

# Town of Lisbon, NH

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## Zoning Board of Adjustments Minutes 06/20/2012

### Town of Lisbon Zoning Board of Adjustment Minutes

**June 20, 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 June 13, 2012 meeting, JI 2<sup>nd</sup>, so voted all.

PUBLIC HEARING: DECISION ON SPECIAL EXCEPTION FOR PRESBY CONSTRUCTION  
PUBLIC: Thadeus Presby, Steve Jesseman

BC started the decision phase by stating the purpose of the Hearing, which is a request for a **Special Exception** concerning a request by applicant Presby Construction concerning **Article 5.07.2**. Applicant requests a Special Exception to be 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 stated this phase there will be no public input unless a question is asked.

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 2<sup>nd</sup>.

SC stated he had viewed the property and that it was an appropriate location for the use.

SK stated he also thinks it is appropriate and stated he took into consideration the location which was well away from residences.

JI stated he agreed with SC and SK.

BC stated the location was good, it is appropriate and one couldn't do much else with the property and if there were to be a house there, one would need to blast.

SC 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 2<sup>nd</sup>.

BC stated he didn't feel as if property values would be affected by this as it is in the middle of nowhere and out of site.

JI stated he didn't think anything would be affected and the location seems to be well shielded from noise.

SK stated that given the facts of the matter, not speculation, but based on the site. It would be cleared and maintained and special care would be taken into account. Any dirty areas would be out of site.

SC stated he agreed with what had been said. The logging operation was clean, the land looks nice and that he looked again last weekend to see if there were any changes.

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 2<sup>nd</sup>.

BC stated he felt Mr. Jesseman had rightful concerns but he felt there would be no adverse effect on the adjacent area. He stated what you hear now is the road traffic. He didn't feel as if it would be a big nuisance. The site would be way back in the property and there is a good buffer.

SC stated he didn't think noise from the operation would be an issue and there is a lot of soft cover to buffer the noise. The property is on Route 302.

SK stated the only noise he could see that would be an issue is the actual noise from Route 302 and the Board has no jurisdiction on controlling the noise on Route 302. He stated he also felt that the Presby site plan seems to be minimal in the grand scheme of things.

JI said he walked up into the site. There are several turns so there isn't a straight road down to the highway. He further stated he lives next to a gravel pit and when the crushers start, it is noisy. However, this site has plenty of buffers for sound. He also stated that he is used to the Presby trucks and that his trucks are not outrageously loud.

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 2<sup>nd</sup>.

SC stated he didn't see any unreasonable hazards for this project. Any hazards would be addressed by the Planning Board during the permitting process. He further stated he knew the Presby's and how they do business. They are not unreasonable, they have good communication and if there were a complaint, they would correct the issue.

SK stated he didn't see any hazards with the location but he would like to have hours of operation considered to protect the campers at the KOA Campground.

BC asked Mr. Jesseman when he opens. Mr. Jesseman stated he opens the first weekend in May or last weekend in April.

BC stated he knew there wouldn't be pieces of rock coming down onto Mr. Jesseman's property. He feels as if there should be some consideration for hours of operation during the summer time. He stated he felt Mr. Jesseman and Mr. Presby could work the hours out easily to alleviate some of the possible nuisance.

JI stated most points have already been discussed. He knows that Mr. Presby is not early on his sites and Mr. Presby stated he usually leaves his shop about 7:00 am. JI stated again that he knew Mr. Presby's trucks are not loud.

SC stated he thought that communication between the two owners would be good.

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 2<sup>nd</sup>.

SC stated that it was adequate and appropriate for the operation.

BC stated he agreed and said it seems what they have done already shows that they have a proper operation.

JI stated he agreed.

SC stated that what he had seen thus far, there is plenty of room on the site and he is keeping the abutters buffers intact.

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 he had looked at the certified mail to all abutters. Everything looked correct.

BC stated that all five criteria had passed. He stated he thought that conversation between the two landowners should remain open. BC requested Mr. Presby and Mr. Jesseman to be reasonable with their complaints. He requested they keep an open line of communication between them.

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.

SK made a motion to adjourn, BC 2<sup>nd</sup>, so voted.

Meeting adjourned 7:00 pm.