

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

Freedom Zoning Board of Adjustment: **August 26, 2025**

Present: Chairman Scott Lees, Karl Ogren, Dennis Anderson, Peter Keenan, Vice Chair Craig Niiler, nne Cunningham (A), Bryan Fontaine Building Inspector/Zoning Officer, Lindsay Pettengill Recording Secretary

Absent: Tim Cupka(A), Daniel Footit (A), Scott Pettengill (A)

Public: Fred & Patricia Laspisa, Bruce Howlett, Edward & Lisa Falanga, Abby Thompson Fopiano, Joe Hill

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

Chairman Scott 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 Peter Keenan, to approve the meeting minutes of July 22, 2025. (Anne voted in place of Scott as he was not at the July meeting). All were in favor. APPROVED

The following applications will be heard:

Application 33-14-25 Fred & Patricia Laspisa (*Continued from June Meeting*)

Applicant wishes to construct a 22'2" by 10' room attached to the existing house for dining purposes.

Applicant is requesting the following:

Variance Article 3 Section 304.5 Table – Side yard Setback

Special Exception Article 3 Section 304.6.3 - Erosion Control

Variance Article 3 Section 310.1.6 Lot Coverage – Structures

Variance Article 7 Section 705.1 - Impervious

Property is located at 7 Abenaki Dr.

Map 33 Lot 14

Application 32-36-25 Edward & Lisa Falanga

Applicant wishes to replace existing retaining wall with an alternate layout than what was previously approved in 2022.

Applicant is requesting the following:

Special Exception Article 3 Section 304.6.3 - Erosion Control

Variance Article 7 Section 703.5.1 - Slope

Variance Article 7 Section 703.5.2 - Stormwater

Variance Article 9 Section 906.2 – Side yard setback

Property is located at 11 East Danforth Rd

Map 32 Lot 36

PUBLIC HEARING

Application 33-14-25 Fred & Patricia Laspisa

Fred and Patricia, as the homeowners, again came before the board requesting a variance to build a 22' by 10' dining room addition to their waterfront home.

Discussion:

- State Permits presented
- Stormwater, septic, erosion control, dimensions, calculations completed as requested
- Lot coverage at 18% now

Board:

- All Items were addressed
- 310.1.6 does not have bearing on driveway- structures
- 705.1 – pervious surface of lot where driveway comes into play, over allotted %
- Impervious surfaces definition from state regs RSA 43 B9 was read
- Garage size – 22x24?
- 3643 + 144 for addition – 18.5% but only if you do not include the driveway – When you add in driveway it gets to 27.2% which is over the 25% limit
If over 25% needs a professionally designed stormwater management plan
- Must be completed but a civil engineer

Abutters/Public:

- Brue Howlett – Looking to make sure stormwater management – Looking for a dripline trench, silt fence. Has been to Freds driveway, does not believe it is as wide as it looks on the lot.

Board:

- Section 705 – Entire lot has to meet the criteria for pervious/impervious -
Hire civil engineer to design stormwater management or reduce size of new structure or structures on the lot or look at possible new pavers or such for driveway to get under the 25%

Board looking at the rest of the application –

- Structure lot coverage – could reduce the lot coverage somewhere in order to add the new addition – would like to see lot coverage not increase from 3643.
- Size of garage 24x26 with overhangs? – was approved and built correctly
- Setback: Current structure is 20.36ft from side setback, new addition with reduce it to 14.36ft
- No problem as long as lost coverage is kept the same and abutters were supportive
- Erosion Control – Erosion control not shown on plan as to where it was to be placed, detail on the stormwater management plan. Need to be put on plan
- Correct calculation on McConkey's Plan
- Site visit request

Applicant does not believe they have anything to take down

Applicant requests continuance to the October 28, 2025 meeting.

Chairman Lees, motioned to Continue this application to the October 28, 2025 meeting (Deadline October 13, 2025), Karl seconded. All were in favor. APPROVED 5-0

Application 32-36-25 Edward & Lisa Falanga

Edward and Lisa as the homeowners, along with designer, Abby from Edgewater Strategies, came before the board. They wish to replace existing retaining wall with an alternate layout than what was previously approved in 2022.

Discussion:

- Anne pointed out that 703.5.1 & 703.5.2 do not exist, should be 704.5.1 704.5.2
- Will need to re-notice correctly – Will still hear application and give feed back
- Abutters – both sides and across the street – need to notice additional abutters
- Edgewater strategies to amended shoreland and variance from 2022.
- Layout of walls is changing to less impervious and less impact than in 2022
- 2 walls 6 and 8 ft tall walls that are failing
- Contractor never showed up and hired new who suggested a different layout and different materials.
- Shed handled in 2022. Total impact area has been decreased
- 3 walls instead of 2 to be installed. No slope behind the walls. No changes to beach area.

Board:

- 5409 approved in 2022.
- Impervious area decreased as the cement walls are hollow
- Stairs replaced with what is already there.
- Side yard setback – 5ft of relief

Letter from FCC – Read by Scott

- Setbacks were approved on both sides in 2022
- Need dimension from setback to wall.
- New plan needs to be produced, not an overlay on an old plan.
- In support of application but would like full plan.

Abutters/public:

Joe Hill – approves of the work

Bruce Howlett (Friends of Danforth Bay) – Intent to keep or remove the 12” tree by the deck/stairs – how will machine get around it.

Save tree, turn stair into infiltration stair – similar to the FCC recommendations

Board –

- Re-notice with correct #s 704.5.1 & 704.5.2
- Notice additional abutters
- Plan that meets requirements in application
- Dimensions shown on structures and to property line
- Lot coverage
- Impervious/pervious calculations
- Add to plan – no trees cutting
- Show Infiltration plan – stairs
- Note on plan that blocks remain uncapped
- Can't require the stamped calculations
- Does not need to be a stamped plan

Chairman Lees, motioned to Continue this application to the September 23, 2025 meeting (deadline September 8, 2025), Karl seconded. All were in favor. APPROVED 5-0

PUBLIC MEETING

New Items – Planning Board requests a meeting to go over any ZO recommendations – Come to meeting in Sept with any suggestions – Would like to be first on agenda for Oct meeting. Lindsay to email Linda.
Anne – Noticing with specific date and time and location for PB.

Public – Bruce Howlett– group forming to disseminate meetings. Would board be receptive to them learning or suggesting how to go before PB or ZBA?

- Board thinks if they follow the checklist in packet they should be ok.
- Third party has a right to do so and provide to others, board not opposed to reviewing but the ZO changes and they would have to maintain that as well.
- May be beneficial for an outsider to review application.

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

The meeting was adjourned at 9:23 p.m.

Respectfully Submitted,
Lindsay Pettengill
Recording Secretary