

JONES & BEACH ENGINEERS INC.

85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com

December 16, 2021

Fremont Zoning Board
Attn: Doug Andrew, Chairman
PO Box 120
Fremont, NH 03044

**RE: Special Exception Application
Main Street, Fremont, NH
Tax Map 2, Lot 70
JBE Project No. 20724**

Dear Mr. Andrew,

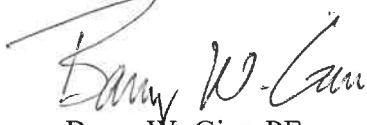
Jones & Beach Engineers, Inc., on behalf of the applicant, Densen Construction, Inc., respectfully submit a Special Exception Application for the parcel referenced above. The Special Exception is requested for the construction of a road and drainage structures and ditches in support of a 13-unit Elderly Open Space project. Total wetland buffer impacts are 8,147 S.F.

The following documents are provided in support of this application:

1. Special Exception Application.
2. Letter of Authorization.
3. Current Deed.
4. Abutters List and 3 Copies of Mailing Labels.
5. Tax Map.
6. Fee Check.
7. Six (6) Full Size Plans.

Thank you very much for your consideration. If you have any questions, or need further assistance, please contact our office.

Very truly yours,
JONES & BEACH ENGINEERS, INC.



Barry W. Gier, PE
Vice President

cc: Gary Densen, Densen Construction (application and plans via email)



APPLICATION FOR SPECIAL EXCEPTION

Zoning Board of Adjustment
Town of Fremont
P.O. Box 120
Fremont, New Hampshire 03044

Do not write in this space.

Case # _____

Date filed: _____

Hearing Date: _____

Total Fees Received: _____

Signed : _____

ZBA

Name of applicant: Haus Emily, LLC

Address: 56 Westville Road, Unit 4, Plaistow, NH 03865

Phone: _____

Owner: Tim & Geraldine Plamer

(if same as applicant, write "SAME AS")

Location of property Map # 2 Lot # 70

Main Street

(street address)

Zoning District of Property: Main Street District

Is the property in the Aquifer Protection District? Yes x No _____

Is the property in the Flood Zone? Yes _____ No x

NOTE: This application is not acceptable unless all required statements in the appropriate section have been completed. Additional information may be supplied on a separate sheet if the space provided is inadequate.

APPLICATION FOR A SPECIAL EXCEPTION

Description of proposed use showing justification for a special exception as specified in the zoning ordinance Article 12 Section 1201.8

Special exception requested for the construction of road and drainage structures and ditches in support of a 13-unit Elderly Open Space project. Total wetland buffer impacts = 8,147 sq.ft.

Explain how the proposal meets the special exception criteria as specified in article 12 section 1201.8

Of the zoning ordinance: (List all criteria from ordinance)

Criteria 1- Is the use one that is ordinarily prohibited in the district?

No. Elderly Open Space is allowed in all Districts.

Criteria 2- Is the use specifically allowed as a special exception under the terms of the ordinance

Yes. Proposed use is specifically allowed as a special exception per Section 1201.8.

Criteria 3- Are the conditions specified in the ordinance for granting the exception met in the particular case?

Yes. Erosion control and stormwater treatment are provided to minimize

any detrimental impact to the wetland and watershed protection areas.

Signed: 

(Actual property owner)

Date 12/16/21

SPECIAL EXCEPTION:

Certain sections of the Zoning Ordinance provide that a particular use of property in a particular zone will be permitted by Special Exception if specified conditions are met. The necessary conditions for each Special Exception will be granted if you can show that the conditions stated in the ordinance are met.

If you are applying for a Special Exception you will probably also need a determination from the Planning Board (relative to subdivision or site plan review). Even in those cases where no Planning Board approval is needed, presenting a site plan to the Planning Board will assist in relating the proposal to the overall zoning. This should be done before you apply for a Special Exception.

**SPECIAL EXCEPTION
APPLICATION and PROCEDURE**

PROCEDURE – To apply to the Zoning Board of Adjustment for relief, you must follow these steps:

- a. Obtain a letter of denial from the Board of Selectmen or Building Inspector.
- b. Compile a typed list of the names and addresses of all current abutters. This is to be obtained from the Fremont Selectmen's Office. An abutter is anyone whose property physically abuts the subject property or is directly across a street or river. Please include the subject property, applicant, and anyone whose seal or stamp appears on the plan.
- c. All requests for required reports or other correspondence (such as indicated in Article IX Section H) must be sent by the applicant via certified mail with return receipt requested. This is for proof and record of mailing. The hearing will not be scheduled before the 30-day time frame has lapsed from the date of mailing requests to pertinent officials.
- d. Applications can be left at the Town Hall at 295 Main Street in Fremont; or Mailed to the Town at the address above. Submit a check made payable to the Town of Fremont with your application for the fees due.

CHECKLIST FOR APPLICATION

This Application Includes:

_____ Letter of Denial
x _____ 6 sets of plans
x _____ cover letter of intent
x _____ current abutters list
x _____ proper check amount
x _____ letter of approval to allow representation

FEE SCHEDULE

SPECIAL EXCEPTION

For the first request, and \$50.00 for each additional request if a separate Zoning Article

\$200.00 = \$ 200

ADVERTISING

(current rate of expense)

\$115.00 = \$ 115

ABUTTER NOTIFICATION (per abutter)

(See (B) above for definitions of an abutter. This covers two certified mailings.

\$ 12.59 = \$ 251.80

TOTAL FEES SUBMITTED \$ 566.80

Letter of Authorization

We, Timothy and Geraldine Palmer, 706 Main Street, Fremont, NH 03044, owners of property located in Fremont, NH, known as Tax Map 2, Lot 70, do hereby authorize Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH, to act on my behalf concerning the previously-mentioned property. The parcel is located on Main Street in Fremont, NH.

I hereby appoint Jones & Beach Engineers, Inc., as my agent to act on my behalf in the review process, to include any required signatures.

Witness



Witness



Timothy Palmer

Oct 7 2020
Date

Geraldine Palmer

Oct 7, 2020
Date**JONES & BEACH**
ENGINEERS INC.

Letter of Authorization

I, Gary Densen, Densen Construction, Inc., 56 Westville Road, Unit 4, Plaistow, NH 03865, developer of property located in Fremont, NH, known as Tax Map 2, Lot 70, do hereby authorize Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH, to act on my behalf concerning the previously-mentioned property. The parcel is located on Main Street in Fremont, NH.

I hereby appoint Jones & Beach Engineers, Inc., as my agent to act on my behalf in the review process, to include any required signatures.

Witness



Gary Densen
Densen Construction, Inc.

Date

10-8-2020

JONES & BEACH
ENGINEERS INC.

Return to:
 Timothy P. Palmer and Geraldine M. Palmer
 706 Main Street
 Fremont, NH 03044



#825.00-T.T.

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That Magnusson Farms, LLC, a New Hampshire Limited Liability Company, of 261 Route 125, Kingston, NH 03848, for consideration paid grant(s) to Timothy P. Palmer and Geraldine M. Palmer, Husband and Wife, of 706 Main Street, Fremont, NH 03044, as joint tenants with rights of survivorship, with WARRANTY COVENANTS:

A certain tract or parcel of land situated in the Town of Fremont, County of Rockingham, State of New Hampshire and being shown as Lot 2-70-0 on a plan entitled "Plat of Land Main Street (NH Rt 107) Tax Map 2 Lot 70, Fremont, New Hampshire for Owner: Magnusson Farm, LLC, Date: 1-21-05, Scale: 1" = 100'", prepared by James Verra and Associates, Inc. and recorded in the Rockingham County Registry of Deeds as Plan #D-32523, to which Plan reference may be made for a more particular description.

Subject to any and all matters as shown on Plan #D-32523.

Subject to an easement conveyed to Public Service Company of New Hampshire in Book 1146, Page 463.

Meaning and intending to describe and convey a portion of the premises conveyed to Magnusson Farms, LLC by Deed of Theodore S. Magnusson, Trustee of the Theodore S. Magnusson Revocable Trust, dated August 5, 1997, recorded at the Rockingham County Registry of Deeds at Book 3233, Page 1556; Also meaning and intending to describe and convey a portion of the premises conveyed to Magnusson Farms, LLC by Deed of Conrad L. Magnusson, Trustee of the Conrad L. Magnusson Revocable Trust, dated August 5, 1997, recorded at the Rockingham County Registry of Deeds at Book 3233, Page 1564.

This is not homestead property.

Executed this 24th day of November, 2015.

Magnusson Farms, LLC

Conrad L. Magnusson

By: Conrad L. Magnusson,
Its: Manager

State of New Hampshire
County of Rockingham

November 24, 2015

Then personally appeared before me on this 24th day of November, 2015, Conrad L. Magnusson, duly authorized on behalf of Magnusson Farms, LLC, and acknowledged that he executed the same for the purposes contained therein.



Kerry W. MacDonald
Notary Public/Justice of the Peace

Commission expiration: *July 22, 2020*

E 52724

ROCKINGHAM COUNTY
REGISTRY OF DEEDS



0 foot Abutters List Report

Fremont, NH
December 16, 2021

Subject Property:

Parcel Number: 002-070-000-000
CAMA Number: 002-070-000-000
Property Address: MAIN STREET

Mailing Address: PALMER, TIMOTHY P & GERALDINE M
706 MAIN STREET
FREMONT, NH 03044

Abutters:

Parcel Number: 002-062-001-000
CAMA Number: 002-062-001-000
Property Address: LEBLANC ROAD

Mailing Address: ACKERMAN, SIMON
339 WEST ROAD
HAMPSTEAD, NH 03841

Parcel Number: 002-065-000-000
CAMA Number: 002-065-000-000
Property Address: 687 MAIN STREET

Mailing Address: NEWMAN, DINICE M & STEVEN J
687 MAIN STREET
FREMONT, NH 03044

Parcel Number: 002-066-000-000
CAMA Number: 002-066-000-000
Property Address: 31 LEBLANC ROAD

Mailing Address: PEEL, TINA
25 SHANNON DRIVE
BRENTWOOD, NH 03833

Parcel Number: 002-067-000-000
CAMA Number: 002-067-000-000
Property Address: 695 MAIN STREET

Mailing Address: KELLY, PATRICIA L
695 MAIN STREET
FREMONT, NH 03044

Parcel Number: 002-068-000-000
CAMA Number: 002-068-000-000
Property Address: 701 MAIN STREET

Mailing Address: HARTFORD, WARREN J
701 MAIN STREET
FREMONT, NH 03044

Parcel Number: 002-069-000-000
CAMA Number: 002-069-000-000
Property Address: 705 MAIN STREET

Mailing Address: GRISWOLD, MATTHEW C
705 MAIN STREET
FREMONT, NH 03044

Parcel Number: 002-071-000-000
CAMA Number: 002-071-000-000
Property Address: 721 MAIN STREET

Mailing Address: JALBERT, JERLENE
721 MAIN STREET
FREMONT, NH 03044

Parcel Number: 002-072-000-000
CAMA Number: 002-072-000-000
Property Address: 753 MAIN STREET

Mailing Address: BARTLEY FAMILY TRUST JESSICA
BARTLEY & KATHERINE DINGES TTES
753 MAIN STREET
FREMONT, NH 03044

Parcel Number: 002-073-003-000
CAMA Number: 002-073-003-000
Property Address: RED BROOK ROAD

Mailing Address: TOWN OF FREMONT
PO BOX 120
FREMONT, NH 03044-0120

Parcel Number: 002-077-001-000
CAMA Number: 002-077-001-000
Property Address: RED BROOK ROAD

Mailing Address: LECLAIR & SONS, FRED
789 MAIN STREET
FREMONT, NH 03044



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

12/16/2021

Page 1 of 2



0 foot Abutters List Report

Fremont, NH
December 16, 2021

Parcel Number: 002-085-001-000
CAMA Number: 002-085-001-000
Property Address: RED BROOK ROAD

Mailing Address: LECLAIR & SONS, FRED
789 MAIN STREET
FREMONT, NH 03044

Parcel Number: 002-141-000-000
CAMA Number: 002-141-000-000
Property Address: 740 MAIN STREET

Mailing Address: LAGASSE, MARK
9 SPINNEY LANE
PLAISTOW, NH 03865

Parcel Number: 002-142-000-000
CAMA Number: 002-142-000-000
Property Address: 726 MAIN STREET

Mailing Address: FRASER, DAVID A & JANETH W
726 MAIN STREET PO BOX 26
FREMONT, NH 03044-0026

Parcel Number: 002-149-001-000
CAMA Number: 002-149-001-000
Property Address: 706 MAIN STREET

Mailing Address: PALMER, TIMOTHY P & GERALDINE M
706 MAIN STREET
FREMONT, NH 03044

Parcel Number: 002-150-000-000
CAMA Number: 002-150-000-000
Property Address: 688 MAIN STREET

Mailing Address: O'BRIEN, MARY E
688 MAIN STREET
FREMONT, NH 03044

JONES & BEACH ENGINEERS, INC., ATTN. BARRY GIER, P.E., PO BOX 219, STRATHAM, NH 03885

HAUS EMILY, LLC, C/O DENSEN CONSTRUCTION, ATTN. GARY DENSEN, 56 WESTVILLE RD., UNIT 4, PLAISTOW, NH 03865

EVERSOURCE, 13 LEGENDS DR, HOOKSETT, NH 03106

EVERSOURCE, 780 N. COMMERCIAL ST, MANCHESTER, NH 03101



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

12/16/2021

Page 2 of 2

ACKERMAN, SIMON
339 WEST ROAD
HAMPSTEAD, NH 03841

NEWMAN, DINICE M & STEVEN
687 MAIN STREET
FREMONT, NH 03044

BARTLEY FAMILY TRUST
JESSICA BARTLEY & KATHERI
753 MAIN STREET
FREMONT, NH 03044

O'BRIEN, MARY E
688 MAIN STREET
FREMONT, NH 03044

FRASER, DAVID A & JANETH
726 MAIN STREET
PO BOX 26
FREMONT, NH 03044-0026

PALMER, TIMOTHY P & GERAL
706 MAIN STREET
FREMONT, NH 03044

GRISWOLD, MATTHEW C
705 MAIN STREET
FREMONT, NH 03044

PEEL, TINA
25 SHANNON DRIVE
BRENTWOOD, NH 03833

HARTFORD, WARREN J
701 MAIN STREET
FREMONT, NH 03044

TOWN OF FREMONT
PO BOX 120
FREMONT, NH 03044-0120

JALBERT, JERLENE
721 MAIN STREET
FREMONT, NH 03044

JONES & BEACH ENGINEERS, INC
ATTN. BARRY GIER, P.E.
PO BOX 219
STRATHAM, NH 03885

KELLY, PATRICIA L
695 MAIN STREET
FREMONT, NH 03044

HAUS EMILY, LLC
C/O DENSEN CONSTRUCTION
ATTN. GARY DENSEN
56 WESTVILLE RD, UNIT 4
PLAISTOW, NH 03865

LAGASSE, MARK
9 SPINNEY LANE
PLAISTOW, NH 03865

EVERSOURCE
13 LEGENDS DR
HOOKSETT, NH 03106

LECLAIR & SONS, FRED
789 MAIN STREET
FREMONT, NH 03044

EVERSOURCE
780 N COMMERCIAL ST
MANCHESTER, NH 03101

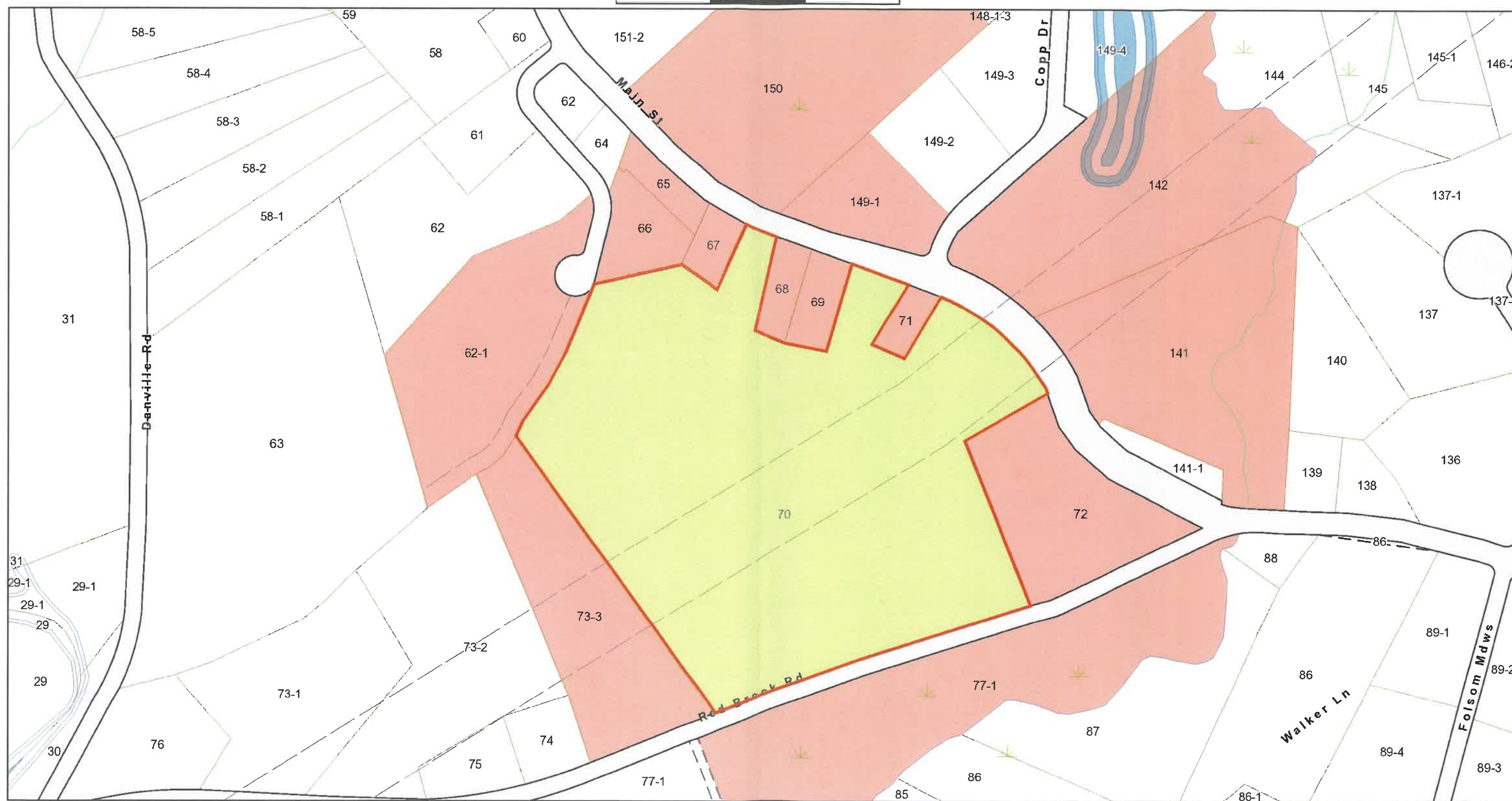
LECLAIR & SONS, FRED
789 MAIN STREET
FREMONT, NH 03044



0	275	551	826
---	-----	-----	-----



www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.