

December 15, 2021

Ms. Leanne Miner; Land Use Administrative Assistant  
Fremont Planning Board  
Post Office Box 120  
Fremont, New Hampshire 03044

Subject: **Haus Emily, LLC - Elderly Open Space Development**  
**Main Street (Map 2 – Lot 70); Fremont, New Hampshire**  
KNA Project No. 21-1020-3

Dear Ms. Miner:

As you may recall, on November 3<sup>rd</sup> and November 30<sup>th</sup> we issued letter reports pertaining to the subject application. Within each report we offered a series of technical comments and recommendations generated as a result of our consideration and review of submittals of project plans and application materials received through each date. Earlier today we received a copy of a subsequent submittal consisting of copies of the following documents:

- A cover letter addressed to the Planning Board, prepared by the applicant's consultant on December 06, 2021;
- Project plans (21 drawings) dated October 06 and last revised on December 06, 2021; and
- A trip generation memorandum, entitled "ITE Traffic Memo", dated December 14, 2021.

Based upon our careful consideration and review of the current submittal we are pleased to advise that it appears that the applicant's consultant was able to satisfactorily address a number of our previous comments and recommendations. Accordingly, our remaining remarks are limited to the following at this time:

#### **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. Accordingly, we continue to 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.

2. We continue to 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.

## **Zoning Matters**

1. 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 continue to 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.
  - b. Article 13 - Section 1301.2.L of the Ordinance contains specific requirements for landscape installation. Again, we previously remarked that “as presented the site plan is currently silent in regard to proposed landscaping.” In response, the applicant's consultant added Sheet 12 (L1) to the site plan. As shown on this drawing, the applicant currently proposes to install a prototypical arrangement consisting of a single tree and ten shrubs in a uniform manner in immediate vicinity of each of thirteen proposed dwellings, as well as a half-dozen arborvitae to the interior of the northerly parcel boundary in the vicinity of Units 1 through 3. As we remarked in correspondence of November 30<sup>th</sup>, given the language of Section 1301.2.L it appears this approach may be somewhat less than that envisioned by the Ordinance which states: “elderly housing developments shall be landscaped to enhance their compatibility with surrounding areas, with emphasis given to utilization of natural features where possible ...”. On that basis we continue to recommend the applicant and Planning Board review and discuss landscape treatment and the final site plan be amended or revised to the extent necessary to reflect outcome of such discussion. In particular, we recommend consideration be given to installation of additional tree and shrub plantings at the following locations: (a) along that segment of Liberty Lantern Road extending southwesterly from Main Street to the interior intersection of Liberty Lantern Road with itself. In addition to providing an aesthetic amenity at the project entrance, careful placement of plantings in this area would serve as a functional buffer to and from adjoining single family dwellings fronting on Main Street; (b) in the rear yard areas of Units 11 through 13 to reduce direct visibility between the back of these homes and the front façade of Units 8 through 10; and (c) the immediate vicinity of the fenced dumper enclosure and mail station/water system pump house.
2. We continue to 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. We recommend draft documents be submitted to Town Counsel for review and favorable comment be received prior to or as a condition of application approval.

### **Planning/Design Matters**

1. We continue to recommend the project plans be stamped by each of the various licensed professionals who contributed to preparation of the same.
2. The site plan suggests this site is to be served by an on-site water supply system. We continue to recommend detailed plans and specifications for system construction be provided either prior to or as a condition of site plan approval.
3. As shown on Sheet 10, as many as four septic tanks and corresponding sanitary sewer lines are to be situated within the protective radii of on-site water wells. Part Env-Wq 1008.07 (b) of the New Hampshire Code of Administrative Rules (Rules) specifies: “No portion of a septic tank, bed, pump chamber, or other ISDS component shall be within a protective well radius that is accorded full recognition pursuant to Env-Wq 1008.08, except as allowed by Env-Wq 1008.04 (c)”. Correspondingly, if it is the applicant’s intent to maintain system layout as presently configured, we would recommend applicable site plan drawings be amended to demonstrate compliance with cited provisions of Env-Wq 1008.04 (c) pertaining to sanitary sewer pipe materials and structure coating/sealant.
4. In response to an earlier remark offered by this office the applicant’s consultant has amended Sheet 12 (L1) to specify building mounted exterior lighting fixtures are to be installed at garage entrances to each proposed dwelling. A detail of the selected fixture has also been provided on Sheet 19. While we anticipate the level of illumination provided may be sufficient for each dwelling/driveway, this accommodation will do little to provide for a reasonable level of exterior lighting at several critical common areas of the condominium. Accordingly, we recommend consideration be given to providing a modest level of nighttime lighting at the following locations: (a) at the main site entrance at Main Street. The intent here is not necessarily to fully illuminate the intersection but rather to afford nighttime recognition for motorists operating on Main Street as to the location of the proposed private street; (b) at the interior intersection of Liberty Lantern Road with itself; and (c) in the vicinity of the proposed mail station.
5. As acknowledged above, in order to satisfy the requirements of Section 1.15.M of the Site Plan Review Regulations the applicant’s consultant has prepared and submitted a trip generation memorandum. In our view this planned senior adult housing community is properly captured by the ITE Land Use Code (LUC 251) utilized by the consultant. Accordingly, we take no exception to average weekday AM, PM and Weekday Total trip generation estimates provided by the consultant.

Ms. Leanne Miner  
December 14, 2021

6. We continue to recommend the Drainage Report be expanded to fully address all applicable requirements of Section 1.20 of the Site Plan Review Regulations relative to stormwater management. Although the consultant's cover letter of December 6<sup>th</sup> suggests this earlier remark was addressed, we have yet to receive a copy of the revised Drainage Report.

We trust you will find the foregoing comments and recommendations useful in your continued consideration and review of the subject application. Please contact the writer at your convenience in the event you should have specific questions or further instructions at this time.

Sincerely:

Steven B. Keach, P.E.  
President  
Keach-Nordstrom Associates, Inc.