

**Freedom Planning Board
September 19, 2019
Freedom Town Hall**

Members Present: Chairman Anne Cunningham, Paul Elie, Les Babb, Dale McConkey, Paul Olzerowicz, Bill Elliott, Jeffrey Towle

Members Absent: Pam Keith

Others Present: Stacy Bolduc Recording Secretary, Carol McIntyre

Quorum: Met

With a quorum having been declared the meeting was called to order at 7:00 p.m. with Chairmen Anne Cunningham presiding.

Minutes:

Paul O. made a motion, seconded by Paul E. to accept the August 15, 2019 minutes as written. All were in favor.

Public Meeting

Determine if the two Lot Line adjustment applications of The View at Ossipee Family LLC (Map 26, Lot 5) and Phillips B. Moore (Map 26, Lot 6) and Eugene and Denise Lawnice (Map 26, Lot 7) qualify as lot line adjustments.

Nobody was present to represent either party for the lot line adjustment request. After an engaging discussion on how to proceed, it was decided to continue the application to next month.

Jeff made a motion, seconded by Dale to continue the application to next month,

Discussion:

Bill did not want the applicants to incur any additional fees. Anne responded if the application is continued, there would not be any additional fees. Jeffery stated as long as they are here next month. Anne asked if Jeffery would like to amend his motion. The motion was amended as follows:

Jeff made a motion to continue the application 30 days, and the applicants have to be present, motion seconded by Dale; Motion passed 6-1-0.

Action: The applicants will be notified that the application has been continued until next month, and they need to be present for the application to be reviewed.

Public Hearing- 7:13 p.m. Receive public comment and vote on changes to the site plan review regulations

Anne stated that the board has agreed on two items regarding site plan review regulations:

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- Add drainage studies for projects in the shorefront district.
- Reorder the items in the Site Plan Plat Requirements to make them easier to work with.

Public Comment

There was no public.

Paul E. asked by requiring a drainage study, would it include an erosion control plan?

Anne responded yes, the drainage study would include current and future runoff, and she referred to last month's meeting minutes for further explanation of what the drainage study would include.

Paul O. made a motion, seconded by Les that the planning board accept the proposed site plan requirements changes as presented; Motion passed unanimously.

Public Meeting – 7:16 p.m. Discuss definitions of Village Residential and General Residential district in relation to Village Road.

Anne gave a brief history of what the challenges and issues are with the Village and General Districts with the aid of a handout (see attached).

Both districts encompass Village Rd. Issues or challenges discussed:

- If a sub-division were requested along Village Road, there would be confusion on how big the lot should be. A 1-acre lot if the property is in Village District or a 2-acre lot if the location was thought to be in General Residential.
- If somebody were seeking to put a clinic in along Village Rd., it would not be permitted without a special exception use from the ZBA.

Paul O. asked for Village Rd to be defined. Anne described Village Rd. starts at Rt. 153 and ends at Elm Street but the Village Residential District includes 500 ft. of Village Rd.

Discussion ensued around the following:

- Lots #4 and #7 are not considered apart of Village Rd.
- One of the recommendations in the Master Plan is to have housing options, defining if most of Village Rd. is in the General Residential would support having more options for housing because Village District as it currently exists is the most restrictive in terms of permitted uses.
- Anne clarified the question for the board is, our zoning ordinance language currently place Village Road in both districts. Four years ago, it was decided not to take this matter up until the board knew what we were trying to accomplish with the Master Plan recommendations because it may move the board's decision one way or another. If the board can agree a public hearing can be put on the ballot in March stating right now, the Village Rd is in two districts and the Planning Board is proposing to put it in one or the

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other except the first 500 ft. and explain the objective is to get a broader range of housing options. A brief discussion ensued around the difference between the two districts.

The discussion will continue next month.

Anne explained that Carol McIntyre has sat in on a few Planning Board meetings to see if she wants to serve as an alternate. She has agreed to serve as an alternate and Anne would like to propose appointing her as an alternate.

Bill made a motion, seconded by Paul O. to consider Carol McIntyre as an alternate for the Planning Board, term ending in 2021; Motion passed unanimously.

Action: Carol will go see Libby to get sworn in and will receive a packet pertaining to Planning Board.

Joint meeting of the Planning Board and Zoning Board of Adjustment

Chairman of the Zoning Board Scott Lees and Karl Ogren entered the meeting at 7:33 p.m.

After introductions, Scott reviewed the biggest issue that the zoning board has seen or been dealing with is applications for tree cutting greater than 75 feet and on a steep slope. They were looking for clarification on the interpretation when they need to come before the zoning board.

Karl clarified if part of the lot has the steep slope but, the part where they intend to cut does not have the grade greater than 12% do, they need to come before the ZBA.

The current wording reads: 304.6.6.4 for lots in the flood plain or lots sloping towards the lake at greater than 12.50 % grade, any tree cutting between 75 ft and 300 ft. from the water shall also require tree cutting or clearing plan to be approved by the Zoning Board of Adjustment.

Karl responded the spirit of the interpretation that he is hearing is it doesn't matter where the tree cutting is happening on the lot if there is a grade somewhere on the lot greater than 12.50 % Paul O. responded within the 75 ft. and 300 ft. (of the water). Les explained further that the Planning Board tried to make it easier for the ZBA, but they were afraid if they were cutting behind that line or next to it and had to run a skidder anywhere near the lines, how they are doing it.

There was an engaging discussion on Airbnb's and the challenges they are posing for the town. Discussion ensued around the following:

- Definition of short-term rental's, and hotel was discussed.
- Lack of enforcing zoning code in town unless someone complains.
- There are approximately 38 properties being rented out currently that require a special exception use.
- Freedom zoning officer is not full time
- The owner living at the home when renting the house or a room vs., the owner of the property may not even live in Freedom or be in Freedom when the house is being rented out.
- Wait and see how larger communities deal with Airbnb
- The challenges with short term rentals noise, parking, trash, homes that may not have appropriate egress or fire extinguishers.
- Commercial use in a Residential District.
- Homes designed for two or three families being rented out to large parties of 15- 20 people.
- Septic systems on the lake being stressed or overloaded.
- There is a case in the Supreme Court now, wait till the Supreme Court makes a ruling.

Scott requested next year the joint meeting take place on its own date.

Scott and Karl left the meeting at 8:05 p.m.

A brief discussion ensued around short- term rentals.

A letter from Green Mountain Conservation Group was discussed briefly regarding a Groundwater Discharge Permit application from Pinetree Power-Tamworth LLC. The application is for the discharge of up to 100,000 gallons of effluent a day from washing of the cooling stacks at the biomass plant in Tamworth, New Hampshire. Paul E. reported that the application has since been withdrawn.

There being no other business to come before the board, **Bill made a motion, seconded by Jeffery to adjourn the meeting at 8:15 p.m. without objection. Motion passed unanimously.**

Respectfully Submitted,
Stacy Bolduc,
Recording Secretary

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