

TOWN OF FREEDOM

PUBLIC MEETING

Freedom Planning Board

Thursday, February 16, 2023

7:00 p.m.

The meeting was called to order at 7 pm by Anne Cunningham. Present are: Anne Cunningham, Carol McIntire, Brian Taylor, Paul Olzerowicz, Bobbi McCracken, Jeff Nicoll-Alternate, Melissa Florio- Select Board Representative. Beth Earle-Alternate, Carol McIntire, Linda Mailhot are absent. Paul Elie and Jeffrey Hertel are present. Jeff is seated for Linda Mailhot.

PUBLIC MEETING

- Notice is hereby given in accordance with RSA 676:4 & 675:7 that the Freedom Planning Board will consider a minor subdivision for the property of Jeffrey Hertel located at 9 Rice Hill Rd. Map 17, Lot 6 to determine if the application is complete. If the board accepts the Hertel Minor Subdivision application as complete, the board will go into a public hearing to further consider the application. Should a decision not be reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved.

6.07a

1. Name of municipality and subdivision (✓) **on subdivision plan**
2. Names and addresses of subdivider and the designer (✓) **on subdivision plan**

6.07b

1. Names and addresses of abutting property owners (✓) **names within 5 days of application, one is incorrect. Sleeper Island Association, 173. The rest are correct**
2. Subdivisions and buildings within 100 feet of the parcel to be subdivided (✓) **none within 100 feet**
3. Roads, streets, and driveways within 200 feet of the parcel to be subdivided (✓) **stone wall on south end of lot 48-1 – not sure it is a driveway, but one should be shown for this and the Gale lot.**

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6.07c

Name and seal and engineer and/or land surveyor licensed by the State of New Hampshire who prepared the Final Plat (✓) **OK**

6.07d

A general site location map locating the proposed Minor Subdivision boundaries in relation to major roads (✓) **shown**

6.07e

1. Boundaries and area of the entire parcel referenced to a Town Highway intersection or USGS bench mark (✓) **shown**
2. North point, bar scale (✓) **shown**
3. Date and dates of any revisions(✓) **shown**
4. The Board may waive the requirement of a perimeter survey for the entire parcel and may require specific data only for lots for which sale or lease is contemplated; in such instances, the Final Plat shall include a general map insert which indicates approximately the size and shape of the entire parcel to be subdivided. (✓) **N/A**

6.07f

Approximate contours at 5 foot intervals taken from a standard USGS map or a Town base map (✓) **Registry doesn't want contours on their map. Soils and contours should be shown on map, removed from Mylar.**

6.07g

1. Existing and proposed building sites and lot lines (✓) **existing shown, no proposed building on Lot 6-1. The last property line is not visible on the subdivision plan drawing. Entire existing lot needs to be shown**
2. Angles and dimensions (✓) **OK**
3. Lot sizes in square feet and acres – (✓) **Lot that the house sits on will be 23.11 acres, big lot will be 67 acres**
4. Consecutive numbering lots (✓) **OK**

6.07h

1. Location of existing and proposed easements - (✓) **shown electric line from road to house. DHS – drill hole set.**
2. Location of existing and proposed Deed restrictions – (✓) **none**
3. Location of existing and proposed Zoning setback lines(✓) **setback requirements in Zoning Ordinance should be shown on both lots. A legend may be necessary.**

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4. Location of existing and proposed Parks and other open space(✓) N/A
5. Location of Water courses. (✓) **double check this.**
6. Location of Significant natural and man-made features(✓) **stone walls. Show in legend that yellow ovals are stone walls. Also show what setback lines are.**

6.07 Information Required on Plans (continued)

6.07i

Soil test data, sewage disposal information and approvals as required in Section 8 (General Requirements). (✓) **N/A due to size of lots**

6.07j

1. Boundaries and designations of Zoning District within the subdivision; (✓) **All in one district, note that reflects that this is zoned Rural Residential.**
2. Municipal boundary, if any
3. Land use designations from Zoning Ordinance(✓) **N/A**

Typically a mylar is presented if someone is quite sure they will receive an approval. For the signature block, practice is to select one member that will do the signing. One line is sufficient. Label as Planning Board Representative

Anne made a motion to continue this application to the March 16 Planning Board Meeting, Bobbie seconded. APPROVED

Revisions need to be received by February 23. Clarify legend shown in upper corner.

PUBLIC MEETING

- Review and approve minutes of the January 19, 2023 planning board meeting. – People present – Richard Barrett, Heather Kiley and Mark Cadman - Page 1 Carol and Paul were absent. Page 6 Line 180 –“if” should be in quotation marks. Brian made a motion to approve as amended, Melissa seconded. Paul abstained. APPROVED
- Review proposed changes to site plan review and subdivision regulations to bring them into compliance with provisions for HB 1661. Public hearing to accept changes will likely be held in April.

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– pg 4 – change - notice in two other places. Page 5 – (5.5) is a new requirement. Must send finding of fact. Page 11 – we can no longer have extra time, so language needs to be added. Changed from 90 days to 65 days. Previously the Board of Selectmen could provide additional time, but this is no longer the case. Page 12 –this section is moved to section 4. Plat will be approved by the Select Board if the Planning Board does not meet the deadline. If they do not do so, the application will be approved by Superior Court. Delete words about city council. Fix capitalization of Boards, etc. throughout for standardization. Fix spelling of final plat.

Site plan – notice requirements – same as Subdivision regulations. Page 5 – review or decision process language was not previously included. Reflect Subdivision Regulation wording. NH Water Supply should be called NH DES now. Correction needs to be made. Page 8 – moved lighting for clarity. Brian spoke about upward lighting – shall be designed to point downward and not spill onto an adjacent property. Change plat requirements to a quantity of 5. Size of envelopes is not specified.

Checklist and application need to be corrected once changes are made here. Notice requirements should match on subdivision and site plan. The 5 day requirement – is this business or calendar days?

Jeff spoke about “globe” producing omni-directional lighting. Page 8 – lighting elements shall be covered by a shield that directs the light downward. Minor and major will all need to be updated as well to reflect the changes in the larger umbrella.

A motion to move forward with these as amended was made by Bobbie, Jeff seconded.
APPROVED

- Review proposed changes to the Board’s Rules of Procedure to bring them into compliance with HB 1661.

Page 1 - #4 – alternates have to be sworn in, as well as members. Page 3 - #2 for site plan, subdivision, #4 is an abbreviated version of this. Brian asked about secretary – this Board does not have a secretary. Page 5 – decisions – this is new. Change Chairman to Chair. Alternates do not leave the table when a vote is taken. They do not vote, as well as do not make motions or seconds. Capitalization and numbering must be adjusted.

A motion to move forward with this as amended was made by Brian, seconded by Bobbie. APPROVED

- Short-Term Rental (STR) applications

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- Rogers-Carroll Renewal – nothing has changed. No comments to send to the Board of Selectmen.

February 28 – ZBA hearing regarding STRs.

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

Procedural issues on agenda:

Town meeting is the 14th of March, Next Planning Board meeting is March 16. State law requires that it be three days after town meeting. The current board will be in place for that meeting. Any new members will be sworn in on the following Monday.

Wabanaki Campground will be bringing a Cooperative/Condominium. Zoning violations were acknowledged. HE wants to do some septic work in anticipation of selling shares. Gary Williams and Anne will be speaking with the Attorney about this.

Another application was received but incomplete – agricultural application for 95 Burnham Road – Rogers – application for wedding venue applied to ZBA for wedding venue. It was not well received and they were given the opportunity to withdraw their application. Zoning ordinance would need to be changed to make this permitted. They have hired an attorney who does agricultural law and they are applying as an agricultural use. Anne is meeting with the attorney next week regarding agri-tourism. It is an accessory use, but we need understanding about what is an ongoing farm. The application includes 14 waivers, but the application had 1 included. Anne will confirm about whether members will need to recuse, but Anne can choose which alternates she can use. Paul made a motion to appoint two alternates for 1 year terms – Chuck Brooks and Jane Davidson. Melissa seconded. APPROVED The alternates need to be sworn in

Brian made a motion to adjourn at 8:17 pm, Jeff seconded. The meeting was adjourned.

Respectfully submitted
Melissa Donaldson

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Recording Secretary

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