

Present: Chair Brett Hunter, Vice Chair Jack Karcz, Members Roger Barham, Jack Downing, Andy Kohlhofer, and Leon Holmes, Alternate Member Tom O'Brien, Building Inspector Bob Meade, RPC Senior Planner Jenn Rowden, Town Engineer Dan Tatem, and Recording Secretary Casey Wolfe

Also present: Mark Pitkin, David Brown, Kevin Baum, Dennis Bombard, Joel Deblois, Arleigh Greene, James Watkins, Randy Grasso, Doug Andrew, Cindy Grasso, Renee King, Michele Martin, Hunter Phelps, Rick Sousa, Jake Donigian, Janet Donigian, and Tim Lavelle.

Mr. Hunter opened the meeting at 6:50 pm.

I. NEW BUSINESS

Public Hearing for a proposed amendment to Article XVIII Section 9.G., Fremont's Home Occupation Ordinance

Mr. Holmes made a motion to open the public hearing. Mr. Downing seconded that motion with all in favor. Mr. Kohlhofer made a motion to close the public hearing. Mr. Karcz seconded that motion with all in favor. Mr. Karcz made a motion to make the proposed change to the home occupation ordinance. Mr. Barham seconded the motion with all in favor.

II. MINUTES

Mr. Karcz made a motion to approve the minutes. Mr. Barham seconded that motion. The motion passed 4-0-2.

III. CIRCUIT RIDER BUSINESS

Ms. Rowden announced that at the next meeting the Planning Board should go over the sign ordinance and the zoning recodification.

The Board went on recess until 7:15 pm.

IV. OLD BUSINESS

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

Mr. O'Brien recused himself from this part of the meeting. Mr. Quintal informed the Board that Mr. Galloway was granted a variance to put storm water drainage structures in the wetland setback at the ZBA meeting on December 20th. Mr. Quintal met with Mr. Tatem on the 23rd. Since then, Stantec submitted one more review. Mr. Quintal went over the numbered letter from Stantec explaining how he addressed each issue. Ms. Rowden asked Mr. Quintal to change the plans to say "the owner" instead of "Mr. Galloway." Ms. Rowden put together a draft list of the conditions of approval prior to the meeting. She read through them:

1. All required state and federal permits received and permit numbers noted on the cover sheet.
2. The Notice of Decision regarding the variance granted by the ZBA on December X, 2016 be added to the cover sheet
3. The top elevation and depth of the monitoring well be added to the plan.
4. Note 16 from the cover sheet regarding excavation on the west side of the property is to be removed.
5. The Road Cross Sections at 50 foot stations on Shirkin Road must be added to the plan.
6. A note must be added to the cover sheet stating that the all existing utility poles will be relocated at least 8 feet from the travel way on Shirkin Road.
7. A note concerning the location where erosion control blanket will be use must be added to Sheet 7.
8. Any remaining comments in the Town Engineer's 1/4/2017 letter are addressed and a letter from the Town Engineer stating all comments have been satisfied is received.
9. A recordable Mylar with the cover sheet, Sheet 1 and Sheet 5.
10. All fees incurred by the Planning Board, including but not limited to consulting, engineering and legal fees, have been paid by the applicant.

Mr. Meade mentioned DES's concerns about the asbestos and lead that could be in the concrete brought on to the site. Ms. Rowden suggested that there could be a note about the owner following State regulations about solid and hazardous waste. There was a discussion about the note on monitoring wells on page 23. Mr. Tatem recommended that the Town hires the third party testing company and that Mr. Galloway provides the escrow. The discussion moved on to Seacoast Farm's tailings. Mr. Tatem said that this site plan will correct tailings in the buffer and will improve the quality of the buffer.

Mr. Hunter opened up the public comment. Ms. Grasso wanted to confirm that the note about following local and state regulations on hazardous waste will be on the plans. Ms. Rowden confirmed this. She also wanted clarification on the proposed length of the paved portion on the road. Mr. Quintal said that there will be 150 feet of pavement. Mr. Tatem said that the Board agreed to a 150-foot apron. He also added that since this is being proposed in the Town Right of Way, the Selectmen need to approve this change. Ms. Grasso also asked who is going to monitor what is being brought in for fill. Stantec will oversee what is brought in to the site to assure it meets State and Town standards.

Ms. King had a question about the dust that the trucks will create driving on the unpaved portion of Shirkin. Ms. Grasso added that Stantec initially suggested that the whole stretch gets paved. Mr. Pitkin commented that the surrounding properties will get bombed with dust. Ms. King felt that more businesses are not going to go back there if the road isn't fully upgraded. Mr. Greene was under the impression that the whole stretch is going to be paved. Mr. Barham felt that the 150 foot apron would be sufficient to minimize the dust. Mr. Baum commented that Stantec did initially advise that the whole stretch gets paved and that it is very hard for anyone to track this project. It would be a reasonable request to ask for a discussion on why the whole stretch will not be paved. Mr. Baum also wants to know if there will be an operations plan that describe how

materials will be accepted and rejected. He felt that abutters should be adequately protected. He also wanted to be sure that all of the Zoning Board's conditions made it on to the plans. Lastly, he wanted to know why the monitoring wells will only be tested annually and why they are only done with a prior advance notice.

Mr. Tatem proposed changing the schedule of testing the monitoring wells keeping in mind that these contaminants are solids and would therefore take years to contaminate the ground water. The conversation went back to Shirkin Road. Mr. Tatem said that for an operation of this size, these are significant off-site improvements. The Town and its residents are getting a lot of benefits from these improvements. It would take another \$50,000 to pave the rest of the road. The Town needs to ask for what is fair and reasonable. Mr. Greene felt that the plan was always for this to be a paved road. Mr. Kohlhofer agreed that asking the applicant to spend another \$50,000 would be unreasonable – there has to be a balance between what is fair to the applicant and what is fair to the abutters. Mr. Quintal said that there was never an agreement on paving the whole road. Paving the whole road would be above and beyond what is reasonable. The Galloway's are already paying for a big improvement to the road. Mr. Pitkin still felt that 150 feet would probably not be enough to control the dust. Mr. Tatem commented that with crushed gravel, there will be less dust.

Mr. Meade brought up Mr. Baum's concern for a lack of an operational plan. Mr. Meade said there are State laws and rules that govern solid waste. Mr. Baum still felt that it would be fair to incorporate this on the plans. That way, if the regulations change, they would still apply to the site plan. Ms. Rowden read from the August 3rd minutes regarding Shirkin Road. The minutes stated that it was not decided whether or not the road needs to be paved. However, the Stantec letter dated September 26th stated the exact opposite. Ms. Rowden said that the Board can have a discussion about the proposed 150 feet of pavement – it is not too late. Ms. Grasso requested that the whole road gets paved. Mr. Grasso brought up that when the Board took jurisdiction, the Board didn't limit the amount of trucks that could go in and out a day. Mr. Green felt that this was another good reason to pave the whole road.

Mr. Pitkin was concerned about the proposed spillways. Mr. Quintal responded that the spillways and detention ponds were moved to minimize cutting of trees. There was a discussion about hours of operation on Saturday. Mr. Baum reminded the Board that they can impose conditions to protect the abutters. Ms. Rowden said that the Board can continue the case to February, approve the application with conditions, or deny the application. Mr. Kohlhofer made a motion to close public comment. Mr. Holmes seconded that motion. Motion passed 6-0-0.

Ms. Rowden read aloud the conditions she added. Mr. Tatem recommended that a record of trucks coming into the site should be submitted to the Town on a monthly basis. There was more discussion about Shirkin Road. Mr. Quintal suggested using crushed asphalt instead of crushed gravel. Mr. Tatem suggested having the whole 1400 feet of road capped with three inches of reclaimed crushed asphalt. Mr. Karcz made a motion to approve the application with all of Ms. Rowden's conditions. Ms. Rowden read through the final conditions:

1. All required state and federal permits received and permit numbers noted on the cover sheet.
2. The Notice of Decision regarding the variance granted by the ZBA on December 20, 2016 be added to the cover sheet.
3. The top elevation and the depth of the monitoring wells be added to the plan.
4. Note 16 from the cover sheet regarding excavation on the west side of the property is to be removed.
5. A note concerning the location where erosion control blanket will be used must be added to Sheet 7.
6. Any remaining comments in the Town Engineer's 1/4/2017 letter are addressed and a letter from the Town Engineer stating all comments have been satisfied is received.
7. The owner of the property shall comply with all applicable federal, state and local regulations.
8. Note 20 on the cover sheet shall include a statement that the third party environmental consultant shall be selected by the Town of Fremont.
9. The Fremont Board of Selectmen must approve all improvements done within the Town right of way on Shirkin Road and Beede Hill Road.
10. Note 20 shall be amended to state that water quality testing of the monitoring wells and ponds shall occur prior to commencement of crushing operation to establish baseline conditions, 6 months after work has begun, at one year, and then annually with the condition that no results show a deterioration in water quality. If testing results show a decline more frequent monitoring may be required.
11. Note 12 shall be amended to state no crushing will occur on Saturdays.
12. Record of materials brought in by the truckload will be submitted to the Town monthly.
13. Three inches of reclaimed asphalt on top of three inches of gravel will be used to cap Shirkin road.
14. A recordable Mylar with the cover sheet, Sheet 1 and Sheet 5.
15. All fees incurred by the Planning Board, including but not limited to consulting, engineering and legal fees, have been paid by the applicant.

Mr. Kohlhofer seconded the motion. The motion passed 6-0-0. Everyone left at 9:30 pm.

V. NEW BUSINESS CONTINUED

Public Hearing for a Subdivision Application to subdivide the 24.24-acre parcel into two 12.12-acre parcels on Leavitt Road at Map 6 Lot 22 – Joel DeBlois

Mr. Hunters started the meeting up again at 9:34 pm. Mr. Holmes recused himself from this part of the meeting. Mr. Lavelle introduced the project to the Board. He explained the shared driveway would have to go through a wetland. He has already met with the Conservation Commission about this. Test pits were done in December. He went through the plans and mentioned a proposed 30-inch culvert. He got a new letter from Stantec earlier that day. Mr. Tatem said that Mr. Lavelle took care of most of his comments. There was a discussion about

monumentation and site distance. Mr. Tatem also suggested that the culvert be 36 inches instead of 30 inches. Mr. Kohlhofer made a motion to take jurisdiction of the application. Mr. Karcz seconded the motion. Motion passed 6-0-0. Mr. Hunter asked if the public had any comments. Mr. Kohlhofer made a motion to close public comment. Mr. Downing seconded the motion. Motion passed 6-0-0.

Mr. Lavelle read his waiver requests. Mr. Kohlhofer made a motion to open public comment. Mr. Karcz seconded the motion. Motion passed 6-0-0. There were no comments. Mr. Kohlhofer made a motion to close public comment. Mr. Downing seconded the motion. Motion passed 6-0-0. Mr. Kohlhofer made a motion to grant the waivers. Mr. Karcz seconded the motion. Motion passed 6-0-0. Ms. Rowden read through her suggested conditions:

1. A special exception to allow for filling of 760 square feet of wetlands, per Zoning Ordinance IX Section H2, is granted by the Zoning Board of Adjustments and the Notice of Decision is added to the plan.
2. The language for a driveway access easement is prepared by the applicant for approval by the Town. The easement is to be recorded with the plan at the Rockingham County Registry of Deeds.
3. Any remaining comments in the Town Engineer's 1/4/2017 letter are addressed and a letter from the Town Engineer stating all comments have been satisfied is received.
4. All required state and federal permits received and permit numbers noted on the plan.
5. A recordable Mylar of the plan is produced.
6. All fees incurred by the Planning Board, including but not limited to consulting, engineering and legal fees, have been paid by the applicant.

Mr. Kohlhofer made a motion to approve the subdivision with Ms. Rowden's conditions. Mr. Barham seconded the motion. Motion passed 6-0-0. Mr. Lavelle and Mr. Deblois left at 9:58.

Public Hearing for a Major Site Plan Application and a Conditional Use Application for a proposed 145 foot monopole-style personal wireless service facility located at Map 1 Lot 12 on Chester Road – Eco-Site, Inc.

As an abutter, Mr. Downing recused himself from this part of the meeting. Rick Sousa, who works for Eco-Site, introduced himself to the Board. He also introduced Ryan who is a radio frequency engineer for T-Mobil and Bob who is a site acquisition agent for T-Mobil. Mr. Sousa explained that they have the lease to develop the tower. These days there are really only four major carriers. There is a need for reliable coverage in the area. Ryan identified where the gap is in the coverage. He explained the colors in the presented map. Collocation was the first priority. The presented map illustrated what coverage will look like after the tower is built. The reason why the tower needs to be 140 feet is so that all four carriers can use the site. Bob explained that they look for large parcels of land because it gives them more flexibility. They picked the best place possible to keep out of the view of neighbors. They did fly a balloon test. They could only see the balloon from Nathaniel Brown Drive and they couldn't at all from other roads. Rick Sousa felt that they picked a good spot.

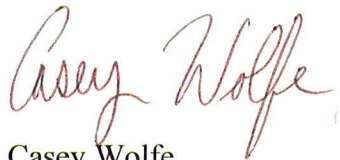
Ms. Rowden explained that the wireless ordinance gives the Board the ability to give waivers from the Zoning Ordinance, like the height limit. Mr. Tatem pointed out that the access road to the site is very steep. There has to be some kind of mitigation for the runoff. Ryan said to expect to have a response on this next week. Mr. Kohlhofer made a motion to open public comment. Mr. Barham seconded the motion. The motion passed 6-0-0. Mr. Kohlhofer felt that the balloon test pictures looked good. Mr. O'Brien made a motion to close public comment. Mr. Kohlhofer seconded the motion. Motion passed 6-0-0. Mr. Barham made a motion to approve the waiver from Article 15 Section D.1. for the height restriction. Mr. Karcz seconded the motion. Motion passed 6-0-0. The Board will revisit the other waivers requests at the next hearing. Mr. Barham made a motion to continue the hearing to February 8th at the Town Hall at 7pm. Mr. Karcz seconded the motion. The motion passed 6-0-0.

III. BUILDING INSPECTOR'S REPORT

Mr. Meade informed the Board that Mr. Ferwerda is working on his last lot in phase two of his site plan. He also gave the Board a heads-up about a potential subdivision on Sandown Road.

Mr. Kohlhofer made a motion to adjourn at 10:40 pm. Mr. Karcz seconded that motion with all in favor.

Respectfully Submitted,



Casey Wolfe
Land Use AA/Recording Secretary



January 4, 2017
File: 195112445

Mr. Brett Hunter, Chairman
Fremont Planning Board
PO Box 120
295 Main Street
Fremont, NH 03044

Dear Mr. Hunter:

**Reference: Fremont, NH - Galloway – Amended Excavation Site Plan
Tax Map 5 Lot 35
4th Review**

We have reviewed the following information, submitted by Civil Construction Management, Inc. (CCM) for the subject project, received on January 3, 2017:

- Amended Site Plan, Sheets 1 through 11, prepared by CCM, dated October 2, 2015, most recently revised on December 28, 2016
- Stormwater Drainage Analysis, prepared by CCM, dated September 2016, most recently revised on October 3, 2016
- Response email correspondence, prepared by CCM, dated December 30, 2016

This submittal was reviewed in response to a request by the Town of Fremont and was reviewed for conformance with the applicable sections of the Town of Fremont Site Plan Regulations as well as other relevant local and state regulations and accepted engineering practice. The original comments from our September 26, 2016 review letter are in *italics*, new or supplemental comments are in **bold** and comments that were addressed have been removed. We have the following comments:

- 50. A site specific construction sequence should be added to the notes. The construction sequence must be modified to require that all site work be completed and approved prior to the commencement of the crushing operation. In addition, notes must be provided requiring that all off-site work and the Beede Hill Road shim contribution be provided to the Town, prior to the commencement of the crushing operation. The similar notes on the Coversheet must also be revised. **Comment partially addressed. The off-site improvements were added; however, the contribution to the shim for Beede Hill Road was not added to these notes on Sheet 9.***
- 66. The proposed dry hydrant for the proposed fire pond must be fully designed and detailed and provided for review and approval. The design should include water tables, available water volume, potential sedimentation of the pond, details of the hydrant construction, etc. **Comment not addressed.***
- 74. The cross-section plans propose rock headwalls at the ends of the 18" cross pipe. A detail must be added for the construction of these headwalls. We recommend that the rock headwalls are revised to standard NHDOT precast concrete headwalls. **The***



January 4, 2017
Mr. Hunter, Chairman
Page 2 of 2

**Reference: Fremont, NH - Galloway – Amended Excavation Site Plan
Tax Map 5 Lot 35
4th Review**

notes were revised; however, a detail must still be added for the precast culvert headwalls.

75. *The proposed pavement radii must be specified for the intersection improvements at Shirkin Road and Beede Hill Road. **Comment partially addressed. Only one of the radii was labeled. The other one must be labeled as well.***
76. *Per Section 10.05.C.1, additional Shirkin Road cross sections must be added to the plans, providing cross sections every 50'. **Comment not addressed.***
77. *The installation of erosion control fabric should be specified for the proposed 2:1 fill slopes along Shirkin Road. A detail for the erosion fabric should also be added to the plans. **A detail was added; however, no notes were added, showing the limits of the proposed fabric installation on Sheet 7.***
82. *The Shirkin Road cross sections show a conflict between the road widening and the existing utility poles. In most areas, the poles will be located in the proposed gravel shoulder, less than 3' from the travel way. The Town Regulations reference AASHTO standards, which require obstructions, such as utility poles to be at least 8' from the proposed travel way. **Comment not addressed.***
86. *Note #16 on the Coversheet is unclear and should be explained or revised. **Comment not addressed.***

Please call if you have any questions.

Sincerely,

STANTEC CONSULTING SERVICES INC.

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Dennis Quintal, CCM (email)
Ridge Mauck, NHDES AoT (email)
Rene LaBranche, Stantec