

TOWN OF FREEDOM  
 A PUBLIC MEETING and PUBLIC HEARING of the  
 Freedom Planning Board will be held on  
 Thursday, January 16, 2025  
 at 6:30 p.m. at Freedom Town Hall at 16 Elm St.

The meeting was called to order at 6:30 pm by Linda Mailhot. Present are: James Guido, Robert Rafferty, Jane Davidson, Linda Mailhot, Melissa Florio, Anne Cunningham, Brian Taylor, Les Babb-Selectboard Rep., Bobbie McCracken

Jane Davidson is seated for Bobbie McCracken on Wabanaki, Melissa Florio is seated for James Guido on that item.

#### Public Meeting

Review and approve minutes of the December 19, 2024, Planning Board meeting. – Page 2 – clarify Driveways are not modified. He stated it is his opinion. It is spelled BrYan Berlind. Pg 3 3<sup>rd</sup> paragraph – cottage is included. Page 2 Gary Williams Violations - after learning that the code enforcement officer had found construction going on, Anne reminded Mr. Salvati that, when asked in November if any work had begun on the Hutnicks, he stated “no, that is why we are here.” Asked about the violation, He said he misspoke. Also add that this was mentioned in October and he misspoke twice.

Brian made a motion to approve as amended, Bobbie seconded. APPROVED unanimously

#### PUBLIC HEARING

2. Continued Application submitted for Site Plan Review for Wabanaki Campground Conversion LLC located 39 Dennis Dr, Tax Map 20, Lot 2

- Make Improvements to an existing campground, to include camp structure expansions, sanitary connections and improvements, etc.

Mr. Salvati spoke about decks not having roofs, there are only 4 that have constructed wooden roofs. Some have awnings, some have nothing. Calculations provided were for roofs on all. 62, 27, 42 and 31 have a roof. Proposed roofs are shown on the plans. Anne reviewed the calculations of lot and impervious coverages she had done as requested by the planning board at the December 20, 2024, meeting. On December 31, 2024, Horizons provided Anne with a plat that showed the dimensions of the RVs and the decks to use for her calculations. Before getting into the details, Anne stated that the most notable thing that she learned is that the plan that was submitted for the December meeting was different from the original submission for the hutnick expansions dated January 2024 and submitted for the March 2024 meeting. Also, the plan submitted on December 31 with the dimensions had many changes showing additions of RVs and decks, including roofs on many decks. It was impossible to make the calculations the board requested on the original application or on the December 2024 submission. Impervious surface, she got 26.1% for the shorefront. Bryan Berlind did not include driveways and came up to 14.6%. They maintain that they are driveways and are evolved surfaces. He says they are not impervious as they are earth. Mr. Taylor spoke about a 2001 plan that states they are gravel. Melissa Florio disagrees, that they are not impervious. Mr. Rafferty asked about the decks in the shorefront, are they plywood or decking that would drain out. Anne used 26,909 as the roads.

Brian Taylor spoke about lot 1, overhangs. Mr. Salvati will commit to a percentage that he is not

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allowed to go over. Anne pointed out that lot 16 also has a roof. 705.3 – Mr. Berlind pointed out that structures cannot exceed – then read the definition of structure. Anne pointed out that we are counting impervious surfaces, not structures. Linda read 705.2 through 705.7. Mr. Salvati is willing to look into a stormwater management plan. Bryan Berlind explained pre and post development that a stormwater plan would need. He still feels that the driveways are not impervious. Linda reread the items regarding impervious items. Melissa appreciates Mr. Salvati's willingness to get a stormwater plan. Anne spoke about the old plans only showing work on 5 hutnicks and now there is a lot of proposed work. Brian Taylor counted 16 new ones with decks. Linda explained that the application before us is only for the hutnicks and septic. 12/04/2024 plan. Anne expressed concern that should the board approve the plan submitted for the 1/16/2025 meeting (dated 12/26/2024), it would approve many changes that had not been specifically noticed or discussed. She felt the application for hutnick expansions had been superseded. An additional application could be submitted to show all the proposed works. James Guido asked how many they are approved for and how many are on the plans now. He does not 100% agree that the road should count. If there's no roof on the decks, perhaps calculate at 50% because the water can flow through.

Mr. Rafferty asked what makes a deck impervious. He feels they should not be included. Why are we just deciding that we want them to go back and make changes now?

Jane Davidson spoke about the original application being just for hutnicks and this has now blossomed into a whole new plan.

Les asked about changes in the first 300'. He feels that they are making it better. He would like to see a water management plan, not necessarily an engineered plan.

Mr. Salvati agrees to apply for the other work in a new separate application, and will do a plan for stormwater management. He would like to have the hutnick application approved.

Mr. Guido mentioned about setting a figure for each site that was acceptable as mentioned at the last meeting.

Les spoke about his feeling that the Planning Board should have addressed the need for a new application sooner. Anne said she didn't want to sound defensive, but her review of the cover letters with the plans amended for the April, November, December, and January meetings where changes would have been specified did not show the specific additions. The site is very dense, and it would be difficult for planning board members to trace all of these changes without specifics.

Linda spoke about needing a new application that will cover all the proposed work, and a stormwater management plan.

Mr. Salvati clarified that he can show it is less than 25%. Mr. Salvati also stated if it is more than 25% he needs a certified plan.

Melissa spoke about working with the FCC for assistance with stormwater.

Bobbie spoke about finding someone who knows the State regs that can determine if the driveways are impervious.

The current drawing does not match with the application on hand. A conditional approval with the condition of providing a plan that shows just the huts. The January 2024 (printed 2.7.24) plan shows the hutnicks.

Linda clarified the size of the additions to the hutnicks.

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Jane has a question that does not pertain to the hutnicks. All of the campsites are owned by Mr. Salvati. Per tax maps, sites are billed to individuals and the Town of Freedom. Les explained that the campers are taxed if they are not registered.

James Guido asked what the procedure is about the rules at the campgrounds. There are rules that are made by the campground.

Anne spoke about the subdivision approval that said they could have x number of campsites is not what we are talking about. We are talking about the expansion.

Brian Taylor would like to see roadways and surfaces have an indication of what it consists of on the plan submitted with the new application. He would also like trees that are gone to be deleted. There is a word abandoned in a parking spot at apartment 3. What is that?

Mr. Rafferty – did not mean to make it sound like it the blame of the board for the amount of time this application has taken. He also would like it written down what needs to come back next time.

Mr. Salvati asked about the request to change the name of the road. That goes through the office to change the 911 address.

Mr. Berlind asked if the overhangs of the decks are not on there, would it change things?

There is discussion about the size of the sites and how that would affect the size of the unit and deck that can go on it.

Public comment was opened at 8:01 pm.

Noreen Raines – abutter – concerned about runoff of the whole site. Feels that tree cutting did not help it.

Dr. Raines – asked if this is just limited to hutnicks, does that preclude the storm management aspect? This was looked at by a third-party reviewer. Spoke about the condition of the roads during summer and spring. The Conservation Commission addressed the issue of planting, this has not been addressed at all.

Jason Dennis – Ossipee Lake Alliance – Hastings Law Office – not inherently opposed to the hutnicks. The application has morphed over time. They strongly urge the position that any vote have express conditions. None of the plans as submitted are in any way approved. The additions that are being proposed today be considered post development when another application comes. Anything be done without prior approval be deemed by condition as post development. If the approval is specifically limited to the hutnicks, a plan that shows exactly what is there now and a plan that shows everything that will be added. Towns are allowed to be more restrictive than the State. For a definition, he does not recommend going to the State, go to local counsel.

Jay Tropia – seasonal camper at Wabanaki. Environmentalism cannot be conducted on a per parcel basis. Feels that Cody and Calument, and Totem Poles, private residences should be doing the stormwater plan also.

Richard Hiller – Ossipee Lake Road – if the Planning Board were to make a decision with regard to the hutnicks, how does that impact the calculation for the stormwater plan?

Janice Zecher – Cushing Corner Road – possibility of approving plan as is for the hutnicks? If one plan is approved and a note is made that the decks will be considered at another time, someone will be trying to figure out the plans at a later time. We will potentially be asking for a separate plan for the hutnicks.

Susan Hoople – Bennett Road – how many bedrooms are the systems designed for and how many bedrooms are going to be in the hutnicks?

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Paul Eli – Old Portland Road – 3<sup>rd</sup> party review – was that based on a 50 yr? It was a 100-year storm that it was based on.

The comment portion was closed at 8:18 pm.

Mr. Guido spoke about the hutnicks, they did do a stormwater management for that. They did mediation for the impact of the hutnicks.

Brian Taylor – did CMA do a site visit? No.

Linda reviewed the site plan application criteria checklist.

Bryan Berlind is presenting. He pointed out the items from the checklist and which sheet(s) they are shown on. New construction on Cahill lot needs to be included. Will add snow storage.

There are no waiver requests.

Look at the extension to renters to see if it applies. 6.1.4.2.25 Dimensions and area of all property to be dedicated for public use of common ownership.

Brian Taylor – the beach is labelled as common beach. Tennis courts may also apply. Mr. Salvati states that the whole place is common. Les does not feel that the plans are complete. The plans are too broad right now. The new home, snow storage, common areas are missing on the plans. He feels that a conditional approval could be based off new plans.

Mr. Rafferty spoke about snow storage not being required because they are not open in the winter time. What is the concern about the home that was moved? The septic is more of a concern than the location of the home.

Jane – are none of the apartments open in the winter? Just the main house. The snow storage will be shown on the plan.

Bobbie asked about the RVs not showing any slideouts.

Mr. Salvati would like to request a waiver for the location of the neighboring house as it is nowhere near the hutnicks.

The public comment was reopened at 8:51 pm.

Mr. Raines is concerned about the process gone through using the plan that shows everything, not just the hutnicks.

Janice Zecher – what would be the harm in waiting to approve the hutnick application until you have the revised plan? Would it be a bad thing to wait until you have the plan that matches?

Marcia Brooks – Ossipee Lake Road – why did you go through the whole process on these plans? If you approve this conditionally, will the conditions be stated?

Jay Tropian – Wabanaki seasonal – these delays- the costs are mounting and are coming back to him in is HOA payments. The owner stated there are no HOA payments.

Jason Dennis – on behalf of Ossipee Lake Alliance – if conditionally approved tonight, it starts your 65-day clock. Mr. Berlind indicated that they can supply it in time.

The public comment was closed at 8:57 pm.

2 waivers were submitted.

A waiver for 6.1.4.2.4.21 buildings within 150' of parcel is submitted. The house will be shown on the new plan.

6.1.4.2.4.23 snow storage – a waiver is submitted. Snow storage will be shown on the new plan.

A motion to waive 6.1.4.2.4.21 was made by Robert Rafferty, seconded by Les. APPROVED unanimously

A motion to waive 6.1.4.2.4.23 snow storage was made by Jane Davidson, seconded by Melissa Florio. APPROVED unanimously

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Determination of completeness – Anne made a motion to accept the application as complete on the condition that we understand the “common ownership” as stated in 6.1.4.2.4.25- on the site and have an attorney’s opinion. The other condition is that this approval for the 4 hutnicks is an approval of the conditions on the site in the January 2024 plan that was submitted for the March 2024 meeting. None of the additional proposed changes would be included in this approval.

Les would like the condition to approve with a full Board review after it is submitted showing the 4 hutnicks and existing conditions on the site from the January 2024 plan.

Les seconded Anne’s motion. APPROVED unanimously

The application is accepted as conditionally complete.

At the December meeting we discussed setting a number of square feet for units. Mr. Guido feels that it should be a percentage of the site based on the size of the site.

Les asked if we are all comfortable with the 600 sq ft number. This will be easier for the zoning officer. Mr. Salvati recommended 600 sq ft, with 400 sq ft maximum on the RV. Slide-outs will be included.

A motion to continue the application in front of us to the February 20, 2025 meeting at 6:30 pm was made by Les, seconded by Anne. APPROVED

### 3. Design & Final Site Plan Review for Camp Cody, located at 9 Cody Rd, Tax Map 21 Lot 1-1:

- Construct four additions, one on each existing councilor’s cabins.

James Hayden from Horizons Engineering is presenting. Anna is present.

This will be a carbon copy of the cabin addition that was approved last year.

Infiltration drip edges are proposed. This will be one 10’x16’ addition on four (4) existing councilor cabins.

Anne asked about the septic – do they have the capacity to add the additional bedrooms? These are not bedrooms, they are increased living space. They are not increasing staff. There are provisions in place to handle any increased flow. Bobbie asked about the staff not increasing but they will now have family living with them. These cabins are for seasonal leadership staff. Mr. Rafferty agrees with Les that septic is based on bedrooms, not people. James Guido states that they will not be able to get a building permit if the septic are not sufficient. See ENVQ1000 on the State website for camp septic use numbers.

Les would like to see a letter from NHDES stating the existing septic can handle the additional load with the proposed new bedrooms.

James Hayden stated that he can get an email from the State stating that the septic is sufficient.

Robert Rafferty – these are seasonal units? There are people who come up, but they are not there year round. He also asked if the people that are there now are the same people that are there in the summer. Yes.

Public comment was opened at 9:35 pm.

David Wilcox – abutter – opposed to the application. As far as the use goes, they run nature’s classroom, which extends throughout the winter. Spoke about the site plan regulations he read.

Gets unnecessary noise in the summer. Linda noted that the Town has quiet hours from 10 pm to 7 am.

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The public comment was closed at 9:42 pm.

Robert Rafferty spoke about a lot of noise that doesn't need to happen there.

Les Babb – dumpsters are in a different location than was approved originally.

Melissa noted that it is now a 100 year storm event. Site plan still references 50 year.

Design Review Phase: Linda reviewed the checklist. James Hayden pointed out where to find the information requested.

A motion that this application does not have regional impact was made by Brian Taylor, seconded by James Guido. APPROVED unanimously

Brian moved that no third party review is necessary, seconded by James Guido. APPROVED unanimously.

A motion that the requirements have been met was made by Les, seconded by Anne.

APPROVED unanimously

Site Plan Review submission information checklist was reviewed.

Waiver for Item 11 – contours. Les made a motion to approve the waiver, Brian Taylor seconded. APPROVED unanimously.

Waiver for Item 21 – buildings etc. within 150' of parcel. Motion to approve by Anne, seconded by Bobbie. APPROVED unanimously

Waiver for Item 22 – landscaping – Les and Jane asked about plantings. Motion to approve by James Guido, seconded by Bobbie. APPROVED unanimously

James Hayden will provide the septic approval number and a letter from DES.

The Fire Chief has seen the plans for the one with the full buildout and has visited it.

The hearing was opened at 10:02 pm.

Mr. Wilcox asked if anything on the site plan removes the dumpster from near his house.

Mr. Guido asked if there is anyplace else that the dumpsters can go.

Mr. Rafferty asked which house was Mr. Wilcox. 839 Ossipee Lake Road.

Les Babb asked if the dumpsters are where they are supposed to be. Anna clarified that the dumpsters will be in their correct location by the time the camp opens for the summer.

Mr. Rafferty asked what the final outcome for the dumpsters was. The opening date is June 10.

Mr. Guido wants clarification on the septic system.

The hearing was closed at 10:09 pm.

A motion that the application is complete was made by James Guido, seconded by Bobbie.

APPROVED with Les opposed.

Storm report needs to be updated.

Septic information is needed.

#### CONDITIONS

Dumpster relocated no later than 6-10-25 (changed to March 15, 2025)

Drainage updated to 100-year storm

Septic approval and letter from NH DES

Comply with life safety and building codes

All permits will be secured prior to construction

Approval by the Fire Chief

Design standards checklist was reviewed.

Mr. Rafferty made a motion that the dumpsters should be moved by March 15, 2025. Les seconded. APPROVED unanimously

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A motion to approve the application conditionally with the conditions above was made by James Guido, seconded by Bobbie. APPROVED unanimously

4. Gather public input on proposed Zoning Ordinance Change ballot language and vote to put changes on the ballot:

- Driveway Permits per RSA 263:13, V requires action within 65 days. See added section 805.1.5.

Are you in favor of the adoption of Amendment No. 1 as proposed by the planning board to add Section 805.1.5 to Section 805 Driveway Permits to comply with a requirement in RSA 236:13, V that sets a timeframe for town action on driveway permits issued by the NH Department of Transportation? A motion to approve was made by Brian Taylor, seconded by Anne. APPROVED unanimously

- Parking per RSA 674:16-a

Are you in favor of the adoption of Amendment No. 2 as proposed by the planning board to add Section 1004.25 in Article 10 to comply with RSA 674:16-a to require the planning board to consider any alternative parking solutions for a residential use proposed by an applicant. A motion to approve was made by Anne, seconded by Brian. APPROVED unanimously

- Are you in favor of the adoption of Amendment No. 3 as proposed by the planning board to add to Table 1004.1 Schedule of Requirements in Article 10 Off Street Parking specific requirements for parking for unrelated families from the definition in Section 2402.22. A motion to approve was made by Anne, seconded by Bobbie. APPROVED unanimously

- Family or Group Family Childcare

Are you in favor of the adoption of Amendment No. 4 as proposed by the planning board to change the definition in Section 2401.11 of Childcare Center to reflect changes required in RSA 674:16, VI to use the term “family or family group childcare center” and to amend the Tables in Sections 304.1, 304.2, 304.3, 304.4, 304.7, 304.8 to make these facilities a permitted use in all districts. A motion to approve was made by Brian, seconded by Les. APPROVED unanimously

## PUBLIC MEETING

5. Short-Term Rental Applications – Howland, 35 Abenaki Drive – Melissa noted application is for 2024. Anne stated that this application has been going on for a long while. Septic is for 3 bedrooms. There are a lot of inconsistencies. Anne will get an updated signature page. Other concerns noted: what floor is the carbon monoxide detector on, no label on water tank, update emergency contact list to include address, fire permit is expired, location of firepit on grass.

6. Review and Act on changes to Rules of Procedure – Linda stated nothing was prepared nor presented at this meeting on this item. Any changes to the ROP need to be done in a public hearing, and the item was advertised as a public meeting.

7. Public Comment – none. Linda thanked everyone for being polite and respectful tonight.

8. Other Business that can properly come before the board. Brian Taylor spoke about HB332.

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Les made a motion to adjourn at 10:40 pm, Anne seconded. The meeting was adjourned.

Respectfully submitted,  
Melissa Donaldson  
Recording Secretary

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