

**Zoning Board of Adjustment
Minutes
September 24, 2019**

Members Present: Scott Lees, John Krebs, Karl Ogren, Craig Niiler, Denny Anderson (A)

Members Absent: Jake Stephan

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

Meeting called to order at 7:00pm by Scott Lees. Scott introduced the board members to the public, and explained the rules and procedures. There was a quorum present of 5 members. Denny Anderson-Alternate will sit in for member Jake Stephan.

The minutes from July 23, 2019 were reviewed by the board. The following amendments were made to the August minutes: Page 2, second paragraph, change “berm” to “mulch berm”. Page 3, last paragraph, change last sentence to “It was noted that a condition of the 2018 approval was a foundation certification which was not in the file. Page 4, Second from the last paragraph, add commas between the names. A motion was made by Scott Lees to accept the minutes as amended, seconded by Craig. All were in favor.

Case #24-7-2-19 Stephen and Charlene Becht *continued from August*

Applicant seeks an appeal for Special Exceptions under Article 3, Section 304.6.6.2 Tree Cutting within 75’ of reference line, and also under Article 3, Section 304.6.4.1 Erosion Control. Applicant wishes to cut trees to provide a limited view of the lake and a walkway to the water.

Mark and Jake McConkey presented the application as agents for Mr. & Mrs. Becht who were not present at the meeting.

Denny Anderson, who was sitting in for Jake Stephan, recused himself from hearing this application as he is an abutter. It was explained to Mark that there were 4 voting members for this application, he had no objections.

The amended plot plan had been submitted on September 9, Mark distributed the following additional paperwork at the meeting: A new application to the ZBA with both owner’s names and signatures, a signed foundation certification, a spreadsheet listing the trees and their point values.

After discussion about the plot plan Mark McConkey asked if the board would accept contingent on correcting the math in order to save a month. Mark would turn in the new plan the day after the meeting. The board approved.

Don Harris said that he went to the site and verified all trees on site. There were no further questions from the board, it was noted that the shoreland permit was obtained with the 2018 ZBA application.

When Mark submits the corrected plot, Janice will send a pdf copy to Scott Lees for approval.

The board reviewed the Special Exception Worksheet for **Article 3, Section 304.6.4.1** as it pertains to **Erosion Control**.

- A. Carried 4-0
- C. Carried 4-0
- H. Carried 4-0
- J. Carried 4-0
- K. Carried 4-0
- L. Carried 4-0

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

1. There were no members of the public or abutters present at the meeting.
2. Zoning Officer Don Harris stated that all trees on the lot are shown on the plan accurately.

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

1. Per plan titled Amended tree cutting plot for Stephen J & Charlene M Becht dated 09/06/19 to be revised.
2. Erosion Control detail to show the sock in contact with the ground.

The board reviewed the Special Exception Worksheet for **Article 3, Section 304.6.6.2** as it pertains to **Tree Cutting within 75 feet of the reference line**.

- A. Carried 4-0
- C. Carried 4-0
- H. Carried 4-0
- J. Carried 4-0
- K. Carried 4-0
- L. Carried 4-0

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

1. There were no members of the public or abutters present at the meeting.
2. Zoning Officer Don Harris stated that all trees on the lot are shown on the plan accurately.

Based on the foregoing findings of fact, the requested Special Exception from **Article 3, Section 304.6.6.2** as it pertains to Tree cutting within 75' of the reference line in the Town of Freedom Zoning Ordinance is granted with the following conditions:

1. Per plan titled Amended tree cutting plot for Stephen J & Charlene M Becht dated 09/06/19 to be revised.
2. Point list for tree cutting on plan:
 - a. Grid 1, points existing should read 218, points to remain should read 117.
 - b. Grid 2, points existing should read 133, points to remain should read 101.
3. Corrected "Envelope" spelling

Peter Malia, attorney for the ZBA joined the meeting to review the list of questions sent by the board. See attached document Titled: *ZBA Questions for Attorney Malia September 24, 2019*

After discussion, it was agreed by the board that the following wording will be added to the Application to Zoning Board of Adjustments.

“By signing this application, you grant permission for Zoning Members to access your property for purposes of this application process”.

There being no further business presented to the board, a motion to adjourn was made by Scott Lees, seconded by Karl. Meeting was adjourned at 9:00 pm.

Respectfully Submitted,
Janice Zecher