

**ZONING BOARD OF ADJUSTMENT
P.O. Box 227
Freedom, NH 03836**

Minutes

Freedom Zoning Board of Adjustment: **November 28, 2023**

Present: Chairman Scott Lees, Vice Chairman Craig Niiler, Karl Ogren, Peter Keenan, Denny Anderson, Pam Keith (A), Zoning Officer/Building Inspector Gary Williams, Recording Secretary Lindsay Pettengill.

Absent: Jacob Stephen (A), Tim Cupka (A), Daniel Footit (A)

Public: Paul Elie, James Rines, Mark McConkey

During this meeting, the following cases will be heard:

Application # 21-1-23B Camp Cody Inc. *(Continued from October 24, 2023 Meeting)*

Applicant is seeking a Variance to permit the construction of an addition onto the owner's existing nonconforming cottage within the 75' setback. Additionally, the applicant is seeking to permit the installation of erosion control and sediment control within the shorefront district for the construction of said addition to the owner's nonconforming cottage, the construction of two directorial cabins and the construction of a storage shed to replace a previously existing shed used to store life preservers and other water equipment.

Applicant is requesting the following:

Variance from Article 9 Section 906.2

Special Exception from Article 3 Section 304.6.3 Erosion Control

Property is located at 9 Cody Rd. Map 21 Lots 1 and 1-1

Application # 23-13-23 Mountainview Property Owners.

Applicant is seeking to permit to construction of a memorial on the community beach ahead of the existing flagpole, facing the lake.

Applicant is requesting the following:

Variance from Article 3 Section 304.2 Front Setback

Special Exception from Article 3 Section 304.6.3 Erosion Control

Property is located at Sunset Rd Map 23 Lot 13

Chairman Lees called the meeting to order at 7:00 p.m.

Chairman Lees introduced the Board to the Public. Noted that Dan Footit was an alternate and would be sitting with the board however would not be voting on the applications.

Notification of this meeting was published in the Conway Daily Sun and posted at the Freedom Town Office and the Freedom Post Office.

Public Meeting

Denny Anderson made the motion, seconded by Karl Ogren, to approve the meeting minutes of October 24, 2023. All were in favor. Pam Kieth Abstained. APPROVED

Application # 21-1-23B Camp Cody Inc. (Continued from October 24, 2023 Meeting)

Pam Keith will not be voting on this application.

Jim Rines appeared before the board, representing Camp Cody Inc on this continued application. He stated the application had changed slightly in that the applicant has decided to construct an addition to the owner's existing nonconforming cottage but off of the back side therefore they would not need the variance and requested that the request for the variance be withdrawn without prejudice. The applicant is still seeking to permit the installation of erosion control and sediment control within the shorefront district for the construction of said addition to the owner's nonconforming cottage, the construction of two directorial cabins and the construction of a storage shed to replace a previously existing shed used to store life preservers and other water equipment.

Jim also entered into the record photos of the existing owner's cottage for reference although the variance is not needed anymore.

Board Discussion:

- Accepts the withdrawal of variance
- Sees no problems with erosion control plan
- All permits are in process at the state level
- Conditions – Obtain state permits (Septic and Shoreland), Planning Board Approval

Public: Mark McConkey was in favor of the application.

Jim noted that this application will continue to be heard by the Planning Board at the December 21, 2023 meeting with updated plans for site plan review.

A Straight up vote was conducted.

Special Exception Article 3 Section 304.6.3

A- 5-0 motion carried	J- 5-0 motion carried
C- 5-0 motion carried	K- 5-0 motion carried
H- 5-0 motion carried	L- 5-0 motion carried

Conditions:

1. **Per Plan titled Overview Zoning Application Plan Camp Cody. Dated with Revisions of November 13, 2023**
2. **Erosion control shall be installed prior to any earth moving and shall remain in place until construction is complete and site is stabilized.**
3. **Obtain All State Permits – NHDES Shoreland and septic system approval**
4. **Planning Board Approval**

Findings of Facts:

None

Chairman Lees made a motion to approve the Variance from Article 3 Section 304.6.3 for Erosion Control. All were in favor. APPROVED 5-0

Application # 23-13-23 Mountainview Property Owners.

Mark McConkey came before the board representing Mountainview Property Owners.

Denny Anderson and Scott Lees have recused themselves for this application due to living in the Mountainview Development, which leaves only 4 board members to vote, Vice Chair Craig Niiler asked Mark if he wished to proceed with 4 members of the board, Mark wished to proceed with the hearing.

The applicant is seeking to permit construction of a memorial on the community beach ahead of the existing flagpole, facing the lake.

Points of Discussion:

- Flag is not moving
- Shoreland Permit has been Approved
- No tree cutting, only trimming flora
- Using silt sock for erosion control
- 5.75ft variance on front setback

Abutter: Denny Anderson – approves of application.

Scott Lees – lot owner in Mountainview – in favor of application.

Variance from Article 3 Section 304.2

- 1. 4-0 Motion Carried**
- 2. 4-0 Motion Carried**
- 3. 4-0 Motion Carried**
- 4. 4-0 Motion Carried**
- 5. A. 4-0 Motion Carried**
 - i. 4-0 Motion Carried**
 - ii. 4-0 Motion Carried**

Conditions:

- 1. Per Plan titled Zoning & Shoreland Plot for: Mountview Property Owners PO Box 89 West Ossipee, NH 03890. Dated November 8, 2023**

Findings of Facts:

- 1. Minimal Impact**
- 2. Flag pole – staying in place**

Special Exception Article 3 Section 304.6.3

- | | |
|------------------------------|------------------------------|
| A- 4-0 motion carried | J- 4-0 motion carried |
| C- 4-0 motion carried | K- 4-0 motion carried |
| H- 4-0 motion carried | L- 4-0 motion carried |

Conditions:

- 5. Per Plan titled Zoning & Shoreland Plot for: Mountview Property Owners PO Box 89 West Ossipee, NH 03890. Dated November 8, 2023**
- 6. Erosion control shall be installed prior to any earth moving and shall remain in place until construction is complete and site is stabilized.**
- 7. Obtain All State Permits**

Findings of Facts:

- 3. Minimal Impact**
- 4. Flag pole – staying in place**

Vice Chairman Niiler, motioned to approve the Variance from Article 3 Section 304.2 and Special Exception from Article 3 Section 304.6.3. All were in favor. APPROVED 4-0

Miscellaneous

- **Communication and miscellaneous.**

Scott Thanked Peter for attending the 2024 Budget meeting in his absence. All went well. Scott attended meeting with the Selectboard last night (11/27/23) where budget was approved.

There was no mail.

There being no new business to come before the Board, the Motion by Scott, seconded by Karl that this meeting adjourns; Motion passed unanimously.

The meeting adjourned at 7:20 p.m.

Respectfully Submitted,
Lindsay Pettengill,
Recording Secretary