

Report of the Fremont Zoning Board of Adjustment

Purpose of the Zoning Board of Adjustment

The purpose of the Zoning Board of Adjustment is to hear and make decisions relative to Appeals from Administrative Decisions, Special Exceptions, Variances and Equitable Waivers of Dimensional Requirements. Appeals for a rehearing are also part of the Board's responsibility.

Applications, Public Hearings, Site Visits and Decisions:

Each zoning application is carefully reviewed and considered by the Zoning Board of Adjustment Members. The Board typically meets at least three (3) times for each application request.

1. First there is a duly noticed Public Hearing held at the Fremont Town Hall. This Public Hearing gives the applicant the opportunity to present his/her case and for Board Members, the public and abutters to become informed of the applicants request and to ask questions and convey any concerns. Continuation dates are usually chosen by the Board at this Public Hearing for a Site Visit and to resume the meeting at the Town Hall.
2. The Site Visit is helpful in that it allows the Members to visualize how the request might fit to the property and terrain.
3. Back to the Town Hall to continue the application presentation and for a possible decision.
4. Sometimes, depending on the scope of the case or time constraints, there can be further continuations of the Public Hearing before a decision is rendered.

In 2010 the Zoning Board of Adjustment convened for a total of 12 monthly meetings. We addressed 10 requested actions and conducted 10 site visits which resulted in the following actions.

Date	Case #	Map / Parcel	Application	Final Status
January 26	10-001	07-015	Variance	Granted
January 26	10-002	07-016	Variance	Granted
March 30	10-002	06-001	Special Exception	Granted
April 20	10-003	02-129	Variance	Granted
May 25	10-004	02-105.019	Variance	Denied
July 27	10-005	01-091.001	Special Exception	Granted
July 27	10-006A	03-054.001.007	Variance	Granted
August 24	10-006B	03-054.001.007	Variance	Granted
September 28	10-007	03-169.059.005	Special Exception	Granted
September 28	10-008	05-057.001.001	Special Exception	Granted

Work Sessions:

In addition to hearing the cases that came before the Board, we held several "work sessions". The work sessions are an important part of the Zoning Board of Adjustment learning curve because they allow for discussions and understanding about the responsibilities and obligations of being a ZBA Member as well as help to understand the criteria for the various ZBA functions. At the work sessions we discuss and review the criteria for the forms of zoning relief including

Variance, Special Exception, Equitable Waiver of Dimensional Requirements and Appeal From Administrative Decision. Each of these has a very legal and unique set of conditions and procedure. These work sessions also allow the Board to discuss all legal updates to the Zoning Board of Adjustment, as well as any recent court decisions and how they would, or could, affect Fremont.

Legal Update:

The legal update that most effected all New Hampshire Zoning Boards was that of House Bill 446 which repealed RSA 674:33, I (b) defining “unnecessary hardship” for purposes of zoning variances and took effect on January 1, 2010.

Special thanks goes to our Land Use Administrative Assistant Meredith Bolduc, who keeps us informed of all pertinent legal updates and changes and continues to keep the ZBA and the Land Use Office operating efficiently and effectively by maintaining continuity between all the Land Use Boards (ZBA, Planning Board and Conservation Commission). The Land Use Office is essential to each Board.

Our gratitude is extended to the Members who continue to volunteer their time and efforts to serve on the Town of Fremont Zoning Board of Adjustment. Their commitment and dedication to voluntarily serve the Town does not go unnoticed.

Current Members of the Fremont Zoning Board of Adjustment:

Chairman Douglas Andrew
Vice-Chairman Scott Boisvert
Member Jack Baker
Member John (Jack) Downing
Alternate Member Meredith Bolduc

Please visit the ZBA page on the Fremont Town website for ongoing updates and information relative to the Zoning Ordinance, decisions, minutes and agendas.

If you have any questions, concerns or suggestions for the Zoning Board of Adjustment, or if you would like to participate by filling one of the available positions, please contact Meredith in the Land Use Office at 895-3200 x 17.

Respectfully submitted,

Douglas Andrew
Fremont Zoning Board of Adjustment Chairman