

TOWN OF LISBON, NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENTS
09/24/2014

Present: Robert Clark (RC), Scott Champagne (SC), and Jennifer Trelfa (JT) Jim Ingerson (JI)

Secretary-Suze Tavernier

RC opened meeting 6:15

SC made motion to accept minutes from 3/5/14 meeting JT 2nd so voted all

Aldrich Special Exception: Gravel Pit R27-5

Present: B. Clough (BC) E. White, G. Kellogg, D.Aldrich, B. Hoyt. C. Aldrich and J. White, Zuk

Board reviewed all returned certified cards

JT recused herself from hearing as she is an abutter

BC presented Board with Letter LTMG regarding using access road to proposed pit. Letter was present to D. Aldrich for review

There was a discussion regarding the right of way and other access road into proposed gravel pit. D. Aldrich and G Kellogg stated there was another access road that could be used. The narrowness of the public road at proposed entrance was discussed. RC spoke about checking with Road Agent regarding the proposed section of road and any concerns he might have about increased traffic

JT asked how many trucks a day would be coming out of the site

DA said at this point very little traffic, using mostly for personal use at first then eventually selling some to recoup costs.

G. Kellogg explained the plan. He explained scope and size of pit and how the gravel pit would accessed, water bars, silt fencing and that the area would be stake out. He explained it was a relatively small operation

SC said once approved can't go any larger, without alteration of terrain permit

GK stated that Aldrich understood, this was not going to be a big operation.

SC asked where the other access road was on the plan and where it would come out on to main road

Hoyt asked if the pit would be seen from 302

GK stated you would not be able to see from 302

There was a discussion regarding the section of road most effected with proposed increased traffic

Hoyt asked if the Town could request a bond, so when pit closed down any damage done could be repaired

Zuk asked about used during mud season and damage to road
RC said in the spring there is Road Bans on and that would take care of that issue
JT asked about blasting
GK explained there would not be blasting, no ledge and a small operation
BC asked if there was going to be crushing or screening
DA said for right now no
SC said you would have to present to Planning Board with new access road that would be one of our stipulation for approval

RC asked if there were any more questions or discussion
He reviewed the Criteria

Granting the proposed variance will not be contrary to the public interest.
SC said there are several gravel pits in same area
RC agreed there are already gravel pits on the road
JI agreed
RC made motion to approve SC 2nd so voted

Granting the proposed variance would be consistent with the spirit of the ordinance
SC again there is already pits on this road
JI agreed
RC agreed
SC made motion to approve JI 2nd so voted

Granting the variance will provide substantial justice
SC with the stipulation of the other access road, it is in line with what is out there
JI agreed, no adverse effect
RC Agreed
SC made motion to approve JI 2nd so voted

Granting the variance will not diminish the value of surrounding properties
RC there is already pits in the area
SC Agreed it will not change property values
JI agreed
SC made motion to approve JI 2nd so voted

Denial of variance would result in unnecessary hardship to the owner because of special circumstance of the property that distinguish it from the other properties similarly zoned
RC it falls in line with the others on the road
SC similar use on road already and with change in access road, I have no issues
JI seem reasonable use of property
JI made motion to approve SC 2nd so voted

RC Voting on R27-5 Special Exception approval with the stipulation that access road is changed to other access road as discussed
So voted all

HULBERT:

RC, JI, JT, SC reviewed all the return certified cards and application

7:15 RC this hearing is to reviewed proposed variance for sawmill in reference to Property R15 005 00c exception sawmill establishment 5.05.5

Scott Hulbert (SH) stated basically I am selling firewood, bringing trucks in with tree length logs, and then I process and sell.

SC asked if the Town has received any complaints

Eric Heseltine (EH) I complained, I have noise very loud noises running since May. It's running weekends and nights. I feel it's going to lower my property value, resale will be low, no one will want to buy, it's unsightly and noisy. They need to relocate to a commercial lot

SC so your main complaint is noise too early in the morning, too late at night and weekends

EH it has been better since I came in and complained to the Town, but some mornings it's as early as 7:00-7:30

SC Scott what are the time frames you plan to operate

SH I would like to start at 8:00. I spoke to the Road Agent about the deliveries, he was ok with it. I went around to the neighbors that are closest to me and have not had any complaints or problems

RC Do you work late into night?

SH I did do a few time depends on the orders; I need to fill the orders by certain time. It's busy in the fall but once winter sets in should slow right down

The Board reviewed zoning regulations regarding zone and district

EH asked has any of you visited the site

RC stated he had been out and did note that you could hear the machinery

JT asked SH if he was opposed to a time limit

SH said that is why I am here to find out what I can do

JI we could limit the time of day

SC I agree set time limits with the special exception

RC asked EH what time frame would work for him

EH I would rather see it shut down, but prefer set times

RC asked if there were any other comments if not we will review the criteria

Granting the proposed variance would be consistent with the spirit of the ordinance. JI motion RC 2nd

SC not going to prohibit, I know you aren't going to like it but it is allowed with exception

RC Noise factor is only concern, where this is someone's lively hood allow with stipulation on time
JT I agree with set time
JI time limits
So voted all

Granting the variance will not diminish the value of surrounding properties
JT motion JI 2nd
RC property values not affected with time limits imposed
SC if with was constant noise, but with limitations, no adverse effect
JT time limits
JI With stipulations, and it not a permanent fixture, portable
So voted all

Granting the variance will provide substantial justice Granting the proposed variance will not be contrary to the public interest.
JI motion JT 2nd
RC with no objections from abutting land owner, and with the restriction of hours
SC we need to note one abutter objected but several others here for support
JI I think with restrictions on can't see it
JT with only one abutter concerned hopefully the restriction we put on will solve those concerns

Granting the proposed variance will not be contrary to the public interest.
SC motion RC 2nd
RC need to be careful about the brook
SC other than perhaps wet lands concerns. SH needs to contact the conservation commission.
JT small brook would be only concern
JI needs to contain debris
So voted all

Denial of variance would result in unnecessary hardship to the owner because of special circumstance of the property that distinguish it from the other properties similarly zoned JT motion SC 2nd
SC My opinion it's portable small operation, if you plan to go bigger than this would not be an appropriate place
JT It is portable not a permanent structure, and stipulation of times
JI I agree not a permanent structure
RC I agree with it being portable can be moved is necessary
So voted all

RC before we vote on special exception what are we looking at for time constraints
SC 8-5 Monday-Friday and Saturday half day 9-12
JT no holidays as well

RC I agree with SC on limited weekend hours and the Monday –Friday hours
JI I agree with the hours proposed

RC anyone have anything else to add

We are voting on allowing special exception with stipulation of hours of operation

Of Monday-Friday 8-5 Saturday 9-12 and no holidays

So voted all