MEMBERS PRESENT: John Hutton, Acting Chairman; Craig Williams; Donald Quigley; Francisco “Zeke” Bardales; Alternate; Shawn Banker, Alternate

OTHERS PRESENT: David Wilkins; Nick Bennion & Caren Rossi, Planning/Zoning Administrator.

7:00PM Chairman call meeting to order

John Hutton, Acting Chairman read the opening statement into the record (in file) roll call attendance -all members responded that they were alone.

MINUTES

Review and approve draft minutes of 12/2/2020

Donald Quigley made a motion to approve the minutes as written.
Shawn Banker second.
Roll call vote: all, motion carried minutes approved.

NEW BUSINESS

Caren Rossi clerked and read the application into the record.

An application made by David Wilkins property located at 235 North River Road and is known as Lee Tax Map # 26-09-00. The applicant requests a Special Exception to Article V, Residential Zone, Section D to allow for a Professional Office Space in an outbuilding. This is a request to the 2020 Town of Lee Zoning Ordinance.

David Wilkins explained his application. He has had an internet cross bow sales business, for 13 years, currently in his house. The business has outgrown the house. He has 4 storage units full at the circle. He wishes to construct a barn on his property to move the business into as well as the items in the storage units. His wife does bookkeeping so she will occupy the top floor and this business will be downstairs. He is building it to look like a barn so it blends into the area and when he no longer has the business he can use it for personal things, possibly horses. Thinking long term, they would like to have 6 to 8 employees. It will not look industrial at all. He has sent letters explaining to his abutters explaining what he wants to do. He has recently
heard back from 2 of them that were in support of the proposal. It will be a 40’ x 40’ building, there is not typically any customers to the home. On a very rare occasion, someone will pick up an order but typically it’s all just done UPS. He is planning on doing the plumbing for a future septic but planning on doing a composting toilet for now.

Public comment

Nick Bennion, 241 North River Rd spoke in favor of the application but wishes that some type of signage would be installed to keep the few people who do go there, from turning around in his and others driveway.

Caren Rossi read the letter that was received from Jim Banks into the record.

Floor closed

Craig Williams spoke with concerns of the employees growing on the site

Donald Quigley agreed.

Shawn Banker stated possibly, but he wasn’t convinced.

Zeke Bardales disagreed.

Craig Williams asked if he was planning on putting in a shooting range?

David Wilkins replied, no, not at all.

Craig Williams asked David Wilkins if the 6 to 8 employees was now or in the future?

David Wilkins replied in the very distant future, now he sees 3 to 4 in reality.

Craig Williams asked about the septic for the building?

David Wilkins stated that he would like to use composting toilets.

Caren Rossi stated that the planning board will address this.

John Hutton reminded everyone that if approved, they could limit the number of employees if that is what the majority of the Board wants.

The Board determined the following Findings of Facts:

PRELIMINARY FINDING

2
After reviewing the petition and having heard the presentation by the applicant, it is found that the Board has a majority sufficient information available upon which to render a decision. If there is sufficient information, the application will be deemed accepted and the public hearing will continue. If it is found that the Board does not have sufficient information, the public hearing will be postponed to a date certain on ________________.

For Special Exceptions permitted under Article V:

The use is specifically permitted under the terms of Article V for a Special Exception.

Yes: majority

Satisfactory arrangements have been made for the following as required by Article V of the Zoning Ordinance:

1. Ingress and egress to the property and proposed structures or uses with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and in case of fire or catastrophe;
   Yes- majority- already traffic in an out, UPS and Fedex

2. Off-street parking and loading areas where considered necessary by the board;
   Yes- majority, already dealing with that already and confirmed by the abutter present.

3. Control of noise, glare, odor or other potentially adverse effects of the proposed use on nearby property and screening or buffering to alleviate such effects;
   Yes-majority-nothing required to alleviate.

4. Refuse and service areas; Yes- majority- keep going to the transfer station.

5. Control of drainage and erosion; N/A

6. Lighting must be installed with due regard to glare, traffic safety and compatibility and harmony with adjoining property and the character of the area. N/A

In addition, the following criteria have been satisfied:

1. A landscaped buffer zone must be maintained between the Special Exception and any residential lot line.
   Yes –majority- planning board will address this

2. Signs must conform to requirements of Article XVII of this ordinance.
   Yes- majority will conform
3. Only one (1) residential structure and/or one (1) business, shall be permitted for that use on each lot.
   Yes -majority it does

4. Each site will be permitted only one (1) access from the public right-of-way.
   Yes -majority access is existing

For all Special Exception requests, findings and rulings.

After reviewing the above, the Board has determined the following findings of fact, all of which must be satisfied to grant a special exception as required by Article XXII.3 of the Zoning Ordinance.

1) The proposed use will not –majority be detrimental to the character or enjoyment of the neighborhood or to future development by reason of undue variation from the kind and nature of other uses in the vicinity or by reasons of obvious and adverse violation of the character or appearance of the neighborhood or cause diminution in the value of surrounding property. Its been operating for 13 years, non-one has issues, no complaints, abutters spoke in favor.

2) The use will not majority be injurious, noxious or offensive and thus be detrimental to the neighborhood. Existing, no issues, abutters spoke in favor

3) The use will not majority be contrary to the public health, safety or welfare by reason of undue traffic congestion or hazards, undue risk of life and property, unsanitary or unhealthful emissions or waste disposal, or similar adverse causes or conditions. Existing, no issues, abutters spoke in favor.

Donald Quigley made a motion to approve the request subject to the following conditions:

- No more than 3 non-family employees.
- Appropriate signage to be installed prior to occupancy to properly identify the business location.

Shawn Banker second.
Roll call vote; all in favor, motion approved

John Hutton, Acting Chairman explained the 30-day appeal period to the applicant.

MINUTES TRANSCRIBED BY:

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Caren Rossi, Planning & Zoning Administrator