

Present: Chair Doug Andrew, Dennis Howland, Neal Janvrin, Todd O'Malley, Jack Downing, and Land Use Administrative Assistant Leanne Miner

Also Present:

Applicant and Consulting Team - Joe Falzone, Scott Cole, Jim Gove

Public: Patricia deBeer

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

I. Minutes

Mr. Howland made a motion to accept the minutes of May 7, 2019. Mr. Janvrin seconded the motion. The motion passed 5-0-0.

Mr. Janvrin made a motion to accept the minutes of May 25, 2019. Mr. Howland seconded the motion. The motion passed 3-0-2 (Mr. O'Malley and Mr. Andrew abstaining).

II. Continued Business

Case #019-002/Special Exception

Special Exception request by applicant Joe Falzone to the terms of Article 12 Section 1201.8 of the Fremont Zoning Ordinance. The applicant seeks to allow a driveway into a wetland buffer area at Map 2 Lot 19-4 on South Road.

Mr. Andrew read the case into the record.

After introductions were made Mr. Cole summarized the site walk noting that it was his understanding that a member of the Conservation Commission had comments, but nothing had been provided in writing and that at this stage in the process, the applicant is seeking final approval on the variance request.

Ms. Miner noted that the Conservation Commission did not have any comments since the site walk as there was no quorum at the site walk. Ms. deBeer asked that the ZBA give the Conservation Commission a chance to review the site walk on Monday's regular Conservation Commission meeting (June 3, 2019) as most of the members did not attend the walk and she would like members more familiar with wetlands to review. Given the holidays, the Conservation Commission was unable to call a Special Meeting prior to tonight's Zoning Board meeting to discuss the project after the site walk. Ms. deBeer also presented soil mapping of the site showing hydric soils and noted that hydric soils were extensive in the vicinity of the wetlands in question.

The Board discussed the merits of postponing their decision in order for the Conservation Commission to continue their review.

There was discussion about the difference in scale between the map and more detailed field mapping of site-specific wetlands. There was also discussion and concurrence that the subject

wetland is not state-designated prime. Mr. Gove clarified that the scale on the soils mapping presented by Ms. deBeer is 1 in: 2000 ft. Mr. Gove noted that he authored the mapping for the County as well. The site-specific wetlands were delineated at a higher resolution based on 3 criteria: hydrology, hydric soils, and vegetation type. Therefore the site-specific wetlands delineation looks different than the published county mapping. There was some additional discussion about studying the wetland functions and values. The applicant noted that they hired a consultant to do the delineation which they are relying upon.

The Board discussed procedural options before them (voting, continuance, or special meeting). Mr. Janvrin noted the previous opportunity for town boards to provide comments. Ms. Miner reviewed the timeline and points at which the Conservation Commission had previously commented on the project for Planning Board in March 2019 and Zoning Board in April 2019. At Ms. deBeer's request Ms. Miner also read Conservation Commission comments recorded in the March 6, 2019 Planning Board meeting minutes. The Board discussed potential timing for a Special Meeting should their decision be delayed. Several members of the board expressed that they were prepared to accept the variance based on the information before them including the site walk without additional input from other town boards.

Mr. Janvrin made a motion to grant the special exception request from Mr. Falzone to the terms of Article 12 Section 1201.8 of the Fremont Zoning Ordinance on the condition that best management practices are followed to protect the wetland and buffer. Mr. Andrew seconded the motion. The motion passed 5-0-0.

Applicant left at 7:20 PM.

III. Other Business

Land Use Regulations - Ms. Miner distributed 2019 Land Use Regulation books and published corrections to Section 91A:2 and explained the general rules for posting approved meeting minutes on the Town's website.

Mr. Howland made a motion to adjourn at 7:24 PM. Mr. Janvrin seconded the motion. The motion passed 5-0-0.

Respectfully Submitted,



Leanne Miner
Land Use Administrative Assistant