

Board Members Present: Chair Paul Powers, Vice Chair Andy Kohlhofer, Ex Officio Roger Barham, and Members Jack Karcz, 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; via Microsoft Teams). Anders Ragnarson and Mike Rislove for Ragnar Original Innovation.

I. WELCOME and ROLL CALL

Mr. Powers opened the meeting at 7:02 PM and announced that in accordance with Emergency Order #12 Pursuant to State Executive Orders, 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.

Ms. Miner noted that the meeting is being televised on FCTV Channel 22 and will be posted after the meeting on Vimeo. The following E-meeting procedures will be followed in accordance with the Governor's Emergency Order:

1. If anyone has problems with accessing the meeting they can call the Town Hall at 603 895-3200, extension 306 or email landuse@fremont.nh.gov for assistance during the meeting.
2. If for some reason the public is unable to access the meeting, the meeting will be adjourned.

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

1. Tim Lavelle (Member)
2. Roger Barham (Ex Officio)
3. Paul Powers (Chair)
4. Andy Kohlhofer (Vice Chair)
5. Mike Wason (Member)
6. Jack Karcz (Member)

II. MINUTES

No minutes were available for review.

III. NEW BUSINESS

Public Hearing to consider proposed amendments to the Vision and Growth Management Master Plan Chapters

Ms. Miner noted that the legal notice was posted in the Union Leader on 7/28/20 and on the Town's website including draft versions of both chapters. No public comments were received via email or post. There was no further discussion by the Board.

Mr. Kohlhofer motioned to open the meeting up for public comment on the Vision and Growth Management Master Plan Chapters. Mr. Lavelle seconded the motion. The motion passed 6-0-0.

No public comments were received via email or post.

Mr. Karcz motioned to close the meeting for public comment on the Vision and Growth Management Master Plan Chapters. Mr. Lavelle seconded the motion. The motion passed 6-0-0.

The Board noted a very minor typo on the first page (put a space between Exeterand) and add the approval date in the footer. Ms. Rowden noted that once the Board adopts the Master Plan Chapters they will supersede the current chapters. No Town Meeting or Vote is required to adopt the Master Plan Chapters.

Mr. Kohlhofer motioned to approve the amendments to the Vision and Growth Management Master Plan Chapters as presented this evening. Mr. Karcz seconded the motion. The motion passed 6-0-0.

IV. CONTINUED BUSINESS

Excavation Permits: Ms. Miner reported that she received reclamation surety from 3 of the 4 applicants including Fremont Land LLC, Governor's Forest, Merrill Excavation. The Board may go ahead and approve these permits now. Ms. Miner received a letter dated August 25th from Mr. Anderson Galloway (4th Permit Applicant) requesting that incremental sureties be dropped due to working under the new site plan and not the gravel excavation permit. Ms. Miner responded to Mr. Galloway while the newer excavation may fall under their conditionally approved Site Plan, the Town has not fully approved the Site Plan and does not held any escrow relevant to the Site Plan nor does the Town have any schedule for start work. Ms. Miner inquired as to the near-term plans for the site and has yet to receive any response.

Mr. Kohlhofer made a motion to grant Mr. Galloway an additional 2 weeks to September 16 to meet the conditions of surety. Mr. Karcz seconded the motion. The motion passed 6-0-0.

Mr. Lavelle made a motion to have Ms. Miner approve the excavation permit renewals to an expiration date of June 30, 2021 for Fremont Land LLC, Governor's Forest/Ferwerda, and Merrill Excavation on behalf of the Board with Ms. Carlson as a Witness. Mr. Kohlhofer seconded the motion. The motion passed 6-0-0.

V. ADMINISTRATION

Administration/Budget – 2021 Budget. The Board reviewed the 2020 budget, spend (\$31,805 out of \$51,800), and discussed items in the 2021 budget. Currently there will be an estimated \$6,000 left at the end of the year.

Circuit Rider Business – The RPC is requested letters of recommendation to the ERSAC for a water quality planning grant to update Rivers Management Plan.

Mr. Karcz made a motion to write a letter of recommendation for the ERSAC for the grant.

Mr. Kohlhofer seconded the motion. The motion passed 6-0-0.

Incoming Correspondence – Flyer from NHDES and Notice for Public Hearing for a Cell Tower by the Town of Hookset.

Project Updates

- Map 001/Lot 012 Cell Tower – Construction reports distributed. No items to discuss.
- Map 002/Lot 020 South Road – Construction is ongoing. No recent reports received and no items to discuss.
- Map 002/Lot 151-2 ROI – Construction report itemizing status of site and remaining items for completion were distributed.
- School Impact Fee Update – Draft report is available for distribution. No comments received from the Selectmen.

VI. OTHER

Ragnar Original Innovation (ROI) Escrow Release Request –

Mr. Lavelle and Mr. Powers recused themselves as ROI's consultant and abutter respectively.

Ms. Miner noted that the following reports were submitted to the Town at approximately 5PM this evening:

- Memo 1 from Town Engineer, KNA, of (near) completion dated September 2, 2020 recommending restoration surety in the amount of \$64,570 be released.
- Memo 2 from Town Engineer, KNA, noting completion of work and citing Section 1.19 of the Fremont Site Plan Regulations and recommending surety be retain for completion of all required improvements per the approved design. A cost to complete this work was estimated to be \$57,927.

Ms. Miner explained that Mike Rislove is before the Board to discuss release of escrow. Ms. Miner had been discussing return of escrow with Mike Rislove and the Town Engineer. The original escrow was based on site reclamation. She noted that the regs allow a partial release of escrow provided there is enough escrow to cover the remaining work plus 20%.

Mr. Rislove explained that the finish course of pavement will be installed in the spring. It is typical for the wearing course to sit through the winter with any additional settling or repairs to be addressed in the spring. All the striping and shoulders are constructed now but will need to be touched up in the spring. Mr. Rislove reminded the Board that the reclamation was posted in the event that the project was abandoned. Now that almost all the work is complete and done well he feels the escrow should be reimbursed.

Mr. Barham asked about the expectation that work is complete in order to receive an occupancy permit

Mr. Rislove argued that the 'road' is really a driveway onto private property and the Town is not in the position where it would want to provide guarantee to perspective residents. He stipulated that were this a residential subdivision it would make sense to retain escrow.

There was discussion about the driveway having been part of the design, the road having been designed and built to Town standards, Town Engineer documented inspections, and plans to complete work on the road under normal practices in the spring. The most recent Town Engineer Inspection Report summarized the work completed and the site in good condition with the following items remaining to be installed:

- Wearing course of pavement in the road and parking lot

- 3 ft wide gravel shoulders along toad
- Final landscaping
- Final ADA signs and markings
- Final striping (temporary striping in place)
- Loam and seed all disturbed areas
- Maintain erosion controls until all areas are stabilized.

Mr. Karcz made a motion to recommend the Board of Selectmen release 100% escrow in the amount of \$64,570 for Phase 1 of the ROI project based on the Town Engineer Inspection Report documenting the completion of site work in good condition with exceptions as noted above (installation of wearing course, etc) with the expectation that remaining items be completed by August 31, 2021. The Applicant will notify the Town and post escrow in advance of completion so the Town Engineer may resume Compliance Inspections. Mr. Wason seconded the motion. The motion passed 4-0-0.

Mr. Barham motioned that the Board recommend to the Building Inspector that a temporary occupancy permit be issued through August 31, 2021 on the basis of the Town Engineers September 2 memo (Memo #1 above) and with the expectation that the final wearing course and associated improvements (final striping, etc) are completed on or before August 31, 2021 and that upon the completion of such work a final occupancy permit may be issued. Mr. Karcz seconded the motion. The motion passed 4-0-0.

Mr. Rislove and Ragnarson left the meeting at 7:40 PM. Mr. Lavelle and Powers rejoined the meeting.

VII. ADJOURNMENT

Mr. Karcz made a motion to adjourn the meeting at 7:47 PM. Mr. Wason seconded the motion. The motion passed 6-0-0.

Respectfully Submitted,



Leanne Miner, Land Use Administrative Assistant