

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

Also present: Leanne Miner, Administrative Assistant; Applicant Robert Roy.

I. WELCOME

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

II. MINUTES

Mr. Janvrin made a motion to approve the meeting minutes from June 22, 2021 with minor revision. Mr. Howland seconded the motion and the motion passed 4-1, O'Malley Abstaining.

III. NEW BUSINESS

Case 021-006 - Public Hearing Map 2, Lot 020-004 11 Currier Lane: Applicant Robert H. Roy, is seeking a Variance to the terms of Article IX, Section 901 (*Lot Requirements, New and Expansion of Existing Structures*) of the Fremont Zoning Ordinance to allow for the expansion of an existing structure (porch) 12 feet into the rear property setback. The subject property address is 11 Currier Lane and is located on Map 002, Lot 020-004 in Fremont NH.

Ms. Miner read the notification report as follows:

Date Published in Union Leader 7/11/21

Date Posted Town Hall 7/9/21

Date Posted at Post Office 7/9/21

Date Mailed to Abutters. 7/9/21

Ms. Miner noted Department comments as follows:

Police – No issues

Road Agent – No issues

Code Enforcement – Additional renovation permit must be obtained to add onto existing deck if variance is granted.

Ms. Miner reviewed application materials provided to the ZBA including supplemental request for variance as per RSA 674:33 (Granting Variances for the Disabled). No comments were received from the public.

Mr. Andrew invited Mr. Roy to describe his need for this application. Mr. Roy provided a detailed explanation of his wife's handicap requiring expansion of the back deck so she can access the deck with a wheelchair.

There was discussion about the proposed size of the deck and the expansion into the setback. There is a small lift to get into the house. He is not looking to install a ramp to access the deck. Ms. Miner noted that this project would not exceed the 30% impervious surface which is the limit for this district.

There was discussion about a regular variance vs requesting the board to consider this request under RSA 674:33 V (Granting Variances for the Disabled). Mr. Roy is clear that the variance is in effect as long as Diane Roy (the handicapped person) uses the premises. There was discussion about the small unbuildable parcel adjacent to the property Map 2, Lot 21-1.

Mr. Yokela motioned to open the public comment period with a second from Mr. Janvrin. The motion passed 5-0.

No public comments were made.

Mr. Howland motioned to close the public comment period with a second from Mr. O'Malley. The motion passed 5-0.

There was discussion about Limited Common Area (LCA) vs Open Space Area. Ms. Miner noted that Mr. Roy needs to talk to the Housing Board about building in the LCA. No one can install a structure in the Open Space Area. The Board discussed the proposed size of the porch and deemed it reasonable to enjoy the use of the porch with a wheel chair (~22-30 Inches wide) with others.

The Board did not review Variance Criteria as it is not required under 674:33 V.

Mr. Howland made a motion to grant the Variance to the terms of Article IX, Section 901 (Lot Requirements, New and Expansion of Existing Structures) of the Fremont Zoning Ordinance to allow for the expansion of an existing structure (porch) 12 feet into the rear property setback. The Variance was granted pursuant to RSA 674:33.V provided that the Variance shall be in effect as long as Diane Roy uses the premises. Mr. Janvrin seconded the motion and the motion passed 5-0.

IV. NEW BUSINESS – No new business was discussed.

V. ADMINISTRATION– No new business was discussed.

VI. ADJOURNMENT

Mr. Howland motioned to adjourn at 8:01 PM with a second from Mr. Yokela and the motion passed 5-0.

Respectfully Submitted,



Leanne Miner, Land Use Administrative Assistant