

Present: Chairman Roger Barham, Vice Chair Jack Karcz; Members Tom O'Brien, Andy Kohlhofer; Selectman Leon Holmes Sr, and Building Official Bob Meade

Also attending; Kathy & Travis Baum, Doug Andrew, Patricia deBeer, Eric Holt, Nancy Fiske, Arleigh Greene, J.F. Watkins, Renee King, Cindy & Randy Grasso, Dennis Quintal and Andy & John Galloway.

This meeting was live broadcast on FCTV channel 22.

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

**1. MINUTES OF DECEMBER 16, 2016**

Holmes Sr asked to edit/amend minutes to read Leon Holmes Jr. vs. Sr. in two places where Sr was describing information from Jr. Mr. Karcz made a motion to accept the minutes as amended, Mr. Kohlhofer seconded with all in favor.

**2. NEW APPLICATIONS – None**

**3. CONTINUED APPLICATIONS**

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

Pending review as a major Site Plan Review. Updated plan to include all commercial activities at the site (Galloway Excavation area and scope as well as Seacoast Farms)

Mr. Barham stated that we would be continuing the hearing for this site and then went on to explain the process and expectations and turned it over to Mr. Quintal. Mr. Quintal brought us up to date (flagging the three acre process area, site walk, preparing the major application, what went to Ms. Rowden & Ms. Carlson, notes added on second sheet for Seacoast Farms, Galloway excavation and this application along with run off details and the number of trucks/trips).

Mr. Barham introduced a letter from Randy & Cindy Grasso and mentioned traffic concerns and road impact. He also stated that this would be sent to the town engineer for review.

Mr. John Galloway gave a history of his business in Fremont stating with the Board of Selectmen before there was a Planning Board. He said in the beginning there were no limits, that he had paved 6/10ths of Beede Hill Road and had replaced two culverts during one of the floods on Shirkin Road. He then stated that he had done all that was asked of him and more.

Mr. Holmes Sr. stated that back in 1981 to 1991 things were done different then. Mr. Barham said that the challenges for 2016 would be to review the roads by today's standards and today's traffic. He felt that after speaking with the town engineer, that there may be major mitigation. Mr. Meade produced copies of Seacoast Farm's letter (1999) "with a peak of 15" trucks, the amended excavation site plan (2012) with 16 trucks and the "Erosion control plan of land" (1987) which had 15.6 trucks/day. Mr. John Galloway then said that sixteen trucks would just not work for him. Mr. Barham said that he would be looking for an environmental and impact study for forty trucks and the report from the town engineer. He also said that tomorrow he would have a conference call with Ms. Carlson, Mr. Tatem and Ms. Rowden. He asked Mr. John Galloway if he would be okay with not taking jurisdiction of the application and plans until he had spoken with Mr. Tatem. Mr. John Galloway agreed. Mr. Watkins asked to be recognized for a rebuttal from one of the site walks and Mr. Barham

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thought that would be more appropriate at another meeting. Mr. Greene wanted to submit a report from another engineer and was also told that could wait for another meeting.

At this point Mr. Barham asked to continue this public meeting until February 3, 2016 at 7:00 pm. Mr. Karcz made the motion with Mr. Holmes Sr. seconding with unanimous agreement. Mr. Barham then asked to have the Grasso's letter as part of the minutes or an attachment (which follows).

*December 30, 2015*

*Dear Planning Board and Town of Fremont,*

*Our house was once our home but that no longer is true. We understand that urban sprawl occurs, it affects a town, and perhaps there is not a lot the town can do. But in the case of Galloway's request to run an asphalt recycling operation in town, well, that is something the town can control.*

*One cannot help but wonder if the town would make different decisions if their own homes were to be affected or if more homes were to be impacted?*

*This is an opportunity for the town to make the right decision, in the best interest of the residents.*

*Historically the town has been unsuccessful in managing Seacoast Farms. The responsibility and burden has fallen on residents to monitor and report on excessive truck traffic, truck activity outside of approved hours of operation, excessive Jake brake usage, increase in severe odors and deterioration of Beede Hill Road. It has been recorded that Seacoast farms has not turned piles as required per their permits and as required by the state. They have exceeded agreed upon cap of growth/materials. Their business in comparison to Galloway's operation is extremely small.*

*Galloway has stated that he will not be renewing Seacoast Farms lease in two years, when up for renewal, allowing Galloway then to be able to expand his business in to that area. Pictures have been shared of the Kingston site, which supports concern that this is a major operation even when run on a smaller scale, and the visit to that site only confirmed what the pictures showed. Is this the type of business that seems suitable for the town of Fremont? Absolutely not!*

*Some residents and the conservation committee have expressed concerns and asked questions. Can the boards of Fremont sincerely say that all concerns and questions have been thoroughly addressed?*

**Strong concern has been expressed by us and others regarding but not limited to:**

- *Monitoring of wells.*
- *Third party environmental consultant to evaluate and monitor the water quality? Who can assure this happens? Who incurs the expense?*
- *Truck traffic – originally it was requested to be allowed approximately 20 trucks a day, each making one trip in and one trip out, that would equate to a truck passing by every 12 minutes – in a decelerating and accelerating mode. Not to mention the lingering smell of Diesel in the air every time a truck roars by. This would be in addition to the current excessive truck traffic from Seacoast Farms and other trucks traveling Beede Hill Road that we are already experiencing. In the amended permit request, the truck allowance has been increased to 40 trucks per day. This would result in a truck passing every 6 minutes!*
- *Jake brake usage (why can there not be signs like in Exeter stating restricted Jake brake usage?)*

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- *Noise from the machinery. The noise from the rock crushers vibrates all the way down to our home and others close by and is constant. This has been experienced in the past when Galloway had a temporary operation set up down there.*
- *Lighting.*
- *Hours of operation. Again this would be left on the shoulders of the residents to monitor and an excessive burden for the code enforcement officer and additional work for the police. Galloway has requested to run this business 6 days a week.*
- *Elevation and drainage and added concern for seasonal high water.*
- *Agreed upon cap of growth/material. What will prevent Galloway from exceeding what his permits allows. We all know Seacoast Farms is often exceeding permissible volumes!*
- *What happens if residents well water changes (as it has since Seacoast Farms has been on site)? We as residents are left to independently and legally prove this. Why should residents put themselves at risk of this?*
- *What does the department of environmental services propose as acceptable?*
- *Who can assure us that there will not be hazardous materials there? Who will be responsible for inspecting the sight? Galloway advised that the "contractors dumping material will be responsible". Can anyone honestly say that they feel confident that independent contractors will be knowledgeable in the laws and also honest in following the laws?*
- *What controls and reporting tools will be put in place to monitor this site? Can and will the reports be made available to residents? We have been advised that Galloway's tax documents would report this. Again, more responsibility falling on the residents.*

*Galloway's request was for 16 - 20 trucks and the amended request is for 40 trucks. He has clearly stated, and it has been recorded in a meeting, that he wants as many trucks as he can! How and why should residents feel comfortable with a business being run by a person that on his permit asks for one thing but in meets states differently?*

*We think most residents would agree that heavy industry is not a good fit for a residential town and that light industry would be more appropriate. What steps would need to be taken to request that the planning board facilitate zoning changes for that area?*

*This is being strongly opposed to for good reason! The area just doesn't seem like the right place for milling asphalt and concrete – adding in the concern for the aquifer and prime wetland – it just doesn't make sense to allow for such a facility in town!*

*Galloway owns land in Raymond. It has been brought to our attention that the Town of Raymond declined his request to run the same operation there due to the stone crushing equipment. Why would Fremont accept this type of business when a surrounding town like Raymond declined it?*

*So as another year comes to an end, and new tax bills are sent, residents see an increase in property taxes – while at the same time fighting to try to maintain quality of life within their homes and also the value of their homes. It is fair to say that anyone whose home is within the radius that will be affected by Galloway's business will have to deal with excessive truck traffic, noise from machinery, and environmental risks. These*

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*residents will also experience a significant decrease in their property value, quality of home life and ability to fairly market their property – yet as mentioned taxes continue to go up.*

*Galloway's business will not positively affect the town's tax base and yet will most likely cause work and possible expense for the town.....*

*So please explain to the residents why we would want to allow this type of heavy commercial business in to our town?*

*Thank you for your time.*

*Sincerely from a very concerned resident,  
Randy and Cindy Grasso*

#### **4. CAPITAL IMPROVEMENTS PLAN (CIP)**

The Committee meetings are completed. Now that this is complete Planner Ms. Rowden will be back for both of the Planning Board's meetings each month. Mr. Kohehofer mentioned that the school expenditures would be changing.

#### **5. BUILDING INSPECTOR'S REPORT**

Mr. Meade reported the number of permits for the month of December and compared them to last year. Two new homes (Spaulding Road and Kelsey Drive), seven renovations, two sheds, a porch and 28 trade permits. This year we issued 237 major permits compared to 214 last year. There were 383 trade permits vs. 345, 17 homes vs. 12, 70 renovations vs. 65 and more fees collected than last year.

#### **OTHER**

At this point Mr. Kohlhofer started a discussion on impact fees and that the school growth was in decline, a comparison to the RSA's vs. our impact fee statement. He said that the school was having their attorney look at it and see if we could use these funds for school use other than growth. There was some talk about an impact fee for roads. Mr. Barham thought Ms. Rowden could shed some light and perhaps tell us what other towns do.

Mr. Meade said that he had been asked to look at the frequency of monitoring the wells at Seacoast Farms by Ms. deBeer yesterday. He had been told that the wells were required to be monitored periodically. In 2013 he felt it had been some time since they were checked and asked Mr. Kelly to have it done. Ms. deBeer asked for a copy. Looking through the files he found that the wells had been monitored in 2001, 2003 (and 2013 when he asked to have them done). He also felt that they should be done again this year. Mr. Meade had heard back from Mr. Lewis from DES about the site (Seacoast Farms), he stated that he had "no concerns." There was also a suggestion to contact Mr. Schofield at NH DES about Ground water (this had come from Mr. Livingston at NH DES).

**TOWN REPORT** – information to be compiled for annual report (due next week at the latest), Mr. Barham will review last years and write this year's report.

#### **MASTER PLAN**

Energy Chapter (Next Energy Committee meeting is January 19<sup>th</sup>, waiting on comments) – Discuss at next PB meeting. Mr. Kohlhofer would like to see a different strategy to come up with taxes and raise more revenue which lead to a discussion about formulas. Mr. Barham mentioned we were approximately 70 % built out.

There was more talk on revenue generation, different calculations and justification vs. Master Plan. Mr. Holmes Sr spoke about conservation savings/land vs. commercial/industrial and residential use. Mr. Kohlhofer joined in and Mr. Barham talked about open space. Mr. O'Brien asked about commercial taxation and what rate that would be?

**ZONING ORDINANCE RECODIFICATION** – Updates – still being worked on by Ms Rowden.

**SIGN ORDINANCE** - revision work to get underway

**7. INCOMING CORRESPONDENCE**

1. Dan Perry bond reduction letter sent
2. Randy & Cindy Grasso's letter (see above)

**OTHER IMPORTANT MEETINGS UPCOMING:** The Public Budget Hearing is next Tuesday January 12, 2016 at 7:00 pm at the Fremont Public Library. The snow date is Wednesday January 13, 2016.

The School District Deliberative Session is Saturday January 30, 2016 at 9:00 am with a snow date of Monday February 1, 2016 at 7:00 pm.

Town Deliberative Session is Tuesday February 2, 2016 at 7:00 pm with a snow date of Wednesday February 3, 2016. Deliberative Sessions are all held at Ellis School.

With no further business to come before the Board, Mr. Karcz made the motion to adjourn at approximately 8:25 pm. Motion seconded by Mr. Kohlhofer with unanimous favorable vote.

**Next regular meeting:** January 20, 2016

Respectfully submitted,

Bob Meade  
Building Inspector / Code Enforcement Officer

**ACTION ITEMS**

Zoning Ordinance Recodification  
Sign Ordinance  
DES ground water