

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

**Also Present:** Madeleine DiIunno, Rockingham Planning Commission (RPC); Land Use Administrative Assistant Leanne Miner; Alan Roscoe of TF Moran, Inc. on behalf of Casset Holdings, LLC; Jason Settineri of Casset Holdings, LLC; Richard and Katherine Lothian, owners 291 North Road.

## **I. WELCOME**

Mr. Powers opened the meeting at 7:03 PM.

## **II. MINUTES**

**Mr. Karcz made a motion to approve the meeting minutes for January 3, 2024. Mr. Kohlhofer seconded the motion and the motion passed 5-0.**

**Mr. Karcz made a motion to approve the meeting minutes for January 17, 2024. Mr. Kohlhofer seconded the motion and the motion passed 5-0.**

## **III. NEW BUSINESS –**

**1. Map 2, Lot 151-2-7 Site Plan Review** - Applicant Casset Holdings, LLC of Plaistow NH is proposing to construct a multi-use building with mezzanine level totaling approximately 15,200 square feet to include 30 parking spaces, site well and septic on tax parcel Map 2, Lot 151-2-7 located on Iron Horse Drive which is also located in the Aquifer Protection and Main Street Districts. Commercial uses proposed include warehousing, contractor/specialty trades (with office space), and professional office space. The Applicant has also requested a Conditional Use Permit in the Aquifer Protection District in accordance with Fremont Zoning Ordinance Article 12, Section 1203.8.

Materials Distributed:

- Cover letter, addressed to the Planning Board, prepared by the applicant's consulting engineer, TF Moran, on December 21, 2023.
- Application for Major Site Plan Review, with attachments, executed by the applicant on December 21, 2023.
- Application for a Conditional Use Permit December 20, 2023.
- Correspondence addressed to the Planning Board, prepared December 21, 2023, for the purpose of requesting a waiver of the requirements of Section 1.17.S (9) of the Site Plan.
- Review Regulations (SPRR's).
- Hydrogeologic Assessment Report, with attachments, dated December 20, 2023.
- Traffic Memorandum dated December 19, 2023.
- Architectural floor plan of proposed building construction.
- Site plan (14-drawings) dated December 20, 2023.
- Drainage Report, with attachments, dated December 20, 2023. Review Memo from Ms. DiIunno dated December 21, 2023.
- Review letter, addressed to the Planning Board, prepared by the Town Engineer, Steven Keach of Keach-Nordstrom Associates, Inc. (KNA) dated February 6, 2024.
- Review memorandum, addressed to the Planning Board, prepared by Madeleine DiIunno of the Rockingham Planning Commission (RPC)
- Comment sheets from Town Departments and comments from the Conservation Commission.

- Response letter, addressed to the Planning Board, prepared by Alan Roscoe of TF Moran dated February 7, 2024.

Mr. Settineri addressed the Board as the owner. Mr. Roscoe of TF Moran addressed the Board. He summarized the building footprint, size, and general construction. He presented the site plan highlighting septic, parking, infiltration and drainage system and other pertinent facts.

An architectural rendering was presented along with a more detailed floor plan showing uses. They've included a 15-foot-wide access way for an emergency vehicle around the building. The infiltration system in the front was discussed.

Mr. Powers commented on the limited space for snow storage. Mr. Roscoe pointed out several locations for possible snow storage.

Mr. Roscoe provided an overview of impervious surface. Mr. Powers asked that the impervious surface calculations be checked. Gravel is considered impervious, and the percentage is based on upland. The surface could be designed to be pervious.

The area of disturbance is less than the threshold for Alteration of Terrain (AoT) permit.

Mr. Roscoe proposed landscaping at the same percentage required, but in different areas.

SPCC Plan submission and review – The Town provides overall building occupancy, not tenant occupancy. Ms. Miner to look into the process of submitting a change in tenant form and SPCC plan.

Mr. Powers asked that a note be put on the plan requiring that any parking of construction equipment of vehicles be in paved areas only. Add no parking signage in front of the bays.

Signage is only planned for unit numbers. The Applicant doesn't plan any building tenant signs now. The Board recommended assigning a location and size for a sign that they may want to install in the future, so they won't need to revisit the Board.

Building foundations will be 12-18 inches. To protect the building, Mr. Powers recommended bollards or other structures to protect the building.

Lighting was discussed. No illumination is planned in the rear. If they do plan to have security lighting in the rear, they should be on a timer. Lighting in the front can be on a light sensor to stay on all night.

Mr. Powers asked that adequate space for snow storage be identified.

For the record, public notice was made between January 9 and 12. All notices were documented as received. Town Department Comments were received and read as follows:

Code Enforcement Officer – *Because of the Building classification "Storage", sprinklers must be installed. Also walls between rental properties must be floor to ceiling 5/8 sheet rock to provide fire separation.* Follow up emails between the applicant, Jason Settineri and the Building Inspector, most recently on January 16 and 22, 2024 were provided stating concurrence with the Fire Chief and Fire Marshall that sprinklers are not necessary provided there is fire separation between rental units.

Fire Chief – The chief worked with the Applicant, Jason Settineri, regarding fire protection, and is in favor of the project as proposed. In email correspondence between Mr. Settineri and Chief Butler, the Chief commented *"Talking with the fire marshal's office they also agreed that once your square footage is over 12,000sqft a sprinkler system is required as stated in 903.2.9 #1 regardless of #3. You can get around that by going to 707.3.10 Fire Area using each area as its separate area and using fire walls in all separating walls. Occupancy Group S-1 would require a 3 hr rated fire rating of all separating walls including the one in your unit for the second-floor area."*

Police Chief – *No issues.*

Office of Select Board, Town Administrator – No comments were received.

Conservation Commission - *The application meets our expectations, notably because of the lack of lighting at the rear of the building. We discourage the use of 24-hour lighting where possible to minimize ecological impacts on the bugs, birds, and other wildlife.*

Road Agent – Driveway Permit – *Driveway permit needs to be in place before construction begins.* Ms. Miner followed up with the Road Agent, Leon Holmes Jr., regarding the Town Engineer's comment on width of non-residential driveways and will follow up this week with Mr. Holmes Jr. RE: applicant response.

**Mr. Kohlhofer made a motion to accept jurisdiction of the Site Plan Review Application for Map 2, Lot 151-2-7. Mr. Karcz seconded the motion which passed 5-0.**

**Mr. Kohlhofer made a motion to continue the hearing for the Subdivision Application for Map 2, Lot 151-2-7 to March 6, 2024, at 7:00 PM. Mr. Karcz seconded the motion which passed 5-0.**

Mr. Roscoe and Settineri left the meeting at 7:49 PM. The waiver request and Conditional Use Permit (CUP) will be reviewed at the next meeting.

**2. Map 6, Lot 62-11-1: 291 North Road** - Property owner, Richard Lothian, is seeking to change the land use for this parcel from commercial auto sales and repair to residential.

According to an email between Ms. Miner, Fremont Land Use Administrative Assistant, this request was reviewed in October 2023 at which point Mr. Lothian was informed that he didn't need to go through a land use process. He was asked to provide sufficient evidence that the business has been discontinued. Since then, he has provided documentation for closing his business and would like to limit the use to residential. He was asked by Ms. Miner to come in and meet with the Board to discuss and confirm what may or may not be required to document this change.

Mr. Lothian explained that the house lot and commercial building were originally on the same lot. Since then, they subdivided so the house was on its own lot and the commercial building remained at 291 North Road. They want to add a residential dwelling to lot 62-11-1 at 291 North Road and keep the garage structure, but as a personal accessory building. The Board explained that only one dwelling structure is allowed on a lot. Detached accessory dwelling units are prohibited so the garage may not be lived in. Any new dwelling structure will need to meet current zoning setbacks and a drinking water test is required to obtain a certificate of occupancy for any new home. The Building Inspector will conduct an inspection to document the change. There is a single driveway that they plan to keep.

Ms. Miner will follow up with the Town Administrator and Building Inspector regarding the change from commercial to residential and Mr. Lothian will plan an inspection with the Building Inspector. Ms. Lothian provided a document dated August 2022 stating that the Lothian's reside in in Epping, NH.

#### **IV. CONTINUED BUSINESS**

- 1. Source Water Protection Plan:** A notice for public hearing has been posted for March 6, 2024.

#### **II. ADMINISTRATION, OTHER**

**1. Circuit Rider Business –**

- a. Master Plan Chapters – Facilities and History chapters are being drafted. Ms. DiIunno anticipates distribution to the Board in March.

**2. Incoming Correspondence and Project Updates -**

- a. Map 2, Lot 77-1 and 77-1-4 Leclair Red Brook Road - Subdivision Plans – Recording fees and Town Engineer fees have been paid. No outstanding conditions exist aside from recording and paying RPC fees.
- b. Map 2, Lot 151-2-3 Fremont Land LLC Main Street - Subdivision Plans – Mylars were received and all outstanding precedent conditions met. Mylars and Notice of Decision have been recorded.
- c. A new Site Plan Review Application has been received by Fremont Land LLC for solar panels at the Ragnar Original Innovations (ROI) site. That public hearing is set for March 6, 2024 at 7PM.
- d. Meeting Minutes from the Town of Raymond, NH Planning Board were sent to the Town of Fremont regarding a Site Plan Application for Mardon Woods, a residential housing development project consisting of multi-family units – 148 duplexes for a total of 296 dwelling units with clubhouse facilities. Ms. Miner distributed the package to all Land Use Board via email which included comments on the criteria for Regional Impact. The meeting on this project was continued to February 22, 2024 at the Raymond High School Media Center, 45 Harriman Hill Road at 7PM.
- e. Fremont Parks, LLC - KNAs Senior Field Engineer, Jeff Quirk provided a report on a site visit. Ms. Miner summarized the conditions of the site, noting no violation.
- f. Mr. Powers recognized receipt of a resignation letter from Planning Board member Brett Hunter.

**3. Other Department News –**

**III. ADJOURNMENT**

**Mr. Karcz made a motion to adjourn the meeting at 8:10 PM. Mr. Kohlhofer seconded the motion, which passed 5-0.**

**Respectfully submitted,**



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