

Board Members Present: Chair Paul Powers, Vice Chair Andy Kohlhofer, Ex Officio Roger Barham, Members Jack Karcz and Tim Lavelle; Guest Ashely Irwin

Also Present: Madeleine DiIunno, Rockingham Planning Commission; Administrative Assistant Leanne Miner; Applicant Mike Rislove of Fremont Land LLC and Representative William Gregsak of Gregsak & Sons.

I. WELCOME

Mr. Powers opened the meeting at 7:00 PM.

II. MINUTES

Mr. Kohlhofer made a motion to approve the meeting minutes for March 1, 2023. Mr. Karcz seconded the motion and the motion passed 4-0-1 (Lavelle Abstained).

III. NEW BUSINESS –

- 1. 002-151-2-4 Iron Horse Drive Commercial Subdivision** – Applicant Fremont Land LLC has submitted a Subdivision Application for Commercial Use at the Iron Horse Park located at Tax Map 2, Lot 151-2 on Iron Horse Drive in Fremont, NH. The Applicant is proposing to subdivide the subject parcel into two (2) parcels creating a new 4.012-acre lot with legal frontage on Iron Horse Drive.

Mr. Lavelle recused himself as a consultant for the project. William Gregsak, Professional Engineer of Gregsak & Sons, Inc. represented the applicant, Fremont Land LLC. Mr. Gregsak addressed the Board stating the intent of the application. He noted that the revised drawing set provided to the Board this evening has been revised as per RPC comment memo dated March 6 and Town Engineer review letters dated March 1 and 3, 2023. Outstanding for the proposed new parcel is the state Subdivision Approval which they expect early next week. He presented his waiver requests, reciting his letter responses to the criteria according to the subdivision regulations.

Mr. Kohlhofer made a motion to accept jurisdiction of the Subdivision Application for Map 2, Lot 151-2 and the proposed new parcel, Map 2, Lot 151-2-4. Mr. Karcz seconded the motion and the motion passed 4-0.

The Board reviewed the waiver requests. The request was revised to consider waiving requirements from Article III, Section 3 of the Subdivision Regulations, specifically Sections 3.D., 3.E., and 3.H. with regard to wetlands and topography on the parent lot Map 2, Lot 151-2. The Applicant contended that the existing parcel is 98.725 acres and they have provided topography and wetlands for 66 acres which includes the proposed lot of 3.931 acres.

- a. Article III Section 3.D: Area, in acres and square feet, of the entire site of proposed subdivision. Acre, square feet, and percentage of total area for the following segments of information; total area, area left in natural state, area of wetlands, recreation area and area used.

The Applicant requests a partial waiver from Article III Section 3.D, for wetlands and topography, for the parent parcel (Map 2, Lot 151-2). They provided topography and wetlands for 66 acres of the existing parcel (98.725 acres) and the proposed lot (3.931 acres) is completely mapped.

Mr. Kohlhofer made a motion to grant the waiver from Article III, Section 3D for the parent lot with an area of 94.794 acres. Mr. Karcz seconded the motion. The vote was 4-0.

b. Article III - Section 3.E: Existing grades and topographic contours at intervals not exceeding two (2) feet with spot elevations where the grade is less than five percent (5%).

The Applicant requests a waiver from Article III Section 3E for the parent parcel (Map 2, Lot 151-2). They provided topography and wetlands for 66 acres of the existing parcel (98.725 acres) and the proposed lot (3.931 acres) is completely mapped.

Mr. Kohlhofer made a motion to grant the waiver from Article III, Section 3E for the parent lot with an area of 94.794 acres. Mr. Karcz seconded the motion. The vote was 4-0.

c. Article III - Section 3.H: Natural features such as streams, marshes, lakes, ponds, rock outcrops, wooded areas, significant trees, ledge, and other significant environmental features, including wetland soils as defined under current Fremont Wetlands Ordinance, wetlands shall be identified by a NH certified soil scientist or NH certified wetland scientist.

The Applicant has requested a partial waiver from Article III Section 3 H, for wetlands, for the parent parcel (Map 2, Lot 151-2). They provided topography and wetlands for 66 acres of the existing parcel (98.725 acres) and the proposed lot (3.931 acres) is completely mapped.

Mr. Kohlhofer made a motion to grant the waiver from Article III, Section 3H for the parent lot with an area of 94.794 acres. Mr. Karcz seconded the motion. The vote was 4-0.

Each waiver granted by the Planning Board should be noted on the final plan.

The Board received and considered the following comments in relation to the application:

- a. Professional review letter by Rockingham Planning Commission dated March 6, 2023.
- b. Professional Review letters from KNA dated March 1 and 3, 2023.
- c. Comments from Road Agent, Select Board and Fire Department.

The Select Board and Road Agent noted that a town driveway permit will be required. This should be considered a subsequent condition of approval. The state subdivision approval will be a condition precedent. Plan changes discussed and requested as a condition of approval include:

- Modify the address for the site plan to have an address of Iron Horse Drive
- Add the referenced parcel to the Cover Sheet to which the Zoning Variances apply.
- Correct the acreage for which the waivers were requested for and granted.
- Update all title blocks with the correct address/plan title.

With no further comment Ms. Miner reviewed the motion for approval as follows:

Shall the Planning Board approve the Land Subdivision Application for Commercial Use at the Iron Horse Park located at Tax Map 2, Lot 151-2 on Iron Horse Drive in Fremont, NH to subdivide the subject parcel into two (2) parcels creating a new 3.931-acre lot identified as Map 2, Lot 151-2-4 with legal frontage on Iron Horse Drive. The application includes information and drawings submitted titled Land Subdivision, Commercial Use, "Iron Horse Park" located at Map 2, Lot 151-2 on Iron Horse Drive, Fremont New Hampshire. The following conditions were considered:

1. Plan Sheets 1, 2, 5, and 6 Mylars shall be recorded at the Rockingham County Registry of Deeds and a digital copy of the Mylar provided for Town Land Use file.
2. All licensed professionals whose names appear on the approved plans and Mylars shall have original stamps and signatures.
3. NHDES Subdivision Approval for proposed Lot 151-2-4 is received, and permit number noted on the approved plans and recorded mylar.
4. Town of Fremont Driveway Permit is obtained.
5. Four paper copies of the final plan set (2 full sized and 2 half size) shall be signed for Town Land Use files.
6. 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.
7. All fees incurred by the Planning Board, including but not limited to consulting, engineering, and legal fees, have been paid by the applicant.
8. Technical edits as requested by the Planning Board at the March 15, 2023 hearing are made to the approved plans and mylars.

Mr. Kohlhofer made a motion to approve the subdivision application for Map 2, Lot 151-2 and new lot 151-2-4 with an area of 4.193 acres with the conditions as read. Mr. Karcz seconded the motion and the motion passed 4-0.

Mr. Lavelle rejoined the Board as a voting member.

2. **001-98-1** – Ms. Miner noted that the Board received correspondence. SEC Associates has submitted Right of Way and Property Line Monument Certification and Plan. The roadway will eventually be proposed for Town Acceptance. No action was required by the Board.
3. **001-082 Violette Estates – Scribner Road** The Board reviewed a Declaration of Easements and Restrictions for the subject development. The Board discussed water supply well allowances in the open space area. While reviewing Article III it was noted that septic system improvements were listed as an exception for structures in Open Space. Given the lack of easement for well radii on lots adjacent to open space areas, the Planning Board concurred and signed the

document with the condition that “septic system improvements” be struck from Item A as an excepted structure in the open space area.

Mr. Barham made a motion for the Board to sign the document as amended. Mr. Kohlhofer seconded the motion which passed 5-0.

IV. CONTINUED BUSINESS –

1. Master Plan Updates –

- i. Ms. DiIunno is planning to provide an update/presentation on the recent Housing Needs Survey and discuss draft goals for the Housing Master Plan Chapter with the entire Board at the April 5 meeting.

V. ADMINISTRATION, OTHER

1. Circuit Rider Business – Addressed under Continued Business above.

2. Budget 2023 – No updates.

3. Incoming Correspondence and Project Updates

- a. **Patterson** – Ms. Miner noted that there was recent correspondence regarding the Patterson’s request for constructing a roadway to their property on Shirkin Road.
- b. **Training** – Ms. Miner reminded the Board that the NH Office of Planning and Development is conducting free online training Saturday April 29. Registration is online.
- c. **Gravel Pit/Excavation Permitting** – Permits are expected in April followed by site visits in early May.

4. Other Department News – None

VI. ADJOURNMENT

Mr. Karcz made a motion to adjourn the meeting at 8:15 PM. Mr. Kohlhofer seconded the motion which passed 4-0.

Respectfully submitted,



Leanne Miner
Land Use Administrative Assistant