

Present: Chair Doug Andrew, Vice Chair Dennis Howland, Members Todd O'Malley, and Neal Janvrin, Alternate member Josh Yokela, and Land Use Administrative Assistant Casey Wolfe.

Also Present: Roger Barham, Jack Karcz, Bill Knee, Leanne Miner, Martin Ferwerda, Jim Curtin, Don Arseneault, Dave Rines, Dennis Byrne, Sherry Brox, Patty Blaire, and other members of the public.

Mr. Andrew opened the meeting at 9:02 am.

**Case # 017-004/Variance & Case # 017-005/Variance**

**Mr. Ferwerda, on behalf of Witham Park at Map 3 Lot 1, seeks a variance to the terms of Article 9, Section 901 of the Fremont Zoning Ordinance to permit proposed lot lines to be located five feet from existing homes when thirty feet is normally required. The applicant also seeks a variance to the terms of Article 9 Section 902 of the Fremont Zoning Ordinance to allow these proposed lot lines to be less than the required 100 feet.**

Mr. Ferwerda pointed out the proposed lot lines on the plans. Mr. Knee asked if there are any wetland areas nearby. Mr. Knee went to go check that out. He reported that there is a drainage area behind the house on lot 3-1-1-43 Georges Lane. Mr. Yokela asked Mr. Ferwerda if he was aware that the generator for the home on lot 3-1-1-42 Georges Lane is outside of the proposed lot line. Mr. Ferwerda said that he is aware and that it is not a permanent structure. Ms. Patty Blaire commented that the current lot line goes right through her bedroom. Mr. Howland made a motion to continue the hearing to Tuesday July 25<sup>th</sup> at 7:00 pm at the Fremont library. Mr. O'Malley seconded the motion with all in favor. Mr. Howland made a motion to adjourn the meeting at 9:17 pm. Mr. O'Malley seconded the motion with all in favor.

Mr. Janvrin made a motion to reopen the meeting for public comment. Mr. O'Malley seconded the motion with all in favor. Mr. Dave Rines from 56 Tarah Way was concerned about the cease and desist order that was placed on the development. Mr. Barham explained the reason the cease and desist was imposed. Mr. Jim Curtin at 67 Tarah Way pointed out that there are other cul-de-sacs in town without an emergency road. Mr. Barham made it clear that the Town is requiring the emergency road which was a requirement of the original site plan approval and that it is on the plans. Mr. Karcz explained that once a road is a certain length, Fremont planning boards have traditionally made provisions to ultimately provide another way out. Ms. Sherry Brox from 69 Tarah Way had a question about the variances. Ms. Wolfe explained the two variances, namely relief on the lot line set backs and lot line lengths. Ms. Sherry Brox also had a question about the applications before the Planning Board. Don Arseneault from 60 Tarah Way asked what happens when the variances are approved. Ms. Wolfe explained the amended site plan applications before the Planning Board were for the approval for the lot line adjustment and the amended emergency access road, which can only be acted on by the planning Board once the site plan is compliant with zoning. Mr. Barham added that if the Zoning Board does not approve what is proposed, then the design as presented would not be compliant with zoning and will have to be revised. Mr. Jim Curtin stated that the contractors that are doing this work are no longer able to do their job. Mr. Barham explained that the cease and desist order precluded new construction of dwellings but allowed for road and infrastructure development to proceed. Mr.

Karcz explained that site plan issue has been going on for years. Mr. David Rines asked why the cease and desist order is happening now. He also stated that the road looked better when he first moved here a few years back. Mr. Barham explained that this had been an ongoing issue with Mr. Ferwerda to maintain an accessible emergency access but following the construction of the new unit the emergency access became inadequate and action was necessary. Mr. Don Arseneault asked when the ZBA will make a decision. Mr. Andrew answered that the ZBA expects to make will make a decision Tuesday.

Mr. Janvrin made a motion to adjourn at 9:43. Mr. O'Malley seconded the motion with all in favor.

Respectfully Submitted,

Casey Wolfe  
Land Use Administrative Assistant