

TOWN OF LEE PLANNING BOARD  
MEETING MINUTES  
March 13, 2024, at 7:00PM

**MEMBERS PRESENT:** Mark Beliveau, Chairman; Lou Ann Griswold; Wayne Lehman; John LaCourse; Howard Hoff; David Cedarholm & David Houston, Alternate.

**OTHERS PRESENT:** Brian Ferguson, Flag Hill Winery; Anne Tappan; Christopher Berry, Berry Survey & Engineering and Caren Rossi, Planning & Zoning Administrator

**MINUTES**

Draft 2/21/23 Minutes.

Lou Ann Griswold made a motion to approve the Draft Minutes.  
Wayne Lehman second.  
Vote: all, minutes approved.

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**P2324-11**

**-An application for a Design Review for a proposed 4,200 square foot building with Convenience Store, Fuel Sales and Drive Through as well as a Fuel Canopy for 10 fueling positions. The property is located on Concord Road and is known as Lee Tax Map #07-04-0100.**

Chris Berry explained that based on the last meeting he revised the plan, they reduced the building slightly, this is to ensure that they have enough room in the drive thru que. The entire site design is based on the required que length. The entrance one is one way with plenty of signage noted on the plan. The rear is the loading zone. The intersection was a Y, and it is now squared off, making it an actual intersection. There will be a raised landscaped island. An AOT permit will be needed as well as a Class A Waterbody Treatment as well. Needs LAC and stormwater for treatment of a raingarden etc. Low infiltration as its sites today. Public water is there sewer will be as originally approved and its capable of handling the proposal. He showed the Board the architectural drawings.

David Cedarholm commented that he feels the building is very plain.

Others agreed.

The Board reviewed them and they liked them except they didn't like the side that faces Rt. 4, they found it bland and wanted something added to it, perhaps windows etc. They didn't have any issues with the colors.

Mark Beliveau asked if they confirmed that a fire truck could make it around the building?

Chris Berry replied that yes, they did. They ran it with a turning template and it can go around the building. They will provide it as a detail on the plan they submit.

Mark Beliveau asked in August they also discussed a separate sheet for the variances.

Chris Berry replied yes, they will do that for the submittal.

Chris Berry asked if there is a landscape ration, because if yes, he cant find it.

There is not.

Mark Beliveau asked if he is anticipating any waiver requests?

Chris Berry explained yes, a few minor ones and he has also designed the isle widths to 24'.

Caren Rossi stated that is the only item that is pending to change from the current 22' to 24' so it won't affect this project.

Howard Hoff asked what will be covered in the maintenance manual?

Chris Berry explained that typically it's stormwater, but he could do it for the stormwater, sewer and landscaping if needed.

The Board agreed to include all items.

Lou Ann Griswold commented on the traffic pattern at the back of the site, please ensure that the pavement is properly marked with the necessary arrows etc.

Mark Beliveau, Chairman explained that although it was advertised as a Design Review hearing, and with a design review hearing it will give the applicant 12 months protection from regulations changing, the application wasn't complete for a design review it falls short, some of the items missing are: site location map, site survey, topo map etc.

The Board members discussed this, and they all agreed that we will just treat this as a consultation.

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Brian Ferguson- Flag Hill Winery

Brian Ferguson explained that he needs to construct an attached 20' x 25' structure to the approved new building for the fire suppression system and the pump. It is a shed type structure that will look like building. It will be located 55' from the property line 2 x 6 construction.

David Cedarholm asked what the roof line will be and the type?

Brian Ferguson replied it will be a shed roof and it will pitch down.

David Cedarholm asked where the run off would go?

Brian Ferguson replied it all pitches to the smaller pond located on the property.

Mark Beliveau, Chairman asked what the foundation of the new building will be?

Brian Ferguson replied that it will be a slab. The building is basically a utility shed with ICF construction, very energy efficient.

John LaCourse asked if it will have a door.

Brian Ferguson replied yes, a single person door.

David Houston asked if the building was to meet the fire code?

Brian Ferguson replied yes.

David Cedarholm made a motion to not require site plan review.

Lou Ann Griswold seconded the motion.

Discussion:

Mark Beliveau, Chairman stated that he disagrees because the new site review regulations address when site plan review is required. He read from the regulations:

#### Site Plan Review Required

1. Whenever any development or change or expansion of use of tracts for nonresidential uses or for multi-family dwelling units is proposed or whenever any changes are proposed that differ from an existing site plan as previously approved by the Board, these Site Plan Review Regulations shall apply. Before any construction, land clearing, building development or change is begun and before any permit for the construction of or change to any building or authorization for development on such site shall be granted, the owner of the property or the authorized agent shall apply for and secure from the Board approval of such proposed site development in accordance with the procedures set forth in these regulations.
2. The Board shall have the responsibility for making the final decision as to the necessity of site plan review. Where there is any doubt as to whether a project requires site plan review, the affected party should request a determination from the Board. To clarify what type of proposed

development triggers Site Plan Review by the Board, a non-exclusive list of examples is set forth below:

- a. A proposal that involves new construction of nonresidential or multifamily development (i.e., more than two dwelling units).

The Board discussed these regulations.

Lou Ann Griswold stated that she doesn't feel he's expanding, he is doing this for fire safety.

John LaCourse commented that he feels 2a applies, and unfortunate, it doesn't give a square foot amount, just new construction.

After much discussion, David Cedarholm and Lou Ann Griswold revoked their motions.

Mark Beliveau, Chairman explained that Brian Ferguson would be required to have site plan review. However, he suggested he have someone scale the building on the existing plan and provide a very detailed description of the proposal. Even noting that a tape measurement of the side setbacks and provide the drawings of what the building looks like and provide as much detail as possible.

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Natural Resource Inventory-

Anne Tappan presented the Board with a handout explaining that the Town is updating their Natural Resource Inventory Mapping, and the public is welcome to either complete the survey, link on handout, or attend the April 9<sup>th</sup> meeting. Both are encouraged but not expected.

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Rt. 152- Wadleigh Falls Rd Bridge Repair-

Caren Rossi announced that the Select Board is having a public hearing on Monday, March 18, for this bridge repair project. All are welcome to attend.

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Molly Darling & Robin Wunderlich

Caren Rossi showed the Board a plan showing a sauna that they would like to construct on their property. They are going before the ZBA on March 20<sup>th</sup> and if they are successful in receiving a variance, they are subject to site plan review because it is a condo development. Does the Board wish to conduct a site plan review?

They all agreed that they do, being consistent with the regulations and they too, apply to them, just as Flag Hill.

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ADU Work Session

Mark Beliveau, Chairman encourage everyone to read the survey results, if you have not already to see if there are any other changes that the Board wishes to make to the regulations.

The Board scheduled a work session on March 27, 2024, to work on the ADU regulations, at 7pm.

Caren Rossi passed out several other ADU ordinances from several other towns.

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Flood Plain Study-

Caren Rossi explained that there is money left in the grant from the flood plain study to create a brochure to mail out to all the parcels that are affected.

The Board thought this was a great idea.

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Bedrock Gardens

Caren Rossi showed the Board a tent like canopy that they want to install as a shade cover and asked if the Board wished to conduct Site Plan Review for this.

They all stated no.

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Lee USA Speedway

Caren Rossi explained that they wish to pave the existing dirt road in the pit area and asked if the Board wishes to conduct a site review?

They all stated no.

With no further business, Wayne Lehman made a motion to adjourn at 9:20PM.

Lou Ann Griswold second.

Vote: all, motion carried.

Minutes transcribed by:

Caren Rossi