MINUTES OF THEMEETING
LEE ZONING BOARD OF ADJUSTMENT
June 18, 2026, at 6:00PM

MEMBERS PRESENT: John Hutton, Acting Chairman; Peter Hoyt; Donald Quigley; Shawn Banker & Ryan Martinson.

OTHERS PRESENT: Michelle Broullett; Jacob Benjamin and Caren Rossi, Planning/Zoning Administrator.

John Hutton, Acting Chairman opened the meeting at 6:23 PM.

ZBA2627-02
An application from Richard Benjamin represented by Ian Mackinnon, Jones & Beach Engineering's, LLC requesting a variance to Article V, Section A, to allow an existing duplex to be located on 3.7+- acres with 3.5 +- acres of contiguous developable land where 5.0 acres and of the 5.0 acres, 4.0 of contiguous developable area is required. The property is located at 4 West Mill Pond Road and is known as Lee Tax Map#16-04-0100.

Ryan Martinson clerked and read the application into the record.

Ian Mackinnon outlined the application. This is the first step. If they get approval, they will do the survey and then proceed to the planning board. The existing parcel has 5.9 acres, and they are proposing to subdivide off a conforming building lot leaving 3.7 +- 2.2 with the required 250' of road frontage. They have not yet applied to NH DOT. The new lot will be conforming but the existing lot will not be. He continued to address the 5 criteria by reading the application into the record.

Public comment
Jacob Benjamin commented that it will be nice to have is parents live closer to him.

Michelle Brouillette expressed concern that if they are allowed to do this her privacy is gone. When she bought her house she was told that that land couldn't be subdivided because it would make the lot non-conforming. She really values living in Lee and her privacy. She will lose her privacy if a house goes there.

Floor closed

Donald Quigley asked how wide the NHECOP easement is?

Ian Mackinnon replied that they are not sure, their surveyor needs to do their work.

Caren Rossi asked who owns the triangle of land where the power lines are? Is that where you get your frontage?

Ian Mackinnon explained that is a grey area that needs to be addressed.

Donald Quigley commented that you still may need a frontage variance.

Ian Mackinnon explained that is correct.

With no further questions, the Board determined the Following of Facts:

PRELIMINARY FINDING

After reviewing the petition and having heard the presentation by the applicant, the Board finds that it does have sufficient information upon which to render a decision.

There is sufficient information before the Board to proceed. yes

FINDINGS

After reviewing the petition and considering all the evidence as well as the Board members' personal knowledge of the property in question, the Board makes the following determinations pursuant to RSA 674:33. The Board has checked each statement that applies.

1. Granting the Variance will not be contrary to the public interest. Will not – (all) meet s the requirements for a well and a septic. The state is asking towns to look at more ways to provide housing.

2. Granting the variance would be consistent with the spirit of the ordinance. will be- meets all the requirements for well and a septic. The state is asking towns to look at more ways to provide housing.

3. In granting the variance, substantial justice is done. Will be – confusion around old road puts them in a bad spot.

4. In granting the variance, the values of surrounding properties are not diminished. Are not- no evidence

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship to the applicants. Would – roadbed hasn't been properly abandoned as it relates to that area. No definite information about the road.
    A. To find than an "unnecessary hardship" exists, the Board must find:
    - There are special conditions on the subject property that distinguish it from other properties in the area; and

- No fair and substantial relationship exists between the purpose of the ordinance and its application to the property in question.

Donald Quigley made a motion to grant the request from Richard Benjamin represented by Ian Mackinnon, Jones & Beach Engineering's, LLC requesting a variance to Article V, Section A, to allow an existing duplex to be located on 3.7+- acres with 3.5 +- acres of contiguous developable land where 5.0 acres and of the 5.0 acres, 4.0 of contiguous developable area is required. The property is located at 4 West Mill Pond Road and is known as Lee Tax Map#16-04-0100.

Shawn Banker seconded the motion.
Vote: all, motion granted, application approved.

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

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MINUTES

DRAFT Minutes of 6-18-2026

Peter Hoyt made a motion to approve the minutes.
Donald Quigley seconded the motion.
Vote: all minutes approved.

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With no further business, John Hutton, Acting Chairman made a motion to close the meeting at 7:50PM.

Minutes transcribed by:

Caren Rossi- Planning & Zoning Administrator