

**Freedom Planning Board**  
**December 20, 2018**  
**Freedom Town Hall**

**Members Present:** Chairman Anne Cunningham, Paul Olzerowicz, Bill Elliott, Paul Elie, Dale McConkey Jeffrey Towle, Peter Park (A)

**Members Absent:** Les Babb

**Others Present:** Rick Rolando, Stephen P. Perron LLS agent for SPNHF, Thomas A. Howe Society for Protection of NH Forests.

**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 November 15, 2018 minutes with the following amendments:** Les Bab should read Les Babb, Pg. 2 line 3 add where it reads Anne wanted to get the boards reaction, change reaction to reactions. Pg. 2 line 8 capitalize the f on Freedom. All were in favor.

**Review of the application submitted by the Society for the Protection of NH Forests for Minor Lot Line Adjustment between the Society for the Protection of NH Forests Map 3, Lot 79-8 and Richard & Theresa Rolando at Map 3, Lot 47-1, Freedom Point Road.**

Peter Park recused himself from the application because he lives on Freedom Point Road and has questions.

Stephen Perron the land surveyor who was hired by the Society for the Protection of NH Forests came before the board to explain the reason for the minor lot line adjustment. He went on to explain the abutting land owned by the Rolando's tax map 3, lot 47-1 was sub-divided about twenty years ago from the O'Dell's, and when he was surveying the Forest Society property, he found that while people have been assuming the stone wall was the edge of the right of way for Freedom Point Road, it is not. Steven used the survey that Thaddeus Thorne did in the 70s, and there is a panhandle of land (.06 acre) that is between the stone wall and the adjacent to the Rolando's property that is owned by the Society this proposal is to transfer this 0.06 acres and attach it to the Rolando's property. He also explained where the confusion came from when the original survey was done it did not show the stonewall. After a brief discussion around setbacks and road being where it is supposed to be, Anne opened up the meeting to the public at 7:10 p.m.

Peter Park wanted to ask questions regarding concerns he has with the additional property owned by the Forest Society, Anne advised him if he has issues or concerns outside of the minor lot line adjustment, he could direct them to the code enforcement officer or directly to

the Forest Society. Tom Howe of the Forest Society stated he would be happy to address any questions Peter may have after the meeting.

Public meeting closed at 7:15 p.m.

There being no further discussion **Jeffrey made a motion, seconded by Bill to approve the minor lot line adjustment for Map 3, Lot 79-8 and Map 3, Lot 47-1. All were in favor.**

The plans and mylar were both signed.

#### **Merger of Lots application for James & Patricia Despathy**

Anne explained both lots have to be owned by the same people. After a brief discussion, **a motion was made by Bill, seconded by Dale to accept the merger of lots for Tax map 22, Lots 6 & 8.**

#### **Update on ordinance changes for March Ballot**

The solar ordinance was reviewed first. Anne explained the John Ratigan (the town counsel) reviewed the solar ordinance and he said that Freedom has to allow rooftop solar installations in all zoning districts, that is state law and where there are conditions pertains only to ground mount systems and he added language that makes that very clear.

He also suggested adding *if a property owner or resident wishes to install a ground or pole mount system, they must come to the planning board for a conditional use permit that shows they have met the conditions listed above.* Discussion ensued around the conditions and if additional language needs to be added for a roof mount system that should make the roof exceed the towns zoning ordinance of 35 feet causing the need for a variance. Bill supports the ordinance the way it has been drafted and commented on adding *the owner* is responsible for the decommissioning under decommissioning and remove the s on owners and residents in the first sentence above Decommissioning. It was agreed to not pursue any language regarding the if roof mounts exceed the zoning ordinance of 35 feet.

**Peter made a motion, seconded by Jeffrey to accept the draft Solar Ordinance with the changes discussed and move to a public hearing at the next planning board meeting. Motion passed unanimously.**

#### **Section 310 Lot of Record**

The following is the language for Section 310 Lot of Record any language that is in bold and underlined is the proposed new language:

310.1.1 any lot of record may be used for one single family dwelling as defined by Section 1902, Number 18 (unless the zoning ordinance allows another residential use, e.g., accessory dwelling unit), if it meets the following conditions:

**Peter made a motion, seconded by Bill to accept the above proposed language as written and put it on the agenda for January for public hearing. Motion passed unanimously.**

Check future meeting minutes for any amendments or changes to these minutes

**10% Rule**

Dale handed out information and proposed language for the 10% rule. Anne stated she was not inclined to review the information because the board has not had an opportunity to review any of the information before the meeting. After an engaging discussion around the proposed change of increasing the 10% rule to 20% and at what percentage to implement stormwater management, it was decided to put the 10% rule on the agenda for January 17<sup>th</sup> meeting to give the board a chance to review the information and proposed changes (See attached for existing and proposed changes). There may need to be another meeting to meet notice requirements.

**Draft of the Master Plan**

It was agreed to put the Master Plan on the January agenda.

There being no other business to come before the board, **Bill made a motion seconded by Jeff to adjourn the meeting at 8:53 p.m.**

Respectfully Submitted,  
Stacy Bolduc  
Recording Secretary