

Board Members Present: Chair Doug Andrew, Members Neal Janvrin, Todd O'Malley, and Joshua Yokela

Also present:

Leanne Miner, Land Use Administrative Assistant;
Applicant Kelly Loyd, 57 Kelsey Drive

I. WELCOME

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

II. MINUTES

Mr. Janvrin made a motion to approve the meeting minutes from October 26, 2021. Mr. O'Malley seconded the motion and the motion passed 4-0.

Mr. Janvrin made a motion to approve the meeting minutes from November 7, 2021. Mr. O'Malley seconded the motion and the motion passed 3-0-1 (Yokela abstaining).

III. CONTINUED BUSINESS

VARIANCE REQUEST Case 021-010 House

The Public Hearing for Case 021-010 was called at 7:03 PM by Mr. Andrew.

Ms. Miner read the case notice.

Case 021-010 - Public Hearing Map 2, Lot 105-029: 57 Kelsey Drive: Applicants William and Kelly Loyd are requesting a Variance from the terms of Article XII, Section 1201.5 (Wetlands and Watershed Protection District, Uses Permitted) of the Fremont Zoning Ordinance to allow erection of a sixteen (16) by twenty (20) feet shed within the 100-foot wetland buffer zone.

Ms. Miner read the notification report as follows:

Date Published in Union Leader 10/14/21

Date Posted Town Hall 10/4/21

Date Posted at Post Office 10/14/21

Date Mailed to Abutters. 10/14/21

Regarding Comment from the Conservation Commission.

The Conservation Commission commented if the ZBA decides to grant a wetland setback variance for the shed, the Conservation Commission recommends the shed be located as far away from the wetland itself as is feasible rather than the currently proposed location. Possibly to the right of the house behind the septic system setback. Placing the shed there would not only increase the shed's distance from the wetland but also have the added benefit of moving it further away from their well. Furthermore, the Conservation Commission would recommend the ZBA require stone/gravel be installed around the shed to a depth of 6 to 12 inches to minimize runoff from the shed into the wetland itself. In addition, the Conservation Commission would recommend the ZBA require that no regulated materials be stored in the shed in order to minimize the potential for harmful contamination of the wetland.

There was discussion about storage of regulated substances in the shed. No regulated substances may be stored in a watershed (area surrounding wetlands) under the Fremont Zoning Ordinance. It was recommended that Ms. Loyd be familiar with prohibitions in wetlands and watershed areas.

Mr. Janvrin and Yokela stated that they felt the original proposed location for the shed was appropriate after seeing the property. Putting the shed on the other side of the home would require traversing the watershed area on a more frequent basis.

Mr. Yokela motioned to open the public comment period with a second from Mr. Janvrin. The motion passed 4-0.

No public comments were made.

Mr. Yokela motioned to close the public comment period with a second from Mr. Janvrin. The motion passed 4-0.

Ms. Miner stated that the Application Criteria and Responses were posted online and provided to members in advance. She asked the Board if they would like to discuss any specific criteria. Mr. Janvrin stated that he felt the application met all 5 variance criteria and he was prepared to vote.

Mr. Yokela informed Ms. Loyd that she had the option to continue her hearing since the full Board was not present and that she would need 3 of 4 votes in order to obtain the variance. Ms. Loyd stated that she wished to continue with the hearing.

A motion was made by Mr. Janvrin to grant a Variance from the terms of Article XII, Section 1201.5 (Wetlands and Watershed Protection District, Uses Permitted) of the Fremont Zoning Ordinance to allow the erection of a sixteen (16) by twenty (20) feet shed within the 100-foot wetland buffer zone. Mr. Yokela seconded the motion.

Members discussed the condition that stone or gravel be placed around the shed to minimize any impact on the watershed. Ms. Loyd stated that she was planning to do this. Ms. Miner read the full motion with the condition stated. **All members voted in favor of granting the variance as read with the condition and the motion passed 4-0.**

The hearing was closed at 7:20PM and Ms. Loyd left.

IV. NEW BUSINESS – No continued business was discussed.

V. ADMINISTRATION

Ms. Miner provided an overview of the proposed Fremont Zoning Ordinance Amendments that will be the subject of the Planning Board's December 1 Public Hearing.

Ms. Miner noted that no new applications were received and that November 23 is the deadline. The Board agreed to cancel the December 28, 2021 meeting and defer any minutes or review of procedures to January 25, 2022.

VI. ADJOURNMENT

Mr. Janvrin motioned to adjourn at 7:23PM with a second from Mr. O'Malley and the motion passed 4-0.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Dy", written in dark ink.

Leanne Miner, Land Use Administrative Assistant