

Board Members Present: Chair Paul Powers, Vice Chair Andy Kohlhofer, Member Jack Karcz, all by video conference using Microsoft Teams. Members Tim Lavelle, 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) by Microsoft Teams and Laurence Miner, Fremont Building Inspector in the basement meeting room.

Mr. Powers opened the meeting at 7:03 PM. Mr. Powers read the public agenda including the announcement that in accordance with Emergency Order #12 Pursuant to Section 18 of Executive Order 2020-04, Paragraph 8, 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.

I. ROLL CALL

Mr. Powers conducted a roll call of meeting attendees. The following Planning Board Members responded as being present:

1. Tim Lavelle (Member)
2. Jack Karcz (Member)
3. Paul Powers (Chair)
4. Andy Kohlhofer (Vice Chair)
5. Mike Wason (Member)
6. Leanne Miner (Alternate Member)

Also present were applicants Thomas Nesbit and Ryan Bocelli, and Nick Kakouris. Jenn Rowden of RPC and Larry Miner, Town of Fremont Building Inspector.

II. MINUTES

No meeting minutes were distributed for review.

III. NEW BUSINESS

003-119 Nick Kakouris – Preliminary Consultation for Minor Site Plan Application – Expansion of Use. Ms. Miner provided an overview of this application which focuses on an expansion of the Fremont Pizzeria to include outdoor seating. The site plan showed a concrete patio with barrier fencing around a portion of the seating area to control dust, seating arrangements to reflect Covid situation, and additional fencing (lattice style) facing the front of the property. The pad is to 50 x 32 feet with 26-foot setback from the front property boundary. Parking and traffic flow is two-way at both access points and around the restaurant.

Ms. Rowden noted that expansion of non-residential use would typically require a Major Site Plan Review. The concrete pad is considered a structure and thus expansion of the use. She also noted the Board should consider that under a Minor Site Plan Review the maximum total floor space of any proposed structures should be 1000 square feet (the proposed concrete pad is 1600 square feet). The

limitations presented in the Site Plan Review regulations are related to stormwater runoff controls. The Board should consider whether or not creating this foundation will make a significant difference in stormwater flow in the much larger parking lot area.

Questions and comments from the Board were as follows:

Mr. Powers inquired about the construction of the pad. The site plan shows the pad comprised of 4-inch hard pace topped by 2-inches of stone. Mr. Kakouris noted that this construction was considered earlier, but they have decided to make the pad permanent so it will be a poured concrete slab.

Mr. Powers noted that the slab is shown 26 feet from the front property boundary. If Mr. Kakouris wants to put the slab here then he will need to go to the ZBA for a variance. Mr. Powers stated that he thinks the Minor Site Plan Review application is appropriate and asked the Board to weigh in.

Ms. Miner clarified with the Applicant that if he chooses to keep the slab where it is he will need to go to the ZBA which doesn't meet until late June. Mr. Kakouris said he could move it to 50 feet from the property boundary.

Ms. Rowden inquired about live music. Mr. Kakouris stated there will be no live music and that any music would be light music at a low volume and that they close at a very reasonable time.

Ms. Rowden inquired about lighting. Mr. Kakouris noted that lighting would be low/ambiance lighting. Mr. Kohlhofer noted that any outdoor lighting should be dark sky compliant (i.e., facing downward).

Mr. Powers also noted that the additional distance of the pad from the road would allow for a larger factor of safety.

Mr. Karcz inquired about tenting. Mr. Kakouris stated that it will be open for the time being, but there may be something added in the future. Right now they are just want to offer more choices to customers.

Mr. Powers inquired about temporary authorization by the Selectmen. Ms. Rowden noted that some Town's have developed a streamlined process for temporary outdoor dining given input from various departments. If Mr. Kakouris is interested in short term measures he should talk to the Selectmen. Mr. Miner, Building Inspector, noted to the Board that communication had been provided to the Selectmen for consideration after he, the Health Officer and others met with Mr. Kakouris to review his temporary plans. Mr. Kakouris met all the expectations of the Governor's Stay at Home 2.0 including ADA access and other items. It was recommended at that time that the Selectmen approve the temporary measures once final. Since then Mr. Kakouris has decided to make the patio a permanent expansion which he understands requires building permits and Planning Board approval. Mr. Kakouris voiced his understanding and concurrence with this comment.

With no additional comments or questions the Board noted their concurrence that a Minor Site Plan Review is appropriate. Mr. Kakouris he left the meeting at 7:27 PM.

003-037 Tom Nisbet – Preliminary Consultation for Minor Site Plan Application – Change of Use. Mr. Nisbet and Ryan Bocelli (operator) were present for the meeting. Ms. Miner provided at overview of the Change in Use request at Unit 12 at 25 Spaulding Road. Mr. Nisbet is seeking a Change in Use from Light Manufacturing to Warehousing and Transportation. A site plan was provided showing traffic flow throughout the commercial property area. Mr. Bocelli explained that they have 8 straight trucks and 2-3 vans. Vehicle traffic would follow the one-way driveway that is in

place at the property. Vehicles will typically have a 5 to 6 AM departure and return 3 to 4 PM. In his letter of intent Mr. Bocelli also noted that occasionally and on holidays traffic would be present during the day.

Ms. Rowden noted that since they are moving from Light Manufacturing to what Fremont categorizes as Retail Services and Office Use in the Flexible Use Residential District, this change will also require a Conditional Use Permit (CUP). Both the Permit and the Minor Site Plan Review may be noticed together and be presented at the same Public Hearing.

Mr. Nisbet noted that this business and type of activity is consistent with businesses currently operating in the immediate area. It was also noted in the Letter of Intent that no Hazardous Waste would be warehoused and that 24-hour surveillance/security is planned due to high value items.

The Board noted their concurrence with the Minor Site Plan Review Application and CUP. Ms. Miner will coordinate application submittal and noticing. Mr. Nisbet and Bocelli left the meeting at 7:41PM.

IV. CONTINUED BUSINESS

Master Plan Updates – Ms. Rowden distributed a draft copy of the Master Plan Goals along with the existing Master Plan Goals. The Board reviewed the 8 Goals, providing comments. Ms. Rowden will finalize the Goals and Vision chapter for Board review and discussion at the June 17 meeting.

V. ADMINISTRATION

Circuit Rider Business – Ms. Rowden noted that the Circuit Rider contract for July 2020 to June 2021 was sent to the Town for execution. The contract has the same level of effort scoped as the last contract and the cost remains the same.

Incoming Correspondence – None

Project Updates –

- Map 001/Lot 012 Cell Tower – Project submittals are under review (silt fence, concrete mix, etc).
- Map 002/Lot 020 South Road – Construction is ongoing.
- Map 002/Lot 151-2 ROI – No updates.
- School Impact Fee Update – Work started. No updates.
- Map 001/Lot 082 – Public hearing noticed for June 17.

Excavation Permits – Ms. Miner is working on scheduling.

Ms. Miner noted that the Town Hall is still closed, but the Town is preparing for the reopening including various contingencies. Ms. Rowden noted that the Governor has extended allowing eMeetings and application deadline flexibility through June 15. The popular expectation is that there will be a hybrid of in-person attendees and video attendees. The Town will work out seating arrangements and capacity as needed. Mr. Lavelle mentioned that other Town's are only hearing one application at a time with other people waiting in the parking lot until time for their hearing.

VI. ADJOURNMENT

Mr. Lavelle made a motion to adjourn the meeting at 8:24 PM. Mr. Kohlhofer seconded the motion. The motion passed 5-0-0 with a roll call vote as follows. Tim Lavelle – Aye; Mike Wason – Aye; Jack Karcz – Aye; Andy Kohlhofer – Aye; Paul Powers – Aye.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Leanne", written in dark ink.

Leanne Miner, Land Use Administrative Assistant