

**Board Members Present:** Chair Paul Powers, Vice Chair Andrew Kohlhofer, Ex Officio Roger Barham, Members Jack Karcz.

**Also Present:** Administrative Assistant Leanne Miner; Mike Rislove of Fremont Land LLC; Bill Gregsak of Gregsak & Sons, Inc.

## **I. WELCOME**

Mr. Powers opened the meeting at 7:06PM.

## **II. MINUTES**

**Mr. Karcz made a motion to approve the meeting minutes for October 4, 2023 as amended. Mr. Kohlhofer seconded the motion and the motion passed 4-0.**

**Mr. Powers appointed Ms. Miner as a voting member for tonight's meeting so there would be an odd number of members voting.**

## **III. CONTINUED BUSINESS –**

- 1. Map 2, Lot 151-2-4 - Site Plan Review -** Play Laugh n Grow Childcare and Preschool proposes to construct a 7,456 square foot facility on Iron Horse Drive. The facility will provide childcare and preschool services and will house 150 occupants including staff. The Applicant has also submitted an application for a Conditional Use Permit (CUP) in accordance with Fremont Zoning Ordinance Article 7, Section 705 (Main Street District) and Article 8. A CUP is also required for the Aquifer Protection District.

Applicant Representative, Bill Gregsak, distributed the following documents and addressed the Board providing the following updates.

**Materials:** Plan Set (9 sheets) dated August 1, 2023, last revised per Town Engineer review letter 9/27/23 on 10/1/23, received at the meeting 10/18/23

Responses to Conditional Use criteria for Main Street District and Aquifer Protection District  
Architectural Rendering (2 sheets) for the Raymond NH Facility that is the same planned for this site.

**Updates** in response to Planning Board comments on 10/4/23 and Town Engineer review letter September 27, 2023:

Added a sidewalk in front of the building to address drop-off and pick-up, fenced in dumpster area, sign for the business out front, and lighting in the parking lot.

Architectural renderings were provided as required. The set provided is for the Raymond facility. The owners are planning to build the same facility at this Fremont location.

Written responses were provided in response to CUP requirements for the Main Street and Aquifer Protection Districts.

A hydrogeology report is being prepared by GeoInsight. The Applicant is also required to apply for a Non-Transient Non-Community (NTNC) Public Water System. That process requires investigations for water quality and quantity and could be part of conditional approval.

The Builder has been in contact with the Fire Chief and they are discussing fire protection needs. A cistern may be required. More information to be provided.

**Discussion:**

There was discussion regarding method of child drop off and pick up (See Planning/Design Matters Item 2 of Town Engineer review letter). Mr. Gregsak explained that the curbing is meant to facilitate both. After some discussion it was agreed that Mr. Gregsak will follow up with the Town Engineer on this topic.

Regarding Inspection and Maintenance of porous pavement (See Planning/Design Matters Item 4 of Town Engineer review letter), Mr. Gregsak noted that this was addressed in the Drainage Report (on the Inspection Form) and that he would follow up with the Town Engineer on this matter as well.

The only item outstanding is the Hydrogeologic Study. The Board and Mr. Gregsak discussed schedule and time limits if jurisdiction is taken into consideration. Mr. Gregsak expressed confidence that the study would be provided in time or that he would be amenable to continue the hearing should that not be the case.

**Mr. Karcz made a motion to accept jurisdiction of the Site Plan Review Application for Play Laugh and Grow Childcare Center at Map 2, Lot 151-2-4. Mr. Kohlhofer seconded the motion and the motion passed 5-0.**

Mr. Powers directed the Board to review and discuss the Conditional Use Permits next. Ms. Miner reiterated Conservation Commission members commented that this was a good use for property in the Aquifer Protection District. The Board reviewed responses provided and agreed favorably with criteria responses provided on both applications. The type of data and process for getting approval from the NH Department of Environmental Services (NHDES) for the NTNC Public Water System were discussed.

**Main Street CUP**

**Mr. Karcz made a motion to open the hearing for public comment on the CUP for the Main Street District for Play, Laugh and Grow Childcare Center at Map 2, Lot 151-2-4. Mr. Kohlhofer seconded the motion and the motion passed 5-0.**

No comments were made specific to the application.

**Mr. Karcz made a motion to close the hearing for public comment on the CUP for the Main Street District for Play, Laugh and Grow Childcare Center at Map 2, Lot 151-2-4. Mr. Kohlhofer seconded the motion and the motion passed 5-0.**

**Mr. Karcz made a motion to approve the Conditional Use Permit for the Main Street District for Play, Laugh and Grow Childcare Center at Map 2, Lot 151-2-4 based on responses to requirements to the satisfaction of the Board. Mr. Kohlhofer seconded the motion and the motion passed 5-0.**

**Aquifer District CUP**

**Mr. Karcz made a motion to open the hearing for public comment on the CUP for the Aquifer Protection District for Play, Laugh and Grow Childcare Center at Map 2, Lot 151-2-4. Mr. Kohlhofer seconded the motion and the motion passed 5-0.**

No comments were made specific to the application.

**Mr. Karcz made a motion to close the hearing for public comment on the CUP for the Aquifer Protection District for Play, Laugh and Grow Childcare Center at Map 2, Lot 151-2-4. Mr. Kohlhofer seconded the motion and the motion passed 5-0.**

**Ms. Miner made a motion to approve the Conditional Use Permit for the Aquifer Protection District for Play, Laugh and Grow Childcare Center at Map 2, Lot 151-2-4 based on responses to requirements to the satisfaction of the Board and with the expectation that detailed hydrogeologic information including data on water quality and quantity will be provided as part of the Non-Transient, Non-Community Public Water System application process. Mr. Karcz seconded the motion and the motion passed 5-0.**

Meeting logistics and expectations were discussed.

**Ms. Miner made a motion to continue the public hearing for the Site Plan Review Application for Play, Laugh and Grow Childcare Center at Map 2, Lot 151-2-4 to November 1, 2023 at 7PM.**

Mr. Gregsak and Mr. Rislove left the meeting at 7:35PM.

#### **IV. NEW BUSINESS –**

- 1. Waiver Request Impact Fee - Nicole and Adam Cloutier, Owners 88 Deer Run -** Nicole and Adam Cloutier, Owners 88 Deer Run – Impact Fee Waiver Request. The Board reviewed a letter request from the Cloutier’s dated September 25, 2023 (received October 12, 2023) detailing the basis of their request. The Rockingham Planning Commission (RPC) reviewed the request on behalf of the Planning Board and provided a comment memorandum dated October 12. Both documents were distributed and discussed. The Cloutier’s addressed the Board explaining how they perceived the impact fee and that it should not be applied to their new home construction as they are moving within the Town. Members of the Board commented about the process the Board went through in 2020 with a consultant when the Impact Fee was questioned by others due to falling student enrollment. At that time the Planning Board worked with Ellis School, Bruce Mayberry (technical consultant), and held a number of meetings and a public hearing where the school impact fee was discussed and approved. The RPC memo addressed the Cloutier’s request as well explaining that “the owners’ argument that previously paid taxes on the vacant lot should be considered toward calculation of the Impact Fee is irrelevant. Impact Fees are designed to be assessed on new construction to help offset incremental additional costs to the Town for the additional burden caused by said new construction.” The Board informed the Cloutier’s that a Waiver to this fee could not be granted and recommended they educate themselves further with materials available on the Planning Board’s web page and review videos from the hearing available at FCTV. The Cloutier’s thanked the Board and left at 750PM.

#### **V. CONTINUED BUSINESS –**

- 1. Regulation Updates -** Fremont Zoning Updates for the 2023/2024 season under discussion include the following:
  - a. Article 13 – Amendments to Elderly Open Space Preservation Development
  - b. Articles 4 and 7 Definitions and Districts for Use for Storage facility and Warehouse.
  - c. New Article - Solar Ordinance
  - d. Revisit Buffer requirements for the Open Space Preservation development.

No updates were made or discussed at this meeting.

## **VI. ADMINISTRATION, OTHER**

- 1. Circuit Rider Business** – Glenn Coppelman’s temporary consulting is no longer needed. Madeliene DiIonno will return November 1 as the Circuit Rider Planner
- 2. Incoming Correspondence and Project Updates -**
  - a. CIP – Ms. Miner needs to follow up with a couple of departments and add available funds to the CIP spreadsheet. She will distribute upon completion of these tasks.
  - b. Construction Report –
    - (1) Liberty Lantern** – Fremont’s Consulting Town Engineer and Field Engineer, Keach Nordstrom Associates, Inc. (KNA), have reviewed project completion to date. The Field Engineer has inspected Unit 8. The last remaining items before a Certificate of Occupancy for Unit 8 may be granted include curbing and the gravel wetland. Currently the storm drains are covered as the gravel wetland and drainage system is mostly completed. Once the wet pond is completed, the storm drains may be opened. The curbing will be installed with the final wearing course. The Town Engineer has reviewed the installation of filtrex soxx along the roadway and storm drainage areas to mitigate siltation as a temporary measure and finds it acceptable given site conditions and conditions specific to Unit 8. A performance bond must be posted for remaining work in the amount shown on KNA Improvement Worksheet dated 10-5-23, \$76,739.50. Ms. Miner will work closely with the Building Inspector and Developer to ensure that work goes as planned to include completion of the pond by mid-November and paving and site stabilization completion and in early June 2024. The Planning Board reviewed inspections by KNA dated September 21 and October 9, 2023, and voiced it’s satisfaction with progress to date. They recommend the Building Inspector release the Certificate of Occupancy once the following are in place: 1) approved temporary stormwater mitigation measures and 2) performance bond for remaining work.
    - (2) Jacob’s Cove** –The owners have submitted As Built’s in accordance with Fremont’s Subdivision Regulations. KNA has inspected this project on a few occasions and find that work has been completed and the roadway is in good condition. Since the project is complete, the matter of roadway acceptance, and any interim surety while that process takes place, is with the Select Board. The applicant is working on completing requirements in advance of a public hearing for roadway acceptance.
- 3. Other Department News –**
  - a. Source Water Protection Plan is scheduled for Monday, October 23 at 6:30PM at the Town Hall Basement Meeting Room.

## **VII. ADJOURNMENT**

**Mr. Karcz made a motion to adjourn the meeting at 8:07 PM. Mr. Kohlhofer seconded the motion which passed 5-0.**

**Respectfully submitted,**



**Leanne Miner**  
**Land Use Administrative Assistant**