

**MINUTES OF THE MEETING  
LEE ZONING BOARD OF ADJUSTMENT  
Wednesday, May 29, 2017  
7:00 PM**

**MEMBERS PRESENT:** Jim Banks, Chairman; Frank Reinhold, Alternate; Craig Williams, Alternate; Don Quigley, Alternate & Peter Hoyt, Alternate.

**OTHERS PRESENT:** Carol & John Hutton; Tobin Farwell; Toni Hartgerink, Lee Conservation Commission; Bill Booth, Building Inspector and Caren Rossi, Planning/Zoning Administrator.

Don Quigley clerked.

**(Z1617-15)**

**A Variance to Article XV, Section F-2 Wet Soils to allow the construction of an addition/conversion (area is currently a patio) to an existing building to be located 55'+- (at its closest point) from wet soils where 75' feet is required. As shown on submit plan drawn by Farwell Engineering Services, LLC dated April 1, 2017.**

**A Variance to Article XV, F-1 Wet Soils to allow the construction of a septic system and associated items no closer than 50'+- where 125' is required. As shown on submit plan drawn by Farwell Engineering Services, LLC dated April 1, 2017.**

Tobin Farwell explained that as part of the state approval process to press seeds, they need to install a 3 part sink, a wash sink and a mop sink. There will not be any restrooms hooked into this system it is strickly a water system with a few detergents for cleaning the seed press. The area they wish to enclose will be for this process. It is currently a patio that will be made into a room to achieve this. The patio is located in the far end of a corner that is furthest away from the edge of the stream. The building is closer. The property is 75 +-acres with a conservation easement on it. They are trying to work on the land left out of easement.

Public comment

Toni Hartgerink spoke in favor of the application, the Conservation Commission has no issues.

Carol Hutton spoke that they will be using hardly any water, very minimal impact.

Floor closed

Frank Reinhold asked what will be washed, and how often.

John Hutton explained that it will most likely only get used about 7 times a year. Their goal is to have the machine, once hooked up, run for 24 hrs a day until the pressing is complete.

Frank Reinhold asked how close the nearest facilities are for the employees?

John Hutton stated about 20 feet.

Frank Reinhold made a motion to combined the two requests.

Peter Hoyt second.

Vote: all, motion carried.

The Board determined the following Findings of Fact:

PRELIMINARY FINDING

After reviewing the petition and having heard the presentation by the applicant, the Board finds that it does not have sufficient information upon which to render a decision. The public hearing will be postponed until \_\_\_\_\_.

There is sufficient information before the Board to proceed. **Yes all**

FINDINGS

After reviewing the petition and considering all of the evidence as well as the Board members' personal knowledge of the property in question, the Board makes the following determinations pursuant to RSA 674:33. The Board has checked each statement that applies.

- 1) Granting the Variance will not be contrary to the public interest. Yes majority
- 2) Granting the variance would be consistent with the spirit of the Yes majority ordinance.
- 3) In granting the variance, substantial justice is done. Yes majority
- 4) In granting the variance, the values of surrounding properties are Yes majority not diminished.
- 5) Literal enforcement of the provisions of the ordinance would result (A)Yes majority in an unnecessary hardship to applicant.
  - A) To find that an "unnecessary hardship" exists, the Board must find:
    - o **There are special conditions on the subject property that distinguish it from other properties in the area; and**
    - o No fair and substantial relationship exists between the purpose of the ordinance and its application to the property in question.

Frank Reinhold made a motion to grant the Variance to Article XV, Section F-2 Wet Soils to allow the construction of an addition/conversion (area is currently a patio) to an existing building to be located 55'+- (at its closest point) from wet soils where 75' feet is required. As shown on submit plan drawn by Farwell Engineering Services, LLC dated April 1, 2017 and grant the Variance to Article XV, F-1 Wet Soils to allow the construction of a septic system and associated items ns no closer than 50'+- where 125' is required. As shown on submit plan drawn by Farwell Engineering Services, LLC dated April 1, 2017. Peter Hoyt second.

Vote: all, motion carried.

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

**MINUTES TRANSCRIBED BY:**

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Caren Rossi, Planning & Zoning Administrator

**MINUTES APPROVED BY:**

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Jim Banks, Chairman

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Don Quigley, Alternate

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Craig Williams, Alternate

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Peter Hoyt, Alternate

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Frank Reinhold, Alternate

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