

## Freedom Planning Board

December 21, 2017

### Freedom Town Hall

**Members Present:** Anne Cunningham, Peter Park, Paul Olzerowicz, Dale McConkey, Dan Lewis (A), Les Babb

**Members Absent:** Bill Elliott, Paul Eli

**Others Present:** Ron Newbury, Raylene Newbury, Jenifer Molin, Paul King

With a quorum having been declared the meeting was called to order at 7:00 p.m. with Chairmen Anne Cunningham presiding. The Minutes from the previous meeting were reviewed as the first item of business.

#### Minutes:

**A motion was made by Peter, seconded by Paul O to accept the November 16, 2017 minutes with the following amendments:** Page 1 lower right-hand box should read All were in *favor*. Less is spelled with one S on pages 1 and 5. Page 4 needs to read Paul King at the bottom of the page where the underground utilities were being discussed and again on page 5 where it discusses Anne sending information regarding driveways and underground utilities. Page 5 should read *Zoning Board members under* Annual joint meeting with the ZBA. Page 6; Anne stated both Boards agree, change to *agreed*. Under concerns for both Boards: *Strom should read Storm water management*. Under Solar Energy should read *whose authority*. Page 6 at the bottom of the page change the ordinance will continue to be worked on to *the planning board will continue to work on the ordinance*.

Page 7 under Rules and Procedure change third line, if it was to if it *were* adopted

Under 2018 Budget eliminate John Krebs, John Quigley(A), Karl Ogren.

Under Possible Changes to Parking change Gene to *Jean* Marshall *were* not productive.

#### Public Hearing 7:07 p.m.

Major Subdivision Application of Ronald & Raylene Newbury of 46 George Davidson Road; Tax Map #6 Lot # 7, which was determined to be complete (with conditions) at the November 16, 2017 Planning Board Meeting. The conditions were the following: To get a statement from the town road agent confirming there can be a driveway on each lot and the utilities would be put under ground.

Paul King came before the Board and stated he added the Planning Board approval block with a note stating; town condition of approval utilities for lots 7:8 – 7:11 shall be underground from the road, a revision block noting Paul King revised the plan was also added. The letter from Scott Brooks stating that all lots have driveway access was also reviewed.

Section 8 of the Subdivision requirements were reviewed and there were no findings.

After a brief discussion regarding drive way construction the meeting was opened to the public for comment. Ron Newbury stated that as an active member of the Forest Advisory Board, he knows some of the proceeds will go to the Town Forrest by statue.

Anne read a letter from John Sinagra stating he was not in favor of the subdivision due to not wanting any more dwellings in front of his property.

Public hearing was closed at 7:21 p.m.

### **Public Meeting**

**Peter made a motion, seconded by Dan to approve the Subdivision plan for Ron and Raylene Newbury with the two conditions that have been met. All were in favor.**

Anne gave an overview of the next step in registering the mylar for a subdivision. The plans were signed by the Board and it was agreed to let the Newbury's register the mylar. Peter signed the mylar.

The Newbury's and Paul King left the meeting at 7:30 p.m.

### **Public Hearing 7:31**

The board will discuss, gather public input on, and vote whether to ask voters to adopt language changes to section 304.6. Shorefront District- other requirements regarding impervious surfaces in the shorefront. The intent of adopting this language is to add existing state regulations that protect the water quality to the Freedom zoning ordinance. If the board or public make substantive changes to the language, the board will post the new language and hold a public hearing to consider it.

Anne stated the ZBA is meeting December 26<sup>th</sup>, one of the agenda items is to review the proposed ordinance language change; she suggested clearing up anything the board has as an issue and she will ask the ZBA for their comments and the board will discuss their input at the January meeting.

Dale commented that being able to build impervious surface above 10 % contradicts the Planning Board section 310.1.5. Anne suggested adding to section 304.6.7.5 the definition of impervious surface includes, see section 310.1.5 regarding total area of structures. It was also suggested to put the definitions in the beginning of the section.

After an engaging discussion around the state law stating if you have more than 30% impervious surfaces, you have to have a stormwater management plan, it was decided to adopt the states language for total impervious surfaces on shorefront lots at the same time not changing 310.1.5 that restricts structures to 10% of the lot.

Anne will send a draft to the ZBA before they meet December 26<sup>th</sup> and she will respond to them with the Boards plan for the Jan 18<sup>th</sup> Planning Board meeting.

### **Wind Energy Systems**

The board will discuss, gather public input on, and vote whether to ask voters to adopt language to add a new Article to the zoning ordinance related to wind energy systems. Adopting this language will mirror state requirements while allowing the town to oversee wind energy installations in the town. If the board or the public make substantive changes to the language, the board will post the new language and hold a public hearing to consider it.

Discussion:

Anne handed out the Small Wind Energy Systems Ordinance model used by Madison and Effingham to aid the discussion. The ordinance would ensure the building inspector is keeping track how any wind energy systems would be approved and built in town. Discussion ensued around setbacks and decibels, where the conversation got specific is if wind energy should be allowed in all districts especially the shore front and the village. The model ordinance allows all districts. Les asked why you would consider restricting it. Anne replied if people were concerned about protecting the rural character. Discussion ensued around whether or not to restrict wind energy on the shore front and the village.

All but one person agreed to allow wind energy in all districts but the Shorefront District.

**A motion was made by Peter, seconded by Dan to accept wind mills in all districts but the Shorefront District. Motion passed 5-1-0.**

Review and vote whether to approve changes to the Planning Board's rules of procedure regarding attendance and the roles of alternates.

Anne explained the reason for the need to update the Rules of procedure. The two changes include the following:

*Members must reside in the community and are expected to attend each meeting of the board to exercise their duties and responsibilities. Any member unable to attend a meeting shall notify the chairman as soon as possible. Members, including the chairman and all officers, shall participate in the decision-making process and vote to approve or disapprove all motion under consideration.*

Alternates

*At planning board meeting, alternates who are not activated to fill the seat of an absent or recused member may participate with the board in a limited capacity. During a public hearing, alternates may sit at the table with the regular members and may view documents, listen to testimony, and actively participate and interact with other board members, the applicant, abutters and the public. However, they shall not be allowed to make or second motions and shall not participate in any way during the deliberations by the board. Upon the close of the public hearing, alternates must remove themselves from the table and sit with other members of the public unless they are sitting in place of another member. During work sessions or portions of meetings that do not include a public hearing, alternates may fully participate, exclusive of any motions or votes that may be made. At all times, the chair shall fully inform the public of the status of any alternate present and identify the members who shall be voting on the application.*

**A motion was made by Peter, seconded by Dale to accept the Rules and Procedure with the two changes regarding number 5 under Members and Alternates as printed. All were in favor.**

**There being no other business to come before the board a motion was made by Peter, seconded by Dan to adjourn the meeting at 8:25 p.m.**

Respectfully Submitted,  
Stacy Bolduc  
Recording Secretary