

**MINUTES OF THE MEETING  
LEE ZONING BOARD OF ADJUSTMENT  
October 24, 2012**

**MEMBERS PRESENT:** Philip Sanborn, Acting Chairman; Tobin Farwell; John A. Hutton, III; Peter Hoyt, Alternate; Frank Reinhold Jr. Alternate.

**OTHERS PRESENT:** Allan Dennis, CEO; Caren Rossi, Secretary; Gary Kustra; Clara & George Kustra; Mark Kustra and Robert Keniston.

The board introduced themselves to the applicant.

John Hutton clerked and read the application into the record.

**(Z1213-4)**

**An application for an amendment(s)/change(s) to the following approved special exceptions dated September 26, 1977, and/or the exception dated May 20, 1981 granted to George Kustra and family, located at 132 Wadleigh Falls Road, Lee NH thus and for the use being an auto body repair shop, the applicant is requesting an amendment(s)/change(s) one or both of the above listed exceptions to allow an expansion of the building/site. The intent of this request/hearing is allow changes in the site, to include but not limited to, an addition of approximately 24' (feet+/-) x 64' (feet +/-) to the existing structure (physical plant) that is now on site and known as Lee Tax Map#26-05-0000.**

**And/or a variance to the 2012 Lee Zoning Ordinance, Article XXIII, Nonconforming Uses; section-3, to allow said addition and changes to the existing site as described above.**

**Note: The Board may choose one or both of the above requests.**

Allan Dennis explained to the Board the day of the week is incorrect on the notice. The numeric date is fine, but it should have read Wednesday, not Thursday.

The Board discussed this and felt that the numeric date was what was important and they didn't see any issues going forward.

Mark Kustra presented the plan of the expansion to the Board. He would like to build a 24' x 64' addition to the existing building. They will not be expanding their business per say as they would be just enclosing what they are currently doing. There will not be any increased parking, increased employees, no removal of any trees; the back wall of the addition will be extended so the roof lines will match.

Philip Sanborn read to the Board the existing conditions of approval. (In file) The Board agreed several items could be eliminated and the remaining cleaned up.

Tobin Farwell asked about the septic.

Mark Kustra explained that there isn't any.

Allan Dennis explained that the state may require a septic system be put in.

John Hutton asked if the fence/burm is changing.

Mark Kustra no, changes to the fence/burm.

Frank Reinhold asked what the intention of the building was?

Mark Kustra needs to be working inside to make it easier. Doing the work, just needs to bring it inside.

Public comment.

Robert Keniston abutter spoke for it.

George Kustra spoke for it.

Caren Rossi read a letter into the record from the abutters, Caroline & Win Bassage, they supported the application.

The Board discussed the application and didn't have any issues with it.

**Tobin Farwell made a motion to amend the previous approved special exceptions dated September 26, 1977, and/or the exception dated May 20, 1981 and to allow for the construction of an addition of approximately 24' (feet+/-) x 64' (feet +/-) to the existing structure (physical plant) that is now on site and known as Lee Tax Map#26-05-0000 and owner by George & Clara Kustra. The property is located at 132 Wadleigh Falls Road, Lee NH. Previous conditions have been amended to the following only**

- 1.) The Special Exception is granted to operate an auto-body repair shop. The proposed expansion of 24' X 64' +- does not include an area for a bathroom of approximately 10'x 10' +-. This is additional square footage to also be constructed.**
- 2.) It is the decision of the Zoning Board of Adjustment that the applicant is allowed to have an auto body repair shop with all that is involved.**
- 3.) The driveway is not to be enlarged beyond the 25 feet specified in plan B. Submitted with the original application.**
- 4.) Existing trees along the road frontage of Rte. 152 shall remain as a buffer zone.**

Peter Hoyt second.

Vote: all

Motion carried

Philip Sanborn, Acting 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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Philip Sanborn, Acting Chairman

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Frank Reinhold, Alternate

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Peter Hoyt, Alternate

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John A. Hutton, III

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Tobin Farwell