



Board of Adjustment
PO Box 120
Town of Fremont, New Hampshire 03044
Minutes of November 20, 2007
Approved December 18, 2007

Members present: Co-Chairman Brett Hunter, Members Doug Andrew, Jack Baker and Land Use AA/recording Secretary Meredith Bolduc.

Mr. Hunter called the meeting to order at 7:30 p.m. then called the roll.

MINUTES

Mr. Baker made the motion to accept the minutes of the September 25, 2007 meeting as written. Motion seconded by Mr. Andrew with unanimous favorable vote.

At 7:35 pm Mr. Andrew made the motion to enter into non-public session pursuant to NH RSA 91-A: 3 and 3 II (e) to discuss the consideration of a pending claim which has been filed against the Town of Fremont Zoning Board of Adjustment.

The motion was seconded by Mr. Baker and unanimously approved 3-0.

At 8:05 pm Mr. Baker made the motion to return to public session.

The motion was seconded by Mr. Andrew and unanimously approved 3-0.

The only decision made during the non-public session was to meet with counsel to discuss the claim case.

Mr. Andrew made the motion that, pursuant to NH RSA 91-A: 3 and 3 II (e), in as much as divulgence of the information presented likely would affect adversely the action here enclosed and render it ineffective, the minutes of the non-public session held at tonight's meeting be sealed until such time as, in the opinion of a majority of the Members of the Fremont Zoning Board of Adjustment, the aforesaid circumstances no longer apply.

The motion was seconded by Mr. Baker and unanimously approved 3-0.

Case # 07-012
Michael and Robert Dudley
MAP 1 LOT 048-007
Sandown and South Roads

Present: There were no applicants, abutters or public present.

Mr. Hunter opened this Public Hearing at 8:05 p.m. and read the Public Notice of the Hearing as follows:

In accordance with NH RSA 675:7, you are hereby notified that the Fremont Zoning Board of Adjustment will hold a Public Hearing at 7:30 pm on Tuesday November 20, 2007 in the downstairs land Use Meeting Room of the Fremont Town Hall, as requested by Robert and Michael Dudley of 48 Church Street in Kingston, NH 03848.

The applicants are seeking a Special Exception from Fremont Zoning Article IX Section H for Map 1 Lot 048-007 to allow grading and leveling of their property closer than one hundred (100') feet to wetlands.

You are invited to appear in person or by counsel and state reasons why the appeal should or should not be granted. Written comments will be accepted up until the date of the hearing.

Mr. Hunter stated that the Board has received a November 13, 2007 letter signed by Robert Dudley requesting a continuance of this Public Hearing due to the unavailability of his surveyor Roscoe Blaisdell. Mrs. Bolduc related that both Robert and Michael Dudley visited the Land Use Office on November 13, 2007 to discuss a possible continuance as they felt the need for Mr. Blaisdell to be in attendance.

The Board briefly reviewed the submitted plan #1253-2 which was the subsurface septic design for the parcel drawn and stamped by Roscoe Blaisdell and dated September 21, 2007. The plan showed the locations of the proposed well, proposed septic and of the wetlands.

At 8:25 with little further discussion Mr. Andrew made the motion to continue this Public Hearing, as requested by the applicants, to 7:30 pm on December 18, 2007.

Motion seconded by Mr. Baker with unanimous favorable vote.

There were general conversations relative to:

The ZBA Rules of Procedure. The Board may review the Fremont ZBA rules of procedure at the next meeting.

Conservation Easement along the Exeter River.

Area and Use Variances procedures.

CORRESPONDENCE

1. Notice of the November 29, 2007 information session entitled "Consequences of Land Use Policy: Why and How NH Communities Can Grow Smart" put on by Donahue, Tucker &

Ciandella, PLLC.

2. Notice of the December 3, 2007 CTAP Local Government Cluster Workshop.

At 8:50 pm Mr. Andrew made the motion to adjourn.

Motion seconded by Mr. Baker with unanimous favorable vote.

Respectfully submitted,

Meredith Bolduc, recording secretary