

Present: Vice Chair Jack Karcz, Members Jack Downing, Andy Kohlhofer, Roger Barham, and Tom O'Brien, Building Inspector Rick Foye, RPC Senior Planner Jenn Rowden, and Land Use Administrative Assistant Casey Wolfe

Also Present: Mike Rislove, Brittany LaRose, Bill Gregsak, Sheri Palazzo, Steve Bassett, and Tim Lavelle

Mr. Karcz opened the meeting at 7:02 pm.

I. MINUTES

Mr. Downing made a motion to approve the minutes of September 6, 2017 and site walk minutes of September 16, 2017. Mr. Barham seconded the motion. The motion passed 5-0-0.

II. CONTINUED BUSINESS

Public Hearing for a site plan review submitted by Altaeros Energies who seeks to construct a Research and Development Center at 662 Main Street [Map 2 Lot 151-2]

Mr. Bill Gregsak, Gregsak Engineering, introduced himself as the engineer for this project. Mr. Gregsak asked if the Planning Board needs to vote on the conditional use permit tonight. Ms. Rowden stated that even though she and Dan Tatem have not had the chance to review the plans that were submitted that morning, the Board can start the process of approving the conditional use permit. Mr. Gregsak stated that the Board participated in a site walk on September 16th and saw that he has changed the proposed location of the parking lot so that it is closer to the launch pad. Now that the design is tightened up, he can bring the existing gravel road out of the wetland buffer area. The proposed launch pad has not moved. Since the last meeting on September 6th, he did continue making changes to the plans to incorporate Dan Tatem's comments. He felt that the comments directed at the Alteration of Terrain application were unnecessary as the State will have their own comments about the application. A lot of the other comments were simple housekeeping items that he has taken care of. He dropped off the revised plans to the Town and to the Stantec offices that morning, however, Dan Tatem at Stantec needs at least a week to review the changes.

Ms. Rowden stated that the Board should wait until they get Mr. Tatem's comments before they take jurisdiction of the application. The Board can address the conditional use permit tonight. Ms. Rowden stated that if the Board grants the permit, there should be a note on the cover sheet referencing the permit under Article 14 Section 5 of the Fremont Zoning Ordinance. Mr. Kohlhofer stated that the kind of facility proposed is not really described in the ordinance and did not see how they could grant a conditional use permit for this. Ms. Rowden stated that it requires a conditional use permit because it is a structure connected to the ground. Granting the conditional use permit could prevent problems from occurring in the future. Ms. Kohlhofer agreed and stated that the Board does not want to be challenged down the road. Ms. Rowden stated that a condition of granting the approval of the conditional use permit could be that the site has to comply with all Federal Communications Commission regulations. Mr. Karcz asked if the

applicant only needed a variance for the height of the hanger. Ms. Rowden stated that the balloon height did not need a variance because it is not a building.

Mr. Kohlhofer made a motion to open public comment for the conditional use permit request. Mr. Downing seconded the motion. The motion passed 5-0-0. There were no comments. Mr. Kohlhofer made a motion to close the public comment. Mr. Downing seconded the motion. The motion passed 5-0-0. Mr. Kohlhofer made a motion to approve the conditional use permit with the condition that the site meets all of the Federal Communications Commission's requirements. Mr. Downing seconded the motion. The motion passed 5-0-0. Ms. Rowden got a letter from Southeast Land Trust. They were concerned about access to their abutting lot at Map 4 Lot 76 and about potential negative impacts to Spruce Swamp. Mr. Kohlhofer stated that the applicant meets all of the Town's requirements and that they do not need a variance for the use. Ms. Rowden stated that the applicant will need an approval from the Natural Heritage Bureau, however, this will happen through the Alteration of Terrain application process. The Board has the right to require even more approvals if they wish. The access issue is more of a civil matter.

Mr. Karcz had a question about reference numbers. Mr. Lavelle explained that the old plans for this lot stay recorded forever with their original reference numbers. The new plans will get a new number and will have a note referencing the old plans. Mr. Karcz commented that he saw that the proposed parking area has been changed when he went on the site walk this past Saturday. Mr. Gregsak commented that this revised design works out nicely. Ms. Palazzo asked what was holding up the Planning Board from making a decision. Mr. Karcz stated that the Board is waiting to hear comments from Stantec. Both Mr. Gregsak and Mr. Lavelle commented that a lot of Stantec's original comments were about the Alteration of Terrain application. Mr. Lavelle stated that the cover sheet now shows the abutting lots. Mr. Karcz asked why the road was still shown in the wetland buffer on sheet two of the new plan set. Ms. Rowden stated that sheet two is the existing conditions plan. The gravel road currently exists in the wetland buffer. Mr. Kohlhofer asked a questions about co-location. There was a discussion about the technology and how the facility will be good for the Town. Mr. Kohlhofer made a motion to continue the hearing to October 4th at the Fremont Library so that the Board can see review comments from Stantec. Mr. Downing seconded the motion. The motion passed 5-0-0. The applicant and its representatives left at 7:25 pm.

III. BUILGINING INSPECTOR'S REPORT/ OTHER BUSINESS

Mr. Foye told the Board that Mr. Todd Rich came into his office because he wanted to remodel two residential units. Mr. Foye later found out that Mr. Rich is actually trying to get a total of six residential units at 5 Hall Road. Mr. Foye has issued a stop work order. Ms. Rowden will meet with Mr. Rich on Tuesday the 26th to discuss this. She has already spoken to him on the phone and it looks like he will need a site plan amendment. Mr. Kohlhofer stated that he needs to come to the Planning Board and that Mr. Rich was already told this by the last building inspector. Ms. Rowden stated that because this could impact the septic system, there needs to be a site plan. Mr. Foye felt that the septic system should be sufficient, however, the building might need sprinkling and emergency lighting.

Mr. Barham mentioned to the Board that he emailed the Rockingham Planning Commission notifying them that the Town never received the road survey that they paid for back in 2015. Mr. Barham is waiting for a response.

Mr. Foye mentioned that he is still getting more complaints about Seacoast Farms. Mr. Barham stated that they are waiting on an opinion from Town Counsel. There was a discussion about getting the property bonded.

Mr. Barham reported that he went to the Galloway hearing at the Rockingham Court House on September 8th. He summarized that the judge saw it as a simple case of whether the use of a concrete recycling plant is permitted in the Corporate Commercial District according to the ordinance. Mr. Barham felt that he is probably going to say that it is an allowed use. We will not know the judge's decision for several weeks.

IV. CIRCUIT RIDER BUSINESS

Ms. Rowden passed out a draft version of her revision of Article 7 and the use table of the zoning ordinance. She had a meeting with Planning Board members Mr. Karcz and Mr. Kohlhofer and with Mr. Tom Nisbet and Mr. Warren Gerety this past Monday the 18th to discuss allowing light manufacturing at Spaulding and Frost. Mr. Nisbet's lot is in the Village Overlay District. In this draft version, Ms. Rowden added in "light manufacturing" in the table of uses. The use would be permitted in the Commercial Highway district and the Corporate Commercial District, however, it would be a conditional use in the flexible use district. She also added a definition for light manufacturing in the ordinance after the use table. Ms. Rowden stated that the ordinance eventually needs a section of definitions. She did not put in light industrial in the use table because the main difference between light industrial and light manufacturing is that light industrial allows outdoor storage. She figured the Town would not want outdoor storage in the Village District. Light manufacturing generally means that the use occurs inside.

She proposed that light manufacturing in the Village District would have a limit of 10,000 square feet so that it would have a minimal impact on the surrounding properties. There was a discussion about whether storage areas would be included in the calculation. Ms. Rowden asked the Board to look at this proposal for the next Board meeting. She felt that by simply excluding Mr. Nisbet's lot from the Village District it would look like spot-zoning. Ms. Rowden stated that Fremont now has economic development zones approved by the State. Ms. Rowden discussed the public hearing process for getting this proposal on the Warrant Article in March. She stated that this proposal might affect enough lots that the Town does not need to notice anyone individually. She felt that the Board should have the hearing by mid-November. Ms. Rowden can give the Board an estimate of how much the revisions will cost at the next meeting. She stated that part of her work could include consolidating the use table and then creating a definitions section.

V. OTHER BUSINESS CONTINUED

Ms. Wolfe introduced this month's variance request case to the Board. Next week the Zoning Board will consider a variance for a building lot to be created at Map 6 Lot 21 on Martin Road

without any road frontage. Ms. Rowden explained that because the original lot straddles the Fremont-Epping town line, the Town of Epping had to be notified of the meeting. She stated that there would need to be an easement to have access to this proposed lot. Mr. Barham stated that the Board does not have a comment at this time.

VI. ADJOURNMENT

Mr. Barham made a motion to adjourn the meeting at 8:09 pm. Mr. Downing seconded the motion. The motion passed 5-0-0.

Respectfully Submitted,

Casey Wolfe
Land Use Administrative Assistant