

**Town of Freedom
Planning Board
November 21, 2013**

Members Present: Anne Cunningham, Peter Park, Maynard Thomson, Jean Marshall, Les Babb, Janet Meyers

Members Absent: Beth Earle

Others Present: Carol Demore, Ellie Stokes, Bill Elliott, Laura Robinson, Ned Hatfield, Doris Sirois, Gail Morris, Lee Fritz, Jennifer Molin, Janice Zecker, Patricia Hadley, Bud Hadley,
Minutes recorded by Dianne Park

Meeting called to order at 7:00pm.

Minutes

There was a motion by Peter, seconded by Maynard, to approve the minutes from October 17, 2013 with changes. All were in favor.

Pages 2, under Lane/Berry Bay condominium Application, add the sentence: They came back to the Planning Board with a new plat that shows the size and location of the new building.

Public Hearing

The Public Hearing started at 7:04pm. Anne opened the hearing by stating the rules.

Amend Appendix A DISTRICT BOUNDARIES: Village Residential District (VR) of the Freedom Zoning Ordinance

Anne gave background information on the issue.

Planning Board Comment

Les stated that all substandard lots were encompassed in the Planning Board's proposal.

Public Comment

Carole Demore wanted to make several points:

- Her mother and her spoke to the Hodge's and they would like Village Rd. left in the village residential district.

- The town never voted on the ordinance making this section of route 15 Light Commercial District (LC). Carol read from the September Planning Board minutes which stated: The problem with this section of road is that the ordinance was changed in 1989 or 1990 but not legally.

- Three houses on one side of the street (excluding the Hodge's) and five houses on the other side of the street (excluding the Greenblatt's). The rest of route 153 is in the LC District illegally.

Anne reinforced the fact that the 2006 vote was legal. Carol asked that the changes for route 153 from VR to LC be written down showing the yearly progression. Les further reinforced Anne's comment that the vote in 2006 was legal. Carol read from the Master Plan stating that Freedom was a rural peaceful place protecting scenic beauty. Stating more development on route 153 would affect Freedom's rural peaceful atmosphere. Les further stated the LC District does exist in that area of route 153.

Ellie asked Les about the 2006 vote saying it was never legally voted to be LC District. Ellie said the Pattenø, the Moore House and the Hodgeø were all against the proposal further stating the Greenblattø property goes down to the river thereby having wetlands. Anne commented saying that the wetlands issue would be dealt with when/and if that property changes its use. She further reiterated the legal principal is that after something happens and remains that way for a long period of time it becomes law. Ellie disagreed with the Freedom Attorney saying other lawyers would fight this opinion. Maynard asked that the discussion move forward and not dwell on the past issue.

Janice Zecker asked for clarification of boundaries because she was not sure of the current boundaries and what they include. She also asked why and what factors the board used to make its decision. Les described the map and lots in question saying the lots in the proposal were substandard lots and the Greenblattø and Hodgeø have standard lots that can be subdivided. Janice said these lots would not be subdivided and the board further stated they could be. Janice asked the question again on why this decision came about. The board answered by explaining lot standards.

Jean Marshall asked the public what they would like done with this section of route 153. They answered by saying they wanted this section (up to Village Rd.) to be in VR District.

Laura Robinson asked the board if they would be willing to change their proposal and was told when the public comment was finished the board would discuss the issue.

Patricia Hadley stated she would be in favor of having this section of route 153 in the VR District and was not in favor of the current proposal. Doris Sirois asked if any of the lots were sub- dividable and was told yes. She then asked if there were rules in place to govern this and was told yes.

Ellie stated that Les came to the last meeting saying he was concerned with the possibility of business on route 153 and according to him this is a real possibility. Anne explained that there were rules in place to govern this situation.

Public comment closed at 8:30pm

The proposal on the table was to extend the VR District to Village Rd. Maynard and Peter both disagree with the new proposal and agree with the board original proposal. Jean said she would consider the new proposal. Les suggested splitting lots by using the overlay district boundaries. The hearing on this issue was postponed until next month because it was incorrectly posted in the newspaper as tax map 3 and should have been tax map 44. This will be reposted for next month.

Amend Section 304.6.5 of the Freedom Zoning Ordinance: Tree Cutting in the Shorefront District

Anne explained all changes. The new proposal allows the Zoning Officer to give permission to cut healthy trees as well as dead and diseased trees (by following certain standards) and if a questions exist a licensed forester's opinion is needed. The board made changes to this ordinance:

- Page 1, D, delete "parallel to the shore" and add "parallel to the property line"
- Page 3, 304.6.5.7
 - change "Tree" in the last sentence to "Trees"
 - change "needles and leaves" to "needles or leaves"
 - change "anywhere on the lot" to "within the shorefront district"

There was a motion by Maynard, seconded by Peter, to accept the ordinance as amended. All were in favor.

Amend Article 18 Section 1802 Definitions of the Freedom Zoning Ordinance

There was a motion by Les, seconded by Peter, to accept the definition of ground cover. All were in favor.

Public Hearing Closed at 8:45pm.

Public Meeting

Article 3, Section 309: Accessory Use

Changes were made to Accessory Use as follows:

- A ó number of employees = 2 and add "on site simultaneously" to the end of the statement.
- C ó add a reference to the 10% rule
- D ó 10% of the total acreage
- H - add "Requiring a license" after "No hazardous materials"
- K ó 3 commercial vehicles
- 309.4 ó delete
- 309.5 ó delete "approvals" and add "special exceptions"

There was a motion by Peter, seconded by Janet, to accept the changes for accessory use and bring forward to the December Meeting. All were in favor.

Discussions on Article 3 Section 304.6.3.2 and Village Rd. District were postponed.

Such business as properly presented to the board

The board would like to see a letter from neighbors whose lots would be changing from LC to VR. Peter and Anne will work on this.

There was a motion by Janet, seconded by Peter, to adjourn the meeting. All were in favor. Meeting adjourned at 9:20pm.