

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

**Also present:** Jennifer Rowden, Rockingham Planning Commission; Paul Soloski and Olga Lazarenko of Country Club for Kids II

Mr. Powers opened the meeting at 7:00 pm. It was noted that since the previous meeting Mr. Wason has been formerly appointed and sworn in as a full member of the Board.

## **I. MINUTES**

**Mr. Karcz made a motion to approve the minutes of July 10, 2019. Mr. Kohlhofer seconded the motion. The motion passed 4-0-2 (Lavelle and Powers abstaining).**

## **II. CONTINUED BUSINESS**

**2019 Earth Removal Permits** Ms. Miner informed the Board that 3 of the 4 applicants (Ferwerda, Merrill, and Rislove) have provided updated mapping for Town Engineer review along with the application. She anticipates being able to provide all information and work authorization to the Town Engineer, Keach-Nordstrom Associates this week. The scope includes application review, site visits (2 per day over a 2-day period), estimate of surety, and meeting attendance with the Board. Site plans were distributed and a copy of each is available in the basement.

### **Regulation Updates**

**Site Plan Review Regulations** Ms. Miner distributed updates to Section 1.12 (Applications Procedure) and Appendix B (Checklist for Preparing Site Plan Review Application) for Board review on July 10 and asked if there were any further comments. Ms. Miner is still updating additional portions of the Site Plan Review Regulations including Appendices D, E, and allowance for time to notice the hearing.

**Zoning Ordinance** Ms. Miner distributed edited draft copies of the Town of Fremont Zoning Ordinance Article 13 Open Space Ordinances, Section 1301 Elderly Open Space for the Board's review. The Board had inquired about an administrative change to correct the Explanatory note to reflect the updated percentage of dwelling units that was not updated in 2017 when the percentage was changed. Ms. Miner read the revision into the record as follows:

*B. The total number of elderly housing units approved by the Board under this ordinance in the Town of Fremont shall not exceed fifteen (15) percent of the total dwelling units in the Town of Fremont. (Explanatory note: for example, the 2000 US Census details 1,201 dwelling units in the Town of Fremont therefore allowing one hundred and twenty (120) eighty (180) elderly units total). The number of dwelling units in the Town of Fremont shall be based on the NH Office of Strategic Initiatives (OSI) most recent estimates.*

**Mr. Kohlhofer made a motion to approve the administrative change to Article 13, Section 1301.2B- of the Site Plan Review Regulations to read “(... allowing one hundred and eight (180) elderly units total)”. Mr. Karcz seconded the motion. The motion passed 6-0-0.**

### **School Impact Fees**

Ms. Miner updated the Board on the response from Town Legal Counsel regarding the Planning Boards. Counsel informed the Board that since the Board adopted Bruce Mayberry’s methodology (or another expert), assumptions and formulas for school impact fees, any change in the assessment or amount must be based on a review of Bruce Mayberry’s work to see if they can be adjusted. Any change must also subsequently be reviewed by the Board of Selectmen and will require a Public Hearing.

Ms. Miner will inquire about the cost and resource to pay for this inquiry, specifically whether it may be something that can be deducted from the impact fee-related fund.

Mr. Kohlhofer reported that he had made an inquiry of the Fremont Fire Chief about a capacity study and that the Chief suggested the Board contact the Business Manager at Ellis School for that information. He recalled that this information had not been updated in the last couple of years.

### **III. NEW BUSINESS**

#### **Map 3, Lot 37-1: Applicant Country Club for Kids II Consultation with the Board for a Minor Site Plan Review for a proposed change in use to child day care center**

Mr. Powers read the Legal Notice into the record as follows: Applicant Country club for Kids II, LLC will come before the board for a non-binding pre-application review. The applicant has submitted a Minor Site Plan Application for the use of Unit 16 of 25 Spaulding Road, Map 3 and Lot 37-1, as a Child Care Center. This building unit was originally approved in the 2005 Site Plan for Coopers Corners for use as a beauty salon and professional office. The most recent use of this unit is categorized as a restaurant. This site is located at Map 3 Lot 37-1.

The Applicant was asked to present their request. Mr. Soloski and his wife Olga operate a Country Club for Kids in Fremont now that has reached capacity based on their licensing and accreditation for child care services. They want to start a second facility at 25 Spaulding Drive. They feel that this is a good use of the facility and for the community as there is a definite need. They stated that they have 10 families currently seeking child care. The state requires new licensing for a new /2<sup>nd</sup> location and they are working on this licensing currently. When asked by the Board, Mr. Soloski stated that the capacity for Unit 16 is approximately 80 based on square footage of 3430 square feet, not including any mezzanine space, restrooms, etc. The applicant is considering more entertainment for kids in the future which could potentially make (the commercial units) a destination.

Ms. Rowden commented that the proposed use (child day care) is allowed under the Town Regulations. This proposal is a change in use which requires a Minor Site Plan Review under the Town Site Plan Review Regulations. To meet the regulations the applicant should zoom in on the site plans provided and add information to show things such as signage, parking, play areas (if any). The

applicant stated that they do not have plans currently for play areas. They also may choose another Unit or expand. When asked, the Applicant stated that staffing levels depend on the age of children and could vary between 2 and 20 staff. The hours of operation are typically 7AM to 6PM with pickup between 330 and 6:00PM so not to create a lot of pick-up traffic. They are usually able to close their doors completely no later than 6:30PM.

When asked about weekend or after hours operations, the Applicant stated that they do some weekend baby sitting on occasion. The Applicant was asked to include all such information in their application. The Applicant stated that a playground or outdoor play area is not required, but there is some green space in the development that may be of interest in the future. The Applicant was encouraged to return with additional information for the Public Hearing on August 7.

The Applicant left at 7:22PM

#### **IV. CIRCUIT RIDER BUSINESS**

**Master Plan** Ms. Rowden distributed a scope summary and matrix for discussion on approach to updating sections of the Town's Master Plan. She recommended that a subcommittee be formed to steward changes and that the Board research portions of the current plan to help decide what sections to update. Upon inquiry, Ms. Rowden recalled that Rockingham Planning Commission (RPC) conducted a buildout analysis for Fremont using Global Information System (GIS) software and that she would redistribute a copy via email. The cost to conduct such an analysis would likely cost as much as \$6,000. The analysis would provide an overview of buildout limitations as well as potential. The Board discussed timing of the updates and requested the RPC plan a presentation for September 18<sup>th</sup> to facilitate decisions on what parts of the Plan would be of the highest value to update for Fremont. The Board will review the existing Master Plan for discussion during the meeting of August 21. Ms. Rowden will distribute slide for the September presentation in advance of the August 21 meeting so the Board will be able to focus their review.

#### **V. UPDATES**

##### **Upcoming Projects:**

Ms. Miner distributed an application submitted by Jones and Beach on behalf of Applicant Rob Sobota of Eco-Site LLC for an Amended Major Site Plan Review for a cell tower site located at Map1, Lot 12, 98 Nathaniel Brown Drive. The intent of the application is to amend the Engineer of Record for the site civil portion of the project, provide an as-built survey of the existing conditions and revised drainage and grading design. Ms. Rowden provided a brief summary of the Amendment and overall project status. In general, the Site Plan had been approved, but there were problems with the site survey and other engineering details. The Applicant is seeking an amendment to build a newly designed road.

##### **Altaeros –**

Ms. Miner let the Board know that a final site inspection was made this week at the Altaeros site and that all erosion and sedimentation controls were found to be complete and operating as intended. This site inspection completes the Site Plan work for Altaeros.

Mr. Kohlhofer mentioned complaints from the public about cell service interruptions that they think is related to the blimp. Ms. Miner stated that such activity is not really the purview of the Board. Mr. Lavelle offered to relay the message to his client, Altaeros.

**VI. INCOMING CORRESPONDENCE and ANNOUNCEMENTS**

Ms. Miner provided the Board with a summary of incoming Town Engineer invoicing for the Black Rocks paving project.

**VII. ADJOURNMENT**

**Mr. Karcz made a motion to adjourn the meeting at 8:00pm. Mr. Kohlhofer seconded the motion. The motion passed 6-0-0.**

Respectfully Submitted,

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

Leanne Miner, Land Use Administrative Assistant