

**Freedom Planning Board**  
**March 10, 2016**

**Members Present:** Anne Cunningham, Jean Marshall, Bill Elliott, Peter Park, Les Babb, Paul Elie Pam Keith (alternate)

**Members Absent:** Maynard Thomson

**Others Present:** Dianne Park, Ernie Day Jr., Bill White, Jennifer Molin, Paul Olzerowicz, Richard Woodstein-Owner Camp Robin Hood, Todd Desmarais, Ray Desmarais  
 Minutes were recorded by Dianne Park

Meeting called to order at 7:00pm.

**Minutes**

A motion was made by Peter, seconded by Bill, to approve the minutes from February 18, 2016 pertaining to Sherwood Forest only, as amended. All were in favor.

Page 2, Under ~~Major Subdivision Application of Sherwood Forest LLC~~ second paragraph, change the first sentence from ~~The board proceeded with accepting the application as complete.~~  
 To: ~~The board proceeded with determining if the application is complete.~~

Page 5, first paragraph, remove: ~~if possible.~~

Page 5, ninth paragraph, change the last sentence from: ~~Les explained that decks, garage etc. would be deducted.~~  
 To: ~~Les explained that decks, garage etc. would be included in the 40x50 envelope.~~

**Public Hearing started at 7:05pm.**

**Continue the review of the Major Subdivision Application of Sherwood Forest LLC of Ossipee Lake Road, Tax Map #7 Lot#5-1**

For the purpose of this Public Hearing Ernie Day Jr. sat on the board in place of Les Babb and Pam Keith sat on the board in place of Jean Marshall.

Anne gave background on the reason for tonight's meeting.

Richard Woodstein, owner Camp Robin Hood, introduced himself and gave a thank-you to the board for having tonight's meeting. Les explained that Mark McConkey and Ted Wright were not present but could be reached by phone if necessary.

Anne asked why if NHDES approved a 2 bedroom/septic design for each unit why they wanted the specification of 2 people and 1 caregiver. Les explained that past developers have overbuilt projects and they are trying to control what is submitted.

*Check future meeting minutes for any amendments or changes to these minutes.*

Anne further asked if the wells had anything to do with this decision and was told no the state has a mathematical equation to use for wells.

Paul Olzerowicz asked when the wells are drilled will they be inspected or is just a form filled out. Les explained a form is filled out.

### Condominium Documents

Anne pointed out that on Page 4, the driveway is not listed in the definition of limited common area. Les stated the driveway is limited common area and will be add this to the definition.

Anne asked about page 3, Article 5 Section B ~~“All roadways servicing the Condominium and shown on the Plat shall be private and shall be maintained as Common Area by the Association.”~~ further asking if the road will always be a private road. Les explained as long as Camp Robin Hood is in charge the roads will be private and also stated the road will be built to town specifications.

Page 7 b iii and iv:

b iii ~~“~~ Visitation of persons under the age of 18 shall not exceed a period of more than 20 days.~~”~~

b iv ~~“~~ Residential occupancy of the Unit shall be limited to 2 persons, plus an as-needed caregiver.~~”~~

Anne asked if someone could go away for 1 day and then come back to have the 20 days start over. Les said they would look at this issue and revise the time period (i.e. every 4 months, every quarter, every calendar year).

Ray Desmarais commented as a Senior Citizen buying one of these units are you telling me that my grandchildren cannot come and visit for the summer?

Page 11 Section G, first sentence there is a typo; the last word will be changed from: ~~“development”~~ to ~~“document”~~

Anne asked about the maps for Septic and Well stating that when she lines up both maps (one on top of another) 2 lots are different sizes on both maps. Les will confirm that the 2 lots are correctly sized on both plans.

### Road

Anne pointed out items needing to be changed on the road plan:

- No center line of traveled lanes.
- Is 3% across the slope or across the road?
- Would like to see the shoulders of the main road on the plan as well as the road specification drawing from the town Road Agent.

Anne said that Ted Wright explained the road would be raised 1 foot but the submitted plan says ~~“existing grade”~~ not ~~“1 foot above”~~. Les explained the road will be raised 1 foot and this will be added to the plan.

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Paul Olzerowicz asked if swails would be added and was told only if necessary.

Bill White asked why the town Road Agent and Les have not gotten together on the issue of specifications for the road. Anne explained that that type of conversation must be at a public meeting and the Road Agent did get back to her on the specifications.

Peter said he had concerns about the basement but is now fine with the NHDES requirements of 2 people and 1 caregiver further stating he is only half comfortable with a second story but would give in on that point.

Ernie said he is fine with everything except he wants the town to be free of indemnity from wells being too close to the road and being contaminated by road salt.

Paul Olzerowicz asked about the boxes around the septic stating these extend into the buffer zone.

#### Conditions of Approval

Anne passed out a sheet entitled ~~Draft~~ Conditions 03-10-2016. The board and the applicant discussed in length condition #1 *'The road remains a private road in perpetuity.'* and #2 *'A waiver of claims be added to the Declaration of Condominium, binding the Association and all of its members if the Town accepts the subdivision road as a public road should a future planning board revoke condition #1. The language shall include 'Any proposed amendment of this waiver of claims shall obtain the prior written approval of the Freedom Planning Board.'*

Les explained the road will be built 100% to town specifications and further stated it was not fair if sometime in the future the road is partitioned as a town road there should be no problem because the road is already built to town specifications. Todd Desmarais thought the reason roads in town were required to be built to town specifications was the possibility of being a future town road.

Paul Olzerowicz asked if the road would be maintained to town specifications. Les stated it was never the applicant's intention to build a sub-standard road.

Bill Watson of Sherwood Forest LLC said it was odd the present Planning Board was concerned about what would happen in the future further stating that in the future if the road is becoming a town road it would be inspected by the town Road Agent. Anne explained that when a road is partitioned to become a town road no inspections are done. It is strictly by vote.

A motion was made by Peter seconded by Paul, to delete condition #1 and accept condition #2 as amended: ~~A~~ waiver of claims be added to the Declaration of Condominium, binding the Association and all of its members if the Town accepts the subdivision road as a public road. The language shall include ~~Any~~ proposed amendment of this waiver of claims shall obtain the prior written approval of the Freedom Planning Board. All were in favor.

A motion was made by Peter, seconded by Paul, to accept condition #3 as stated: ~~The~~ road is built to town road specifications. All were in favor.

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A motion was made by Peter, seconded by Pam, to accept condition #4 as stated: "Road plan is provided to the planning board requirements (one foot above grade). Including a plan showing actual and proposed grade at fifty foot intervals, before any road construction begins. All were in favor.

A motion was made by Bill, seconded by Peter, accepting condition #5 as stated: "Barrier free architectural design features as shown in the letter submitted by Les Babb dated March 10, 2016 are constructed." All were in favor.

A motion was made by Peter, seconded by Bill, to accept condition #6 as stated: "Drip line trench details shown on a separate sheet submitted with the seal of Mark McConkey on March 8, 2016 are constructed." All were in favor.

A motion was made by Peter, seconded by Pam, to accept condition #7 as stated: "Occupancy is limited to two persons, plus a certified caregiver where necessary, as indicated in section A 4 b IV. Information on occupancy will be provided to the town as required in section A 2." All were in favor.

A motion was made by Peter, seconded by Bill, to accept condition #8 as amended: "All units are two bedrooms only. All structures will be within the 40x50 building envelope." All were in favor.

A motion was made by Peter, seconded by Bill, to accept condition #9 as stated: "All required town and state permits are received." All were in favor.

A motion was made by Peter, seconded by Bill, to accept condition #10 as stated: "Sherwood Forest LLC will provide to the planning board a photographic record of the currently existing wooded buffer that will show the location, size, variety, and density of existing natural growth." All were in favor.

A motion was made by Peter, seconded by Bill, to accept condition #11 as stated: "After construction of the road and the first six units, Sherwood Forest LLC will document the condition of the wooded buffer and provide the planning board with a landscaping plan to bring the buffer back to the existing state on March 10, 2016." All were in favor.

A motion was made by Pam, seconded by Peter, to accept condition #12 as stated: "A bond is provided from Sherwood Forest LLC in favor of the town of Freedom in the amount of \$178,000." All were in favor.

A motion was made by Peter, seconded by Bill, to accept condition #13 as stated: "An as built plan for utilities is provided to the planning board when utilities are in place." All were in favor.

A motion was made by Peter, seconded by Bill, to accept condition #14 as stated: "An as built plan for wells and septic will be provided to the planning board when all eighteen units are

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constructed or on march 10, 2018, whichever comes first. If the subdivision is not complete at this time, a final as built plan will be provided showing final configuration.ø All were in favor.

A motion was made by Bill, seconded by Peter, accepting the Application from Sherwood Forest LLC with the conditions stated. All were in favor.

Jean re-joined the Planning Board and asked if the ~~Rules of Procedure~~ could be read at this meeting. After board discussion it was decided that this was a special meeting and not an actual scheduled Planning Board Meeting. They will be read at the next regular scheduled meeting.

A motion was made by Bill, seconded by Peter, to adjourn the meeting.  
Meeting adjourned at 8:25pm.