

Present: Chair Doug Andrew, Vice Chair Dennis Howland, Neal Janvrin, Todd O’Malley, Jack Downing, alternate member Josh Yokela, and Land Use Administrative Assistant Casey Wolfe

Also Present: Joe Falzone, Scott Cole, and Brenden Walden

Mr. Andrew opened the meeting at 7:00 pm.

## **I. Minutes**

**Mr. Janvrin made a motion to accept the minutes of March 26, 2019. Mr. Downing seconded the motion. The motion passed 5-0-0.**

## **II. New Business**

### **Case #019-002/Special Exception**

**Special Exception request by applicant Joe Falzone to the terms of Article 12 Section 1201.8 of the Fremont Zoning Ordinance. The applicant seeks to allow a driveway into a wetland buffer area at Map 2 Lot 19-4 on South Road.**

Mr. Andrew read the case into the record. Mr. Cole introduced himself as the engineer for this project. He passed out reduced sized colored copies of the plans to the Board members. He explained that this lot is a recently approved subdivision by the Planning Board. This lot is six acres with a small building envelope in front of the parcel and a larger building envelope in the rear of the parcel. The intention is to have the driveway go through the wetland buffer to the larger building envelope in the back. The overall impact of the proposed driveway in the buffer area would be 4,939 square feet which includes the pavement and the grading. The driveway will be super elevated to the west so that positive drainage goes to the west. Runoff coming from the driveway will be captured into a grassed swale. This elongates the time for the storm water to filtrate. The access point of the driveway has been approved by the Road Agent.

Wetland Scientist Mr. Brenden Walden stated that the wetlands on this site are classified as “poorly drained.” This is a forested drainage area where water slopes down and collects. Due to its small size, it is very limited in terms of providing a habitat for wildlife. The wetland buffer area is also forested. Mr. Andrew asked about the positioning of the driveway. Mr. Cole confirmed that it is as far away from the wetland and as close to the west property line as possible. Mr. Andrew asked if there were any department comment sheets. Ms. Wolfe stated that she received a sheet back from the Police Chief who wrote, “*No issues.*” The Chair of the Conservation Commission wrote, “*I would like to express interest on behalf of the Commission in a joint site walk with the ZBA to look at the nature and quality of the wetlands. Please let me know when this is scheduled.*” Mr. Howland asked if the driveway is going to be paved. Mr. Cole stated that the intention is for the driveway to be paved. He reiterated that the driveway is sloped away from the wetland. At the closest point, the driveway would be 16 feet from the wetland.

Ms. Wolfe pointed out to the Board members that the Ordinance requires a review by the “Rockingham County Soil Conservation Service District.” She reminded the Board about two

years ago the Board received a similar Special Exception request for a driveway on Thunder Road. For that case, the application was sent to the Rockingham County Conservation District (RCCD). The driveway on Thunder Road did have a culvert that the professionals at RCCD had comments on. Ms. Wolfe called RCCD earlier today to ask them to produce an estimate for their review for this case on South Road. Mr. Falzone stated that he hired a wetland scientist for this project. He also brought to the Board's attention that this driveway does not have a culvert. There was some discussion about whether or not this review by RCCD is necessary. Before the meeting, Ms. Wolfe did contact the Town Planner to ask for her opinion. The Town Planner stated that the Board could find that this review is simply not applicable to the situation, or the Board could approve the application with a condition that the applicant addresses any comments from the RCCD.

There was some more discussion about the requirement. The Board discussed scheduling a site walk. **Mr. Howland made a motion to schedule a site walk for Friday May 3<sup>rd</sup> at 6:00 pm on South Road near the rail trail. Mr. Downing seconded the motion. The motion passed 5-0-0.** There was some more discussion. **Mr. Janvrin made a motion that the review by the Rockingham County Conservation District is not applicable to this application. Mr. Howland seconded the motion. The motion passed 5-0-0. Mr. Howland made a motion to continue the application to May 7<sup>th</sup> at 6:30 pm on the first floor of the town hall for the Board to make a decision on the application. Mr. Janvrin seconded the motion. The motion passed 5-0-0.** This meeting will be right before the scheduled Open Space Advisory Committee meeting.

**Mr. Andrew made a motion to adjourn at 7:30 pm. Mr. Janvrin seconded the motion. The motion passed 5-0-0.**

Respectfully Submitted,

Casey Wolfe  
Land Use Administrative Assistant