

REPORT OF THE ZONING BOARD of ADJUSTMENT

In 2009 the Zoning Board of Adjustment convened for a total of twelve (12) monthly meetings. We addressed three (3) requested actions and conducted two (2) site visits which resulted in the granting of one Area Variance, one Special Exception, and one case for a requested Special Exception is pending.

Case descriptions:

January 27 – Case # 08-006 Map 2 Lot 126 Area Variance - Granted

July 28 - Case # 09-001 Map 3 Lot 17 – In-Law/Accessory Apartment
Special Exception - Granted

December 29 – Case #09-002 Map 6 Lot 001 Special Exception - Case Pending

What the Zoning Board of Adjustment does

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.

Meetings of the Zoning Board of Adjustment

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. First there is a duly noticed Public Hearing held at the Fremont Town Hall which 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. At this Public Hearing dates are usually chosen by the Board to continue the Hearing to the subject property for a site visit, and then back to the Town Hall to continue the application presentation and for a possible decision. 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 addition to hearing the cases that came before the Board, we held several “work sessions” during which we discussed and reviewed 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 rules of procedure. These work sessions also allowed 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. The update that will most effect all New Hampshire Zoning Boards is that of House Bill 446 which repeals RSA 674:33, I (b) defining “unnecessary hardship” for purposes of zoning variances and takes 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. It takes time, commitment and dedication to voluntarily serve the Town in any capacity.

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
Chairman, Fremont Zoning Board of Adjustment

"O SAY CAN YOU SEE"

In 1813 Major George Armistead asked for an American flag to be made for Fort McHenry in Baltimore Harbor that "the British would have no trouble seeing."

On September 14, 2814, it was this flag that inspired Francis Scott Key to pen the immortal words of "The Star Spangled Banner" on the back of a letter he had in his pocket.