



FREMONT PLANNING BOARD

March 6, 2012

Meeting Minutes

Approved March 20, 2013

Present: Chairman Roger Barham, Vice-Chair John (Jack) Karcz, Member John (Jack) Downing, Selectman Greta St. Germain, Building Official Bob Meade RPC Circuit Rider Jen Rowden, and Land Use AA/Recording Secretary Meredith Bolduc.

Mr. Barham opened the meeting at 7:15 pm.

BOARD MEMBERS/ALTERNATES

At the June 15, 2011 meeting and the March 7, 2012 meeting Mr. Barham designated Alternates Andrew Kohlhofer and Chris Silk, respectively, to fill the vacancies on the Planning Board until such time as the Selectmen have appointed someone to serve as a full Board Member to fill that vacancy. These appointments remain in effect.

MINUTES

Mr. Downing made the motion to approve the minutes of the February 20, 2013 meeting as written.

Motion seconded by Mr. Karcz with unanimous favorable vote.

RULES OF PROCEDURE

The Board received and reviewed a draft of the Planning Board Rules of Procedure that have been modified as directed at the last meeting.

Mr. Downing made the motion to accept the amended Rules of Procedure. (see attached)

Motion seconded by Mr. Karcz with favorable vote except for Mrs. St. Germain who abstained.

These amended Fremont Planning Board Rules of Procedure will be recorded at the Rockingham Registry of Deeds.

PSNH - Public Hearing

NORTH ROAD – A Designated Scenic Road

Present: PSNH Arborists Robert Berner, Ryan and Jill Tannian, owners of 134 Leavitt Road.

Mr. Barham opened this Public Hearing at 7:30 pm and read the public notice which was as follows:

In accordance with NH RSA 231:157-158 and RSA 231:159-189 you are hereby notified that the Fremont Planning Board will hold a Public Hearing on Wednesday March 6, 2013 at 7:30 p.m.

Planning Board Meeting Minutes
March 6, 2013

*at the Fremont Town Hall, Basement Land Use meeting room, relative to a proposal from Public Service of New Hampshire for removal of a tree beneath its power lines at 134 Leavitt Road, and on North Road which has been designated a scenic road by the Town of Fremont.
You are invited to attend in person or by counsel or agent.*

Mr. Barham stated that this Public Hearing was posted on February 12, 2013 at the Fremont Post Office, Fremont Town Hall and published in the February 18 and 25, 2013 editions of the Manchester Union Leader Newspaper.

Mr. Berner stated that PSNH needs to remove a tree on North Road, a designated Scenic Road, at 134 Leavitt Road which is a corner lot with frontage on both roads. The work was requested by the property owner and is necessary to insure the safe distribution of power and to improve the reliability of electric service. This is a large storm damaged oak tree that is threatening the PSNH lines. Mr. Berner said that PSNH has contracted with Asplundh Tree Expert Company to perform the removal of this tree which has been identified with a blue and white ribbon. All work will be performed in accordance with accepted arboricultural standards, brush and limbs will be chipped and the wood will be left on site unless otherwise directed by the landowner.

Mr. Tannian submitted some pictures that showed the tree with an area of rot in the trunk and a large limb has already fallen from the tree.

After some discussion by the Board, Mr. Downing made the motion that, based on the information presented, the Planning Board approve the request of Public Service of New Hampshire to allow removal of a tree identified as "a large storm-damaged tree" that is beneath the PSNH power lines at 134 Leavitt Road, and on North Road, which has been designated a scenic road by the Town of Fremont pursuant to RSA 231:158.
Motion seconded by Mr. Karcz with unanimous favorable vote.

At 7:45 pm Mr. Downing made the motion to close the Public Hearing.
Motion seconded by Mr. Karcz with unanimous favorable vote.

Mr. Barham asked Mr. Berner if there is something the Town can do to assist PSNH with removal of the hazard trees. Mr. Berner thanked Mr. Barham for his offer and explained that the process is the PSNH contractor notifies every homeowner, often by mailer, of trees that need trimming. He and said that the Board of Selectmen have the authority to supersede an objecting homeowner if there is a hazardous tree or trees.

JASON WHITE & LOU SERA
MAP 3 LOTS 54-1-8 & 54-1-9

Present: Jason White of JP Ventures Construction and Lou Sera of Arcus Homes.

At 7:50 pm Mr. White, owner of Map 3 Lot 54-1-9 and Mr. Sera, owner Map 3 Lot 54-1-8 met with the Board to discuss excess material to be taken off their Frost Lane lots, which incidental to construction of a home on each lot, and whether the Board feels there is a call for an Excavation Permit application. Mr. White said it was necessary to blast the large rock/ledge area that was on the lots in order to use them for building lots as they were approved.

Mr. White said they had the large rock/ledge blasted off and it created a total of about 8,000 cu yds of material (total for both lots). They have hired a crushing company. He said he understands that they are allowed to take 1,000 cu yds off each lot and they have about 3,000 cu yds per lot more than the regulations allow. Mr. White added that he and Mr. Sera want to use 3,000 to 4,000 cu yds of the material on the lots they own and are building on in the same subdivision and take the remaining 3,000 to 4,000 cu yds of the material off site. He said approximately 600 feet of Frost Lane will be impacted as the trucks will go from lots 8 & 9 to Beede Hill Road to take the material to MB Crushing in Epping. It was noted and discussed that the owners of the Merrill gravel operation, which is in the same area of Beede Hill Road as these Frost Lane lots, are required to go Beede Hill Road to RT 107, thus not impacting a Town road. Mr. Sera said that is not a problem and they are willing to go from Frost Lane right onto Beede Hill Road down Rt 107 to Rt 125 to Epping. He agreed to use that route for trucking the material.

Mr. Meade offered that when the lots were subdivided the regulations allowed for removal of 3,000 cu yds.

Mr. Barham said the 1,000 cu yds material removal limit is as a result of the development and because of the nature of these particular lots they needed to blast and remove the excess material putting them over the threshold of that limit.

Mr. Barham said he is comfortable with not requiring an excavation permit application at this time as long as the amount of material to be taken off site does not exceed 4,000 cu yds (total for both lots) as Mr. White stated. The other Members agreed.

Mr. Downing made the motion to allow the developers of Map 3 Lot 54-1-9 and Map 3 Lot 54-1-8, Jason White and Lou Sera, to remove up to 4,000 cu yds of material off each lot using approximately 2,000 cu yds on lots they own within the same development and removing the other approximately 2,000 cu yds from each lot offsite to the crushing company in Epping, NH without requiring an excavation permit.

Motion seconded by Mr. Karcz with favorable vote except for Mrs. St. Germain who abstained.

Mr. Meade said the Road Agent concerns were for the road and signage. Mr. White and Mr. Sera agreed to work with the Road Agent relative to his concerns.

At 8:00 pm Mr. White and Mr. Sera thanked the Board and left the meeting.

VISION CHAPTER OF THE MASTER PLAN

The Board reviewed the draft of the amended Vision Chapter of the Master Plan submitted by Mrs. Rowden. She said if the Members want more information in the chapter or if they want to the Conservation Commission to make comments they can be added in. The Members agreed that they want the Conservation Commission to review it and inform them that their 2006 information has been removed as it was outdated. Mrs. Bolduc will forward the Vision Chapter to the Conservation Commission Members for their review.

BUILDING OFFICIAL/CODE ENFORCEMENT OFFICER

Mr. Meade reported the following:

1. He has not received a return reply from Phillip & Karen Coombs', owners of 102 Chester Road (Map 1 Lot 025) to his January 29, 2013 letter relative to making an appointment with the Planning Board to discuss the activity at their property. Mr. Downing said the store has been open and they are selling things. The use has been closed for over three years and is different than what was approved for the previous owners. Board agreed to give them a little more time to respond before taking further action.
2. There have been several people interested in a property on Tavern Road that is very wet. The road would need to be brought up to town specs. There was a conversation relative to the lot and the necessary road upgrades.
3. The Merrill gravel operation on Beede Hill Road is bringing in a lot of material from the Walmart Distribution Center.
4. There has been recent interest in properties on Tibbetts Road.
5. May have a party who wants to have a second driveway on the property for a pole barn 125' off the road. There is a question of 2 driveways; the fire chief says he want access to the building.

COMMUNITY PLANNING GRANT

Mr. Barham said he applied for a grant for transfer development rights. The Board received a March 1, 2013 correspondence from Ben Frost, Community Planning Grant Program Director for the NH Housing Finance Authority, relating that Fremont's application submitted for transfer development rights was not chosen for the Round 2 CPG grant funding. Mr. Frost offered to do a telephone consultation with Mr. Barham to review the application.

The first round (2012) was to conduct a regulatory review of the sum of the Town's ordinances and regulations was not chosen for Round 1 CPG grant funding.

A thank you letter will be sent to Mr. Frost and the NH Housing Finance Authority for their consideration of the application.

WORK SESSION

Mr. Karcz and Mr. Downing agreed to meet at 1:00 pm on Tuesday March 12, 2013 at the Town Hall Basement Meeting room for a work session to review Development Agreements and some amendments to the Subdivision Regulations and the Site Plan Review Regulations that Dan Tatem had previously suggested.

MS3 – (SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM) STORMWATER MANAGEMENT PLAN

Mr. Barham said that Fremont comes within the limits of the requirements of the EPA storm water management. He reported that Board has not received correspondence from NH DES relative to the application for a waiver to the requirement for the Town to create a stormwater management plan that was submitted for Fremont.

Mr. Barham said he plans to attend the March 7, 2013 public meeting on the Draft Small MS4 (Small Municipal Separate Storm Sewer Systems) Permit in Exeter which is hosted by the

Planning Board Meeting Minutes
March 6, 2013

Seacoast Stormwater Coalition. This meeting will include a presentation focusing on the six minimum control measures, discharges to impaired water bodies, and discharges to Great Bay. He will report back to the Board at the next meeting.

MEMBER

Mrs. Bolduc reported that a February 12, 2013 correspondence was sent to Mr. Silk relative to his status as an Alternate with the Board as he has not attended a meeting for more than 6 months. The Board has not received a return correspondence.

LEGISLATIVE BILLS

The following bills are among those introduced for the 2013 Legislative Session. Mrs. Bolduc will follow these bills and report any results to the Board.

- Senate Bill 49: This bill provides for appeals of planning board decisions concerning a subdivision or site plan to the board of adjustment prior to appeal to the superior court.
- Senate Bill 50: relative to expiration of variances and special exceptions.

INCOMING CORRESPONDENCE

There was no incoming correspondence.

Mr. Karcz made the motion to adjourn at 9:10 pm.
Motion seconded by Mr. Downing with unanimous favorable vote.

Next regular meeting: March 20, 2013.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary

ACTION ITEMS

From the February 20 meeting:

- Bolduc: modify the ROP to include the changes agreed upon at tonight's meeting and send it to the Members. Completed.
- Rowden: Update and revise the draft of the Vision Chapter of the Master Plan. Completed.

From the March 6, 2013 meeting:

Bolduc:

- Forward the Vision Chapter to the Conservation Commission Members for their review.
- Send a thank you letter to the NH Housing Finance Authority for their consideration of the grant application.

Planning Board Meeting Minutes
 March 6, 2013

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.
- Vision Chapter of MP - Funded with the 2012 Targeted Block Grant (TGB); completion date of June 30, 2012. Paid Towns share of **2,500** in November 2011. 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.

Updated project timeline table below.
 RPC

Projects Non-CTAP	Status	2009 30 June	2010 30 June	2010 22 Sept	2010 27 Oct	2012	2012 April 30	2012 June 30
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 Vision Chapter update	Pending							Contract Completion date
MP Energy Chapter	Pending					Completion date		