

Zoning Board of Adjustment
PO Box 227
Freedom, NH 03836

Freedom Zoning Board of Adjustment: **February 24, 2015**

Members Present: Chairman Scott Lees; Craig Niiler; Karl Ogren; Jake Stephan; Denny Anderson, Alternate.

Others Present: Linda Farinella, Recording Secretary

Chairman Lees called the meeting to order at 7:06 pm.

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

Chairman Lees introduced the Board to the public.

Motion by Chairman Lees, seconded by Ogren to accept the minutes of the December 15, 2014 meeting as written. The motion passed.

During the meeting the following cases were heard:

Case #22-28-14 Sandra M. Drea

Case #22-28-1-14 Sandra M. Drea

Case #23-47-15 Stephen Stanton

Chairman Lees recused himself from the next two cases.

Vice Chairman Niiler invited **Case #22-28-14 Sandra M. Drea** to approach the board with a continued request for an appeal for a variance under Article 4 Section 406 to construct a septic system or leach field within 125ø of a wetland on Intervale Ave and **Case #22-28-1-14 Sandra M. Drea** to approach the board with a continued request for an appeal for a variance under Article 4 Section 406 to construct a septic system or leach field within 125ø of a wetland on Intervale Ave.

A request for a continuance was received for both Drea cases. A motion by Niiler, seconded by Ogren to continue these cases to the March meeting. The motion passed.

Chairman Lees returned to the board. Anderson will be involved in discussion but will not vote.

Chairman Lees invited **Case #23-47-15 Stephen Stanton** to approach the board with a request for an appeal for a variance under Article 3 Table 304.2 to construct a garage within the front and side setbacks at 88 Deer Run Drive.

Chairman Lees explained that this hearing was on the agenda for last month but because of inclement weather the applicant was offered a special hearing. The applicant opted to wait until this regularly scheduled meeting.

Chairman Lees explained to the applicant that he will have a 4-member board this evening but is entitled to a 5-member board; the applicant must receive at least three in-favor votes. The applicant asked to proceed.

Mr. Stanton proposes to construct a breezeway and garage to the left of the present home, (looking from the street) that will be 25ø from the front setback and 21.5ø from the sideline. The septic tank and system is located behind the proposed garage so it cannot be placed further back from the front.

Niiler asked how far the proposed garage is located from the septic tank? Mr. Stanton responded 10ø Chairman Lees stated that the garage can be located within 5ø of the tank as long as there are no perimeter drains.

Niiler stated he feels this is a reasonable use but is looking to minimize any encroachments and would like to see it as far back from the front as possible.

Stephan asked if the measurements are from the overhangs. Mr. Stanton responded yes.

Anderson liked the proposal with the applicant locating the septic and positioning the garage to get it as far from the front setback; Anderson has no issue with the sideline.

Chairman Lees asked why the garage cannot be moved up to the house. Mr. Stanton explained that the door to the house is already there and it is beneficial to have a breezeway in this weather.

Chairman Lees agreed that the septic is a reasonable obstruction and that the garage could be located as far back as allowed by the septic and shrink the garage to meet the sideline setback.

Chairman Lees and Ogren agreed that they are accepting of the frontline setback issue but would like to see the garage further from the sideline. Stephan and Niiler did not have an issue with the sideline but would like to see the garage placed as far back from the front as possible.

There were no abutter or public comments.

The Board agreed that the applicant will need to submit revised plans that locate the septic, the garage set as far back as the septic will allow and a letter from abutter Carroll stating no objection.

Motion by Chairman Lees, seconded by Ogren to continue the hearing to the March 24th meeting with a deadline for submission of March 9th. The motion passed unanimously.

Motion by Chairman Lees, seconded by Ogren to move the April 28, 2015 meeting to April 21, 2015 and adjust the submission deadline date to April 6, 2015. The motion passed unanimously. This change will be published in the Conway Daily Sun.

The three year terms for Cupka and Quigley are up this year. Farinella will be contact them to see if they would consider another term on the Board. Niiler is also up for re-appointment but has not decided as of yet.

Meeting adjourned at 8:01 pm.