry, Mr. Lennon and Mr. Suprenant