

Present: Chair Doug Andrew, Vice Chair Dennis Howland, Member Jack Downing, Member Neal Janvrin, Alternate Member Josh Yokela, and Land Use Administrative Assistant Casey Wolfe

Also Present: Jay Comstock, Sam Harris, and Richard Cooper

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

Mr. Andrew appointed alternate member Mr. Yokela as a voting member in place of Mr. O'Malley for the evening.

I. Minutes

Mr. Howland made a motion to accept the minutes of February 27, 2018. Mr. Downing seconded the motion. The motion passed 5-0-0.

II. New Business

Case # 018-004/Variance

Jay Comstock seeks a variance to the terms of Article XII Section 1201.5 of the Fremont Zoning Ordinance to permit the construction of a garage 68 feet from a wetland when a 100-foot setback is normally required at 371 North Road, Map 6 Lot 62-2.

Mr. Andrew read the case into the record. Mr. Comstock explained that he wants to build a garage (with a great room above) attached to his home. This proposed garage is within 100 feet of the wetland area, according to his septic map. Mr. Comstock stated he would also like to add a gravel driveway leading to the proposed garage. The proposed garage is 24 by 28 feet. Another garage currently exists on the property. Ms. Wolfe read through the comment sheets. The Road Agent wrote, *"If this is an attached garage to the house please allow enough space for a turnaround so as not to have cars backing into North Road. At least 18 by 22 feet."* The Conservation Commission wrote, *"In order to adequately review this variance request and provide comment, the Conservation Commission requests a site visit to evaluate type of wetland, habitat, and potential impacts of garage construction thereon."* The Police Chief wrote, *"No issues."* The Building Inspector wrote, *"No comments at this time."*

Ms. Wolfe passed around three photos that the applicant had previously submitted. Mr. Howland asked the applicant if he had considered putting this garage behind the house. Mr. Comstock stated that he would have the same problem with the wetland setback in that location as well. Mr. Howland made a motion to open up public comment. Mr. Janvrin seconded the motion. The motion passed 5-0-0. Mr. Cooper stated that he has no objections to any impacts the garage may have on the neighborhood. He stated that the Conservation Commission has expressed interest in having a site walk. Mr. Harris stated that he also has no problem with the request. The garage will not affect the neighbors. Mr. Cooper expressed sympathy for Mr. Comstock because he currently has to back out of his driveway into traffic. Mr. Yokela asked if this variance is based off of a recent wetland delineation or an old septic drawing. Mr. Comstock confirmed it is based

off of an old septic plan. He stated that he believes the proposed garage is actually 102 feet from standing water. Unfortunately, the septic drawing from the 80's states otherwise. Mr. Howland made a motion to close public input. Mr. Janvrin seconded the motion. The motion passed 5-0-0.

After some discussion, the Board decided to conduct a site walk on May 12th at 9:00 am. Mr. Howland made a motion to have a site walk at this date and time. Mr. Downing seconded the motion. The motion passed 5-0-0. Mr. Howland made a motion to continue this hearing to the scheduled site walk. Mr. Yokela seconded the motion. The motion passed 5-0-0. The applicant and abutters left 7:18 pm.

III. OTHER BUSINESS

Mr. Yokela asked if Ms. Wolfe would bring the 2018 Ordinances to their site walk on the 12th. Ms. Wolfe made a note to do that.

The Zoning Board members had a discussion about their site walk procedure. Mr. Yokela felt that the Board could make a decision at the site walk rather than waiting until the next regularly scheduled Board meeting (as long as the Board feels they do not need any more information). Mr. Howland stated that the Conservation Commission will often want a chance to comment before the Board makes a decision. Ms. Wolfe suggested that the Board rethinks their site walk procedure. Mr. Yokela suggested having a site walk scheduled before the original meeting to save the applicant some time. Mr. Howland was not sure if the Board would have enough information to know to schedule a site walk until they meet for the hearing. He was also unsure how the Zoning Board would schedule a site walk that would work for everyone's schedule without the Board being together at a meeting. Mr. Yokela stated that scheduling a site walk via email was within the Right to Know law. There was some discussion about the kind of notice the abutters would receive about the site walk. Mr. Howland felt that Mr. Yokela's intentions were good but he was unsure if it was a good idea to have the site walk before the hearing. Mr. Janvrin did not like that discussion at a site walk is not publicized on Fremont Cable. Mr. Yokela stated that the minutes are the only record that the statute requires. Ms. Wolfe offered to call one of the attorneys at the New Hampshire Municipal Association to ask them about this.

Ms. Wolfe stated that she will email a recent letter from the Selectmen's office that was sent to Ms. Patterson about a zoning violation on Shirkin Road. The Town Administrator wanted the Board to be aware of the problem.

Mr. Janvrin made a motion to adjourn at 7:28 pm. Mr. Howland seconded the motion. The motion passed 5-0-0.

Respectfully Submitted,

Casey Wolfe
Land Use Administrative Assistant