

TOWN OF FREEDOM

A PUBLIC MEETING and PUBLIC HEARING

Freedom Planning Board

Thursday, December 15, 2022

at 7:00 p.m. at Freedom Town Hall

The meeting was called to order at 7:01 pm by Anne Cunningham. Present are: Anne Cunningham, Brian Taylor, Paul Olzerowicz, Bobbie McCracken, Jeff Nicoll-Alternate, Linda Mailhot, Melissa Florio-Selectboard Representative. Scott Brooks and Gary Williams are present also. Carol McIntire, Beth Earle are absent.

PUBLIC HEARING

Scott Brooks spoke about circular driveways. Surrounding towns do not allow them. Circular driveways create a safety issue because they are not 90 degrees with the roadway. The town may have extra expense if the second culvert has an issue. Plowing snow across the road is an issue. Discussion ensued around this topic. Brian asked if this is something that the Zoning Board could grant a variance on. Anne suggested the possibility that a statement about all cuts needing to be 90 degrees. Mr. Brooks feels that this still does not address the issue, as there is no hammerhead or turn-around. January 19th will be the public hearing date if this article is moved forward. Linda made a motion to put forth 805.1 and 805.2 driveway permits as proposed to the Town Ballot, Melissa seconded. APPROVED 6-1-0 Paul O. opposed

The public hearing was opened at 7:31 pm.

- Discuss zoning ordinance changes articles of the zoning ordinance
 - Amend Section 304.5 to make “shoreland or wetland projects eligible for a permit by notification or expedited minimum impact permit from the NH Department of Environment Services” a permitted use. This means that the code enforcement officer can issue zoning permits for these projects after review of materials submitted to DES for the permit and the permit itself. Language to include wetlands permits will also be included in Article 7. Section 702 also has changes. (Article 2) Brian made a motion to move 304.5 and section 702 to the ballot. Linda seconded. APPROVED 7-0-0
 - **Amend section 406 septic tank and leach field setbacks** to mirror the state’s requirement of fifty (50) feet from poorly drained soils. Setbacks from poorly drained soils and septic systems in the shorefront district do not change. (Article 4) Paul made a motion to move amendment of section 406 to the ballot, Melissa seconded. APPROVED 7-0-0
 - Amend Section 1107.2 to allow a one-story manufactured home to be placed on a floating/monolithic slab with anchor bolts with utilities integrated into the slab. Current requirement is a full frost wall. Gary mentioned a garage in town that has a loft in it. Paul made a motion to move the amendment to section 1107.2 (Article 6) to the town ballot, Brian seconded. APPROVED 7-0-0
- Amend 1507.1 and 1507.2 to clarify that any owner can rent the primary dwelling on the lot as a short-term rental.
- Amend 1507.3 to prohibit renters from holding special events at short-term rentals.

(Article 7) – Paul made a motion to move Article 7 amendment 6 to the ballot, Melissa seconded.
APPROVED 7-0-0

- Make changes to Section 1102 (Senior Housing) and Section 1105 (Workforce Housing) in preparation for a new law allowing workforce housing applications to take advantage of any incentives provided for senior housing. Renumbering is needed. Anything we want to be enforceable by the Town must be on the plat. Correction needed on 1105.1.3. Add independent living to every instance of elderly housing. (Anne will ask). In 1102.1.3 – change ten to 10. Leave in formula. Reduced 2 1/2 acres to 1 acre. Specific wooded buffer requirement. (Article 8) Paul made a motion to move changes to Section 1102 and Section 1105(amendment 7 and related articles that change as a result of that to the ballot, Melissa seconded. (renumber the tables) APPROVED 7-0-0
- Modify the definition of dwelling unit in Article 23 to specify that a dwelling unit may be rented or leased for a long-term rental (30 days or more). Linda suggested a change to the wording, changing independent housekeeping establishment to single habitable unit intended to be used for living, sleeping, cooking and eating for owner occupancy.....(Article 9) made a motion to make changes to the language in Article 9 as outline above to the January 19th public hearing, Paul seconded. APPROVED
- Add a definition to Article 23 to define special events. (Article 10) Melissa made a motion to move Article 10 to the ballot, Paul seconded. 7-0-0 APPROVED
- Add an article to allow regulation of food trucks—districts in which they may operate, operating standards, and definitions. Linda mentioned ice cream trucks and wondered if they are included in this article. (Article 11) Bobbie made a motion to move Article 11 to the ballot, Jeff seconded. APPROVED 7-0-0
- Amend Section 2402.3 to reflect changes to Section 406 passed last year that don't require town approval of state approved plans for failed septic systems (Article 12) Brian made a motion to move Article 12 to the ballot, Linda seconded. APPROVED 7-0-0

Specific language for these proposals is posted on the town website: townoffreedom.net

PUBLIC MEETING

- Continue reviewing the proposed zoning ordinance changes
 - 304.6.5 Permits issued by Zoning Officer for Cutting and Removal of Trees and Natural Vegetation in the Shorefront District (Article 3) 703.5 is what is existing. 703.6 discusses cutting plan. Gary Williams recommended that wording be added. Anne suggested “On lots that slope at greater than 12.5% toward the lake.....” 705.3.4 should say “tree cutting between 75’ and 300’ of the reference line on lots shall use the following grid system shall be divided into segments that run 25’ parallel to the shore and 75’ inland.” In the grid area the 12.5% should be added in. Jeff suggested that we mirror the description of the slope 703.5.1 in the first sentence of 705.3.3 . Anne read draft language to the Board. Jeff asked what the basis of 53 points is. It was done by a calculation, tracking with the points that are in the first 75’.

Jeff made a motion to move Article 3 amendment 2 as written by Anne to the January public hearing, Bobbie seconded. APPROVED 7-0-0

- Section 805.1 Driveway Permits (Article 5) – see above

Order of articles – Senior/workplace first, then shorefront ones together, then the housekeeping (food trucks, septic, etc.)

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- Review and approve minutes of the November 17, 2022, planning board meeting minutes. – page 1 – Article 8 805 – 2nd line mentions loopholes, change to address the details of the permitting process. Last page under Danielson – 30 Milford Avenue – attorney opinion is that we cannot require a room and meals tax number because it is not specified in the ordinance. Add JoJo Howlett and Noreen Sullivan to members of the public. Gary Williams was here. Jeff needed more information about the circular driveways. Brian made a motion to approve as amended, Melissa seconded. APPROVED 7-0-0

- Minutes from Work session – December 1 – Should we change senior to elderly? The law calls it Senior Housing. Use senior/elderly. Page 2 – line 5 – insert extended care after assisted living. Brian made a motion to approve as amended, Linda seconded. APPROVED 7-0-0

- Review STR Applications

Chief Mullen would be the person to ask about any trouble that happens at an STR. Anne will ask Stacey to contact him to check on these applications before the Selectboard meeting on Monday.

- 151 West Bay Road: Steadman – Renewal – no comment
- 30 Pauli Point Road – Cuniff – Renewal - nothing has changed. No comment
- 95 Burnham Road – Rogers – Renewal - no comment
- 30 Milford – Danielson-Renewal – no comment
- 131 Pleasant Drive: Sutton-Knight – Renewal – no comment
- 42 Old Portland Road – Carroll – New – Gary informed the Board that this site has not been visited by himself or Chief Cunio. Septic was one bedroom short of what they asked for. Anne clarified that they are now at 6 people. Brian commented about the locations of the smoke detectors. Second story windows are not shown on the evacuation plan. Anne will make sure the windows get marked on the plan. Linda mentioned ladders. They are not required. Door sizes have not been specified by the ordinance. Comment to the Selectboard about the detector that is on the baseboard, have Gary and Chief Cunio check this? Windows in bedroom one – are they blocked/partially blocked? Concern about loft/third bedroom/location? Melissa and Linda feel that this property should be visited.
- 24 Eaton Road – Furtado – NEW – question about septic tank size, flow is listed at 600. They have a 4 bedroom septic approval, which would allow 10 guests. Key for Door #1? Door is reported as not usable. Rental history is only listed for 1 year (2021). More data on rentals is needed. STR info checkbox and fire permit checkbox are not marked. Picture of fire extinguisher tags is needed. Label the door as not an exit because there is another means of egress.
- Melissa asked if a copy of the ad or a link for their STR could be required with a renewal application.

- Public Comment – none
- Other Business that can properly come before the board

Linda made a motion to adjourn at 9:30 pm, Paul seconded. The meeting was adjourned.

Respectfully submitted,
Melissa Donaldson
Recording Secretary