

# JONES & BEACH ENGINEERS INC.

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November 23, 2021

Fremont Planning Board  
Attn: Paul Powers, Chairman  
295 Main Street  
PO Box 120  
Fremont, NH 03044

**RE: Response Letter  
Main Street, Fremont, NH  
Tax Map 2, Lot 70  
JBE Project No. 20724**

Dear Mr. Powers,

We are in receipt of comments from Steven Keach from Keach-Nordstrom Associates, Inc. dated November 3, 2021. Review comments are listed below with our responses in bold.

## **General Comments:**

- 1. It appears this proposal requires the following State Agency permits: (a) NHDES Subdivision Approval; (b) a NHDES Alteration of Terrain Permit; (c) a NHDOT Driveway Permit; (d) NHDES Water Supply Bureau Approval; and (e) NHDES Construction Approval for each of two planned on-site community subsurface sewage disposal (septic) systems. We recommend: each required State Agency permit be received prior to or as a condition of any approval ultimately granted by your Board; and each resulting permit be referenced in the form of a note on the Cover Sheet of the final site plan.*

**RESPONSE: Applicant will be submitting to NHDES and NHDOT for the appropriate permits. Required permits have been labelled on the Cover Sheet.**

- 2. We recommend any approval granted to this application be conditional upon the applicant's execution of a Site Plan Development Agreement, as well as submittal of a performance guarantee, in an amount and form acceptable to the Town, pursuant to the requirements of Sections 1.18 and 1.21 of the Site Plan Review Regulations respectively.*

**RESPONSE: Applicant is aware of this requirement.**

**Zoning Matters:**

1. *As shown on the project plans this application is being advanced as an Elderly Open Space Development under authority of Article 13 – Section 1301 of the Zoning Ordinance. Based upon our careful consideration and review of the applicant's submittal we offer the following remarks at this time:*

- a. *We recommend note No. 1 on Sheet 4 be expended to reference Article 13 – Section 1301 of the Fremont Zoning Ordinance.*

**RESPONSE: Note 1 on Sheet 4 has been expanded to reference Article 13, Section 1301 of the Fremont Zoning Ordinance.**

- b. *We recommend a note be added to Sheet 4 for the purposes of acknowledging the subject development tract satisfies applicable minimum lot area (20 acres) and frontage dimension (50 feet) required under Article 13 – Section 1301.2.A of the Zoning Ordinance for Elderly Open Space Development.*

**RESPONSE: A note has been added to Sheet 4 for the purposes of acknowledging the subject development tract satisfies applicable minimum lot area and frontage dimension required under Article 13 – Section 1301.2.A of the Zoning Ordinance for Elderly Open Space Development, see Note #3, Sheet C2.**

- c. *We recommend the Planning Board confirm total number of existing and proposed elderly housing units available within the Town of Fremont will not exceed the maximum permitted under Article 13 – Section 1301.2.B of the Zoning Ordinance upon approval of the current application.*

**RESPONSE: Applicant has discussed this issue with Town Staff.**

- d. *Note No. 3 on Sheets 4 & 5 take the form of density calculations intended to demonstrate the applicant's proposal satisfies the requirements of Article 13 – Section 1301.2.C of the Zoning Ordinance. These calculations contain a mathematical error. Specifically, the calculations derive what amounts to a net-developable area value of 12.54 acres before proceeding to multiply that area value by the maximum attainable density allowance of 2 bedrooms per acre permitted in the Aquifer Protection District under Article 13 – Section 1301.2.C of the Ordinance. As presented, Note No. 3 suggests the product of this simple multiplication is 43 bedrooms, which is mathematically incorrect. The correct product is 25.08, which translates to a maximum density of 25 bedrooms. Since this application contemplates a development density of twenty-two, 2-bedroom dwelling units (a total of 44 bedrooms) this error is fundamentally problematic. It should also be acknowledged these calculations cite net-developable land area values of 606,867 square feet at Note No. 2 and 606,367 square feet at Note No. 3. We believe the Note No. 2 value of 606,867 square feet is correct. We recommend Notes No. 2 & No. 3 be rechecked and corrected accordingly.*

**RESPONSE: Notes 2 and 3 have been rechecked and revised accordingly. A mathematical error in the density calculations resulted in the project being revised to 13-units.**

*e. We recommend a note or notes be added to Sheet 4 for the purposes of reciting various dimensional requirements of Article 13 - Section 1301.2.D of the Zoning Ordinance applicable to Elderly Open Space Development.*

**RESPONSE: Note #2, Sheet C2 has been revised to depict the dimensional requirements of the Elderly Open Space project.**

*f. Article 13 - Section 1301.2.E of the Ordinance requires provisions for a minimum of two on-site parking spaces per dwelling unit. We recommend the applicant demonstrate how this requirement will be satisfied under this proposal.*

**RESPONSE: Each unit to include an interior garage space and exterior space in front of the garage. A note to this effect is included, see Note #19, Sheet C2.**

*g. Article 13 - Section 1301.2.J of the Ordinance specifies requirements for pedestrian access. We recommend the applicant address these standards to the satisfaction of the Planning Board. As presented, the current project plans are silent in regard to the same.*

**RESPONSE: Pedestrian access to occur via the one-way street and existing woods road trails through the open space.**

*h. Article 13 - Section 1301.2.L of the Ordinance contains specific requirements for landscape design. Again, as presented the site plan is currently silent in regard to proposed landscaping.*

**RESPONSE: Landscape plan has been included in the revised plan set, see Sheet L1.**

*i. Article 13 - Section 1301.2.N of the Ordinance requires "all roads within the development – whether owned privately or not – be built according to Town standards." That said, Section 1301.2.O of the Ordinance goes on to authorize the Planning Board to approve variations in these standards when deemed appropriate. In the current instance, as shown on Sheet 15, the applicant proposes private road construction bordered by curbing rather than gravel shoulder specified under the current Town roadway standards. In our opinion the proposed use of curbing, in lieu of gravel shoulders, will serve to enhance the proposed development for several reasons. On that basis we recommend the Planning Board endorse use of curbing, in lieu of gravel shoulders, in this instance.*

**RESPONSE: No response required.**

*j. Article 13 - Section 1301.2.P of the Ordinance requires compliance with HUD's Fair Housing Accessibility Guidelines. We recommend the applicant demonstrate the intent to comply with this requirement.*

**RESPONSE: The Fair Housing Accessibility Guidelines do not apply to the proposed units.**

2. *We recommend the applicant submit draft copies of future condominium or homeowners' association documents intended to satisfy the requirements of: Article 13 – Section 1301.3.C, relative to protection of common land and open space; Section 1301.4, relative to ownership, governance and operation of the future condominium; and Section 1301.7, relative to age based residency restriction. Upon receipt, we recommend the draft documents be submitted to Town Counsel for review and comment.*

**RESPONSE: Draft HOA documents will be submitted once drafted.**

3. *Does the applicant propose installation of site entrance signage? If so, we recommend the location and design of such signage be provided in sufficient detail to demonstrate compliance with applicable provisions of Section 16 of the Zoning Ordinance, as well as Section 1.10.2 of the Site Plan Review Regulations.*

**RESPONSE:** The location and design of the site entrance sign has been added to the plans.

#### **Planning/Design Matters:**

1. *We recommend the project plans be stamped by each of the various licensed professionals who contributed to preparation of the same.*

**RESPONSE:** The plans will be stamped all licensed professionals for the final submission.

2. *A review of the municipal Zoning Map suggests land abutting the subject parcel to the south of Red Brook Road is situated in the Flexible Use District. We recommend Sheets 2 & 4 of the site plan be expanded to acknowledge the existence and location of this zoning district boundary.*

**RESPONSE:** Sheets 2 & 4 have been expanded to acknowledge the existence and location of this zoning district boundary.

3. *Sheets 2 and 4 of the site plans correctly indicate inspection of the Fremont Prime Wetlands Map identify much of the southerly portion of the subject parcel as "prime wetland". We recommend the drawings be expanded to identify the location of prime wetland boundary.*

**RESPONSE:** Sheets 2 & 4 have been expanded to identify the location of prime wetland boundary.

4. *We recommend the word "show" be replaced with the word "shown" at Note No. 2 on Sheet 2. Similarly, we recommend the spelling of the word "perimeter" be corrected in the text of Site Note No. 2 on Sheet 4.*

**RESPONSE:** Note No. 2 on Sheet 2 has been revised to say "shown" not "show". Also, the word perimeter has been corrected in the text of Site Note No. 2 on Sheet 4.

5. *We recommend the site plan be expanded to specify proposed form of unit ownership. As graphically depicted, it appears this proposal contemplates a zero-lot line layout of individual dwellings or units, surrounded by common area, under a condominium form of ownership. If so, we recommend a note or notes to that effect be provided on the site plan. Further, as an open space development, we presume all common land and open space is to be owned in undivided interest by future homeowners. If so, we recommend that intent be specified on the final site plan.*

**RESPONSE:** Units will be condominiums. See Sheet A1.

6. *We recommend Main Street/NH Route 107, Copp Drive and Red Brook Road be labeled on each applicable drawing.*

**RESPONSE:** Main Street/NH Route 107, Copp Drive and Red Brook Road have been labeled on each applicable drawing.

7. *We recommend tract boundaries be defined by metes and bounds on the final site plan.*

**RESPONSE:** Tract boundaries will be defined by metes and bounds on the final site plans.

8. *We recommend Sheet 5 be expanded to specify design radii of all proposed pavement curves and flares.*

**RESPONSE:** Sheet 5 has been expanded to specify design radii of all proposed pavement curves and flares.

9. *We recommend the project plans indicate the name of the proposed private street.*

**RESPONSE:** The project plans have been revised to indicate the name of the proposed private street.

10. *We recommend Sheet 4 be expanded to include the following note: "The ways shown on this plat are intended by the owner/applicant and the Town of Fremont to be platted, constructed and maintained as a private road. The recording of this plat shall not be construed as an offer of dedication of this way as a public highway under New Hampshire Law of dedication and acceptance".*

**RESPONSE:** The requested note has been added to Sheet C2.

11. *It appears Open Space Calculations presented at Note No. 4 on Sheet 5 contain extraneous text unrelated to the current application.*

**RESPONSE:** Open Space calculations have been revised as required.

12. *In the event the applicant anticipates phasing of roadway and infrastructure construction we would recommend a detailed phasing plan be provided.*

**RESPONSE:** Applicant is aware of this requirement.

13. *As shown on Sheet 7 a 2:1 cut embankment slope is planned to the immediate northwest of proposed Units 1 through 4. Immediate proximity of this steep cut slope to proposed dwelling units raises concerns related to management of ground and surface water, slope stability, building access and general aesthetics. We recommend the design engineer reevaluate this planned configuration.*

**RESPONSE:** Design in the northwest corner of the project has been revised.

14. *As shown on Sheet 10 less than one vehicle length of moderately slope platform will be available at the intersection of the proposed site driveway and Main Street prior to transitioning to an 8.0% downgrade into the planned development. On the basis of motorist safety, we recommend the design engineer re-evaluate the planned vertical alignment of the proposed interior roadway.*

**RESPONSE:** Profile has been revised to provide addition platform prior to the intersection.

15. *We recommend design data for pipe segment P-203 be specified on the drawings.*

**RESPONSE:** Design data for pipe segment P-203 has been specified on the plans.

16. *Sheet 10 suggests design slope of pipe segment P-205 is to be 0.006. Based upon pipe length and invert data provided we believe the correct slope to be 0.06.*

**RESPONSE:** Slopes have been revised as required.

17. *We recommend the design engineer recheck and correct invert-out elevation and pipe slope for segment P-204 reported on Sheet 10 for accuracy.*

**RESPONSE: Slopes have been revised as required.**

18. *Based upon information presented on Sheets 7 & 8 it appears the design engineer intends to at least partially infiltrate stormwater runoff from roof surfaces into the ground via crushed stone drip edge installed around the perimeter of each building. If so, we recommend a typical detail of this construction be added to the site plan. In addition, we recommend site and soil conditions be evaluated in order to demonstrate feasibility and effectiveness of this practice at the subject location.*

**RESPONSE: A typical detail has been added to the site plan.**

19. *We recommend Sheets 7 & 8 be expanded to provide a fully detailed erosion and sedimentation control plans.*

**RESPONSE: Sheets 7 & 8 have been expanded to provide fully detailed erosion and sedimentation control plans.**

20. *The site plan suggests this site is to be served by two on-site community water supply systems. If so, we recommend detailed plans and specifications for system construction be provided either prior to or as a condition of site plan approval.*

**RESPONSE: Applicant is working to provide the required information.**

21. *As shown on Sheet 9 it appears one or more septic tanks and sanitary sewer lines are to be situated within the protective radii of both proposed on-site water wells. This appears inconsistent with applicable NHDES requirements.*

**RESPONSE: Tanks and lines have been relocated outside the 50' radius requirement.**

22. *We recommend the site plan be expanded to include details of any proposed exterior lighting accommodations in a manner consistent with applicable requirements of Section 1.15-2 of the Site Plan Review Regulations.*

**RESPONSE: No site lighting is proposed.**

23. *We recommend the site plan be expanded to specify the manner in which resident generated household garbage is to be temporarily stored on site prior to off-site disposal.*

**RESPONSE: Dumpster pad has been depicted on the revised Site Plans.**

24. *Given the relative density of dwelling units and driveways we recommend the site plan be expanded to identify reasonable accommodations for winter snow storage.*

**RESPONSE: Site has been redesigned. Snow to be stored at edge of pavement.**

25. *We recommend the site plan be expanded to include all "checklist type" information specified under Section 1.13.S of the Site Plan Review Regulations. As currently presented, much of this required information does not appear to have been provided.*

**RESPONSE: The site plan has been expanded to include all "checklist type" information specified under Section 1.13.S of the Site Plan Review Regulations.**

26. *We recommend Sheet 7 be expanded to acknowledge design speed and corresponding all season safe intersection sight distance values corresponding with the applicable local standard specified under Section 10.02.R.4 of the Subdivision Regulations.*

**RESPONSE: Highway Access plan, HA1, has been added depicting the required information.**

27. *We recommend Sheets 7 & 8 be expanded to label additional existing grade contour elevations and to provide finish "spot grade" elevations at critical locations.*

**RESPONSE: Sheets 7 & 8 have been expanded to label additional existing grade contour elevations and to provide finish "spot grade" elevations at critical locations.**

28. *We recommend roadway centerline control data be added to Sheet 10 of the final site plan.*

**RESPONSE: Roadway centerline control data has been added to Sheet 10.**

Included with this submission are the following:

1. Six (6) Full Size Plan Sets.
2. Eight (8) Half Size Plan Sets.

If you have any questions, please feel free to contact our office. Thank you for your time.

Very truly yours,

**JONES & BEACH ENGINEERS, INC.**



Barry Gier, P.E.

Vice President

cc: Gary Densen, Densen Construction, Inc. (via email)  
Steve Keach, Keach-Nordstrom Assoc, Inc. (via email & U.S. Mail)