

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

Freedom Zoning Board of Adjustment: **May 28, 2024**

Present: Chairman Scott Lees, Karl Ogren, Peter Keenan, Daniel Footit (A), Denny Anderson, 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 Rines, Bryan Berlind, Dave Gonthier, Ryan Jean

During this meeting, the following cases will be heard:

Application # 33-31-24 David & Susan Gonthier (Continued from April 23, 2024)

Applicant seeks to permit replacement of a current dwelling with a new one as well as a new septic.

Applicant is requesting the following:

Variance Article 3 Section 304.5 Sideline setback

Special Exception Article 3 Section 304.6.3 Erosion control

Special Exception Article 7 Section 704.5.1 Tree cutting

Special Exception Article 3 Section 304.6.5 Tree cutting

Property is located at 3 Holt Rd. Map 33 Lot 31

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

Chairman Lees introduced the Board to the Public.

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

Karl Ogren made the motion, seconded by Denny, to approve the meeting minutes of April 23, 2024, with 2 corrections. All were in favor. APPROVED

Application # 33-31-24 David & Susan Gonthier

James Rines with Bryan Berlind, from Horizons Engineering came before the board again representing the applicant who seeks to permit the replacement of a current dwelling with a new one as well as a new septic on 3 Holt Rd. The applicant seeks a variance for the sideline setback and special exceptions for tree cutting and erosion control. The applicant is returning this month to address the following concerns the board had at last month's meeting:

- Erosion control needs to be on plan
- Fence added with silt sock due to slope

- Setback not moving any closer than it was
- Infiltration on plan

New plan includes:

- Stairs in compliance
- Detailed Dimensions
- Infiltration trench detail
- Integrated table
- Silt Fence on lower sock

The Board is satisfied with the new plan. No comments.

No abutters or public present for comment.

The Board agreed to vote Straight up for the Variance.

Variance from Article 3 Section 304.5

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

Conditions:

- 1. Per Plan titled David L. Gonthier & Susan J. Gonthier Proposed Dwelling Replacement. Revision Date May 13, 2024.**
- 2. Obtain All State Permits (NHDES Subsurface & Shoreland)**

Findings of Facts:

- 1. Stairs were adjusted from last meeting to be outside setback**
- 2. Erosion, Double sock and fence**
- 3. No closer than existing structure**
- 4. Stumps ground flush**

Chairman Lees, seconded by Peter made a motion to approve the Variance from Article 3 Section 304.5. All were in favor. APPROVED 5-0

The Board agreed to vote Straight up for all Special Exceptions.

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 David L. Gonthier & Susan J. Gonthier Proposed Dwelling Replacement. Revision Date May 13, 2024.**
- 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 Subsurface & Shoreland)**
- 4. All stumps except those in the area of the house shall be ground flush with grade.**

Findings of Facts:

- 1. Stairs were adjusted from last meeting to be outside setback**
- 2. Erosion, Double sock and fence**
- 3. No closer than existing structure**
- 4. Stumps ground flush**

Special Exception Article 3 Section 304.6.5

B- 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 David L. Gonthier & Susan J. Gonthier Proposed Dwelling Replacement. Revision Date May 13, 2024.**
- 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 Subsurface & Shoreland)**
- 4. All stumps except those in the area of the house shall be ground flush with grade.**

Findings of Facts:

- 1. Stairs were adjusted from last meeting to be outside setback**
- 2. Erosion, Double sock and fence**
- 3. No closer than existing structure**
- 4. Stumps ground flush**

Special Exception Article 7 Section 704.5.1

C- 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 David L. Gonthier & Susan J. Gonthier Proposed Dwelling Replacement. Revision Date May 13, 2024.**

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 Subsurface & Shoreland)**
4. **All stumps except those in the area of the house shall be ground flush with grade.**

Findings of Facts:

1. **Stairs were adjusted from last meeting to be outside setback**
2. **Erosion, Double sock and fence**
3. **No closer than existing structure**
4. **Stumps ground flush**

Chairman Lees, seconded by Denny made a motion to approve the Special Exceptions from Article 3 Section 304.6.3, the Special Exception from Article 3 Section 304.6.5, and the Special Exception from Article 7 Section 704.5.1. All were in favor. APPROVED 5-0

Miscellaneous

- **Communication and miscellaneous.**

There was no mail.

Karl suggested the board look to define Bunkhouse and propose its addition to the Zoning Ordinance in order to better regulate any future Bunkhouses.

Lindsay will obtain the states definition of Bunkhouse as it pertains to septic's per ZO Gary's recommendation and include it in next meetings packet.

ZO Gary also recommended the Board look to amend the ordinance that was put in place in March to regulate the soft shell garages, greenhouses, etc. Board was in agreement.

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

The meeting adjourned at 7:30 p.m.

Respectfully Submitted,
Lindsay Pettengill,
Recording Secretary