



Fremont Board of Adjustment
October 26, 2012
Meeting Minutes
Approved November 27, 2012

Members present: Chairman Doug Andrew, Member John (Jack) Downing and Alt/recording Secretary Meredith Bolduc.

Mr. Andrew opened the meeting at 7:30 pm.

At the August 25, 2009 meeting Mr. Andrew designated Alternate Meredith Bolduc to fill the vacancy on the Fremont Board of Adjustment until such time as the Selectmen have appointed someone to serve as a full Board Member to fill that vacancy. That appointment remains in effect.

MINUTES

Mr. Downing made the motion to accept the minutes of the July 24, 2012 meeting as written. Motion seconded by Mr. Andrew with unanimous favorable vote.

DISCUSSION

Article XVIII

The Members discussed the Zoning Ordinance as it pertains to districts.

Mrs. Bolduc reported that the Planning Board has approved for the 2013 vote an amendment to Article XVIII to remove from the Corporate Commercial District the parcels located at Map 5 Lot 36 and Map 5 Lot 37, and update the Fremont New Hampshire Zoning District Map dated December 13, 2006 to reflect this amendment. Mr. Andrew asked how the article would be worded on the ballot and noted that sometimes the wording is confusing.

Mrs. Bolduc and Mr. Downing reported that the Planning Board is discussing whether to remove red roads (zoned as Flexible Use Residential) out of each of the Commercial districts and the Village District.

The options considered are:

- Leave the zoning as it is and allow there to be overlapping districts.
- Remove the red roads from the Village District, Corporate Commercial District, and

Commercial Highway District and then adding residential as a permitted use in the Commercial Highway District.

- Remove residential from all commercial districts.
- Change the applicability of Flexible Use Residential to “Commercial use with Planning Board conditional use permit is allowed on frontage lots that are zoned residential.

This led to a discussion about how the current zoning affects parcels fronting on a Red Road (Flexible Use Residential) that are also in a commercial district.

PRIME WETLANDS

There was a discussion relative to the buffer for the 26 Prime Wetlands in Fremont. It was determined that with the passage of SB 19 the only Prime Wetland in Fremont that would not come under the 100’ buffer rule now is the Spruce Swamp because it was designated prior to 2007. And because the other 25 were designated after 2007 they do come under the 100’ buffer rule.

It was noted that for certain projects within the 100-foot buffer of a prime wetland the Town permitting process through zoning, and the State permitting process through application for permits are two separate processes and there would be no legal conflict between the Town and the State as long as any Town approval is conditioned upon the favorable approval and granting a Major Project Standard Dredge and Fill permit by the New Hampshire Department of Environmental Services (DES).

CORRESPONDENCE

There was no incoming correspondence.

At 8:25 pm Mr. Downing made the motion to adjourn.

Motion seconded by Mr. Andrew with unanimous favorable vote.

Next meeting: scheduled for November 27, 2012.

Respectfully submitted,

Meredith Bolduc, recording secretary
