

**Zoning Board of Adjustment
December 26, 2017**

Members Present: Scott Lees-Chairman, Craig Niiler-Vice Chairman, Jake Stephan, John Krebs, Denny Anderson (A)

Members Absent: Karl Ogren

Others Present: Mark McConkey, Jake McConkey, Dave Maidrand, Carole Demore, Peter Park

Meeting called to order at 7:00pm. Scott Lees, Chairman began the meeting by introducing the board members to the public, and explained the rules and procedures. Denny Anderson will sit on the board in place of member Karl Ogren.

The minutes from November 28, 2017 were reviewed.

John Krebs spoke a reminder to put a "Draft" watermark across the draft minutes.

Motion was made by Scott to accept the minutes as amended, seconded by Craig. All in favor.

Case #29-20-17, Neil & Patricia Collins. Applicant seeks an appeal for variances under Article 3, 304.5 (water setback), 304.6.1 (erosion control), 310.1.5 (10% rule), and special exceptions under Article 7, Section 707.4.2 Subsurface Disposal System permit and section 707.4.3 Well Radius, Tax Map #29, Lot 20 at 363 Huckins Road.

David Maidrand reviewed application as agent for Neil and Patricia Collins who were not present at the meeting.

There were no abutters present and no comments from the public. After review, the board requested the following information.

1. Show the building area and the actual calculations of lot percent coverage as part of the application.
2. Show the well, septic tank and leach field, and driveway on the plan.
3. Show erosion control on the plan.

The board explained that this all needs to be on the plan so an inspector can locate everything by looking at that plan.

A motion to continue was made by Scott, seconded by Denny.

Case # 23-8-17 Limauro Revocable Trust, David & Cynthia Limauro Trustees. *Case was continued from November.* Applicant seeks an appeal for variances under Article 3, Section 310.1.5 10% rule, Article 3, Section 304.6.1 at 26 Sunset Road, Tax Map #23, Lot #8. Mark McConkey continued application as the agent for David & Cynthia Limauro. The applicants were not present. Mark reviewed existing conditions, proposed conditions. The Limauros will expand right and left instead of closer to the water.

Consequently, the 10% variance requested under Article 3, Section 310.1.5 is not needed because the scope of the project will not increase the percentage. The side and rear walkways are being removed which equal 77.35 sq ft and the left walkway is being removed which equals 112.85 sq ft.

Erosion control is not an issue with the board.

The board reviewed the Special Exception Worksheet for Article 3 Section 304.6.1

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

Based on the findings of the Special Exceptions Worksheet the requested Special Exception from Article 3 Section 304.6.1 be granted with the following conditions:

1. As shown on plan titled "Lot Coverage and Erosion Control, Limauro 12/4/17"
2. Erosion control shall be installed prior to any earth moving and shall remain in place until the site is stabilized.

Unfinished Business

Reviewed final changes to Zoning Ordinance as requested by the Planning Board. Changes to the Planning Board's description will be sent in for review by the planning board.

The ZBA would like to change the Planning Board's "Proposed Addition to Article 3". Rather than adding section 304.6.7 with 5 sub-points, the ZBA would like to add the wording as 5 sub-points to Section 310.1.5. This would be done for all properties in Freedom to avoid over-developing in some of the areas of town with very small lots.

Under the new 310.1.5.2, after "composed of impervious surfaces" add ***"of which no more than 10% can be structures"***.

The second request is: Under the current 304.6.7.5, third sentence from the end which begins "Exposed ledge on a property" add ***"Undisturbed"*** before "Exposed" as the first word of the sentence.

Scott made a motion to adjourn, seconded by Jake. Meeting was adjourned 8:45 pm.

Respectfully Submitted,
Janice Zecher