

# ZONING BOARD OF ADJUSTMENT

P.O. Box 227

Freedom, NH 03836

## Minutes

Freedom Zoning Board of Adjustment: **December 19, 2023**

Present: Chairman Scott Lees, Karl Ogren, Peter Keenan, Denny Anderson, Daniel Footit (A), Zoning Officer/Building Inspector Gary Williams, Recording Secretary Lindsay Pettengill.

Absent: Vice Chairman Craig Niiler, Pam Keith (A), Jacob Stephen (A), Tim Cupka (A),

Public: James Hayden, Bryan Walsh, Heather Kiley

During this meeting, the following cases will be heard:

### **Application # 21-1-23C Camp Cody Inc**

Applicant seeks a special exception to permit the installation of erosion and sediment control measures within the shorefront district for the construction of a new directorial cabin. An additional special exception is sought for the widening of the existing path from 9 feet to 15 feet. The path will be 15' wide in order to provide adequate access to the cabin for emergency vehicles.

Applicant is requesting the following:

Special Exception Article 3 Section 304.6.3 Erosion Control

**Property is located at 9 Cody Rd. Map 21 Lot 1 & 1-1**

### **Application # 1-16-23 Carroll County YMCA Inc**

Applicant is seeking a special exception to permit the installation of erosion and sediment control measures within the shorefront district for the construction of additions onto the existing Program Lodge building and the installation of a new well and septic system.

Applicant is requesting the following:

Special Exception Article 3 Section 304.6.3 Erosion Control

**Property is located at 17 Camp Huckins Rd. Map 1 Lot 16**

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 on the board tonight for Vice Chairman Craig Niiler.

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 November 28, 2023 with corrections. All were in favor. APPROVED**

**Application # 21-1-23C Camp Cody Inc.**

James Hayden appeared before the board, representing Camp Cody Inc on this application. Applicant is seeing a special exception for the installation of erosion and sediment control within the shorefront district for construction of a new directorial cabin. They are also seeking a special exception to permit the widening of the existing path from 9 feet to 15 feet in order to provide adequate access to the cabin for emergency vehicles. Horizons had a site visit with Freedom Fire Chief Rob Cunio who recommended this expansion of the road in case of an emergency. Due to this the special exception is needed as the road will now disturb the wetlands to be completed.

**Board Discussion:**

- New cabin sits over from the shed that was approved at last month’s meeting.
- Sees no problems with erosion control plan
- Meets all setbacks
- All permits are in process at the state level
- Conditions – Obtain state permits (Septic, Wetland, Shoreland), Planning Board Approval
- Clerical error was made on which special exceptions were being sought. 304.6.3 for erosion control for the shorefront erosion control and 405.1 for widening the path through the wetlands. – Board sees no problem continuing with the application and plan with this new information.

No abutters or public for comment.

James noted that this application will be presented to the Planning Board for site plan review.

A Straight up vote was conducted.

**Special Exception Article 3 Section 304.6.3**

- |                              |                              |
|------------------------------|------------------------------|
| <b>A- 5-0 motion carried</b> | <b>J- 5-0 motion carried</b> |
| <b>C- 5-0 motion carried</b> | <b>K- 5-0 motion carried</b> |
| <b>H- 5-0 motion carried</b> | <b>L- 5-0 motion carried</b> |

**Conditions:**

1. **Per Plan titled Overview Zoning Application Plan Camp Cody. Dated December 4, 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**

**Findings of Facts:**

1. **Erosion shown on plan**
2. **Approval is for cabin erosion control only**

**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**

**Special Exception Article 4 Section 405.1**

- |                              |                              |
|------------------------------|------------------------------|
| <b>B- 5-0 motion carried</b> | <b>J- 5-0 motion carried</b> |
| <b>C- 5-0 motion carried</b> | <b>K- 5-0 motion carried</b> |
| <b>H- 5-0 motion carried</b> | <b>L- 5-0 motion carried</b> |

**Conditions:**

1. Per Plan titled Overview Zoning Application Plan Camp Cody. Dated December 4, 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

**Findings of Facts:**

1. Erosion shown on plan
2. Road widening per fire chief – 9’ – 15’
3. Erosion control for the path is outside of ZBA jurisdiction
4. Approval is for widening of path from 9’ to 15’ only

**Chairman Lees made a motion to approve the Variance from Article 4 Section 405.1 as it pertains to Wetlands. All were in favor. APPROVED 5-0**

**Application # 1-16-23 Carroll County YMCA Inc**

James Hayden came before the board representing Carroll County YMCA – Camp Huckins.

The applicant is seeking to permit the installation of erosion and sediment control measures within the shorefront district for the construction of additions onto the existing Program Lodge building and the installation of a new well and septic system.

**Points of Discussion:**

- Level building area
- Grade change on waterfront side? Roughly 1ft.
- Silt log for erosion control - sufficient

No abutters or public for comment.

A Straight up vote was conducted.

**Special Exception Article 3 Section 304.6.3**

- |                              |                              |
|------------------------------|------------------------------|
| <b>A- 5-0 motion carried</b> | <b>J- 5-0 motion carried</b> |
| <b>C- 5-0 motion carried</b> | <b>K- 5-0 motion carried</b> |
| <b>H- 5-0 motion carried</b> | <b>L- 5-0 motion carried</b> |

**Conditions:**

1. Per Plan titled Overall Zoning Board Application Plan for Carroll County YMCA Inc “Camp Huckins”. Dated December 4, 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

**Findings of Facts:**

1. Level building area

**Chairman Lees, motioned to approve the Special Exception from Article 3 Section 304.6.3. All were in favor. APPROVED 5-0**

**Miscellaneous**

- **Communication and miscellaneous.**

January's meeting is scheduled for January 23<sup>rd</sup> however that is the day of the primary elections which are typically held at the Town Hall but may be held at the elementary school. Board would like to see if the elections do take place at the Town Hall that we move the meeting to the following day January 24<sup>th</sup>, in which case the abutters for the GMR Tower on Pequawket will need to be re-noticed. Lindsay will discuss with Selectboard tomorrow and will follow up with the board.

Gary came before the board to discuss a property owner who needed to make a small change to a project that was approved by the board earlier this year. After looking at the plan, the owner will need to come back before the board to obtain a new approval.

There was no mail.

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

The meeting adjourned at 7:45 p.m.

Respectfully Submitted,  
Lindsay Pettengill,  
Recording Secretary