

**Board members present:** Chairman Brown, Selectman Bugbee and Selectman LaCourse

**Others present:** Caren Rossi, Laura Spector-Morgan, Patricia Jenkins, Bob Carey, Jill Nooney, John Forti, Bob Munger, Laura Hartz and Chuck Cox

1. Chairman Brown calls the meeting to order at 6:27 pm.
  
2. Laura Spector-Morgan is representing the Town in this matter. The Zoning Board held a hearing to hear an appeal to the Planning Board decision regarding what uses were and were not allowed at Bedrock Gardens. The Zoning Board held that all of the items that the Planning Board had declared were agriculture such as the growing of plants and flowers, sale of items grown on the property, cultivation of bees, sale of honey and the sale of branded items were in fact permitted as agriculture. All of the activities that the Planning Board had held were not agritourism such as plays, concerts, exhibits of sculpture, photography, theme driven exhibits and life celebration events like baby showers, wedding ceremonies and memorial services were not permitted on the property. Then there was a middle ground of items that the Planning Board had said that they thought were agritourism but the Town's zoning ordinance contains the 50% rule. The Zoning Board held that these activities such as school tours, education activities, visits by the public and the sale of products made from flowers grown on the property as well as the sale of craft items were agritourism and the Zoning Board held that the 50% rule was illegal under recent amendments to State Statute. So these activities would be permitted regardless of the 50% rule.

On the Planning Board side there is a site review application that has been stayed pending resolution of the Zoning Board issue. Bedrock Gardens is asking if it may undertake certain activities that fall within the category of agritourism that the Zoning Board held would be permitted while they work through the Planning and Zoning Board processes. The Planning Board process was driven primarily by an issue regarding the parking on site. Bedrock Gardens requests through its Attorney Carey permission to hold 9 events in June. He has supplied dates, times and number of people. His argument is that there are other properties in town that are posting agritourism activities who also do not have site plan approval yet and the town is continuing to let them operate; therefore, Bedrock Gardens should be able to as well. They will come in for additional approval for events after June.

Selectman LaCourse asks when they will see Bedrock Gardens in front of the Planning Board. Attorney Carey states that he hopes to have the amended application submitted this week. It was continued from last March. They are refining the uses. They may also go back to the ZBA for a variance for things such as painting, art tours and photography. Selectman LaCourse asks if the parking lot can fit all the cars that they expect at these events. He confirms that there will not be any more idling tour buses or parking on High Road. Attorney Carey says that they will post notice on their website with regards to the rules. He passes around an example. The latest the events will run will be 4:00 pm. Selectman Bugbee states that the last event in 10 days from now. He asks if they will be back to ask for more dates? Attorney Carey states that they do have some private tours scheduled in July and 2 weekends for public tours. Attorney Spector-Morgan asks what their parking plans are for public events. He suggests parking at the school. Selectman Bugbee wants to see all of the plans at once and not meet all the time. Attorney

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Spector-Morgan asks Attorney Carey to provide a list of events with times and dates by Thursday at noon so it can go out in the agenda packet for Monday, June 18<sup>th</sup>'s meeting. Caren Rossi states that the next Planning Board meeting is July 12<sup>th</sup> and the deadline for that is this Friday at noon.

Selectman LaCourse is inclined to move forward with this and allow them to proceed with the dates that are listed under certain restrictions. They need to stay within the hours that are proposed (9:00am – 4:00pm) and to stay within the maximum number in the parking lot (33). Hold to no parking on High Road and do not go on neighbor's yards. Selectman Bugbee is comfortable with this.

Caren Rossi asks that they stick to the approved scheduled because it will be heavily monitored. TA Glover asks if the Board would like to discuss what they would like the staff to do if they should get a confirmed report that something is happening there outside of what the Board approves tonight. Attorney Spector-Morgan says to contact her with violations. The approval granted tonight should state specially that to the extent there are violations or things happening that are not approved that may result in the revocation of what approval is granted tonight. Jill Nooney points out that they have Board meetings and volunteers (6-7) that will have cars in the parking lot. The Board meetings are already on the list provided by Attorney Carey.

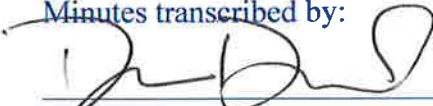
Caren Rossi adds that Flag Hill Winery was told in 2008 that they were all set and that they did not need the Town or Board approval. They are, however, going through the Planning Board process in July but the reason it is not being expedited is because they received a letter from her predecessor saying that they did not need any approvals.

Chuck Cox states that they are running a horticultural place and that shouldn't be regulated by the Town. The Town shouldn't have jurisdiction. He's watching and feeling that what they are doing is agriculture as defined and that should not be restricted.

3. Chairman Brown moves to approve the activities specified in Attorney Carey's June 7, 2018 email regarding Bedrock Gardens. This approval is limited to the events, dates, times and number of people specified in that email. Deviations from this approval will result in the revocation of approval. Site specific conditions are: No parking on High Road; No idling buses; Bedrock Gardens shall employ trained parking attendants or police details to ensure that all parking is onsite. Selectman LaCourse, seconds. All in favor. **Motion Carries.**
4. TA Glover presents the Board with the abatement for the tax bill sent to Mark Gingras of 83 Garrity Road for \$3044 and a supplemental tax bill for \$3044 to be processed to the correct owner Stanley and Janet Oliver of 35 York Lane. TA Glover explains that there was a clerical error when the assessor entered the sale of 35 York Lane. This abatement is to correct this error. The assumption is being made that the mortgage company will still pay the bill for 83 Garrity Road even with the wrong name on it. We will wait and see if this happens. Chairman Brown moves to grant the abatement of 2018 tax bill in the amount of \$3044 that was issued in error to Mark Gingras, Trustee for 35 York Lane and to issue supplemental tax bill to Stanley & Janet Oliver in the same amount and for the same property. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

- 5. Selectman Bugbee mentions that the Town might want to sell 6 Tamarack Road. It was approved as a duplex years ago. The developer never paid taxes on it so that is how the Town acquired it. Caren Rossi thinks it is wet. If it is wet the Town could offer it to the neighbors. Caren Rossi knows someone that can do a preliminary study on the land to see if it can possibly be a buildable lot for \$350. TA Glover states that this discussion is on the agenda for Monday night. The Board is authorized to sell the land that the Town has obtained via tax deed. Anything else has to be approved by the voters.
- 6. The VRC filed a Quit Claim deed in Strafford Registry of Deeds immediately after the sheriff's sale transferring the property back to Peter and Agnes Macdonald. The Quit Claim deed has removed the restriction for using the property as a church.
- 7. Chairman Brown moves to adjourn at 7:01pm. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

Minutes transcribed by:




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Denise Duval, Town Secretary

6/18/18

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Date

Minutes accepted by The Lee Select Board:




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Cary Brown, Chairman




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Scott Bugbee




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John LaCourse