

**Town of Freedom
Planning Board
September 19, 2013**

Members Present: Jean Marshall, Peter Park, Anne Cunningham, Maynard Thomson, Janet Meyers

Members Absent: Beth Earle, Les Babb

Others Present: Jennifer Molin, lee Fritz, Carol Demore

Meeting called to order at 7:00pm.

Minutes

There was a motion by Peter, seconded by Janet, to approve the minutes from August 15, 2013 with changes. All were in favor.

Page 1, change the spelling of ~~Maynard Thompson~~ to ~~Maynard Thomson~~

Page 1 and 2, under the heading of ~~District~~ status of the section of Route 153 between Effingham town line and Village Road, second sentence, change to read:
'The problem with this section of road is that the ordinance was changed in 1989 or 1990, but not legally.'

Page 1 and 2, under the heading of ~~District~~ status of the section of Route 153 between Effingham town line and Village Road
Change this sentence: *'Anne described the procedure to change this as: Board will make a proposal and hold a public hearing if there is a lot of opposition to the board's proposal then a second public hearing will be necessary.'*

To read: *'Anne described the procedure to change this as: Board will make a proposal and hold a public hearing if there is opposition to the board's proposal that causes the board to change their proposal, then a second public hearing will be necessary.'*

Page 2, after ~~District~~ status of the section of Route 153 between Effingham town line and Village Road, insert: *' Anne also said that the district descriptions put the Village road in two districts – the Village Residential and the General Residential. The board discussed how to deal with this. The ordinance says that, if the district classification of any land is in question, it shall be deemed to be in the most restrictive adjoining district. This could lead to litigation depending on the application. If a subdivision application were contested, it could be argued that the land is in general residential because requiring two acres is more restrictive. If it were a use issue, the village residential is arguably the more restrictive because that district allows fewer special exception uses. The board will continue this discussion after some thought.'*

Discussion of district status of the lots on both sides of route 153 from Effingham Falls to Village Road

Anne described the question before the board. The problem with this section of road is that the ordinance was changed in 1989 or 1990 but not legally. After researching this issue Anne found that the change could not be explained and since it has been in effect for a long period of time it now stands. Today this is in the light commercial district but did the board want to make a change to village residential (VR) or general residential (GR). All board members were asked their opinion with 2 members opting to leave everything as is and 3 members opting to make changes. Carol Demore asked how many businesses were located between Effingham Falls and Village Rd. further stating that the district status effects people who live there vs. people making changes that do not live in this area. Anne described the job of a Planning Board vs. the job of a Zoning Board. Janet further explained that the board's opinion would be put before the town to decide. Lee Fritz asked when this change took place and what happened further saying she did not believe the change could not be explained. Anne challenged her to do the research herself. The board decided to put this on the agenda for next month hoping more board members would be present to voice their opinion.

Article 3 Section 304.6.5: Special Exception Standards for Cutting and Removal of Trees and Natural Vegetation in the Shorefront District

Anne explained Ned's wishes as:

- Have the Zoning Officer allow cutting of trees as long as grid is left with 100 points
- The Zoning Office could allow the cutting of Damaged/Dying/Dangerous trees as long as the request was accompanied by the opinion of a licensed forester

After discussion the board decided to allow Ned's request. Anne will rewrite Article 3 Section 304.6.5 and insert these changes. Review of the written article will be on the agenda for next month.

Article 3 Section 309: Accessory Use

This question is about businesses that take place on residential lots and whether to set up special exception criteria for these issues. The question before the board was: Does the board want to set up special exception standards for accessory use? Maynard's opinion was to leave as is, and other board members wanted clarification of B. Anne will rewrite B and this will be on the agenda for next month.

Town Facilities Chapter

Anne stated she had spent a great deal of time on this issue as well as meeting with Freedom's Police Chief, Fire Chief and DPW Head. The head of the DPW had a good spreadsheet that listed items to be updated and when this needed to take place. The police and fire departments could be added to this spreadsheet.

Village Road

The question before the board was -What district was Village Rd. in GR or VR? Currently this road is listed in both districts. Anne asked if the board wanted to address this issue by proposing different articles for town vote and letting the people decide. Majority of the board wanted district clarification. Carol Demore wanted the board to know that Freedom had a village but most towns have two villages (i.e. Effingham Falls Village). Janet and Peter both agreed that

Village Rd. should be in GR and asked what needed to be done to fix this problem. Jean volunteered to work with Anne on the issue.

Jean informed the board about a meeting with Lakes Region Planning Commission concerning storm water run-off.

There was a motion by Janet, seconded by Peter, to adjourn the meeting. All were in favor. Meeting adjourned at 8:35pm.