

Zoning Board of Adjustment
August 23, 2016

Members Present: Craig Niiler-Vice Chairman, John Krebs, Jake Stephan, John Quigley (alternate), Dennis Anderson (alternate)

Members Absent: Scott Lees-Chairman, Karl Ogren

Others Present: Janice Zecher-Recording Secretary, Nancy Cristoferi, Margie Amico, Carole Demore

Meeting called to order at 7:00pm.

Craig introduced the board members to the public, and explained the rules and procedures.

The minutes from July 26, 2016 were reviewed.

Remove sentence on page 2: "State standard (DES) Craig Niiler commented that he thought Freedom enforces this rule well."

Motion was made by Jacob and seconded by John to accept the July Minutes as amended. All were in favor.

Case #38-8-16-b Nancy Cristoferi Applicant seeks a Variance under Article 3, Table 304.2 to remove existing summer camp and replace with new log home adding 7 feet to the setback on the right side of the property at 15 Birchwood Shores Road, Tax Map #38, Lot #8.

There are no Summary of Facts to be reported on this Variance.

The board reviewed the Variance Worksheet for Article 3 Section 304.2

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|----------------|------------------------|
| 1. Carried 5-0 | 4. Carried 5-0 |
| 2. Carried 5-0 | 5. A. (i) Carried 5-0 |
| 3. Carried 5-0 | 5. A. (ii) Carried 5-0 |

A motion was made by Craig, seconded by John, that, based on the foregoing findings of fact, the requested variance from Article 3 Section 304.2 of the Town of Freedom Zoning Ordinance be granted.

Conditions:

1. Per plan titled ZBA Application for Nancy Cristoferi 15 Birchwood Shore Road, revision date 8/5/16.
2. Erosion control may be adjusted at the discretion of the Zoning Officer to enhance effectiveness. It shall be installed prior to construction and remain in place until site is stabilized.
3. 3 proposed grade stakes shall be installed by a licensed land surveyor prior to construction.
4. All State Permits must be obtained prior to construction

Motion Carried 5-0

Case #38-8-16-b Nancy Cristoferi ó Applicant seeks a Variance under Article 3, Table 310.1.5 regarding the 10% rule at 15 Birchwood Shores Road, Tax Map #38, Lot #8.

Lot #7-3 and Lot #8 on Tax Map #38 have been merged into Tax Map #38, Lot #8. There is no longer a concern about the 10% footprint so the variance is not necessary. Nancy verbally requested this variance request be withdrawn. Verbally approved by the board.

Case #38-8-16-b Nancy Cristoferi ó Applicant seeks a Special Exception under Article 3, Section 304.6.4.1 for Erosion Control at 15 Birchwood Shores Road, Tax Map #38, Lot #8.

1. Noted by John Krebs that the erosion control is only 10-11 feet from the house, it could be difficult to move construction vehicles in.
2. Noted by Jacob that the silt fence needs to be extended edge to edge. Nancy said they would put the fence from property line to property line.
3. Nancy is planning to move the well onto the newly merged lot formerly listed as 7-3. The leachfield will stay where it is.

The board reviewed the Special Exception Worksheet for Article 3 Section 304.6.4.1

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| A. Conforms 5-0 | J. Conforms 5-0 |
| C. Conforms 5-0 | K. Conforms 5-0 |
| H. Conforms 5-0 | L. Conforms 5-0 |

A motion was made by Craig, seconded by Jacob, that based on the foregoing findings of fact, the requested special exception from Article 3 Section 304.6.4.1 of the town of Freedom Zoning Ordinance be granted.

Conditions:

1. Per plan titled ZBA Application for Nancy Cristoferi 15 Birchwood Shore Road, revision date 8/5/16.
2. Erosion control may be adjusted at the discretion of the Zoning Officer to enhance effectiveness. It shall be installed prior to construction and remain in place until site is stabilized.
3. All State Permits must be obtained prior to construction

Motion Carried 5-0

Craig explained the 30 appeal process to Nancy. Anyone can appeal the decision for 30 days after the date of the approval. If Nancy begins her project less than 30 days out, she does so at her own risk. Nancy said she understands.

Other Business:

Nancy Cristoferi asked if she needed any permits to move a building from her lot to another location. The board suggested she contact Scott Brooks Road Agent, Zoning Officer, and Electric Company. They are not sure about permits.

Margie Amico introduced herself and asked if she could speak to the board about the Pequawket Trail Bike Path. Craig explained that because she was not on the agenda, the board could not vote on items. Margie understood.

After presentation of the history of the bike path and process that she was following, Margie asked the board if they would write a letter of support to the NH DOT. She said she would need the letter back by Friday, August 26. The board voted unanimously to write a letter of support.

John made a motion to adjourn the meeting seconded by Jacob.

Meeting was adjourned at 8:05 pm.