

Town of Lisbon, NH

PO Box 222, Lisbon, NH 03585
ph: Town Clerk: (603)838-2862 | Selectmen's Office: (603)838-6376
fx: (603) 838-6790

Zoning Board of Adjustments Minutes 06/13/2012

Town of Lisbon Zoning Board of Adjustment Minutes

June 13, 2012

6:00 pm meeting opened.

Members present: Bobbie Clark (BC), Scott Champagne (SC), Jim Ingerson (JI), Stephen Knox (SK)
Administrative Assistant: Barbara Menchin

A motion was made by SC to accept the minutes of February 8, 2012 meeting, SK 2nd, so voted all.

PUBLIC HEARING:
PUBLIC: Michelle Barton

BC started the hearing by stating the purpose of the Hearing, which is a request for a **Special Exception** concerning a request by applicants Bodie & Michelle Barton concerning **Article 5.07.6**. Applicant requests a Special Exception to be able to have an indoor thrift store located at 231 S Main Street, Map U03 – Lots 062 & 063, containing approximately .4 acres.

BC noted that all abutters were properly notified and that there had been no letters or complaints from any abutter.

Ms. Barton stated she wanted to have a community thrift store to assist needy people in the town. SK asked how many parking spaces she proposed to have. Ms. Barton stated 6. There was no public to ask questions.

SC stated **“Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.03.01 the specific site is an appropriate location for the use.”** JI 2nd.

SC stated he had viewed the property and didn't see any problem.

JI stated he felt the same.

BC stated the location was good and there was a big yard. His only question was is it a 7 day a week operation. Ms. Barton stated it would be 4 to 5 days from 8:00 am to 4:00 pm.

SK asked about the driveway which Ms. Barton stated it was an approved State of NH driveway and that the deed states there is a right-of-way.

BC asked if there were any other comments or questions on that motion. BC read the motion again and called for a vote. All voted aye, none opposed. **Motion passed.**

SC stated: **“Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.03.02 that: Property values in the district will not be reduced by this.”**
SK 2nd.

SK stated that he felt the business could help improve the area.

SC stated he didn't feel as if it could affect any property values.

BC asked if there were any other comments or questions on that motion. BC read the motion again and called for a vote. All voted aye, none opposed. **Motion passed.**

SC stated: **“Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.03.03 that: The use will not adversely affect the adjacent area and there are no reasonable objections by the owners of the abutting land.”** BC 2nd.

SC stated he didn't see any abutters with complaints.

SK stated the parking was already addressed .

BC asked if there were any other comments or questions on that motion. BC read the motion again and called for a vote. All voted aye, none opposed. **Motion passed.**

JI stated: **Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.03.04 that: No nuisance or unreasonable hazard will result.”** BC 2nd.

JI stated he didn't see any nuisance and the layout looked good.

BC stated he felt as if there was enough room for the project.

SC stated he felt there was enough room on the other end if any problems arose.

BC asked if there were any other comments or questions on that motion. SC read the motion again and called for a vote. All voted aye, none opposed. **Motion passed.**

SC said: **“Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.03.05 that: Adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use.”** BC 2nd.

SK stated he would like to see handicap accessible entry to the store or something to assist in entry and that she needed to work with Stan Borkowski (Building/Code Inspector).

BC asked if there were any other comments or questions on that motion. BC read the motion again and called for a vote. All voted aye, none opposed. **Motion passed.**

BC asked for a final vote. All voted aye, none opposed. **Motion passed.**

BC stated “that concludes this hearing and our written decision will be issued shortly.

BM to sign for BC.

PUBLIC HEARING:

PUBLIC: Dan Salter, Heather Salter, Annie Salter, Maggie (?), Sarah Fletcher

BC started the hearing by stating the purpose of the Hearing, which is a request for a **Special Exception** concerning a request by applicants Dan and Heather Salter concerning **Article 5.07.6**. Applicant requests a Special Exception to have Special Events located at 33 Bishop Cutoff, Map R17 – Lot 007, containing approximately 15.83 acres.

BC noted that all abutters were properly notified and that there had been no letters or complaints from any abutter.

Mr. Salter spoke to the Board regarding their wanting to hold weddings in the barn.

SK, SC and BC stated they had been to the site. SC asked about parking and Mr. Salter stated there would be some parking on Bishop Cutoff, they would be shuttling people from the various hotel/motels in the area and people would be staying at the Bed & Breakfast and in the Cabins. SK mentioned they needed to allow room for emergency vehicles.

SC stated **“Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.07.01 the specific site is an appropriate location for the use.”** JI 2nd.

SC stated he felt it was an appropriate location.

SK agreed.

BC stated it was a good area for weddings and shouldn't affect any of the abutters.

BC asked if there were any other comments or questions on that motion. BC read the motion again and called for a vote. All voted aye, none opposed. **Motion passed.**

SC stated: **“Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.07.02 that: Property values in the district will not be reduced by this.”**

SC stated there wouldn't be any reduction in values.

BC and SK agreed.

JI stated: **“Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.07.03 that: The use will not adversely affect the adjacent area and there are no reasonable objections by the owners of the abutting land.”** BC 2nd.

All members stated they felt the plan would not affect the adjacent area and there were no objections by the owners of the abutting land.

JI stated: **Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.07.04 that: No nuisance or unreasonable hazard will result.”** BC 2nd.

SK stated there could be noise from the weddings however, he was sure if there was an issue, the neighbors would talk to them!

SC and BC agreed.

SC said: **“Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.07.05 that: Adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use.”** BC 2nd.

BC asked about bathroom facilities and Mr. Salter stated there would be port-a-potties and he would be consulting with Mr. Stan Borkowski (Building/Code Inspector).

SC and JI stated they felt the facility had adequate and appropriate facilities.

BC asked if there were any other comments or questions on that motion. BC read the motion again and called for a vote. All voted aye, none opposed. **Motion passed.**

BC asked for a final vote. All voted aye, none opposed. **Motion passed.**

PUBLIC HEARING:

PUBLIC: Barbara Clough, Steve Jesseman, Wayne Eathorne, Thadeus Presby

BC started the hearing by stating the purpose of the Hearing, which is a request for a **Special Exception** concerning a request by Presby Construction concerning **Article 5.07.2**. Applicant requests a Special Exception to have a permit for commercial removal of soil of any type. Property is located at Canelas Drive, Map R28 – Lot 002B, containing approximately 66.64 acres.

BC noted that all abutters were properly notified and that there were two letters of concern from abutters towards this project from Mr. Steve Jesseman and Mr. Steven Towle of New England Electric Transmission.

All members stated they had visited the site and Mr. Jesseman stated he had seen the site.

BC stated there was no regional impact to be concerned with as the pit is not of that magnitude.

Mr. Presby gave a review of the project, describing the property lines. He stated he would be doing rock only and there was no bank run. He would be removing soil in 3 to 4-acre areas. He described the height of the land and that you couldn't see any houses from the site. There is a lot of softwood vegetation so that would help to mask the noise. Mr. Presby stated he still had to apply for his federal and state permits and that he also knew he had to go to the Lisbon Planning Board for a permit. He also told the Board he would be blasting 2 times per year and estimated he would be getting about 10,000 yards per shot. He stated they would crush about 1,000 yards per day so that the crushing noise would only be about 10 days. He would do this during April and early May and perhaps do the second blast in the fall. He showed that the site to be excavated is only 8.11 acres so it is a relatively small pit. He stated he would be using his own road and then he could access Route 302 without having to bond the road during mud season.

SC asked again about crushing and Mr. Presby stated about 20 days per year and that he can use the road all year round as it is his own road.

JI talked about the sound. His opinion is you can't see the houses and the sound should resonate up and out. JI stated he knows about sound as he lives beside a pit.

SC stated he did see a lot of wooded area for a sound buffer.

BC stated he figured when crushing there would be no traffic but after the crushing? Mr. Presby stated that the traffic would pick up after. He stated he felt as if they would 20,000 yards per year and that there is approximately 500,000 yards so they would be around for a long time.

Mr. Presby stated the dump trucks would be 14 to 18 yards and the closest house to the pit is about 800 feet on the high side.

Mr. Jesseman asked Mr. Presby if the pit would ever get bigger. Mr. Presby stated "no". Mr. Jesseman stated that Mr. Presby needs to consider another wetland area on his plan. Mr. Jesseman stated he felt the noise could be more as there would be less vegetation. There would be more traffic and he fears that he could lose customers at the KOA Campground due to that noise as his customers come for peace and quiet. Mr. Jesseman went through the list of criteria and stated the only one that he felt really concerned him was the noise.

Ms. Barbara Clough stated she was concerned for her well as she lives in a very sandy area and would want protection for her well. Other than that, she didn't have a problem with the pit. The Board stated that the Planning Board would deal with that issue if the Special Exception passed.

SK stated he did a site visit at the KOA to listen to the noise as there is road construction on Route 302. He stated any time a truck had to stop, they would apply their jake brakes and that was a considerable decibel level increase.

Mr. Presby stated that noise could be an issue.

BC asked if there were any other questions or comments from the Board or the abutters. As there were none, BC stated that the Board needs to look over all of the information they had received and that they would like to reconvene at 6:00 pm, Wednesday, June 27. This will be a meeting of the Board only, there will be no public input unless the Board needed something answered.

SC made a motion to recess, BC 2nd, so voted.

Meeting recessed 8:15 pm.

