

**Board Members Present:** Vice Chair Andy Kohlhofer, Jack Karcz, Jack Downing, Roger Barham, alternate member Mike Wason, and Land Use Administrative Assistant Leanne Miner

**Also present:** Jennifer Rowden, Rockingham Planning Commission; Scott Cole, Beals Associates; Chris Cloutier, DECM Builders; Mr. Doucette, Abutter to Map 2, Lot 20; Mr. Springer, Abutter to Map 2, Lot 20.

Mr. Kohlhofer opened the meeting at 7:00 pm. He appointed Mr. Wason to vote on behalf of Mr. Lavelle.

## **I. MINUTES**

**Mr. Karcz made a motion to approve the minutes of June 19, 2019 as presented. Mr. Wason seconded the motion. The motion passed 5-0-0.**

## **II. CONTINUED BUSINESS**

**2019 Earth Removal Permits** Ms. Miner informed the Board that a letter was sent to all four applicants to extend their 2019 permits to September 5 and to request additional information for permit review. The letter was sent via email and regular US Mail. The next step in the process will be to assemble information for Town Engineer, Keach and Nordstrom Associates (KNA), to review. Review is not expected to take long and KNA has some standard procedures that should expedite the process. Once applicant information is submitted, Ms. Miner will coordinate 2 days for site visits at all applicant locations.

**Regulation Updates** Ms. Miner distributed updates to Section 1.12 (Applications Procedure) and Appendix B (Checklist for Preparing Site Plan Review Application) for Board review. Section 1.12 reflects suggested edits from the June 16, 2019 meeting. Appendix B was newly drafted for Board review and includes reference to the updated Section 1.12 with space to document selected Town Engineer, and mailing or hand delivery instructions. There was discussion on timing for a Public Hearing to adopt the changes. Ms. Miner asked the Board for enough time to continue updating and Board review of additional portions of the Site Plan Review Regulations including Appendices D, E, and allowance for time to notice the hearing. **Mr. Karcz made a motion to move the Planning Board updates to Section 1.12- Applications Procedure of the Site Plan Review Regulations to the August 7, 2019 Public Hearing. Mr. Wason seconded the motion. The motion passed 5-0-0.**

## **II. NEW BUSINESS**

**Map 2, Lot 20: Applicant DECM Builders – Design Review for an age-restricted development on South Road.** Scott Cole of Beals Associates introduced himself and the owner Chris Cloutier. Mr. Cole presented the plan and described the proposed concept of the 12 unit age-restricted open space site plan. The number of units allowed was calculated based on the usable upland on the front third of the property. An approximate 700-foot long private drive with a hammer head is proposed for access. This driveway configuration was reviewed by the Fire Chief, Rick Butler, whom had no issues with the hammer head configuration. Chief Butler did request that a fire cistern be installed at the front entrance to the development. There will be 2 groundwater wells (6 units per well) to supply water.

With this configuration the wells will not be designated as state water supply wells. The driveway is configured such that any lights from cars leaving the site will face directly toward the rail trail to avoid nuisance lighting. Mr. Cole ended the presentation and asked for questions.

Mr. Karcz asked about calculations per Section 1301, specifically what the assumptions were for uplands. Mr. Cole noted that they excluded the back portion of the property in their calculations given that it is mostly wet and with the necessary buffers and upland space available there is really only room for the 12, 2-bedroom single units shown. Ms. Rowden commented that the formal design will include calculations and associated backup, and associated waiver request not to include details of the back (wet) acreage. There was further discussion with regard to stormwater, town roadways, and driveway. Ms. Rowden noted that the project may not add any stormwater offsite and that a Town Engineer will need to review. Mr. Cole noted that there are plans to conduct a drainage analysis for design and that there will also be a road access analysis and plan to ensure safe sight distances. At this time Ms. Miner read additional comment sheets submitted as follows from the following Departments, Board, and Committees:

Conservation Commission – 4 comments: 1) 100 foot wetland buffers should be clearly marked ; 2) with exception of the drainage swale the wetland buffer, there should not be any construction within the buffer. Ms. Miner noted that the Conservation Commission had since been informed that what was thought to be a swale is actually a roadway; 3) NHDS review design of the swale; 4) request that a conservation easement be put on the back acreage.

Police – Commented that there are no issues.

Fire Rescue – Commented that there are no issues and discussed design with the consultant.

There was continued discussion regarding the proximity of the state recreational (former railroad) trail. Ms. Rowden recommended maintaining as large a visual buffer as possible to the trail. Mr. Kohlhofer noted the noise from the trail as a commonly reported nuisance from ATVs and that the applicant should keep this in mind. There was additional discussion about speeding and damage along the trail way.

Ms. Rowden noted that there will be a public hearing and public notice for a formal site plan review, inviting public comment.

At this time the Board invited comments from the public meeting attendees.

Mr. Doucette of 81 South Road voiced his concern over the number of units and the increase in density from this project in addition to recent growth and development (on South Road), increased tax base and his overall dislike of the proposed concept. Mr. Barham noted that the applicants have submitted a design that meets the Town zoning requirements as approved by the town.

Mr. Carsten Springer, Sandown Road, Danville NH (and abutter) asked what the density requirements were for age-restricted units vs residential units. Ms. Rowden read from Fremont Town Ordinance 1301.2.c regarding calculations for maximum number of units and bedrooms allowed on a parcel. Mr. Springer further commented that this project doesn't create any school tax burden. Mr. Springer noted that he is a conservationist and operates a tree farm behind the property. Further cost to develop in the back acreage would be very costly. In general Mr. Carsten thinks the project is well

thought out. With regard to conservation, Mr. Springer commented that the backlands are inaccessible, unbuildable and that costs to conserve are not worth the town expenditure.

As there were no further comments or questions, Mr. Kohlhofer thanked the public attendees and the applicant for coming. The applicant left at 7:23PM.

## **V. CIRCUIT RIDER BUSINESS**

**State Law Changes Impacting Planning Boards and Zoning Board of Adjustment** Ms. Rowden explained that with the passing of several bills, there are changes in state laws regarding public hearing dates, applications submittals and board membership. Ms. Miner will distribute the email with details to the Planning Board members for their information. Ms. Rowden discussed the highlights as follows:

- HB 136 - ZBA has a longer time to hold a public hearing from 30 to 45 days.
- HB 245 – For applications to the Planning Board the state still requires 21 days, but allows for a town to have a shorter period of time before accepting an application. Note that public notification requirements (i.e., 10 days) must still be met.
- HB 370 – An act relative to membership on city and town planning boards. Previously the law only allowed one Planning Board member to be on another committee or board. The law now allows for two Planning Board members to be on another board or committee except for the conservation commission, the local governing body, and local land use boards. Ms. Rowden explained for example that since Ms. Miner is on the Conservation Commission that no other members of the Planning Board may sit on the Conservation Commission.

## **VI. UPDATES**

**School Impact Fees** – Ms. Miner is in the process of getting input from the town's attorney on process and will keep the Board posted. Mr. Kohlhofer presented a copy of a report titled "Report For The Fremont School District, subject: Demographic Analysis/Enrollment Projections (New Hampshire School Administrators Association, June 2015) which projects continued drop on school enrollment. Ms. Miner will copy and distribute the report as appropriate for continued evaluation of School Impact Fee reduction. Mr. Kohlhofer also spoke with Chief Butler and requested information on allowable class size under Fire Department regulations.

**Altaeros** – Ms. Miner is going to see if site visit can be coordinated with new Town Engineer, Keach and Nordstrom and Associates, whom will also be working on Ragnar Original Innovations. Two contracts for Town Engineers are ready for Selectmen review.

## **VII. INCOMING CORRESPONDENCE and ANNOUNCEMENTS**

Ms. Miner informed the Planning Board that they are in receipt of a copy of the Wetlands Permit Application for the Sandown Road Bridge work.

Greg Fraize (Fremont School Board) sent an email clarifying the ratio of kids to teachers at Ellis School. During the previous meeting it was expressed that the student to teacher ratio was 12:1. Mr. Fraize noted that in the upper grades this ratio is as high as 16+ to 1.

## VII. ADMINISTRATION

**Membership** - Ms. Miner announced that Mr. Hunter has resigned his membership to the Board. Mr. Wason may be appointed as a full member if he is interested. Mr. Wason expressed a desire to become a full member. **Mr. Karcz made a motion that Mr. Wason be appointed as a full member to the end of Brett Hunter's term. Mr. Barham seconded the motion. Motion passed 5-0-0**

**Incoming Invoices** - None

**Budget Update** - None

**Other** - On the continued topic of the Age-Restricted Open Space Ordinance, Mr. Karcz pointed out that the example provided in Section 1301.2B does not reflect the percentage of units allowed per the ordinance (i.e., the total number of units shall not exceed 15 % while the note reflects 10%). The Board debated whether or not this would be an administrative change. Ms. Miner will confirm that this may be considered an administrative change with town legal counsel or if the change would require a Warrant Article.

## VIII. ADJOURNMENT

**Mr. Karcz made a motion to adjourn the meeting at 740pm. Mr. Wason seconded the motion. The motion passed 5-0-0.**

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read 'L. Miner', written in dark ink.

Leanne Miner, Land Use Administrative Assistant