

**MINUTES OF THE MEETING**  
**LEE ZONING BOARD OF ADJUSTMENT**  
**July 25, 2012**

**MEMBERS PRESENT:** Jim Banks, Chairman; John A. Hutton, III; Philip Sanborn, and Tobin Farwell; Frank Reinhold, Alternate.

**OTHERS PRESENT:** Allan Dennis, CEO; Caren Rossi; Peter Hoyt; Judy McDonald; Peter Watson and John (Red) McDonald; Gerry Collins; Kathy & John Hubbard

The board introduced themselves to the applicant.

John Hutton read the application into the record.

(Z1112-16)

An application for Variance of the 2012 Lee Zoning Ordinance from First Strafford Realty Trust, Jennifer MacDonald Trustee (Lee USA Speedway) Property is located at 380 Calef Highway, and is known as Lee Tax Map #18-02-0000. The following variance requests are each a separate request.

A Variance to Article XXIII, Section (3), Non-Conforming Uses to allow for fairs, circus and or carnivals to be held on the property.

A Variance to Article XXIII, Section (3), Non-Conforming Uses to allow for outdoor sport shows and auctions to be held on the property.

A Variance to Article XXIII, Section (3), Non-Conforming Uses to allow for a driving school to be held on the property.

Allan Dennis explained this is a two part approval. Per the Racetrack Ordinance, they have to get approval from both the ZBA and the BOS. If they receive both of these approvals, they then go to the Planning Board.

Bob Watson and Red McDonald presented the request to the Board. They are trying to make the property as efficient and economic as possible. They have recently been contacted by a group to have a fair at the property. They have thought of these possible ways to generate income on the site. This couldn't be done because they didn't have town approvals. They are only allowed to race 23 days and year and need to make more income. Between

the police, fire and taxes they pay \$100,000 a year to the town. They also employ 38 people from Lee alone.

Driving school would be 2 cars on the track at a time, classroom from 9 am to noon. Then track time, should be over around 5pm. Cars would be heavy muffled. Public address system would not be used.

Auctions would most likely be done mid week as well as the car shows. They haven't had anyone express interest in this yet, but they feel it is a low impact use, not any increase noise, traffic etc. They have plenty of land to host these events. They have permission to have flea markets, the November one is a success, but the others are not. Public address system could be used.

Fair, Circus/Carnival not sure when and what times this would be held. Most likely done by 9 pm. They feel they have more than adequate infrastructure for all of the requests.

Tobin Farwell asked how the noise would be handled.

Allan Dennis replied it would have to adhere to the current noise ordinance.

#### Public Comment

Arthur Young, the promoter who approached the applicants spoke and stated that he feels it brings a lot of income to the area; he runs a nice, clean event. He is currently having them in Epping and Rochester. It's a family event, no alcohol, no drugs, and family friendly events.

Caren Rossi spoke for the application.

Gerry Collins spoke against the application.

John Hubbard spoke against the application.

Paul Spencer spoke for the application.

Floor closed for public comment.

Tobin Farwell spoke that he would like to see the application granted, just feels they need more information.

Philip Sanborn feels it's a good use of the property; it is surrounded by business that this board gave approvals to be there; Rt. 125 is a very busy corridor and the noise of the cars is probably louder than the track noise. He suggested giving them an approval with a 12 month time frame to see how it goes.

John Hutton spoke with similar issues; he feels that the hardship is reasonable, especially for the driving school. He has a harder time with the carnivals and auto shows. He does however feel that the town has no say with the traffic and noise complaints as they are on a state road.

Frank Reinhold supports the racetrack but feels that there needs to be more information for the application. He feels that they need to be sensitive to the neighbors concerns about the noise and privacy. Hours, days etc. would help clarify this.

Red McDonald spoke that he doesn't feel these would infringe on their neighbors at all, they are a low noise use and they have plenty of land to hold them.

Jim Banks feels they should grant the request which would allow them to go to the next step, the BOS for their approval. He also feels that the track is held to much higher standards than another business in town.

Red McDonald stated he would like to continue the application to get further information.

The Board agreed. The next meeting will be held on Wednesday, August 22, 2012 at 7 pm.

MINUTES TRANSCRIBED BY:

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Caren Rossi, Secretary

MINUTES APPROVED BY:

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Jim Banks, Chairman

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Philip Sanborn

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John A. Hutton, III

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Peter Hoyt, Alternate