

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

Freedom Zoning Board of Adjustment: **November 18, 2025**

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

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

Public: Nadine Chapman, Brandon Wilson, Tim Brown, Noreen Downs

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 Denny Anderson, to approve the meeting minutes of the September 21, 2025 meeting. All were in favor. APPROVED.

Chairman Scott Lees made the motion, seconded by Craig Niiler, to approve the meeting minutes of the October 28, 2025 meeting. All were in favor. APPROVED.

The following applications will be heard:

Application 40-1-1-25 Arianna & Ryan Wilson

Applicant wishes to construct a new patio and stairs onto existing home.

Applicant is requesting the following:

Variance Article 3 Section 304.5 Table – Side yard/Rear Setback

Special Exception Article 3 Section 304.6.3 - Erosion Control

Property is located at 85 Packard Dr.

Map 40 Lot 1-1

Application 37-4-25 O’Leary Family Trust – Co-Trustee Jean O’Leary

Applicant wishes to install permanent bank stabilization and erosion control measures along with improving an existing waterfront walkway.

Applicant is requesting the following:

Variance Article 3 Section 304.5 - Side yard/Rear Setback

Special Exception Article 3 Section 304.6.3 - Erosion Control

Property is located at 263 West Bay Rd

Map 37 Lot 4

Application 13-34-2-25 Fine View LLC

Applicant wishes to construct a detached accessory dwelling unit.

Applicant is requesting the following:

Special Exception Article 11 Section 1104.5.3 – Size of DADU

Special Exception Article 11 Section 1104.5.4 – attachment

Property is located at 20 Pascoe Rd

Map 13 Lot 34-2

PUBLIC HEARING

Application 40-1-1-25 Arianna & Ryan Wilson

Applicant is requesting a continuance to the December meeting.

Public/Abutters: None

Anne Cunningham, motioned to Continue this application to the December 16, 2025 meeting (Deadline December 1, 2025 at the Freedom Town Hall at 7pm), Denny seconded. All were in favor. APPROVED 5-0

Application 37-4-25 O’Leary Family Trust – Co-Trustee Jean O’Leary

Daniel Footit and Anne Cunningham (Alternates) will be voting tonight as they were at the last meeting that this application was discussed.

Brandon Wilson from Terrain Planning and Design came before the board representing Jean O’Leary.

Discussion:

- Update to plans -Contour Lines on
 - Proposed Temp Erosion Control expanded
- Both State permits Finalized and Approved
- Stump and Root from Section 3 per DES permit
- Existing dock not being changed
- Setback requested
 - Shoreline - 1in
 - Side yard - 19ft 11in
- Temp Erosion control on L1
- L3 detail – permanent erosion control method

Board:

- Monitor growth of wall? – Post construction report 60 days after completion – long term owner would take responsibility for the maintenance
- Installed Mid October through Mid April –
- L3 phase one – when installation is to take place – in the dry/draw down

Abutters/Public: None

Straight Vote was agreed upon by the applicant.

Variations 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 O’Leary Residence. Dated August 13, 2025. Revised October 29, 2025.**
- 2. NHDES Permits have been received.**
- 3. Erosion Control shall be installed prior to any earth moving and shall remain in place until construction is complete and site is stabilized.**

Findings of Facts:

- 1. Deck Structure near water is seen as preferable to a perched beach in this situation.**
- 2. Shoreline work to be performed “in the dry” during lake draw down**
- 3. Freedom ZBA will be copied on the 60 day report to the state. 2 years later Freedom ZBA would like a similar report. This secondary report may be completed by the applicant.**

Chairman Lees, motioned to approve the Variance from Article 3 Section 304.5. Peter Seconded. All were in favor. APPROVED 5-0

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 O’Leary Residence. Dated August 13, 2025. Revised October 29, 2025.**
- 2. NHDES Permits have been received.**
- 3. Erosion Control shall be installed prior to any earth moving and shall remain in place until construction is complete and site is stabilized.**

Findings of Facts:

- 1. Primary Erosion Control will be installed below 407.25**
- 2. All work to be completed during one draw down or “dry” period**
- 3. A phasing plan will be required if the project extends beyond the dry period**

Karl questioned when applicant stated they will do in phases – no plan for phases of erosion control

Condition:

All work to be completed in the initial dry season otherwise applicant must come back with an erosion control plan with phases before any work is to start.

Chairman Lees, motioned to approve the Special Exception from Article 3 Section 304.6.3. Craig Seconded. All were in favor. APPROVED 5-0

Application 13-34-2-25 Fine View LLC

Tim Brown owner of Fine View LLC came before the board.

Discussion:

- 62 acre property – on Youngs hill RD
- Build 2 identical buildings
- Home and Detached dwelling and barn/garage – all 1200 sq ft
- 2 beds and 2 baths
- Not visible from youngs hill rd or any place in town
- Assessors database shows structure – owner notified the town that the building has been demolished
- Well has been installed 2025
- Septic where old structure was but new septic design has been done

Board:

- Law for Accessory dwelling units – PB proposing to conform town regs to state regs
- Proposal looks like 2 homes on one property not an accessory
- Current ZO – says you can have an 800 DADU
- On a class 6 rd
- Can not be a stand alone could be in a garage or barn. Only 70% of the size of the primary home. Max of 1000sq ft
- Does not see where this application would meet criteria for a variance
- Subdivide or wait for new regulations

Abutters/Public:

Nadine Chapman – No issue with developing the property. Pre-existing structures have been removed. However does not seem appropriate to build these proposed structures

Noreen Downs – south of the property – concern with the intent to look for 2 residences. Could see her home from the driveway. Important to have the adu or dadu just concerned of placement and size – does not want 2 rental or str units.

Applicant wishes Withdraw without prejudice.

Anne moved to approve the request for withdrawal without prejudice, Karl Seconded. All were in favor. APPROVED

PUBLIC MEETING

Meeting Dates 2026

11/2-deadline

11/17- Nov Meeting

11/30-deadline

12/15-Dec Meeting

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

The meeting was adjourned at 8:30 p.m.

Respectfully Submitted,
Lindsay Pettengill
Recording Secretary