

**MINUTES OF THE MEETING
PLANNING BOARD
January 24, 2019
7:00 PM**

MEMBERS PRESENT: Robert Smith, Chairman; Mark Beliveau; Lou Ann Griswold; John LaCourse, BOS Rep; Howard Hoff, Alternate & Wayne Lehman

OTHERS PRESENT: Seth Peters; Stephanie Deming; David Deming; Rick Wolchoko; Perry Briggs; Marek Petrik; Bill Booth, Building Inspector & Caren Rossi, Planning & Zoning Admin.

MINUTES

Draft Minutes 1/10/2019

Wayne Lehman made a motion to approve.

Howard Hoff second

Vote: all, minutes approved

PB1819-8 Second and Final Public Hearing on Zoning changes, 2019

-Extend the existing commercial zone along the southerly side of Rt. 4 (Concord Rd) from 60 Concord Rd (Dollar General) to the intersection of Rt. 4 & Sheep Rd, with a depth of 500 feet. On the northern side of Rt. 4, extend the existing commercial zone an additional 2,400 feet with a depth of 500 feet.

Robert Smith, Chairman read the notice into the record and explained that the new maps and proposal are what the Board discussed at the last meeting the area they wished to extend.

Caren Rossi explained as per the RSA all landowners that are effected by the boundary change have been notified.

The Board having no additional questions, the chairman opened the floor for public comment.

Public comment

Rick Wolchoko, Concord Rd asked if the change would need to go to vote on the ballot, majority vote and if so, would it say that the Planning Board recommends this change?

Robert Smith, Chairman replied yes, on both.

Perry Briggs 104 Concord Rd spoke that he isn't in favor of it for his property, as he wants it to remain a residence but he doesn't want to stand in the way for his neighbors who do want it for their property.

Seth Peters 23 Old Mill Rd spoke against it for the noise, lights, increased traffic to Old Mill Rd. He is afraid that if this goes through someone will buy the lot on the corner of Old Mill Rd and the vacant lot owned now by Karen Gould and merge the two and both will be commercial lots. Why can't this stop at the river?

Erick Petrik 11 Old Mill Rd spoke against the change. He doesn't want a gravel pit behind him or a commercial use behind or next to him. He appreciates his house out of the proposal but isn't in favor of it at all. Increase traffic, noise etc. on Old Mill Rd as well as Concord Rd has enough traffic already.

Floor closed

Discussion: none

Howard Hoff made a motion to put on the ballot as presented with the Planning Board supports this amendment. *Extend the existing commercial zone along the southerly side of Rt. 4 (Concord Rd) from 60 Concord Rd (Dollar General) to the intersection of Rt. 4 & Sheep Rd, with a depth of 500 feet. On the northern side of Rt. 4, extend the existing commercial zone an additional 2,400 feet with a depth of 500 feet.*

Wayne Lehman second.

Vote: all, motion carried. This change will be placed on the ballot at the March 2019 vote.

-Include Bed and Breakfast in the definitions.

Caren Rossi explained that the revised definition has a spelling error. Forum should be form.

*Bed and Breakfast: An owner-occupied dwelling providing sleeping accommodations for no more than 10 people, with each person staying no more than 10 consecutive days, which may also offer a morning meal. The term Bed and Breakfast shall include all such accommodations regardless of the manner or **forum** such accommodations are being offered to the public.*

Caren Rossi stated it should read:

*Bed and Breakfast: An owner-occupied dwelling providing sleeping accommodations for no more than 10 people, with each person staying no more than 10 consecutive days, which may also offer a morning meal. The term Bed and Breakfast shall include all such accommodations regardless of the manner or **form** such accommodations are being offered to the public*

The Board agreed.

Lou Ann Griswold made a motion to approve the definition with the spelling amendment and it's to be place on the ballot at the March 2019 vote.

John LaCourse second.

Vote: all, motion carried, to be placed on the ballot at March 2019 vote

-In Article III, General Provision delete the current Section E Agriculture, Farm Market, Roadside Farm Stand, Agriculture Tourism, and replace with:

AGRICULTURE: (Agriculture, Farm, Farming, as defined by RSA 21:34a) Agricultural activities shall be permitted in all zones subject to the following regulations.

- 1. Farm stands which include any permanent structures/buildings shall be subject to the current Zoning Regulations and to site review by the Town of Lee.**
- 2. All temporary and permanent Farm Stands are required to be registered with the Town of Lee Code Enforcement Office. Any temporary buildings/structures are exempt from the definition of building/structures as defined in Article V, (Residential Zone) of the Town of Lee Zoning Ordinance as amended, and Article XV (Wet soils Conservation Zone) and are exempt from the Setback provisions from Article V, (Residential Zone) and Article XV, (Wet Soils Conservation Zone) however they must be removed upon the conclusion of the seasonal activities.**
- 3. Farm roadside stands which do not comply with NH RSA 21:34-a, III are not permitted.**
- 4. All temporary seasonal roadside farms stands shall be placed and operated in such a manner that does not create health or safety risks and may be subject to site review.**

AG TOURISM: If a fee is charged, in order to be a permitted use, the farm must be actively producing agricultural products for sale. Farms where the seller is not actively producing agricultural products for sale, shall require a special exception.

Caren Rossi stated she made the changes after the last meeting as discussed.

Mark Beliveau stated he was not sure of the first section *If a fee is charged*.

Caren Rossi stated that the town attorney did not feel that was necessary either. She read an email correspondent to the Board from the towns' attorney.

The Board discussed this.

John LaCourse stated that he did not feel it was a substantive change and suggested we delete it.

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John LaCourse made a motion to approve the revised section with the deleting of *If a fee is charged....*

Wayne Lehman second.

Discussion:

Mark Beliveau stated that he is comfortable with the change because as it is written, it does not make senses. The second sentence contradicts the first, they are inconsistent with each other.

Vote: all, motion granted. This will be place on the ballot at the March 2019 vote.

Howard Hoff made a motion to adjourn at 8:17PM.

Wayne Lehman second.

Vote: all, meeting adjourned

MINUTES TRANSCRIBED BY:

Caren Rossi
Caren Rossi, Secretary

MINUTES APPROVED BY:

Robert Smith
Robert Smith, Chairman

Mark Beliveau
Mark Beliveau

Lou Ann Griswold
Lou Ann Griswold

John LaCourse
John LaCourse, BOS Rep

Wayne Lehman
Wayne Lehman, Alternate

Howard Hoff
Howard Hoff, Alternate