

Board Members Present: Vice Chairman Andy Kohlhofer, Ex Officio Roger Barham, and Members Jack Karcz, Mike Wason and Alternate Member/Administrative Assistant Leanne Miner present in the basement meeting room and by video conference using Microsoft Teams.

Also Present: Jennifer Rowden, Rockingham Planning Commission (RPC; via Microsoft Teams). Travis Baum (Applicant in person), Carl and Andrea Juliano (in person) and Boe and Sue Wolfe (via Microsoft Teams)

Mr. Karcz opened the meeting at 7:00 PM and Ms. Miner announced that in accordance with Emergency Order #12 Pursuant to State Executive Orders, the Planning Board is permitted to utilize emergency meeting provisions of RSA 91-A to conduct this meeting through electronic means while preserving, to the extent feasible, the public's right to observe and listen contemporaneously.

Ms. Miner noted that the meeting is being recorded and will be posted after the meeting on Vimeo. The following E-meeting procedures will be followed in accordance with the Governor's Emergency Order:

1. If anyone has problems with accessing the meeting they can call the Town Hall at 603 895-3200, extension 306 or email landuse@fremont.nh.gov for assistance during the meeting.
2. If for some reason the public is unable to access the meeting, the meeting will be adjourned.

I. WELCOME

Mr. Karcz was appointed as Chair for the meeting and Ms. Miner was appointed as a voting member replacing Tim Lavelle.

II. MINUTES

Minutes of December 2, 2020 will be deferred until January 2021. Mr. Karcz had comments for corrections to the minutes.

III. NEW BUSINESS

Map 3 Lot 150 Conditional Use Permit and Minor Site Plan Review for 225 Main Street applicant Travis Baum of Baum Plumbing and Heating. Mr. Baum addressed the Board with his request to use the property for office space and has provided modification plans for the site formerly Rowe's gas station and store. There was brief discussion regarding the storage unit being permanent or temporary and it adheres to the requirements of Site Plan Regulation 1.8.1.

Ms. Miner made a motion to accept the Conditional Use Permit and Minor Site Plan application for Map 3 Lot 150 for applicant Travis Baum. Mr. Barham seconded the motion and the Board accepted jurisdiction. The motion passed 4-0-0.

Andy Kohlhofer arrived at 7:10 pm.

Ms. Miner motioned to open the meeting up for public comment for the Conditional Use Permit application for Map 3 Lot 150 to change from gas station operation to professional services use. Mr. Karcz seconded, and the motion passed 5-0-0.

Ms. Miner noted that she received a phone call from Ms. Marjorie Rislove (abutter of 236 Main St) who was happy to hear the building would be fixed and occupied.

Ms. Miner also noted that Mr. Nathaniel Brown (abutter across the river) called and was supportive of the professional services moving into the building.

Carl and Andrea Juliano (abutters 231 Main Street) stated they were also in support of this change in use.

Mr. Karcz motioned to close the meeting up for public comment for the Conditional Use Permit application for Map 3 Lot 150 to change from gas station operation to professional services use. Mr. Barham seconded the motion. The motion passed 5-0-0.

Ms. Miner motioned to approve the Conditional Use Permit for Map 3 Lot 150 to change from gas station operation to professional services use. Mr. Karcz seconded the motion. The motion passed 5-0-0.

Ms. Miner motioned to open the meeting up for public comment for the Minor Site Plan application for Map 3 Lot 150 for proposed modification to site. Mr. Karcz seconded the motion. The motion passed 5-0-0.

Resident and abutter Carl Juliano of 231 Main Street asked about modifications to site. Mr. Baum explained that there will be a storage container, updating the exterior and interiors also repaving parking lot.

Ms. Miner read comments from departments:

Police and Fire Departments no comment.

Building Inspector stated any changes to the layout to the buildings require a building permit. Mr. Baum stated that he will be obtaining all required permits.

Ms. Miner motioned to close the meeting up for public comment for the Minor Site Plan application for Map 3 Lot 150 for proposed modification to site. Mr. Karcz seconded the motion. The motion passed 5-0-0.

Mr. Barham motioned to approve the Minor Site Plan with conditions for Map 3 Lot 150 for proposed modification to site. Ms. Miner seconded the motion. The motion passed 5-0-0. Conditions as follows:

- 1. All required state and local permits are received including fire and building department permits.**
- 2. The septic disposal system must meet all state requirements prior to obtaining a certificate of occupancy.**
- 3. Any outdoor lighting associated with the parking area will be dark sky compliant.**

4. **This Notice of Decision shall be recorded at the Rockingham Registry of Deeds.**
5. **All conditions of approval are met within 365 days of this approval date. The Planning Board may grant an extension of its original approval with good cause.**
6. **Any significant change to the approved site plan needed to meet state fire code, building code or state or federal permit requirements must be reviewed by the Planning Board.**
7. **All fees incurred by the Planning Board, including but not limited to recording fees, have been paid by the applicant.**

Mr. Baum and the Juliano's left the meeting.

Map 1 Lot 082 Scribner Road Public Hearing continued for Open Space Preservation Development.

Ms. Miner motioned to reopen the Public Hearing for Open Space Preservation Development for Map 1 Lot 082. Mr. Barham seconded the motion. The motion passed 4-0-1 with Mr. Karcz recusing himself from the Board as an abutter.

Barry Gier from Jones & Beach Engineers representing the applicant for Open Space Preservation Development containing 8 single family lots on 22.46 acres in flexible use residential district. He stated that at the last meeting the Board took jurisdiction and approved the waivers with discussion about sight distance on Scribner Road. There was a site visit with the Board to review site access and he has resubmitted updated plans to the Board and Town Engineer. The major changes were adding of street trees and updating the cistern designs due to Fire Department requirements. Ms. Miner had a question about the types of trees that will be planted and mentioned adding a mix of hardwood and evergreen along the tree line being placed back from Scribner Road for more seasonal screening.

Ms. Miner motioned to open the meeting up for public comment for the Open Space Preservation Development application for Map 1 Lot 082. Mr. Wason seconded the motion. The motion passed 4-0-1. (Karcz recused)

Mr. Karcz, South Road mentioned that at the site walk there was some talk regarding the utility pole at the entrance to the property. He wanted to know if Eversource would be able to move the pole further back onto the property if they need to replace the pole to bring more power onto the site, Mr. Gier will speak with Eversource regarding this. Boe and Susan Wolfe (Abutters South Road) also stated concerns about the location of the utility pole for plowing and being near the road.

Ms. Miner motioned to close the meeting up for public comment for the Open Space Preservation Development application for Map 1 Lot 082. Mr. Wason seconded the motion. The motion passed 4-0-1. (Karcz recused)

Conditions for approval were discussed and agreed upon with favorable response from the Applicant.

Ms. Miner motioned to approve the Open Space Preservation Development application with conditions for Map 1 Lot 082 including all waivers, to allow an 8-lot Open Space Preservation Development. Mr. Barham seconded the motion. The motion passed 4-0-1. (Karcz recused) Conditions as follows:

- 1. Mylars of plan sheets A1, A2 and A3 and this Notice of Decision be recorded at the Rockingham Registry of Deeds.**
- 2. All conditions of approval be noted on the approved plans and on the recordable Mylar sheet(s).**
- 3. All licensed professionals whose names appear on the approved plans and Mylar sheet have original stamps and signatures.**
- 4. All required state permits are received, and permit numbers noted on the approved plans and recorded Mylar sheet(s).**
- 5. Approved waivers and date they were granted be noted on the approved plans and recorded Mylar sheets.**
- 6. Any Town Engineer comments in response to the Applicants response letter dated December 10, 2020 be addressed to the satisfaction of the Town Engineer.**
- 7. Project plans be expanded to include a mix of evergreen and deciduous trees in the buffer along the front of the site.**
- 8. If relocation is necessary, the new location for site electric utilities be reviewed by the Town Road Agent.**
- 9. Applicant must provide a performance guarantee, in an amount and form acceptable to the Town of Fremont, to serve as a financial surety for full and final completion of public improvements pursuant to applicable provisions of Article IV – Section 1 of the Subdivision Regulations.**
- 10. A Development Agreement by and between the applicant and Town of Fremont shall be executed prior to construction.**
- 11. Applicant shall submit a declaration of covenants, easement and restrictions for consideration and review by Town Council. Approval shall be granted upon receipt of favorable review of this document by Town Counsel. The declaration of covenants shall establish a requirement for designation and maintenance of an External Buffer around the perimeter of any Open Space area.**
- 12. Declaration of Covenants and its exhibits shall be recorded at the Rockingham Registry of Deeds.**
- 13. Four paper copies of the final plan set shall be signed, and a digital copy of the signed plan set be provided for Town Land Use files.**
- 14. Escrow has been posted with the Town for site compliance monitoring under SPR 1.19 prior to construction.**
- 15. All conditions of approval are met within 365 days of this approval date. The Planning Board may grant an extension of its original approval with good cause.**
- 16. Any significant change to the approved subdivision plans made to meet state fire code, building code or state or federal permit requirements must be reviewed by the Planning Board.**

- 17. All fees incurred by the Planning Board, including but not limited to consulting, engineering, and legal fees have been paid by the applicant.**

Jack Karcz rejoined the Board.

IV. CONTINUED BUSINESS - None

V. ADMINISTRATION

Administration/Budget – None

Circuit Rider Business – Ms. Rowden mentioned that the Town has paid for them to start working on the Storm Water regulations and Land Use chapter, she asked for volunteers to work on sub-committees. Ms. Miner and Mr. Kohlhofer will work on the Storm Water regulations with Ms. Rowden, they will start meeting in January.

Incoming Correspondence – None

Project Updates - NRI Maps have arrived. The Conservation Committee is talking about updating the priority conservation lands that were in the CTAP report.

VI. ADJOURNMENT

Mr. Karcz made a motion to adjourn the meeting at 8:00 PM. Ms. Miner seconded the motion. The motion passed 5-0-0

Respectfully submitted,


Kathy Clement