

**Freedom Planning Board
October 15, 2020
Freedom Town Hall**

A **PUBLIC MEETING** of the Freedom Planning Board will be held on **Thursday, October 15, 2020** at 7:00 p.m. at the Freedom Town Hall

Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04 and following the declaration of an emergency by the Chair of the Freedom Planning Board, , this Board is authorized to allow to meet electronically.

This meeting will be held at the Freedom Town Hall (16 Elm Street) and can also be accessed via zoom or telephone. To join the meeting via Zoom, please go to <https://us02web.zoom.us/j/86496815522> Meeting ID: 864 9681 5522

If you do not have internet access, please use this phone number: 929 205 6099. In addition, instructions for joining this meeting will be provided on the home page of the town of Freedom's website: www.townoffreedom.net.

If anyone wanting to join the meeting has a problem accessing the meeting, please call 603-539-3858 at the time of the meeting.

Members Present: Chairman Anne Cunningham, Pam Keith, Les Babb (S), Paul Elie, Bill Elliott, Paul Olszewicz and Carol McIntire (7:08 pm). Jeffrey Towle, Jean Marshall are present on Zoom. Carl Ogren is present.

Members Absent:

Others Present: Melissa Donaldson, Recording Secretary

Quorum: MET

With a quorum having been declared, the meeting was called to order at 7 pm with Chairman Anne Cunningham presiding.

PUBLIC MEETING

- Joint Meeting of the Planning Board and Zoning Board of Adjustment to discuss any ordinance changes ZBA members would like to discuss. Carl is present to speak. Anne asked about what the Planning Board might raise with the ZBA.

The Planning Board did not envision that a car repair shop would be a home occupation. Carl spoke about another one that is town, but Anne said that he was granted a variance. Scott and another member (ZBA) arrived at 7:07 pm. The intent needs to be clarified. Jeffrey asked for

clarification about the reason for the denial. Carl referred to the minutes and their content of the decision. Anne clarified that the purpose of this meeting is to ask the ZBA what is in the ordinance that is making their job more difficult or prevent them from meeting their goals. ZBA spoke about the language in our ordinance not disallowing this particular use. Carl spoke about sideline setbacks and what happens after asking for a foundation survey. He asks if the ordinance needs to be changed to list the foundation survey as a requirement when there are sideline or frontline questions. Lot lines and their correctness are also an issue. Paul O. asked what a recommendation would be. Carl said that the foundation survey should be required if you are asking for a front or sideline setback. Enforcement is questioned. Les said that this issue is not that difficult to add to the checklist for the Zoning Officer. They are speaking of any setback, not just side or front. They are speaking about plot surveys vs. foundation surveys. The cost of the foundation survey will depend on survey costs of the property lines. Jeffrey asked "Can a condition be added to the Occupancy Permit?" Anne thinks that is happening now. The ZBA has no way of knowing if the conditions are being met. Les feels that it is a good idea, but that it is not realistic. This could take up to 6 weeks, and that is too long for meeting closings deadlines, etc. Scott spoke about a large number of cases they are seeing, and repetitive issues such as small lots. Erosion control cases are being seen, as well as tree cutting. The stormwater rules and requirements are appreciated by the ZBA. Carl spoke about his feeling that applications seldom get through on the first shot. Scott feels that they help the applicants revise their applications to make them approvable. There are applications for things that will never get approved, and they are seeing those applications repeatedly. Paul O. asked if applicants have access to the ZBA prior to coming to their first meeting. They do not. They have a checklist to use. They meet with the Zoning Officer and can receive some guidance there.

Paul O. asked the ZBA about their concern about enforcement. Do they feel like they have received a satisfactory answer tonight. The ZBA is planning to take this issue to the Selectmen. Paul O. asked if this would preclude them from following the rules as they are written. Carl feels that it is disheartening if they were to learn that there is no enforcement.

Bill thanked the ZBA for all of their information. The problem has been brought up. What will happen from the discussion this evening? The role of the Planning Board is to decide if we would like to add to the ballot that we require a foundation survey requirement for any application that is asking for a variance on setbacks. Bill spoke about the applications that come to the Planning Board and that they come with professionals. This is because the Planning Board is allowed to require the plats, etc. Bill commended the ZBA on the job they do.

- Review Minutes of September 17, 2020 - Paul E. made a motion to approve, Bill seconded.
APPROVED
- Discuss proposals to implement Master Plan recommendations
- Developer options for Senior Housing - Pam will have this for the November meeting. She is going to invite Theresa Kennett or her replacement to speak to the Board.

- Stormwater Protection Ordinance - Paul has been working on this. A list of water bodies in Town was distributed. The streams all flow down and end up in the larger lakes and bays. Any pollutants that flow down end up in the lakes and the aquifer. It is imperative to address the small streams. The shoreland protection act covers water bodies over 10 acres and streams at a level of 6 or above. Les feels that Stormwater management needs to apply to all properties. Jeffrey agrees. Remove the slope requirement, and make this apply to any construction on any lot of any size. Jeffrey would like something added in about logging as well. Les feels that if you remove the portion about the 15% slope it would be sufficient. Check that the wording from Alton does not refer to a special timber harvesting regulation and relies on the State rules.

Anne would like to have this in a checklist, but also have education for owners. Paul referenced guidance that is available on the State website. Adding it to the Town website has been spoken about.

Paul is commended for his work on this project.

- Detached Accessory Dwelling Units - Discussion was held regarding the proposed ADU document. Les asked if this is applicable to a single family lot or other properties in Town? Totem Pole and Houle are condominiums. Les is concerned that you can not discriminate against a type of ownership but you can restrict the use. Real estate values are up 32% right now. The assessor said that we could still be 15% off by the end of the year. Make this say "only one single family lot". The language regarding existing non-conforming lots was discussed. Jeffrey would like this restriction removed. Pam would like the language left in there. Jean feels this may be too restrictive. Anne will check with the Attorney to see if there would be legal issues with creating an ordinance that would only apply to 20% of the town properties, "snob zoning". Paul O. would like to add language about "including, but not limited to..." Check legality of mobile home restriction language. Paul O. asks about the "footprint" of one floor being the deciding factor, or using the square footage of the house. Anne will review other existing regulations and come back to this next month.

Anne referred to the district definitions and the special exceptions section of the Shorefront District. She recommends removing the exceptions from the section 304.6 .

A special meeting was previously scheduled for next week. The abutter notices were not correct so the meeting can not be held. The 29th of October is acceptable to the Board for a rescheduled meeting date.

- Cluster Developments
- Duplexes/Multi-family Dwellings
- Public Comment – Paul E. followed up regarding the oil spill that was mentioned at the last meeting. The issue is being addressed.

Paul O. asked for an update on the Danforth bridge project. It is currently on hold. They have encountered difficulties.

- Other Business to come before the board

Pam made a motion to adjourn at 9:07 pm. Paul O. seconded. The meeting was adjourned.

Respectfully submitted,

Melissa Donaldson

Recording Secretary