



Board of Adjustment
PO Box 120
Town of Fremont, New Hampshire 03044
Minutes of March 31, 2009
Approved April 28, 2009

Members present: Chairman Doug Andrew, Members John (Jack) Downing and Scott Boisvert, and Alt/recording Secretary Meredith Bolduc.

Mr. Andrew called the meeting to order at 7:30 p.m. and called the roll.

Mr. Andrew appointed Mrs. Bolduc as an alternate to the Board for this evening, taking the place of absent Member Jack Baker.

MINUTES

Mr. Downing made the motion to accept the minutes of the February 24, 2009 meeting as written. Motion seconded by Mrs. Bolduc with unanimous favorable vote.

MEMBERS

Mrs. Bolduc said that ZBA Member Aaron Epstein has decided to not renew his appointment which expired in March. There was a discussion relative to the fact that the ZBA is now short one Member and up to four Alternates. Mrs. Bolduc related that an alternate member of any board is appointed to act in an absent (or disqualified) members place and cannot fill a vacancy in the board membership. There are notices publicizing the need for Members on the ZBA and Planning Board posted on the Town website, in the Town Hall, Post Office and Library.

WORKSESSION

The Members reviewed and conducted general discussions relative to the following. There were no decisions made during these discussions.

1. Zoning districts using the Zoning District Map; specifically commercial, commercial highway and permitted uses on Red Roads.
2. Local Government Center (LGC) "Legal Questions and Answers Details" printout. This topic was centered on ZBA decisions, quorums, voting and fairness.
3. Wind Power: The Board discussed NH RSA 674:63 - Municipal Regulations of Small Wind Energy Systems. Mrs. Bolduc reported that the Planning Board is still in the process of reviewing the States model wind ordinance and will decide whether to put it forward for next

year.

4. Existing non-conforming properties as they pertain to the Fremont Zoning Ordinance.
5. RSA 674:33,I (b) – UNNECESSARY HARDSHIP

Mrs. Bolduc distributed copies of a March 9, 2009 printout of House Bill 446 which repeals RSA 674:33, I (b) defining “unnecessary hardship” for purposes of zoning variances and is scheduled to take effect January 1, 2010. According to the bill “this definition of “unnecessary hardship” shall apply to both use variances and area variances.” This bill was introduced at the 2009 session and proposed to be effective January 1, 2010 if it is passed. Mrs. Bolduc will find out if there is a further update to this bill and, if so, send it to the Members.

CORRESPONDENCE

1. Received: A notice of the NH OEP Annual Spring Planning & Zoning Conference scheduled for Saturday May 2, 2009.

Next meeting: scheduled for April 28, 2009.

At 9:20 pm Mr. Downing made the motion to adjourn.

Motion seconded by Mrs. Bolduc with unanimous favorable vote.

Respectfully submitted,

Meredith Bolduc, recording secretary
