

**MINUTES OF THE MEETING**  
**LEE ZONING BOARD OF ADJUSTMENT**  
**June 7, 2012**

**MEMBERS PRESENT:** Jim Banks, Chairman; John A. Hutton, III; Frank Reinhold Jr. Alternate and Carol Anne LaCourse, Alternate.

**OTHERS PRESENT:** Allan Dennis, CEO; Caren Rossi, Secretary; Chuck Cressey, Connie Neville and Attorney, Ed Hibbard.

The board introduced themselves to the applicant.

Jim Banks Chairman explained to the applicant that there is only a board of four tonight, he is entitled to a board of five and if he does not receive approval tonight and files for a rehearing, he cannot use the reasoning that there were not enough members present as a reason for a rehearing.

The board agreed to go forward with a board of four.

Frank Reinhold clerked and read the following application into the record.

**(Z1112-15)**

**An application for Equitable Waiver of Dimensional Requirements as provided in RSA 674:33a, made by Chuck Cressey representing Lock it Inn Self Storage, LLC to allow a rear building setback of 43 feet. +/- where 50 feet is required, and a wet soils setback of 73 feet +/- where 75 feet is required. Property is located at 44 Calef Highway, Lee NH and is known as Tax Map #04-03-0300.**

Allan Dennis gave all of the Board members a copy of the RSA explaining that if the qualifications are met, this waiver "*Shall be granted*".

Chuck Cressey explained that this plan was approved by the planning board years ago and was built as it was approved. He was not part of the construction of the buildings, he was involved but his partners took care of the overseeing of the actual construction of the project. The wet soils area was man-made as part of the approved plan.

Caren Rossi explained that this issue came about because Mr. Cressey has a purchase and sales agreement on the property and the buyer had an as built survey done of the parcel and these two small encroachments came up.

Frank Reinhold asked how this happened as he remembers this when it was approved as he was on the planning board at the time.

Allan Dennis explained that Lee is one of the very few surrounding communities that do not require Foundation Certification, which certify that the foundation is where it is supposed to be. If we did, this issue would not have happened. It is very hard to see errors this close in the field.

No public comment.

The Board members commented that they had no issues with the request.

Frank Reinhold made a motion to approve the request for an Equitable Waiver of Dimensional Requirements as provided in RSA 674:33a, made by Chuck Cressey representing Lock it Inn Self Storage, LLC to allow a rear building setback of 43 feet. +/- where 50 feet is required, and a wet soils setback of 73 feet +/- where 75 feet is required. Property is located at 44 Calef Highway, Lee NH and is known as Tax Map #04-03-0300 and as shown on plan submitted with the application.

John Hutton second

Vote: all

Motion carried

Jim Banks, Chairman explained the 30-day appeal process to the applicant.

MINUTES TRANSCRIBED BY:

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Caren Rossi, Secretary

MINUTES APPROVED BY:

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Jim Banks, Chairman

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Frank Reinhold, Alternate

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John A. Hutton, III

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Carol Anne LaCourse, Alternate