

Zoning Board of Adjustment
May 22, 2018

Members Present: Scott Lees-Chairman, Craig Niiler, John Krebs, Karl Ogren, Jake Stephan, John Quigley

Members Absent:

Others Present: Janice Zecher, Recording Secretary, Don Harris Zoning Officer,

Meeting called to order at 7:00pm. Scott Lees, Chairman began the meeting. He introduced the board members to the public, and explained the rules and procedures.

The minutes from March 27, 2018 were reviewed by the board. A motion was made by Karl, seconded by Craig to accept the minutes as written. All were in favor.

The minutes from April 26, 2018 were reviewed by the board. A motion was made by Scott, seconded by Karl to accept the minutes as written. All were in favor.

Case #29-20-17 Neil & Patricia Collins. *Continued from February.*

Applicant seeks an appeal for variances under Article 3, Section 304.5 Water setback, Section 310.1.5 10% rule, Article 7, sections 707.4.2 and 707.4.3 and a Special exception under article 3, Section 304.6.1 Erosion Control at 363 Huckins Road, Tax Map # 29, Lot # 20. **The applicant has requested a continuance to the June 26 meeting.**

Karl made a motion to continue, seconded by Craig. All in favor to continue this application to the June meeting.

Case # 21-1-18 Camp Cody. Applicant seeks an appeal for a special exception Under Article 4, Section 406, septic tank less than 125 feet of a wetland. At 9 Cody Road, Tax Map #21, Lot #1

James Rines reviewed the application as agent for Camp Cody. There was confusion about whether the application was for a special exception or a variance. James said it should be for a variance. The board agreed that they can hear the case, but cannot rule on it tonight. It was agreed to hold a special meeting on May 30 to vote and sign the application for Variance. Karl then asked if James could bring in a letter showing who is authorized to represent Camp Cody. James will bring it on May 30.

Case # 50-3-5-18 Katherine Watts. Applicant seeks an appeal for Special Exceptions under Article 3, Section 304.6.4.1 erosion control, and Article 3, Section 304.6.6.4 Cutting between 75 and 300 feet of reference line at Freedom Shores Road, Tax Map 50, Lot 3-5.

Attending the meeting for this application is: Peter Cooperdock, Fernstone Associates soil, wetlands and septic designer; Sarah Gardiner Architect; John Roberts Site work engineer; Tom Ryan, Landscape Architect; Scott Brooks, Road Agent, Town of Freedom. Sarah Gardiner reviewed the reason for the application, Tom Ryan presented the land clearing plan and said the open areas will be meadows with only some mowing. Peter Cooperdock reviewed the tree cutting plan and the points breakdown. The following points were described to the board.

- The line marked "S" is for erosion control.
- The road is cut, but there is no driveway
- There will be no cutting within 75 feet of the waterway
- Peter asked if the driveway goes through one of the grids, would that driveway be deducted from the grid size? It was noted that every grid must have 100 points, even if it has a house or driveway on that grid.
- Where the grid shows less than 100% of the usual size, the tree count is more than adequate.
- Anything outside the limits of grading, the stumps will be ground.
- The path to the lake will be a wood path.
- Need to come up with 16 points in grid #16.

Scott asked that the silt fence run parallel instead of encompassing the cleared area. Socks or hay bales can also be used, but whatever they use, detail it on the plan.

Scott read the first paragraph in the NH Planning and Land Use Regulation book, section 674.41 as it pertains to the requirement of a Class 5 or better road. He requested that Janice write a letter to the Selectmen alerting them of this requirement and asking them to determine if this road meets that requirement.

The board reviewed the Special Exception Worksheet for **Article 3 Section 304.6.4.1 Erosion Control.**

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

Summary of the facts of the case discussed at the public hearing:

1. Walkway to the water will be covered with wood chips.
2. Meets all state standards.
3. Stumps under the septic system, driveway, and house site may be removed. All other stumps will be ground and roots left intact.

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Based on the foregoing findings of fact, the requested Special Exception from Article 3 Section 304.6.4.1 as it pertains to tree cutting of the Town of Freedom Zoning Ordinance is granted with the following conditions:

1. Per plan Zoning Compliance Site Plan for Katharine Lambron Watts, revision date May 30, 2018.

The board reviewed the Special Exception Worksheet for **Article 3 Section 304.6.6.4 Cutting between 75 and 300 feet of reference line.**

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

Summary of the facts of the case discussed at the public hearing:

1. Walkway to the water will be covered with wood chips.
2. Meets all state standards.
3. Stumps under the septic system, driveway, and house site may be removed. All other stumps will be ground and roots left intact

Based on the foregoing findings of fact, the requested Special Exception from Article 3 Section 304.6.6.4 as it pertains to tree cutting of the Town of Freedom Zoning Ordinance is granted with the following conditions:

1. Per plan Zoning Compliance Site Plan for Katharine Lambron Watts, revision date May 30, 2018

Case # 48-8-18 Katherine Watts. Applicant seeks an appeal for Special Exceptions under Article 3, Section 304.6.4.1 erosion control, and Article 3, Section 304.6.6.4 cutting between 75 and 300 feet of reference line at Freedom Shores Road, Tax Map 48, Lot 8.

This application is for an art studio for Katie's son. Tom Ryan, Landscape Architect said the information is the same except that there are no steep slopes on this project. John Krebs questioned sharing the septic system and well on two separate lots. He was told it was okay by the state.

- Grid 15, either save 1 six inch tree, or plan 5 saplings on the other side of the driveway.

There were no questions from abutters or the general public. Ned Kucera, abutter spoke to the plan and application. He is in favor of the project but said if the board continues for another month, it will create a hardship for him. He would like the roads built by the end of June.

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The board reviewed the Special Exception Worksheet for **Article 3 Section 304.6.4.1 Erosion Control**.

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

Summary of the facts of the case discussed at the public hearing:

1. Walkway to the water will be covered with wood chips.
2. Meets all state standards.
3. Stumps under the septic system, driveway, and house site may be removed. All other stumps will be ground and roots left intact.

Based on the foregoing findings of fact, the requested Special Exception from Article 3 Section 304.6.4.1 as it pertains to tree cutting of the Town of Freedom Zoning Ordinance is granted with the following conditions:

1. Per plan "Zoning Compliance Site Plan for Katharine Lambron Watts, revision date May 30, 2018.

The board reviewed the Special Exception Worksheet for **Article 3 Section 304.6.6.4 Cutting between 75 and 300 feet of reference line**.

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

Summary of the facts of the case discussed at the public hearing:

1. Walkway to the water will be covered with wood chips.
2. Meets all state standards.
3. Stumps under the septic system, driveway, and house site may be removed. All other stumps will be ground and roots left intact

Based on the foregoing findings of fact, the requested Special Exception from Article 3 Section 304.6.6.4 as it pertains to tree cutting of the Town of Freedom Zoning Ordinance is granted with the following conditions:

1. Per plan "Zoning Compliance Site Plan for Katharine Lambron Watts, revision date May 30, 2018

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Unfinished Business:

There being no unfinished business, a motion to adjourn was made by Karl, seconded by Jake.
All in favor.

Meeting was adjourned at 9:20pm.

Respectfully Submitted,
Janice Zecher